

Student Housing & Residential Life Community Standards and Conduct Process Overview

Our staff is excited to have you as a member of our on-campus living community. As a student at CSU Monterey Bay, not only are you a member of the larger university community, but also a member of the community that exists within your residence hall, suite, apartment, or court. Student Housing & Residential Life Community Standards and university policies are designed to provide a clear picture of what is expected of you as a student housing resident.

Living in close quarters with others who are new to you is not always easy. Every person comes from a different background and brings a different set of experiences and expectations for living here in campus housing. Student Housing & Residential Life Community Standards and university policies are intended to give you, your roommate(s), and your neighbors a common set of expectations by which you can all live and learn together in order to achieve academic success, develop lasting friendships, and continue to build your skills so you are well prepared for life after graduation.

It is the responsibility of each individual to know and abide by these Community Standards, in addition to the CSU Monterey Bay Policies and Regulations available at <https://csumb.edu/catalog/behavior-codes> and Student Code of Conduct available at <https://csumb.edu/judicialaffairs/policies>. In order to carry out its work of teaching, research, and public service, CSU Monterey Bay faculty, staff, administrators, and students have an obligation to maintain conditions under which the work of the university can proceed freely. This is done in accordance with the highest standards of quality, institutional integrity, and freedom of expression, with full recognition by all concerned, of the rights, privileges, and responsibilities of those who comprise the university community. Each member of our community shares the responsibility of maintaining an environment conducive to the achievement of the university's mission. Being a member of a community means understanding and adhering to Community Standards, policies, regulations, and procedures, as well as being an active participant in the positive development and well-being of that community.

One community expectation is to ensure Community Standards are upheld. As a community member, you are responsible for your (and your guests') behavior and the choices you make. It is our hope you will choose to abide by all university and Student Housing & Residential Life policies and regulations, as well as Student Housing & Residential Life Community Standards. Student Housing & Residential Life has a conduct system in place to confront and address policy and Community Standard violations.

If you are ever in the presence of an alleged violation, you have some choices:

- You may attempt to stop the behavior or alleged violation,

- You may contact Student Housing & Residential Life staff or the University Police Department, or
- You may remove yourself from the situation.

If you choose to remain at the scene of an alleged policy or Community Standard violation, you will be included in an Incident Report (a form used to describe and document situations) and may be held accountable for a policy and/or Community Standard violation.

Student Rights and Responsibilities

As a member of CSU Monterey Bay's on-campus living community, you have certain individual rights your roommate(s) and those living around you should respect; however, these rights carry with them a reciprocal responsibility for you. Your responsibilities ensure your roommate(s), suite/quad/apartment mates, floormates, and other community members are afforded the same rights regardless of their identities, beliefs and values. When you meet your responsibilities, you will be helping make the university and residential communities a great place to live where all students can be successful!

To a significant extent, your success will depend on your ability to understand and balance the rights and responsibilities of your college experience. University staff members do not assume the role of campus parent, and you will seldom be told what to do or what not to do with regard to your personal behavior. The obvious exception, as with society at large, is when individual behavior threatens the health and safety of yourself, others, or the community or begins to disrupt the legitimate pursuits of others within the residence halls.

Student Housing & Residential Life staff do not, nor cannot, guarantee you will retain each of these rights at all times. You share the responsibility. You can help ensure that these rights will be honored through thoughtful discussion and open communication with roommates, suite/quad/apartment mates, floor/court mates, and other community members.

Student Housing & Residential Life staff is committed to offering you an inclusive environment that will allow you to take healthy risks, grow and participate in enriching and challenging activities. You have the choice to passively exist or take full advantage of your living environment by participating in activities, standing up for yourself and others, and speaking up for what you believe has value.

The following is a listing of your "rights" (things to which you are entitled as a student living in one of our housing communities) as well as your "responsibilities" (what is expected of you as a member of a residence community). These rights and responsibilities are not legally binding, but they are meant to complement the formal Community Standards and university policies:

- YOU HAVE THE RIGHT to a safe and secure living environment.
- YOU HAVE THE RESPONSIBILITY to keep your living space secured, and to not prop doors open or allow in strangers. You also have a responsibility to uphold all security policies and procedures. Violations of Community Standards and procedures put you and others at risk.

- YOU HAVE THE RIGHT to a reasonably peaceful and quiet space in which you can sleep and study.
- YOU HAVE THE RESPONSIBILITY to observe quiet hours, to keep your stereo, television, computer and your voice at a reasonable volume in your living environment, and to remind your guests and others you expect the same of them.
- YOU HAVE THE RIGHT to privacy and to the fair use of your room, both in terms of space and time, and the right to be free of unwanted guests in your room.
- YOU HAVE THE RESPONSIBILITY to let your roommate know of your wishes and preference for hours of sleep, study, and visitation, and to work through any differences you may have in a peaceful manner. You also have a responsibility to make sure your guests do not violate your roommate's rights or interfere with their use of your living space.
- YOU HAVE THE RIGHT to confront another person's behavior when it infringes on your rights.
- YOU HAVE THE RESPONSIBILITY to examine your own behavior when confronted by another and to work toward resolving conflicts.
- YOU HAVE THE RIGHT to the assistance of a Resident Advisor, Community Director, Associate Director, or other Student Housing & Residential Life staff members when you need help with a problem.
- YOU HAVE THE RESPONSIBILITY to notify a staff member of your problem and request assistance in a timely manner and to cooperate with those involved as they work with you as you solve your problem.
- YOU HAVE THE RIGHT to know what is acceptable and/ or inappropriate behavior in your living environment.
- YOU HAVE THE RESPONSIBILITY to read the information provided for you by CSU Monterey Bay. This includes, but is not limited to your Housing License, Community Standards, and Student Conduct Code. You may report any violation, whether or not you were personally affected by it.

Community Standards:

By signing/agreeing to the Student Housing & Residential Life License Agreement, residents are contractually obligated to comply with the Community Standards listed herein. Any violations of these Student Housing & Residential Life Community Standards may result in conduct action, including termination of the License Agreement. Residents and their guests are concurrently subject to all university policies and regulations for conduct, as well as all local, state, and federal laws. Please note these Community Standards are subject to change based upon the needs of Student Housing & Residential Life.

Alcohol:

CSU Monterey Bay acknowledges the use of alcohol by students of legal age as a personal choice and all students are aware that California State Law prohibits alcoholic beverages from being sold or given to any person under the age of 21. Student Housing & Residential Life is committed to maintaining an environment conducive to the intellectual and personal development of students and to the safety and welfare of all members of the university community. We expect and encourage responsible drinking behaviors by those individuals who are of legal age and who consume alcoholic beverages and respecting the rights of those individuals who otherwise choose not to use alcohol. Our department will continue to sponsor and support educational programs related to alcohol awareness and prevention, as well as support alternative activities for students who choose not to involve themselves in the use of alcohol. The following items describe Student Housing & Residential Life Community Standards relating to alcohol.

Please note that Alcohol violations are broken down into three categories in terms of severity. Level 1 being the least severe, and level 3 being the most severe.

ALCOHOL LEVEL 1:

Alcohol – Alcohol Present with Minors (Level 1): Alcohol is prohibited in residential spaces where at least one roommate is under the age of 21. Alcohol may only be consumed in spaces where all Licensees of that assigned bedroom and all guests are 21 years of age or older. If at least one person in any room / suite / apartment is under the age of 21, no alcohol is permitted in the common areas

Alcohol - Alcohol Related Games (Level 1): Games such as “water pong”, “root beer pong”, “flip cup”, etc. are not allowed in any residential facility. This includes Res. Halls, North Quad, Promontory, and East Campus Apartments.

Alcohol – Presence of Underage Drinking (Level 1): Residents who are in the presence of underage drinking or any other alcohol violation(s) are in violation of these Community Standards.

Alcohol – Alcohol Paraphernalia (Level 1): Alcohol paraphernalia, including, but not limited to beer bong and empty kegs used for decoration, ice luges, are not permitted.

Alcohol – Minor with Empty Alcohol Containers (Level 1): Empty, partially full, or full alcohol containers are not permitted in any space occupied by an individual(s) who is under 21 years of age. Student Housing & Residential Life staff finding alcohol containers in such spaces will direct assigned residents to pour out and recycle all containers.

Alcohol – Empty Alcohol Containers (Level 1): Empty, partially full, or full alcohol containers are not permitted to be on display, or visible by community members, in any residential space, regardless if the Licensee(s) is over the age of 21.

Alcohol – Alcohol Pictures (Level 1): Visible photographs of students drinking alcohol in university housing facilities may be used as evidence of a Community Standard violation.

ALCOHOL LEVEL 2:

Alcohol – Minor Possession/Usage (Level 2): Possession or usage of alcohol by any individual under the age of 21 is prohibited.

Note: the Main Campus Residence Halls (Cypress, Asilomar, Willet, Manzanita, Yarrow, and Avocet) are designated freshmen halls. Therefore, these halls are considered alcohol-free and at no time may a resident or their guest possess or consume alcohol in or around the Main Campus Residence Halls.

Alcohol – Drinking Games (Level 2): Common sources of alcohol and/or devices/“games” used or intended for the rapid consumption of alcohol are prohibited in all university housing and public areas (examples include: beer pong, quarters, card games in which the focus is centered on drinking).

Alcohol – Safety and Behavior (Level 2): Inability to exercise care for one’s own, another’s, or community health, safety, and/or property due in part or whole to being under the influence of alcohol is prohibited. This includes, but is not limited to, disruptive behavior; vomiting; urinating on floors, walls, and hallways; and incidents or conditions requiring extra care by staff or community members.

Alcohol – Alcohol and Guests (Level 2): Residents are accountable for all activities that occur within their assigned space and common living areas. Any resident in a room or apartment where alcohol or alcohol containers are present at the same time as someone under the age of 21 is in violation of these Community Standards. At all times, residents are responsible for their own behavior as well as the actions of their guests. Residents and guests who are in the possession of alcohol are expected to cooperate with all reasonable university staff requests. Guests not complying with the alcohol policy will be asked to leave our residential community.

Alcohol – Possession/Consumption of Alcohol in Public Spaces (Level 2):

Possession or consumption of alcohol in a public space is strictly prohibited, including, but not limited to lawns, courtyards, court islands, parking lots, grounds, etc. Possessing an open alcoholic beverage container in a public space is illegal and prohibited on university property. An open container includes cans, bottles, cups and similar vessels. Persons in violation of this will be required to pour out the remainder of the alcohol.

ALCOHOL LEVEL 3:

Alcohol – Providing Alcohol To Minors (Level 3): Providing alcohol to an individual under the age of 21 is prohibited. This includes purchasing alcohol for individuals(s) under the age of 21. Individuals found responsible for purchasing alcohol for individuals under 21 are subject to license termination.

Alcohol – Kegs (Level 3): Kegs or pony kegs are not allowed in any Student Housing residential facility. Individuals found responsible for possession of a keg / pony keg are subject to license termination.

Alcohol – Manufacturing of Alcohol (Level 3): The manufacture of any type of alcohol beverage by any method is prohibited.

Appliances and Furniture:

Student Housing & Residential Life allows specific size and approved electrical appliances to be used in rooms or apartments.

Appliances and Furniture – Open Heat Sources: Appliances with open heat sources (i.e. halogen lamps, toaster ovens) and/or no thermostat control (i.e. hot plates, grills, Foreman Grills etc.) are prohibited in the Main Campus housing facilities.

Appliances and Furniture – Space Heaters: Space heaters are prohibited, unless provided by Student Housing & Residential Life in case of emergency.

Appliances and Furniture – Extension Cords: The use of extension cords or multi-receptacle outlets with the exception of UL-approved power strips with surge protectors is prohibited.

Power strips MUST:

1. have a surge protector AND
2. have an on/off switch AND
3. have a reset button

Power strips must EACH be plugged directly into the wall (power strips may not plug into other power strips)

No outlet extenders are allowed that do not have surge protectors, on/off switch AND reset button

No electrical cords may run underneath rugs

Multiple power strips plugged into each other is prohibited.

Appliances and Furniture – Electrical Devices: Appliances with open heating elements and/or no thermostat control are prohibited including, but not limited to: hot plates, toaster ovens, halogen lamps, hot plates, countertop grills, or portable heaters. Toasters are only permitted in units with kitchens or kitchenettes.

Refrigerators – At this time period we are only allowing one microwave and mini refrigerator per bedroom in the following halls: Cypress, Asilomar, Willet, Manzanita, Yarrow, Avocet, Tortuga, and Sanderling.

- Microwaves cannot exceed **850 watts** and must be UL approved for both the unit and the power cord.
- Refrigerators will have a rated capacity of no more than **5.2 cubic feet**, UL approved for both the refrigerator and the power cord, operate on **10 amps or less** and not be self-defrosting in order to be permitted in the following residence halls: Cypress, Asilomar, Willet, Manzanita, Yarrow, Avocet, Tortuga, and Sanderling.
- One full sized refrigerator and microwave are provided in each North Quad Suite, North Quad Apartment, and Promontory. Individuals are allowed to have one mini refrigerator (5.2 cubic feet) in their individual room in North Quad and Promontory.

Appliances and Furniture – Furniture: Furniture provided by the university may not be transferred from one room to another or exchanged between rooms, nor can room furniture be removed or stored elsewhere within or outside university facilities.

Appliances and Furniture – Furniture Removal: Removal of furniture from public or semi-public areas is prohibited.

Appliances and Furniture – Disposing of Furniture: Disposing of furniture by abandoning in common areas is prohibited.

Appliances and Furniture – Rearranging Furniture: Residents in furnished spaces may arrange room furniture not permanently affixed, in any reasonable manner, as long as damage does not occur, doors and windows are not blocked from opening completely, and State Fire Code is not violated. Upon checking out of the space, all furniture should be in its original configuration – as found at move-in.

Appliances and Furniture – Self-Manufactured Lofts: Self-manufactured lofts are not permitted within Main Campus residence halls (Main Quad buildings, North Quad Suites, North Quad Apartments, or Promontory Apartments).

Balcony Occupancy:

Certain housing assignments such as East Campus apartments have access to upstairs balconies. Occupancy of these spaces is limited to the total number of residents in the housing assignment plus 2 additional students, not to exceed 5 individuals total at one time. Over-occupancy of these spaces is a potentially serious safety issue, and use of these spaces is monitored by Student Housing & Residential Life. Students seen to be over-occupying these spaces will be asked to reduce the occupancy to established limits. Repeated reminders about safe occupancy limits may result in conduct referral.

Barbecuing & Barbecue pit use:

Personal barbecue grills (gas, charcoal or electric) are prohibited on main campus. Students on main campus may only utilize barbecue grills installed by the university. Currently barbecue grills on the Main Campus are only located in North Quad and Promontory. Only charcoal and store bought lighter fluid may be used in university designated barbecue grills. Other accelerants (gasoline, wood, wood chips, pellets etc.) are not allowed. Charcoal and or store bought lighter fluid may not be stored in any student housing residential facility.

Students utilizing barbecue grills are responsible to be attentive to their barbecue and the proper disposal of coals. Barbecues can only be used between 8am to 10pm. Individuals utilizing campus barbecues are required to follow the Main Campus quiet hour Community Standards. Improper use of barbecue facilities may result in conduct referral.

Students living in East Campus may utilize barbecue grills in backyards and driveways. Barbecue grills must be stored at least 10 feet away from the building, and never inside the building or garage. Barbecue grills are not permitted on balconies. All other restrictions listed above apply.

Behavioral Health, and/or Safety of Self/Others

Student Housing & Residential Life acknowledges that civility, understanding, and mutual respect are responsibilities of all members of the university community and its visitors. These tenets are intrinsic to excellence in teaching and learning and to the existence of a safe and healthy community/workplace. Threats of violence or acts of violence not only impact the individuals concerned, but also the mission of the university to foster higher education through open dialogue and the free exchange of ideas. Each member of the university community has the obligation to report threats or acts of violence to the appropriate university authority. The following items describe Student Housing & Residential Life Community Standards relating to behavior that may impact the academic success, health, and/or safety of self/others:

Behavior - Endangerment to Self: Any activity which can be interpreted as endangering to or harming oneself is prohibited. This includes but is not limited to attempted suicide, cutting/self-mutilation, excessive substance abuse, etc. Student Housing & Residential Life reserves the right to remove any individual exhibiting behavior deemed by the Student Housing & Residential Life staff as a threat to themselves.

Behavior – Personal Care: Including, but not limited to; personal hygiene, in-home assistance, personal addiction, and personal needs. Any personal neglect that negatively impacts the community (roommate, residential hall room/suite/apartment) may result in the contact of the Health Department and or Child Protective Service health services or removal from living space, and referral for conduct action.

Behavior – Disturbing / Endangering: Behavior that endangers or disturbs others' own personal safety is prohibited. This includes intentionally, recklessly, or negligently causing physical harm. Creating undue mental or emotional harm to any person such that it limits their ability to access the essential services of the university and/or Student Housing & Residential Life is prohibited.

Behavior – Threats: Any threat or action of physical, emotional, or verbal harm in any form (including, but not limited to online postings, written statements, verbal interactions, assault/battery, physical fights, malicious pranks, etc.) to any community member or guest is prohibited.

Behavior – Harmful Actions Property: Any action taken by residents that has the potential to cause harm, or damage to another person's property, their room or their possessions is not permitted. This includes acts perceived as "pranks" against members of the residential community.

Behavior – Harassment: The placing of annoying or harassing telephone calls or emails, texts messages, Instant Messages (IMs), and/or posting to social networking

websites that negatively impacts another individuals' success may result in conduct action.

Bicycles:

Bicycles are only permitted inside university residence hall rooms, suites, and apartments with the consent of all roommates within the residence hall room, suite, or apartment. Bicycles are not permitted to be in, or stored in, building common spaces (laundry rooms, stairwells, balconies, lounges, etc.) that are not designated, as Promontory has designated indoor bicycle storage in the form of bicycle racks by the elevators of each floor. In consideration of your property, we suggest you secure your bicycle to available bike racks outside buildings.

Bicycles locked to stairwells, fire safety equipment, picnic benches, and/or trees are not permitted. In such cases, a 48 hour removal notice will be placed on bicycles locked in these locations, after which point, they will be removed. The University Police Department (UPD) is responsible for removing and discarding these bicycles and can be contacted for more information. 30 days after the conclusion of a semester, if you do not obtain your bike from bike lockers or racks, UPD will remove your bike.

Building Access & Property:

Each student living on Main Campus is granted access to their residence hall using their Otter ID card. The card is not universal and does not permit entry into all residence halls on campus. Each student room is hard-keyed, and the student is assigned a key that matches their room door's lock. In the event a student lives in a suite or apartment, they are given a second key. The first key will access the suite or apartment lock. The second accesses their individual room, which is locked differently than the suite or apartment entrance. Students living in East Campus (Frederick Park I and II) apartments have hard keyed front doors, each with its own entryway. Each student receives three keys, one for the front entrance one for their individual room, and one for their garage door.

Building Access & Property – Access to Facilities: Providing access to buildings, or rooms within buildings, to those other than residents, staff, or invited guests by any means including, but not limited to: failing to lock or secure doors; propping entrance doors; lending of room key or Otter ID Card; or allowing a person entrance into a building and leaving them unattended in a public place is not permitted. Individuals whose licenses have been revoked are not allowed access to any residential facility.

Building Access & Property – Egress: All entry / exit points must be kept clear and easily accessible. This includes any hallway, entryway, doorway, garage door, front

door, back door, and windows. Such egress locations must be fully accessible in case of an emergency in which individuals would need to evacuate.

Building Access & Property – Unauthorized Entry: Unauthorized entry into an assignment/living space other than your own and/or presence on rooftops, ledges, or areas marked for restricted access in any residential building or university facility is prohibited. Entrance into or exit from any building/space through a window or an unoccupied/unassigned space is also prohibited.

Building Access & Property – Key/Access Card Use: Unauthorized use, possession, provision, or duplication of access key/cards is prohibited, including having duplicate keys made for individuals who are not listed on the License Agreement. Residents who lose their key or temporary ID card for building access during a temporary stay are required to notify Student Housing at the Main Campus housing office, the Promontory Leasing office, or the Alliance Property Management Company for East Campus within 24-hours, and are responsible for any fees that accompany a re-key of the room / apartment, and/or replacement of the temporary ID card.

Building Access & Property – Lock Outs: Upon checking-in to your Main Campus residence hall or East campus apartment (Main Quad / North Quad / Promontory / East Campus Frederick Park Apartment) space, you are assigned the key(s) that will provide you access to that room/suite/apartment. It is your responsibility to keep these keys in your possession at all times, including taking your key(s) with you when leaving your room/suite/apartment. The housing staff are available to assist main campus residents if locked out (after you provide identification) in gaining access to your room in an emergency. Please note excessive lockouts (meaning 3 or more in a semester) may result in the license holder being charged a service fee as well as being referred to student conduct.

The Alliance Residential Company is available to assist East campus residents if they are locked out only during their business hours of operations. Licensees who are locked out after hours will be responsible for contacting a private lock shop service to gain entry into their apartment at their own cost. A lock change may also be assigned if lock-outs continue to occur.

Building Access & Property – Locks: Installation of any door or area locks other than those provided by the facility is prohibited.

Building Access & Property – Property Use/Restricted Access: Unauthorized use, removal, and/or access of property belonging to or in the possession of the State of California, the University Corporation at Monterey Bay and its agents, Student Housing & Residential Life, by any community member or guest thereof, is a violation of these Community Standards.

Building Access & Property – Security Procedures: Failure to abide by security procedures established by CSU Monterey Bay, University Corporation at Monterey Bay and its agents, and Student Housing & Residential Life, such as guest registration, or failure to respond to reasonable requests of university security officials is prohibited.

Building Access & Property – Lost Keys: If a resident loses their key(s) they must immediately contact their RA. This safety precaution will generate a lock change resulting in charges being applied to the resident. In East Campus, if a resident loses their key(s) they must immediately contact the Alliance Residential Company.

Building Access & Property – Otter ID Card: All students must carry their Otter ID Card at all times. Main Campus residents need their Otter ID Card to gain access to their building. In the event an Otter ID Card malfunctions, it is the resident's responsibility to immediately get the card serviced – this can be done by visiting the Student Housing & Residential Life Service Desk. If an Otter ID Card is lost, Main Campus residents must notify their RA immediately in order to coordinate removing that card's access to Main Campus buildings. Residents are then responsible for obtaining a replacement card at the Campus Service Center in the Student Services Building.

Building Access & Property – Laundry Services: Allowing non-residents to use the residence halls' free laundry services on the Main Campus is considered a misuse of the campus resources and may result in conduct action. Additionally, Frederick Park laundry rooms are provided for student use. Abuse of such facilities is prohibited.

Class Projects:

If for any reason you are required to bring a project home for a class, you will seek permission from your Community Director who will confirm: the class, the project and the type of container the project will be held in. This would include but not be limited to biological, chemical, and environmental projects (e.g. animal cadavers, chemistry projects, environmental restoration projects, etc.). You will be able to leave this in your residence space for a period no longer than two days. You will also need to seek your roommate's permission to bring such a project into your room.

Code of Conduct Policies:

In addition to the CSU Monterey Bay's Student Housing & Residential Life Community Standards, housing students are also responsible for and can be held accountable to adhere to the CSU Monterey Bay and the CSU Student Code of Conduct and CSU Monterey Bay / CSU policies. For more information on these policies please visit: <https://csumb.edu/judicialaffairs>

Common Kitchen Use and Cooking:

Many of the CSU Monterey Bay housing facilities have common kitchens available for use by the entire building community in which the common kitchen is located. These residential facilities include (Cypress, Asilomar, Willet, Manzanita, Yarrow, Avocet, Tortuga, Sanderling, Pinnacles Suites, Vineyard Suites, and Promontory Center).

The following guidelines must be followed:

If you are cooking or baking, you must stay within sight of the cooking appliance. Students cooking in common area kitchens should never leave the kitchen area while food is being cooked or the oven/burners are in operation. A fire or smoke-related incident that starts because a student was not paying attention to their cooking is not considered an accident, but rather an incident of unsafe and negligent use of the kitchen facility. In these cases, students may be responsible for damages and face conduct action.

Students who cook and/or use the kitchen facilities are required to clean up that area immediately following use. Common kitchens are for the benefit of all community members. Leaving a mess in this area prevents others from taking advantage of this space. Students who leave a mess and fail to clean- up after use of the kitchen may be charged for cleaning and referred to conduct.

Student-owned cooking items must be in good, safe working condition. Large knives, deep frying vats and other utensils that may be considered unsafe in a residential community may be requested to be removed immediately at the discretion of Student Housing & Residential Life Staff.

Student Housing & Residential Life does not take responsibility for personal items left in the common kitchens, such as utensils, cookware, and food items. It is the discretion of Student Housing & Residential Life to remove / dispose of any food items within the common kitchens.

Courtesy/Quiet Hours:

To support the academic mission of the university, Student Housing & Residential Life practices a 24- Hour Courtesy Hours Community Standard, allowing others to concentrate on their studies and get sufficient sleep. It is our expectation that residents always honor the requests of their community concerning noise levels, even

when it is not scheduled quiet hours. If you experience a problem with noise, you are encouraged to first speak directly with the responsible individual(s); then, if the issue is not resolved, please, seek the assistance of an RA.

Courtesy/Quiet Hours – Disturbing Behavior: Excessive noise or behavior that disturbs others or endangers the personal safety of others is not permitted.

Courtesy/Quiet Hours – Sound Amplifying Equipment: Using, playing, or operating any sound amplifying equipment that violates a standard of quiet conducive to study or sleep is not permitted.

Courtesy/Quiet Hours – Percussion Instruments: Drums, other percussion instruments, brass, woodwind, amps, subwoofers, or any amplified instruments brought into and played within the residential facilities are not allowed without prior approval by Student Housing & Residential Life Staff. Residents should please see their Community Director for more information.

Courtesy/Quiet Hours – Stereos: Stereos may not be played through open windows; they may disrupt other resident students and faculty in academic buildings.

Courtesy/Quiet Hours – Parks and Parking Lots: Parks and designated parking lots in East Campus are closed at dusk. Individuals found to be in these areas may be cited by the University Police Department and/or be subject to conduct action.

Courtesy/Quiet Hours – Parameters of Quiet Hours: For the purpose of our community where providing an environment conducive to learning and student success are priorities, when Quiet Hours are in effect, noise cannot be audible outside a resident's room, suite, apartment, or community space.

Below describes the parameters of Quiet Hours in our residential communities:

- Sunday through Thursday: 10:00 p.m. to 8:00 a.m.
- Friday and Saturday: Midnight to 10:00 a.m.

Special notes regarding Courtesy/Quiet Hours:

- All outside areas, including courtyards, grill areas, common areas such as basketball and volleyball courts, and parking lots grill areas, Frederick Park common areas (i.e., streets, court islands, driveways, etc.), must adhere to this standard.
- Prior to, and during, the final exam periods for fall and spring semesters, the CSU Monterey Bay living communities on Main Campus honor 22-hour Quiet Hours (there is a two hour break in 24-Hour Quiet Hours in the evening). Violating Quiet Hours during these periods may result in immediate removal from housing. Information will be posted each semester to provide the dates and times for Quiet Hours during final exam periods.
- If an individual is found responsible for violation of the Main Campus 22-hour Quiet Hours, the individual found responsible may be asked to leave

immediately and not able to return until the following semester, even if the student still has finals to take.

- Due to the growth, development, and maintenance of CSU Monterey Bay and its agents, there may be construction/maintenance and other related noise that is beyond the scope of enforcement of Student Housing & Residential Life.

Discrimination/Harassment:

In order to promote California State Monterey Bay -related and non- California State Monterey Bay -related events and activities, Student Housing & Residential Life is responsible for distributing information to residents who live in our residential communities. The purpose of this posting/advertising Community Standard is to ensure the wise use of available space, balancing the need for effective and orderly promotion, maintenance of facilities, and prevention of littering.

The housing priority at CSU Monterey Bay and Student Housing & Residential Life is student success and safety. Therefore, intimidation, discrimination, or any form of harassment based upon; race, sex, gender and gender expression, sexual orientation, national origin, physical capability, or any other difference against any members of our community is a violation of Student Housing & Residential Life Community Standards, and is subject to conduct action. In this context we do not accept alcohol, substance abuse, or peer pressure as an excuse, reason or rationale for such abuse, harassment, discrimination, intimidation, or violence. Ignorance or practical jokes are not valid reasoning for such behavior; therefore individuals may still be subject to conduct action.

Discrimination/Harassment – Decorations: When decorating your living area (including, but not limited to, the interior and exterior of room windows, lounges, etc.), please remember that you are part of a diverse community. If community members approach Student Housing & Residential Life staff members with concerns about displaying decorations (including, but not limited to comic strips, videos, posters, phrases, quotes, signs and/or other forms of expression, etc.), residents may request the removal of materials in public view. While we support the rights of individuals to express thoughts and ideas, reasonable time, place, and manner of that expression will be expected of all community members so individuals can live in an environment without 'decorations' that may be pornographic, discriminatory, or which promote hate toward community members, including members of constitutionally protected categories.

Discrimination/Harassment – Obscene Behavior: Engaging in obscene behavior within or around any campus living area or any Student Housing & Residential Life related function is not permitted.

Discrimination/Harassment – Inappropriate Language: Using vulgar, discriminatory, or harassing comments or language when interacting with community members (students, faculty, staff, administrators, etc.) may be subject to conduct action.

Drugs:

The Drugs Community Standards reflect our desire to provide an environment that allows for study as well as developing friendships. California State Law and U.S. Federal Law prohibit the use, possession, manufacture or distribution of illegal drugs. As CSU Monterey Bay is a drug free campus, drug use is prohibited. Use possession, manufacture, or distribution of illegal drugs or drug-related paraphernalia, (except as expressly permitted by law and university regulations) or the misuse of legal pharmaceutical drugs will not be tolerated on university property and will result in conduct action. The following items describe Student Housing & Residential Life Community Standards relating to drugs and controlled substances:

Please note that drug violations are broken down into three categories in terms of severity. Level 1 being the least severe, and level 3 being the most severe.

Drugs Level 1:

Drugs – Seen or Smelled (Level - 1): If drugs or controlled substances are seen or smelled in or around the residence halls/suites/apartments, suspected persons are subject to lawful room search by the University Police Department and conduct action.

Drugs – Possession of Drug Paraphernalia (Level – 1): Drug-related paraphernalia is not permitted in CSU Monterey Bay housing or on university property. If found, 1) paraphernalia with drug or controlled substance residue may be confiscated by the University Police Department and ultimately destroyed; 2) paraphernalia without drug or controlled substance residue will be documented by Student Housing & Residential Life staff and the owning resident, or their designee, will be required to immediately remove paraphernalia from the residential facility.

Drugs –In Presence of Drugs (Level – 1): Students who are present during the use of any illegal substances in an area of a university facility or property are in violation of these Community Standards.

Drugs Level 2:

Drugs – Possession/Usage (Level- 2): Use, possession, related paraphernalia, (except as expressly permitted by law and university regulations) or the misuse of legal pharmaceutical drugs and marijuana is strictly prohibited.

Drugs – Safety and Behavior (Level – 2): Inability to exercise care for one’s own, another’s, or community health, safety, and/or property due in part or whole to being under the influence of a controlled substance is prohibited.

Drugs – Medical Marijuana (Level – 2): If the California Department of Public Health (CDPH) issues a Medical Marijuana Registry identification card to a student, California State Law allows that student to possess a limited amount of marijuana for medicinal purposes. However, possession of a Medical Marijuana Registry identification card does not authorize a student to possess, use, or distribute marijuana in any form, in any university residence hall/ room/apartment, dining facility, classroom building, or in any public area of the university. This includes the possession of any marijuana paraphernalia.

Students who receive a Medical Marijuana Registry identification card prior to residing in university housing may submit a request along with medical documentation from the appropriate physician to the Director of Student Housing & Residential Life or designee to be released from their Housing Contract executed by the student or, if applicable, to be released from the residency policy. If a student obtains a Medical Marijuana Registry identification card while residing in a university residence hall/apartment, they may submit a request to the Director of Student Housing & Residential Life or designee to be released from the Housing License Agreement.

Drugs Level 3:

Drugs– Manufacture/Distribution (Level- 3): Manufacture, or distribution of illegal drugs or legal drugs is prohibited and *may result in immediate license termination*. This includes distribution or selling of over-the-counter or prescription drugs.

Facilities:

Facilities Concerns & General Cleanliness:

In order to maintain, fix, or update the conditions of CSU Monterey Bay residential facilities, staff from Student Housing & Residential Life, and CSU Monterey Bay Facilities Services and Operations, reserves the right to enter residential living spaces when maintenance is requested by students or by staff on behalf of students; when work needs to be completed with at least a 24-hour notice; or immediately if a facilities related emergency exists. Student Housing & Residential Life reserves the right to

contact the Health Department if the space is deemed hazardous. The following items describe Student Housing & Residential Life Community Standards relating to facilities concerns and general cleanliness:

Facilities – Pest, Insect, & Bedbug: The best strategy for effective pest control is prevention. The following are recommended steps in the prevention of infestations by insects, including bed bugs:

- Clean Unit regularly, including vacuuming mattresses.
- Clean up clutter to help reduce the number of places insects like bed bugs can hide.
- Carefully and thoroughly inspect used furniture or clothes you acquire and bring into the Unit. Ask the person from whom you acquire the items if the items were checked and treated for bed bugs.
- Do not bring discarded furniture, mattresses or clothing into the unit.
- When traveling or staying in hotels, avoid places which do not appear to be cleaned regularly.

Useful Information about Bed Bugs: In recent times, bed bugs have become a re-emerging problem nationwide. One reason for these increasing problems is that it is easy for persons to spread the problem unknowingly. Bed bugs readily hide in small crevices and are notorious hitch-hikers. Bed bugs are often transferred by purchasing used furniture and through travel in luggage and in hotel beds and linens.

The following description and general information on bedbugs should assist Licensee(s) in identifying the potential presence of bed bugs:

- Bed bugs have six legs.
- Adult bed bugs have flat bodies about 1/4 of an inch in length. Their color can vary from red and brown to copper colored.
- Young bed bugs are very small. Their bodies are about 1/16 of an inch in length. They have almost no color.
- When a bed bug feeds, its body swells, may lengthen, and becomes bright red, sometimes making it appear to be a different insect.
- Bed bugs do not fly. They can either crawl or be carried from place to place on objects, people, or animals.
- Bed bugs can be hard to find and identify because they are tiny and try to stay hidden.
- An average bed bug lives for about 10 months.
- Female bed bugs lay one to five eggs per day.
- Bed bugs grow to full adulthood in about 21 days.
- Bed bugs can survive for months without feeding.
- Because bed bugs usually feed at night, most people are bitten in their sleep and do not realize they were bitten. A person's reaction to insect bites is an immune response and so varies from person to person. Sometimes the red welts caused by the bites will not be noticed until many days after a person was bitten, if at all.

Common signs and symptoms of a possible bed bug infestation include, but are not limited to: small red to reddish brown fecal spots on mattresses, box springs, bed frames, mattresses, linens upholstery, or walls; molted bed bug skins, white, sticky eggs, or empty eggshells; very heavily infested areas may have a characteristically sweet odor; red, itchy bite marks, especially on the legs, arms, and other body parts exposed while sleeping. Some people do not show bed bug lesions on their bodies even though bed bugs may have fed on them.

For more information, see the Internet Web sites of the United States Environmental Protection Agency and the National Pest Management Association.

Licensee acknowledges that they play an important role in helping to maintain the Premises, since they are in the best position to observe and maintain the Unit. Licensee agrees that if they observe a pest problem or infestation, they will report it to University/Corporation immediately via telephone or in writing. Licensee agrees not to treat the Unit with their own pesticides without the written authorization of University/Corporation. Upon notification of a problem or concern involving pests, the Unit will be inspected to confirm it and to develop a pest elimination and control plan.

If the Unit or a nearby Unit is infested with pests, including bed bugs, a pest control professional may be called in to apply pesticides. Any treatment will be more effective if the Unit is properly prepared beforehand. Licensee agrees to follow the recommended readiness procedures, including allowing full access for treatment. Licensee agrees that the choice of exterminator is exclusively that of University/Corporation. Licensee agrees to be responsible for:

- The cost associated with treating bed bugs in the Unit.
- Any damages caused to the Unit or to any of Licensees' personal property (i.e. furniture, clothing, personal belongings, etc.) by bed bugs.
- Any damage caused by an uncontrolled pest problem spreading to a neighboring Unit.
- Licensee agrees to fully release University/Corporation from any and all liability for claims and damages caused by a problem with pests, including bed bugs.

By signing the Room Condition Inventory, Licensee advises University/Corporation that they have inspected the Unit prior to move-in and that, during the course of the inspection, did not observe any live pests, insects, or bed bugs or any evidence of a pest infestation of any type in the Unit.

Licensee agrees if University/Corporation finds the presence, or an infestation, of any pests, including bed bugs, in the Unit after Licensee vacates, Licensee may be responsible for the cost of cleaning and pest control treatments to eradicate the pests.

Licensee agrees that a failure to cooperate with University/Corporation in the inspection or treatment of the Unit for pests, insects or bed bugs, in University/Corporation's sole discretion, will be a default under the License, for which University/Corporation may seek to enforce remedies contained in the License for Licensee's default.

In the event it is determined that a treatment of the Unit for any pests, including bed bugs, is necessary, Licensee agrees to coordinate the cleaning and/or disposal of their personal property (i.e. furniture, clothing, personal belongings, etc.) with the treatment being performed in the Unit, so as to protect against a re-infestation of any pests, including bed bugs.

Licensee advises University/Corporation that they are not aware that bed bugs were present in their last residence and that if bed bugs were present in any of their furniture, clothing and personal property they have been eradicated. Licensee agrees that their representation to University/Corporation of their lack of awareness of bed bugs being present in their prior residence or in their personal property is a material inducement to University/Corporation licensing the Unit described in the License to them.

Facilities – Common Areas: East Campus Common Areas: Residents shall not place any personal items in the common areas of the Community, (i.e.; furniture, tires, trash, etc.) Common areas include: driveways, front/side yards, center islands and all other areas outside of enclosed backyards.

Facilities – Outdoor Furniture: No items except patio furniture designed for outdoor use may be placed on balconies and patios in East Campus.

Facilities – Cleanliness: CSU Monterey Bay staff members/Alliance Residential Company clean each room/suite/apartment prior to, and after, occupancy. Thereafter it is the responsibility of the resident(s) to clean their individual and community space(s). All residential spaces are expected to be kept in a sanitary condition for the duration of occupancy, and in a clean condition upon vacating. If a room/suite/apartment is not returned to its original clean condition when the resident first moved in upon checking out of their space, the resident(s) will be responsible for associated charges. Additionally, when facilities issues arise (i.e. broken windows, leaks, damaged Student Housing & Residential Life property, etc.) it is the student's responsibility to report the issue immediately. Failure to report a facilities concern within a timely manner may be considered a violation of these Student Housing & Residential Life Community Standards and individuals may be subject to applicable charges.

Facilities – Failing To Remove Belongings in Laundry Rooms: With each residence hall on Main Campus housing over 100 residents, it is critical to make sure machines are available once your laundry has been washed or dried. Failing to remove belongings from machines and/or the laundry room within 48 hours of being completed may result in those items being discarded.

Facilities – Laundry Access: Providing access to laundry facilities to unauthorized individuals is not permitted. Campus laundry facilities are designated for campus residents only. Abuse of such facilities is prohibited.

Facilities – Living/Sleeping in Prohibited Areas: Living or sleeping in the garage or laundry room is prohibited. Additionally, setting up a bedroom space and sleeping in any location within the room / suite / residence hall / apartment other than the resident's designated bedroom by student housing is against Community Standards and subject to conduct action. This includes the dining area, common kitchen, lobby, hallway, garage and living room.

Facilities – Personal Property Seen As Danger: If an individual's collection of personal property becomes a nuisance or a danger to themselves or others, which can include but is not limited to, blocking egress location or denying access to areas that Student Housing & Residential Life may need access to, is a violation of community standards.

Facilities – Relocation: When facilities/maintenance issues occur and residents need to be temporarily relocated so work can be performed, residents are responsible for relocating (including moving essential items, picking up and returning temporary space keys in a timely manner, etc.).

Failure to relocate, move personal possessions in a timely manner, and/or causing work to be delayed is a violation of Community Standards. Individuals may be held financially responsible for maintenance issues related to delays caused by residents who fail to follow the temporary relocation process.

Facilities – Right of Entry: In order to maintain, fix, or update the conditions of California State University Monterey Bay residential facilities, staff from Student Housing & Residential Life, California State University Monterey Bay Facilities Services and Operations, and Alliance Residential Company reserve the right to enter residential living spaces with at least 24 hours notice, or immediately if a facilities related emergency exists. Please know that the Alliance Residential Company along with Student Housing & Residential Life reserves the right to contact the health department if the space is deemed hazardous, as well as Child Protective Services if deemed necessary.

Facilities – Room Assignments: Rooms are to be occupied only by the person(s) properly assigned to them by Student Housing & Residential Life. Room assignments are not transferable, subletting is not permitted, and students may not occupy two residential spaces simultaneously (unless conducting a room transfer during a 48-hour room transfer period). If a student makes an unauthorized room/suite/apartment change, the student will be assessed a \$75.00 Improper Check-Out charge and may face conduct action.

Facilities – Structural Additions: Structural additions or alterations to Student Housing & Residential Life facilities are strictly prohibited without written permission by Student Housing & Residential Life.

Facilities – Subletting: Subletting is not permitted in any residential space at any time. This includes California State Monterey Bay students who leave during summer break and wish to have an unauthorized individual live and pay rent while they are away.

Gambling:

Gambling or wagering of any kind is prohibited; this includes card games and betting pools.

Gatherings:

Including the licensee(s) who are present, an assembly of over (10) people in any residence hall room, North Quad Suite, North Quad Apartment, or Promontory Apartment in a violation of Community Standards. If a gathering event occurs in a common area, the total number of people present is not to exceed fire code.

In East Campus, Frederick Park Apartments, the maximum amount of individuals an upstairs unit can have is (10) people. The maximum amount of people you can have is a downstairs apartment in 50 people. However, gatherings in downstairs units over 10 people must be registered.

Registered gatherings up to a maximum of 50 people are ONLY allowed within East Campus Frederick Park Apartment housing within downstairs units. Any time there is a gathering, the Community Director of that area must give prior approval at least 48 hours in advance.

Instructions on how to apply to have a gathering in East Campus Student Housing are provided through the Student Housing & Residential Life website, and in the Student Housing & Residential Life--East Campus office. Gatherings that are unregistered and over 10 people is a violation of the Student Housing & Residential Life Community Standards and are subject to conduct action.

Gatherings that are excessive, meaning (75) people or more may result in the license holders license being terminated.

Note: Per the State Fire Marshal, and the California Building Code, any Frederick Park upstairs units and all Main Campus rooms, suites, and apartments may only have a maximum of 10 occupants at any one time, including the resident(s) of that space. Downstairs units may hold up to 50 occupants at any one time.

Certain housing assignments have access to upstairs balconies. Occupancy of these spaces is limited to the total number of residents in the housing assignment plus 2 additional students, not to exceed 5 individuals total at one time. Over-occupancy of these spaces is a potentially serious safety issue, and use of these spaces is monitored by Student Housing & Residential Life. Students seen to be over-occupying these spaces will be asked to reduce the occupancy to established limits. Repeated reminders about safe occupancy limits may result in conduct referral.

General Gardening/Community Gardens in East Campus Housing

Landscaping and Water Conservation: CSUMB encourages the use of drought tolerant plants in your landscape. Each East Campus downstairs unit may choose the option of maintaining and or replanting the landscape between the garage wall and sidewalk. Following is a list of acceptable plants; Geranium Pelargonium sp., Aeonium, Rhapsiolepis, Rosemary, Crocosmia, Crassula, Marguarite, peter pan or tinkerbell agapanthus, Lavender, dusty miller, any succulent less than 24" (cacti not permitted), euphorbia, camellia sasanqua, or annual color. Additional plant varieties may be approved if requested to management office in advance of planting. Potted plants may also be placed in this area, but should remain within the boundaries specified. The grade of the bed should not be altered and no manufactured borders are permitted. Lighting is only permitted in this section, if the resident maintains it. Resident is required to keep the area weed free and pruned regularly. If above guidelines are not followed a warning may be issued and unauthorized plants may be removed. After 3 warnings Landlord will resume maintenance of this portion of landscaping.

Conserving water is the responsibility of all residents. Hoses should have automatic shut off valves. Sprinkler run times should not exceed two (2) hours. Watering lawns should not exceed 2 hours in a 7 day period. Watering lawns should also not interfere with other residents entering or exiting their apartment home. CSUMB maintains a contractor to mow and maintain the properties common areas. No planting is permitted in common areas and may be removed at any time without notice. Lawns are mowed once every 2-3 weeks. Work hours include; Mon-Saturday from 7:00 am - 3:30 pm.

Yorktown Community Garden

Located in the center island of Yorktown Court; this area is available for growing vegetables, herbs, and other plants. Limited equipment is also available. To register a planter box, please follow the following listed steps. Please contact your Resident Advisor for more details.

Steps for Acquiring a Yorktown Garden Plot:

1. Contact your Resident Advisor to check availability.
2. Complete the Yorktown Community Garden Registration Form.
3. Turn in your Yorktown Community Garden Registration Form to your Resident Advisor.
4. Wait for a confirmation email approving your registration from the Community Director.
5. Plant!

General Student Conduct:

General Student Conduct – Federal/State/Local Laws: CSU Monterey Bay abides by all federal, state, and local laws. It is the responsibility of each member of our community to know and follow any applicable laws. Individuals may be held responsible through the student conduct process if an act is determined chargeable by local/state/federal authorities.

General Student Conduct – Conduct Request: Failure to comply with or respond to a request to meet with a CSU Monterey Bay official to discuss alleged violations or concerns is a violation of Community Standards and/or university policy; failure to complete sanctions rendered in response to violations may result in further disciplinary action.

General Student Conduct – Failure to Comply: Failure to identify oneself to, or comply with the reasonable directions of, a Student Housing & Residential Life, University Corporation at Monterey Bay, university official, or other public official acting in the performance of their duties while on university property or at official Student Housing & Residential Life functions, or resisting or obstructing such officials in the performance of, or the attempt to perform their duties, is a violation of these Community Standards.

It is expected that CSU Monterey Bay students carry their university-issued student ID at all times. Failure to display appropriate identification (i.e. - Student ID, state issued driver's license, or nation issued passport) when asked by Student Housing & Residential Life, University Corporation at Monterey Bay, or university staff, is considered non-compliance with the request of a university official and conduct action will be taken.

In the process of addressing community related issues and concerns, failing to comply with the reasonable directions of a Student Housing & Residential Life, University Corporation at Monterey Bay, or university staff acting in accordance with Student Housing & Residential Life and/or university protocol, is considered non-compliance and conduct action will be taken. This includes, but is not limited to not answering the door, exiting a situation via window or adjoining room/door, or locking yourself in an interior room, etc.

General Student Conduct – Falsifying Information: Presenting to any Student Housing & Residential Life staff member, University Corporation at Monterey Bay and its agents, or university officials information or documents that are fabricated, falsified, misrepresented, or non-negotiable is prohibited.

General Student Conduct – Passive Presence: Assisting in, or remaining present during the performance of any act constituting a violation of these Community Standards is prohibited.

General Student Conduct – Concealment of Violations: Residents have the responsibility to report Community Standards and/or Student Code of Conduct violations. Concealment of such violations may result in conduct action.

General Student Conduct – Appropriate Language: All community members and guests are held to standards of appropriate language when conducting university-related business. Individuals may be held accountable for inappropriate or offensive conduct.

Guests:

A guest shall be defined as any individual who is not assigned to a room, suite, apartment, or building they are visiting. All guests are required to comply with these Community Standards, and other applicable university rules. The licensee is responsible for the behavior of all guests and will be held accountable for their behavior. Guests should in no way become a nuisance to the roommate(s) or the community. Residents may not host anyone who is known to be banned from CSU Monterey Bay facilities, including Main Campus residence halls, North Quad, Promontory, and Frederick Park Apartments in East Campus. Roommate(s) have the right to object to future visits and staff will mediate any concerns by the presence of guests.

Guests – Overnight Guests: Overnight guests are allowed only with the approval of your roommate(s). *CSUMB housing residents must be physically present with any guest(s) at all times while they are visiting any CSUMB housing facility; this includes East Campus, Main Campus, North Quad, and Promontory.*

Guests – Cohabitation: Any form of cohabitation in East Campus Frederick Park Apartment partial license units is prohibited.

Guests – Intent to Reside: Any individual who is not authorized and approved to be a legal license holder within the housing facility is in violation of Student Housing & Residential Life Community Standards. This includes an authorized license holder hosting and unauthorized guest as their roommate, accepting any form of payment for

having someone living with a licensee, or abuse of the 14–day guest policy with intent to reside.

Guests – Register A Guest: Guests staying anytime between the hours of 12:00 a.m. and 7:00 a.m., are considered Overnight Guests. All guests staying overnight must be registered with Student Housing & Residential Life 24-hours in advance of their arrival, by the licensee they are visiting.

No more than two persons may occupy the unit as overnight guests at any time. The total number of days a guest can stay is not to exceed 14 days over the course of the academic year (i.e., July 1 through June 30 in East Campus Frederick Park Apartment housing; August through May in Main Campus residence halls).

Note: To register a guest, the student licensee will need to visit <https://csumb.edu/housing/guest-registration> and complete the required guest registration form. The purpose is to provide guest information, emergency contact information, and dates of stay for safety and security reasons.

Guests – Keys: Lending your key to a guest during their visit to CSU Monterey Bay is prohibited.

Guest Minors:

Minors (0–17 years old), including family members, may stay overnight with written consent from a parent or guardian. This written consent must include the parent or guardian's full name and verifiable contact information. This information must be provided to the RA (preferably 24 hours prior to the minors' arrival). Failure to provide the required documentation may result in the denial of an overnight stay for the guest.

- The licensee is responsible for all actions of their guest minor.
- Licensee must maintain “line of sight” supervision. “Line of sight supervision” or “arm’s length” supervision refers to proximity that the designated supervising adult can respond easily, as the minor is in direct vision / contact with the supervising adult.
- Minors must remain in the care and supervision of their designated licensee host. At no time should the minor be under the supervision of another CSU Monterey Bay student.
- Failure to adequately supervise minor guests may result in termination of housing privileges for a period of not less than one semester.
- At no time will a minor become a nuisance to other community members; otherwise the minors' parents / guardians will be contacted to immediately remove the minor.

Minors Policies / Guest Minors (under 17 years old)

Parent / guardians will be held accountable for their decisions regarding child supervision. Parent / guardians should be aware of their children's whereabouts and activities. Parent / guardians are encouraged to continually evaluate their child's level of

maturity and determine the degree of supervision that best meets the needs of their child. Violation of this Community Standard may result in conduct action.

All children must have the supervising adult's work and home phone numbers, and necessary emergency phone numbers. Children who are not in direct supervision should know at minimum, what to do in case of emergency, i.e., injury, assault, parent / guardians not returning as expected.

- No child will be left unattended under circumstances involving potential or actual risk to the child's health and safety.
- Chronological age will take precedence over the child's grade in school.
- A "guardian designee" is a responsible adult that the guardian / parent trust or a responsible youth at least 14 years old. This individual must be capable of being in a supervisory role and can provide adequately for a child's welfare and safety in all circumstances deemed appropriate.
- Children 0 - 3 years old require close supervision and will be under direct visual contact. The parent / guardian or their designee must be able to respond to any emergency or threatening situation
- Children 4 - 6 years old require direct supervision.
- Children 7 - 9 years old require direct supervision with two exceptions:
 - during travel to and from school
 - while playing in a designated safe area during which time the parent / guardian or their designee must check on the children at least every 15 minutes.
- Children 10 -11 years old may be left at home or at a designated safe area under monitored care for up to 90 minutes. If children are left alone under monitored care, parent / guardians must provide the children an emergency safety plan in advance and ensure that the children know and can follow through with the plan. Parents should remain sufficiently close and be able to physically respond to children within 10 to 15 minutes.
- Children 12 -14 years old may be left unattended for up to four hours during the day and early evening hours. Parent / guardians may not leave children at home alone overnight. If left unattended, parent / guardians must provide children an emergency safety plan in advance and ensure that the children know and can follow the plan.
- Children 15 -17 years old may be left unattended during the day and early evening hours. Occasionally – not more than once a week, children may be left home alone overnight. If left unattended, parent / guardians must provide children an emergency safety plan in advance and ensure that the children know and can follow the plan.

Hall Sports:

Throwing objects or playing sports within and closely around residential facilities is prohibited. Individuals and/or residential communities may be held financially

responsible for repairing damages, painting costs, and general maintenance related to hall sports. These sports include any activity that could result in damage to any CSU Monterey Bay housing facility or CSU Monterey Bay property.

Hazing:

The CSU Monterey Bay community views hazing as any action taken or situation created to produce mental or physical discomfort, embarrassment, harassment, or ridicule to another person or group of people by any group or individual.

Hazing – Participation: Participation in hazing or any method of initiation or pre-initiation into a campus organization or other activity that causes, or is more likely than not to cause physical injury or personal degradation/disgrace resulting in psychological harm to any student(s) or other person(s) is prohibited. Information concerning hazing or any method of initiation may be forwarded to other campuses, resulting in possible removal of the campus organization from the CSU Monterey Bay campus.

Health and Safety Inspections

Health and Safety Inspections are conducted by Student Housing & Residential Life staff. These inspections are designed to seek out and correct potentially dangerous situations before they cause damage or harm. Student Housing & Residential Life staff will also identify Community Standard violations, as well as maintenance and cleanliness concerns. While it is not the purpose of the inspection to seek out other violations (i.e. alcohol, drugs), if Student Housing & Residential Life staff do come across a violation, they will document the violation and refer the resident(s) for conduct action.

Student Housing & Residential Life reserves the right to enter residence hall rooms without consent of the resident(s) in order to provide for the general well-being and protection of the community, its members, and property.

Health and Safety Inspections will occur a minimum of two (2) times per semester. Residents will receive at least 24-hour notice prior to these inspections, as residents may wish to be present. If the resident(s) of the room are not present when the inspection is to occur, Student Housing & Residential Life staff will still enter the rooms to complete the inspection.

Life Safety

Fire safety is very important throughout our campus living community. Currently smoking, open flame cooking equipment, candles, or overtaxed electrical systems cause most fires in college and university on-campus housing across the U.S. Toxic

gases in smoke, usually caused by burning plastic, can render a person unconscious in a few seconds. For these reasons, Student Housing & Residential Life has the following Community Standards. Of course, in the event of fire, sound the nearest fire alarm, contact a staff member or University Police(if possible), and evacuate the building.

Life Safety – Decorations – Lights: Decorative lights should be on only when a resident is present. All lights/cords must be in good condition. Each room is only allowed, "No more than 50 bulb, count 15 feet, and must be LED indoor lighting" limit of 1 strand per room.

Life Safety – Decorations and Postings: Tapestries, flags, and burlap burn rapidly. If hung from a wall or ceiling, they can feed a fire. It is prohibited to hang such materials from the ceiling. These decorations may be affixed to the wall, and shall not exceed 50 percent of the aggregate wall areas within a room. It is recommended that such flammable items be treated with a fire retardant. Window curtains must be flame retardant, and display that they are made of such material that is flame retardant. Due to state fire codes, all decorations must be confined to the interior of the unit door. At no time can anything be in the corridors, such as rugs, holiday decorations, or whiteboards. Nothing is permitted on the exterior/hallway door of the room/suite or apartment, unless such decorative items are approved by Student Housing and Residential Life, laminated, and compliant with other Community Standards.

Life Safety – Fire Alarm Sounds: All residents and guests must evacuate a residential facility immediately when the fire alarm sounds. Failure to evacuate or follow specific evacuation procedures and/or any reasonable request of a University Corporation at Monterey Bay, Student Housing & Residential Life, or university staff member during an emergency or sanctioned simulation is a violation of these Community Standards and State Fire Code as it endangers the lives of safety personnel and other residents.

Life Safety – Fire Safety Equipment: Fire safety equipment (fire extinguishers, sprinkler outlets, smoke detectors, etc.) may not be utilized for any purpose other than those designated for the safety of residents. The following misuses of fire safety equipment are considered violations of these Community Standards: pulling fire alarms or fire alarm covers when no fire exists, blocking or propping fire doors, blocking stairwells, tampering with smoke detectors, setting off a fire alarm due to violating another Community Standard (i.e. – smoking in a room or common area, burning candles, etc.), misuse or tampering with sprinkler system heads (including, but not limited to, hanging items from sprinkler heads), tampering with fire exit signs, and improper use of fire extinguishers/hoses.

Ceiling clearance: Storage shall be maintained 2 feet (610 mm) or more below the ceiling in non-sprinklered areas of buildings or a minimum of 18 inches (457 mm) below sprinkler head deflectors in sprinklered areas of buildings.(CFC 315.3.1).

Life Safety – Misuse of Emergency Resources: Intentional misuse of the 911 phone number, blue light, and/or fire alarm pull stations or tampering with safety equipment is prohibited and is a serious crime. Individuals and/or residential communities may be held financially responsible for charges related to non-emergency fire alarm activation and building evacuation.

Life Safety – Blocking Entrances: Due to the necessity for residents to be able to evacuate their residential spaces in case of an emergency, doors (suite, apartment, and room) and windows must be able to be opened completely (over 90 degrees from the plane of the door) at all times. Blocking entrance and egress with any item that impedes a door and/or window from opening fully is prohibited. Residents may incur moving charges associated with the removal/moving of furniture that may impede entrance/egress to/from a room, suite, or apartment.

Littering

Littering is prohibited. As a resident in this community, it is your responsibility to dispose of personal trash in dumpsters outside residential facilities on Main Campus. For this reason, littering, leaving trash in common areas or locations not designated for waste disposal is subject to conduct action and applicable removal/cleaning charges; this includes large items such as furniture or electronics. Charges for property or trash left behind may occur

Living with Roommates/Room Transfers

Our Student Housing & Residential Life staff works with students to provide a living and learning environment for everyone, and this environment begins with you. As many residents may not be used to living with others in the same room, suite, or apartment, it is critical to be open, honest, and respectful when interacting with those who live with you, just as you would expect of any other university community member or guest. If you are having challenges when interacting with your roommate(s), please seek out your RA as soon as possible, they can help you and your roommate(s) address your concerns.

Every semester, there is a Room/Apartment Transfer period, where residents may move to an available space within the campus community, pending eligibility. However, transferring residential rooms/suites/apartments is not an automatic occurrence because we feel that an important aspect of the college experience is learning to coexist with a diverse group of people. If a resident is having problems, roommate mediation with their RA is always the first option. After mediation has been conducted, if that resident is interested in transferring rooms/suites/apartments, they

should speak to their RA, who will explain the transfer process and refer the resident to the Community Director.

Living With Roommates/Room Transfers – Moving Without Approval: Moving into a room/suite/apartment, changing bed spaces or rooms within a suite or apartment, and changing rooms/suites/apartments without the written approval and direction of Student Housing & Residential Life is a violation of this standard that may result in conduct action and/or applicable fees.

Living With Roommates/Room Transfers – Failure to Check Out: In the process of a room transfer, failure to check out of a resident's previous space in a timely manner, as directed by a Student Housing & Residential Life staff member, will result in being financially responsible for both spaces in addition to conduct action. An improper checkout fee will be charged to any resident who fails to comply with check-out procedures.

Living With Roommates/Room Transfers – Inhospitable Living Environment: If residents find their current living environment unsuitable in meeting their academic and personal needs and roommate mediation has been attempted, it is that resident's responsibility to work with their RA and/or CD to initiate a room transfer process. Residents' behaviors designed to make their living environment difficult or challenging for roommate(s) in hopes roommate(s) will transfer rooms are unacceptable and will result in conduct action.

Living With Roommates/Room Transfers – Existing Spaces: If a space exists within a resident's room/suite/apartment, it must remain clean and vacant so that another resident can move into that space with limited notice (in case of emergencies) or a 24-hour notice during a room transfer process. Residents, who occupy a 'vacant' space within their unit, make their residential space (room, suite, and/or apartment) unappealing/attractive for potential roommates, and/or attempt to deter potential roommates from moving into that space are subject to conduct action.

Living With Roommates/Room Transfers – Failure to Follow Roommate Agreement: In the process of generating a roommate agreement with a Student Housing & Residential Life staff member, all roommates are agreeing to each item stated on the agreement. Failing to follow this agreement will result in conduct action, up to and including a required room transfer or license cancellation for one or all residents involved.

Missing Student Notification Policy

California State University Monterey Bay students, employees, or other individuals who have reason to believe that a residential student is missing should contact the University Police Department. If a student is reported missing to Student Housing & Residential

Life the Student Housing & Residential Life representative will request the reporting party to contact the University Police Department. Student Housing & Residential Life will also contact the University Police and aid in supporting their investigation. If deemed necessary a residential student's missing student contact person may be contacted based upon the discretion of the University Police and/or the Dean of Students office. For more information on Cal State University of Monterey Bay's missing residential student notification policy, please visit:

<https://csumb.edu/policy/missing-residential-student-notification-policy>

Open Flames, Burning Embers, & Flammable Materials

Open Flames, Burning Embers, & Flammable Materials – Open Flames: No open flames or burning embers are permitted within CSU Monterey Bay residence halls located along the Main Quad, North Quad, Promontory or East Campus Frederick Park Apartments. This includes, but is not limited to, candles, incense, smoking (which means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, cigarillo, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. "Smoke" or "Smoking" also includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking) fireworks, fire pits, and the burning of any materials.

Open Flames, Burning Embers, & Flammable Materials – Flammable Materials: Flammable materials or substances, including but not limited to Christmas trees (live or cut down), lighter fluid, gas/propane, charcoal briquettes, etc. are also not permitted within CSU Monterey Bay residence halls located along the Main Quad, North Quad, or Promontory. Within the Frederick Park Apartments, barbeques are not permitted on any upstairs balcony. Additionally, barbeques must be a minimum of 10 feet from any building.

Parking Permits

Parking permits are required in all parking lots on Main Campus and East Campus. North Quad, Promontory Apartment, and East Campus parking lots require a special permit that is issued only to the resident(s) of that residential facility. Individuals who fail to properly display a parking permit are subject to possible citations. Egregious parking offences can result in conduct action. Parking permits for all housing areas can be obtained through Parking Services, please visit their website for more information: <https://csumb.edu/parking>. Replacement costs for a lost permit in East Campus is \$10. Students can contact University Police - Parking Division to purchase a replacement permit.

Parking & Vehicle Use - Guests

- Guests of East Campus Frederick Park Apartment license holders must also have a guest parking permit displayed between the hours of 3am to 6am.
- You may find parking guest permit information at <https://csumb.edu/housing/fredericks-park-guest-parking-information>
- Driveway parking is for licensed residents and or their guests in front of or inside their garage only. You may make an agreement to share the middle space with your neighbors.
- This agreement must be between all residents that share the middle space. If an agreement cannot be made, the middle space becomes unusable by all residents.
- No guests of a license holder may use the middle space. The space is used as a first come basis and all vehicles must be operational and must rotate within 72hrs.

Parking & Vehicle Use - Vehicle Upkeep

All inoperable or unsightly vehicles (project cars, flat tires, broken/cracked windows, vehicles with broken or missing required parts for legal operation in the State of California, leaking fluids, over-grown with plants and spider webs, or vehicles placed on blocks) are not allowed.

Parking & Vehicle Use – Repairs

No major repairs to your vehicles are permitted on the property. Minor vehicle adjustments may be accomplished provided work areas are kept clean at all times. Fluids that are environmentally unfriendly are not to be changed in the apartment community. These fluids include but are not limited to oil, brake fluid, transmission fluid and anti-freeze. Residents are also responsible to keep their garages and driveways clean and free of oil stains.

Parking & Vehicle Use - Parking

All lawns, dirt areas, parks, driveways, sidewalks, asphalt recreational areas, wilderness areas, parking lots, and roadways are property of CSUMB and are subject to enforcement. Housing agreements do not include rental of lawns, sidewalks, and driveways. Vehicles parked in these areas are subject to all laws and regulations of the State of California and the CSU Monterey Bay campus. Paved driveways between garages are for the sole use of the residents assigned to the designated units and not general parking. Unauthorized parking in such spaces or blocking of garages can be considered a Community Standards violation.

Parking & Vehicle Use - Garage Use

Use the garage space as storage for equipment, personal items, containers, vehicle parts, inoperable vehicles, or other items that would interfere with the ability to park a vehicle in the garage is prohibited. In addition, individuals will not, under any circumstances, use the garage to store flammable or toxic chemicals and/or waste. The garage will not be used for occupancy.

Pets and Approved Animals

Only non-poisonous fish in bowls or aquariums (up to a maximum of a ten [10] gallon tank) are permitted in the residence halls (Main Quad, North Quad, and Promontory). The only exception to this standard is an animal specially used for a sight, hearing, or mobility-impaired student, or an approved emotional support animal(s). In these cases the resident/owner of the animal must apply for an accommodation with Student Disability Resources (SDR), who then forwards a recommendation to Student Housing & Residential Life. If this accommodation is granted, the owner/resident assumes full responsibility for the care and upkeep, as well as any damage and/or cleaning fees of the room/suite/apartment.

Regarding registered pets in East Campus: Regardless of the amount of the deposit, Licensee shall be liable for all damages or expenses incurred by or in connection with Pet, and shall hold SH&RL harmless and indemnify SH&RL for any and all damages or costs in connection with pet. SH&RL reserves the right to off-set the cost of Pet damages to the community against Licensee's Pet deposit during the term of the Agreement and require the Licensee to re-deposit the amount of Pet Deposit specified herein. In the event of default by Licensee of any of the terms, Licensee agrees, within three days after receiving written notice of default by SH&RL, to cure the default or vacate the premises. Licensee agrees SH&RL may revoke permission to keep said Pet on the premises by giving 3 days' notice. The pet deposit shall be refundable subject to verification of the condition of the premises and in accordance with the applicable provisions with respect to security deposits at the end of the License term. Removal of the pet will not be grounds for early disbursement of any portion of the security deposit.

Pets – Possession: Possession of an unapproved pet (anything besides fish) is prohibited and will result in conduct action including a \$100 per occurrence fine, up to the termination of the resident's License Agreement. This includes visiting or training of animals, pet-sitting, or any other activity that results in unapproved animals residing in student housing.

Pets – Roommate Responsibility: Roommates (non-pet owners) may also be held responsible for violating this Community Standard. It is critical residents communicate with each other to ensure unapproved pets (aside from fish in a 10 gallon tank) are not present within student housing facilities.

Pets – Unapproved Animals: If any unapproved animal is found on campus, the SPCA and UPD may be contacted and will remove the animal from campus. In addition the individual(s) who are responsible for the animals(s) are subject to the following conduct action:

First occurrence: \$100 fine plus written warning and/or additional educational sanctions as determined by hearing officer

Second occurrence: \$100 fine plus housing probation

Third occurrence: Housing license termination

Pets – East Campus Pet Deposit: Licensee in East Campus must pay a refundable pet deposit in the amount of \$250.00 (This does not apply to assistive animals for students with disabilities.) The refundable deposit shall be subject to full inspection of the apartment upon Licensee's move out and shall be considered based upon the condition of the apartment.

Pets – Animals on Campus Policy: The licensee agrees to comply with all applicable ordinances, regulations and laws governing pets. This includes Cal State Monterey Bay's "Animals on Campus Policy" which can be found by visiting: <http://policy.csumb.edu/animals-campus-policy>

Pets – Reptiles/Amphibians: No amphibians or reptiles permitted within any housing facility on campus.

Pets – Live Food: No live food is permitted for the purpose of feeding approved pets. This includes rodents and crickets.

Pets – "House Broken": If approved, dogs and cats are required to be "house-broken." Cats must be litter-box trained.

Pets – Commercial Purposes: No pets may be kept, bred or maintained for any commercial purposes.

Pets – Offsprings: Licensee agrees that no offspring will be allowed to remain on the premises.

Pets – Leash: Licensee agrees that Pets will not be permitted outside Licensee's unit unless restrained by a leash. Use of the grounds or premises for sanitary purposes is prohibited. Please note that landscape pesticides and chemicals are used on the grounds of the community and therefore special care should be taken when walking your pet.

Pets – Balconies: Pets are not to be tied or staked outside the unit. Licensee may not leave a pet on balconies, porches or patios for extended periods of time.

Pets – Aquatic Animals: If Pet is a fish, the water container shall not be over 10 gallons and will be placed in a safe location in the apartment.

Pets – Noise or Facilities Disturbance: The pet will not cause any damage, discomfort, annoyance, nuisance or in any way inconvenience, or cause complaints, from any other Licensee. Licensee shall prevent any fleas or other infestation of the unit or other property of the SH&RL. Any “mess” created by Pet shall immediately be cleaned up by Licensee. If Licensee does not clean up after said pet, Licensee will be subject to conduct and assessed a fee. The Licensee will be asked to remove any pet that constantly bothers other residents, whether inside or outside, or constitutes a problem or obstruction to the agents and employees from properly performing their functions, duties and responsibilities. If Licensee fails to remove said pet following complaints from residents and requests from SH&RL, the License may be terminated.

Pets – Vaccinations: All dogs and cats shall have all required vaccinations. Pet owners may have to show proof of vaccinations if requested. It is strongly suggested that all pets carry some sort of identification tag showing current address and telephone number on their collar. Dogs are required to have a current license and an identification tag at all times.

Pets – Unspayed Pets: Residents with unspayed pets will be required to supervise and securely confine female dogs and cats during their estrus cycle to prevent accidental breeding.

Pets – Miscellaneous Animals: Feral cats cannot be fed or kept on the property. Dangerous, illegal or poisonous animals will not be permitted on the property. Residents are not allowed to keep endangered species. Exotic animals are not allowed on the property. Residents are not allowed to harass, feed, or take any wildlife on the property.

Pets – Pet Droppings in East Campus: Patios and backyards should be kept clean of pet droppings (usually daily). Especially during hot weather, odors can be extremely offensive to neighbors. One suggestion is to buy a small plastic or metal trash can with a lid that fits tightly and line it with a plastic bag to simplify the process. Residents will not discard of fecal matter by either burying it in the yard or common areas, or by in the yard or common areas, or by throwing it into undeveloped areas. Also, please avoid leaving pet food outside for prolonged periods as it will attract pests.

Pets - Pet Droppings: All individuals are responsible for cleaning up pet droppings and dispose of these directly into a dumpster on campus. Pet droppings may not be disposed of into indoor trash cans.

Number of Pets in East Campus: The number of pets is limited to two (2) per apartment. Licensee may have two small dogs, or a combination of one (1) small dog and a cat, or two (2) cats. **Dogs are only allowed in downstairs units, cats are able to live in both upstairs and downstairs apartments.**

Licensees with dogs exceeding 50 pounds will only be permitted to have one dog. Residents must obtain prior approval from roommates prior to having a pet in the apartment.

Note: Pets specially used for a sight, hearing or mobility impaired student, or emotional support animal(s) may be allowed with a special accommodation recommendation supplied by Student Disability Resources (SDR). If this exception is granted the owner / resident assumes full responsibility for the care and upkeep, as well as any damage and / or cleaning fees of the room / suite / apartment. No pet deposit will be required for such animal.

Possession of Stolen Property

Theft, unauthorized removal, and/or possession of property owned by the State of California, city or town municipality, University Corporation at Monterey Bay, Student Housing & Residential Life, any community member or guest thereof, which has been stolen or reported as stolen is prohibited and will result in conduct action.

Posting/Advertising

In order to promote Cal State Monterey Bay -related and non- Cal State Monterey Bay -related events and activities, Student Housing & Residential Life is responsible for distributing information to residents who live in our residential communities. The purpose of this posting/advertising Community Standard is to ensure the wise use of available space, balancing the need for effective and orderly promotion, maintenance of facilities, and prevention of littering. Signs not meeting the educational goals and mission of the University, containing false, misleading or fraudulent information or discriminating or offensive language are strictly prohibited.

Posting/Advertising – Length of Posting by SH&RL: Materials given to Student Housing & Residential Life a minimum of seven (7) days prior to the event will be distributed to Resident Advisors, who will post the information in a timely manner. All materials distributed in this fashion must include the following:

1. Event time(s), date(s), location(s);
2. Name of the sponsoring CSU Monterey Bay campus office, department, recognized student club/organization;

3. An inclusivity statement providing direction and contact information (name, phone number, and email address) in case an attendee has questions, concerns, or needs accommodations. For example, “For questions, concerns, or accommodations, please contact *Otter Student/Staff/Faculty* at (831) 582-1234 or email: *otter@csumb.edu*.”

Posting/Advertising – Displaying Material: Displaying any material on the exterior of the buildings, trees, light posts, or other surfaces not specifically designated and designed as a poster/advertising display area is strictly prohibited.

Posting/Advertising – Chalking: Chalk as an Advertising Medium – Using chalk to advertise within or on buildings, doorways, walls, surfaces intended for seating, vertical surfaces, etc., is prohibited.

The university and Student Housing & Residential Life restricts chalking to exterior sidewalks and walkways that are exposed to natural elements and only stick chalk can be used (the use of spray paint and spray chalk is strictly prohibited). Messages not in compliance with this Posting/Advertising Community Standard may be erased.

Posting/Advertising – Unattached Materials: Unattached materials, handouts, and handbills are strictly prohibited. All materials not conforming to these guidelines shall be removed and all outdated material shall be removed upon its outdating.

Posting/Advertising – Damages: Individuals and/or residential communities may be held financially responsible for repairing damages, painting costs, and general maintenance related to improper posting or the removal of posted materials.

Posting/Advertising – Student Government Elections Process: Working in conjunction with the Associated Students Elections Committee, spaces will be designated in available housing areas for the posting of candidate information. Unless otherwise designated by the AS Elections Committee and Student Housing & Residential Life, the following Community Standards apply:

1. Upon approval from the Elections Committee, candidates can submit up to 60 articles/flyers/posters promoting their candidacy to Student Housing & Residential Life.
2. Student Housing & Residential Life will post all materials in a timely manner, ensuring there is enough room for all candidates' materials.
3. The AS Elections Committee, candidates, and Student Housing & Residential Life staff will work collaboratively to monitor these posting areas to ensure appropriateness (no slander), fairness, and consistency during the approved election campaigning period.

Projectiles

Throwing, dropping, or projecting objects from any residence structure, including, but not limited to, self, keys, bodily fluids, and trash is strictly prohibited. In addition,

throwing objects or playing sports in community courtyards is not permitted without permission from the Community Director of that area. Individuals and/or residential communities may be held financially responsible for repairing damages, painting costs, and general maintenance related to projectiles.

Responsible Action Protocol – RAP

Purpose of Protocol

Students are encouraged to make responsible decisions in life-threatening situations that result from alcohol and/or other drug abuse and to seek medical attention for someone who is in danger because of intoxication. Students should alert University officials, University Police, or professional medical personnel when they or their friends are in danger. A student who calls for or seeks emergency assistance on behalf of a student experiencing an alcohol or other drug related emergency may not be subject to mandatory alcohol and other drug sanctions under the CSUMB Student Housing & Residential Life conduct process.

Scope of Protocol

1. The Responsible Action Protocol applies to students who seek assistance or medical treatment on their own behalf or on the behalf of another student.
2. The Responsible Action Protocol does not apply if the student seeking help for another student purchased, supplied, or otherwise made available the alcohol or other drug to the student needing medical assistance.
3. If a representative of an organization hosting an event calls for medical assistance, this act of responsibility might mitigate potential conduct consequences that could arise against the organization, i.e., the fact that an organization sought help might be considered in potential sanctioning for housing community standard violations.
4. The protocol applies only to Student Housing & Residential Life conduct process and does not in any way prohibit law enforcement agencies within their jurisdictions from enforcing the laws enacted by the State of California.

Requirements of Protocol

Students considered for the Responsible Action Protocol are required to meet with a professional staff member from Student Housing & Residential Life, who, after evaluating the situation, may also refer the student to the Personal Growth and Counseling Center, and may be requested to complete educational sanctions that are consistent the nature of the incident.

Even if there is not a disciplinary action, the incident will remain on file which can be used as a prior record should subsequent alcohol or other drug violations occur. If the student has any subsequent incidents, these will be handled through the regular conduct process. If a violation is found to occur, prior records, including involvement in the Responsible Action Protocol, will be considered for sanctioning purposes.

Limitation of Protocol

The Responsible Action Protocol applies only to alcohol and other drug-related medical emergencies. It does not apply to other prohibited behavior such as disorderly conduct (including physical or verbal abuse), property damage, or distribution of illicit substances.

Failure to Act

The health and safety of CSUMB students is of paramount concern. With that priority in mind, students are encouraged to take responsible action in any situation where there is doubt about a person's physical welfare. If a student is in the presence of a medical / potential medical emergency in which another and is capable to call for help but does not, then said student may be held accountable through the Student Housing & Residential Life conduct process. Being part of the CSUMB community means taking responsibility for each other. The safety of CSUMB students is the responsibility of all community members.

Residence Hall Access

The doors to the residence halls are secured 24-hours every day, unless approved by Student Housing & Residential Life. Entrance into the halls is only by your Otter ID Card. You agree to take responsibility for your community and not prop the doors open or let unknown individuals into the residence halls at any time. Secured doors are for the safety and security of your living environment and other community members. Please be responsible and respectful of your community when it comes to your security.

Right to Entry

Student Housing & Residential life may, alone or with others, enter the Licensed Space in the following cases, including but not limited to: (i) in case of emergency, (ii) for scheduled maintenance, (iii) management of applicable rules and regulations (iv) to conduct health and safety checks, (v) pursuant to Court Order, (vi) after Licensee has abandoned the Licensed Space, (vii) to address alleged violations of University rules,

including but not limited to, the License Agreement, student conduct code or Student Housing & Residential Life Community Standards, or (viii) or to exhibit the Licensed Space to prospective Licensees. **Failure to allow access or hinder any Student Housing & Residential life staff member or their agent will constitute a violation of the CSU Monterey Bay Student Housing & Residential Life Community Standards.**

Sexual Harassment/Assault

CSU Monterey Bay will not tolerate sexual assault in any form, and includes rape, acquaintance rape, date rape, or sexual battery. To reduce the possibility of miscommunication or misunderstanding, University Corporation and university staff members strongly encourage all parties engaging in sexual activity to obtain verbal consent before any such activity occurs. Where there is probable cause to believe the campus regulations prohibiting sexual assault have been violated by a student, conduct action will be pursued. A student accused of sexual assault may be prosecuted under California criminal statutes and adjudicated under the campus student conduct policies and regulations. Even if the state authorities choose not to prosecute, the campus can pursue conduct action.

Sexual harassment is prohibited in any form at CSU Monterey Bay. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of instruction, employment, or participation in other university activity; (2) submission to or rejection of such conduct by an individual is used as basis for evaluation in making academic or personnel decisions affecting an individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive university environment. Report sexual assault on campus to the University Police Department immediately at 911, or (831) 655-0268. To file a complaint of discrimination with the university, one should contact the Director of Diversity, Equity, and Employment Practices at (831) 582-3504. If an instance of sexual assault occurs in the residence halls, contact the RA on Duty, as well as Student Housing & Residential Life at (831) 582-3378. For emotional support if an instance of sexual assault occurs, contact the Personal Growth and Counseling Center at (831) 582-3969.

RA on Duty Numbers - Main Campus:

Area 1: (831) 402-5498

Area 2: (831) 402-5496

North Quad: (831) 402-9027

Promontory: (831) 402-5503

Main Office of Student Housing & Residential Life: (831) 582-3378

RA on Duty Numbers - East Campus:

East Campus Frederick Park-I: 831-402-5499

East Campus Frederick Park-II: 831-402-5507

Call Alliance for any Maintenance or Rent Payment
Questions Alliance Property Management Company:
831-883-3157

Sex/Gender/Gender Identity/Sexual Orientation

The California State University does not discriminate on the basis of sex, gender, gender identity or sexual orientation in its programs and activities, including admission and access. Federal and state laws, including Title IX of the Education Amendments of 1972, prohibit such discrimination. Wendy Smith, Title IX Coordinator & DHR Prevention Administrator, has been designated to coordinate the efforts of CSUMB to comply with all applicable federal and state laws prohibiting discrimination on these bases. For the entire *CSU Executive Order 1095 Attachment A*, please see *appendix 1.1* at the end of this document, or visit: <http://www.calstate.edu/eo/EO-1095.html> Inquiries concerning compliance may be presented to Wendy Smith at wensmith@csumb.edu or (831) 582-3510. The California State University is committed to providing equal opportunities to male and female CSU students in all campus programs, including intercollegiate athletics.

Title IX of the Education Amendments of 1972 protects all people regardless of their gender or gender identity from sex discrimination, which includes sexual harassment and violence:

- **Sexual discrimination** means an adverse act of sexual discrimination (including sexual harassment and sexual violence) that is perpetrated against an individual on a basis prohibited by Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 et seq., and its implementing regulations, 34 C.F.R. Part 106 (Title IX); California Education Code §66250 et seq., and/or California Government Code §11135.
- **Sexual harassment** is unwelcome conduct of a sexual nature that includes, but is not limited to, sexual violence, sexual advances, requests for sexual favors, indecent exposure and other verbal, nonverbal or physical unwelcome conduct of a sexual nature, where such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the individual, and is in fact considered by the individual, as limiting the individual's ability to participate in or benefit from the services, activities or opportunities offered by the university. Sexual harassment also includes gender-based harassment, which may include acts of verbal, non-verbal or physical aggression, intimidation or

hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

- **Sexual violence** means physical sexual acts (such as unwelcome sexual touching, sexual assault, sexual battery and rape) perpetrated against an individual without consent or against an individual who is incapable of giving consent due to that individual's use of drugs or alcohol, or disability.

Skateboards/Skates/Bicycles (or other wheeled vehicles)

Skateboards/Skates/Bicycles – Use of Wheeled Apparatus: The use of wheeled apparatus shall be used for transportation outside residential areas only. Skateboards may only be operated on campus sidewalks, walkways, and paved paths. Bicyclists shall be parked, stored, or left on the University only in areas specifically designated by the presence of racks or other devices designed for bicycle parking.

Skateboards/Skates/Bicycles – Operating Wheeled Vehicle: Operating any wheeled vehicle while inside any housing community and/or any common area is strictly prohibited. Skateboards is prohibited on steps, stairways, disability access ramps, benches, walls, railings, seating areas, eating areas, and streets. Bicyclists riding is prohibited inside the campus quad area and on any landscaped or lawn areas.

Skateboards/Skates/Bicycles – Performance of Tricks: The performance of tricks and/or jumps in residential and surrounding areas is not permitted at any time.

Skateboards/Skates/Bicycles – Use of Wheeled Apparatus/Quiet Hours: The use of the wheeled apparatus shall at no time violate the Courtesy/Quiet Hours Policy.

Skateboards/Skates/Bicycles – Vehicle Safety Regulations: Relevant vehicle safety regulations must be observed when operating any wheeled vehicle.

Skateboards/Skates/Bicycles - Hours of Use Regarding Skateboarding:

Skateboards may not be operated on or around Main Campus Residence Halls, North Quad or Promontory Apartments between the hours of 10PM and 7AM, Monday – Friday.

Skateboards may not be operated in the East Campus housing areas between the hours of 10 PM and 7 AM, Monday – Friday.

Skateboards may not be operated inside any residential facility at any time.

Skateboards/Skates/Bicycles - Hoverboards:

Due to recent reports by the Consumer Product Safety Commission, Student Housing & Residential Life will no longer allow the storage, possession or charging of any Hover boards, Swagways, IO Hawks, Skywalkers, and similar devices with any CSUMB Housing facility. These housing facilities include; North Quad, East Campus, Main Campus, and Promontory. Student Housing & Residential Life is concerned about the potential impact that these devices may have on your safety. Individuals found in possession of such prohibited devices may be subject to conduct action.

Smoking and Tobacco Products

CSUMB is a smoke and tobacco free campus. Smoking and the use of tobacco products is prohibited on all university properties.

“Smoke” or “Smoking” means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, cigarillo, pipe, hookah, or any other lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic, in any manner or in any form. “Smoke” or “Smoking” also includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking.

Tobacco Product:

- (i) A product containing, made or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, and snuff.
- (ii) An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.
- (iii) Any component, part, accessory of a tobacco product, whether or not sold separately.
- (iv) “Tobacco product” does not include a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is market and sold solely for such an approved purpose.

Tobacco Free: “Tobacco Free” means the use of cigarettes, pipes, cigars, smokeless tobacco, snuffs, and other tobacco products are prohibited on all University properties.

Smoking and the use of tobacco products is prohibited in all residential areas of Main Campus (residence halls along the Main Quad, in North Quad, and in Promontory), including residence hall rooms and common areas, suite/apartment rooms and common areas, offices, atriums, breezeways, stairwells, and all exterior areas surrounding those buildings also considered University Property (Including but not limited to areas like the Divarty Quad, North Quad Sand volleyball courts and benches around North Quad, parks in East Campus) and in or around any Frederick Park Apartments. This includes balconies, backyards, stairways, garages, driveways and any other area considered University Property.

Violations of this, or acts that are consistent with the definition of “smoking” or use of a “Tobacco Product” in or around any CSUMB residential area is considered a violation of Student Housing & Residential Life Community Standards. Individuals who are found responsible for smoking within any Student Housing & Residential Life facility may be charged for the cleaning, repainting, and re-carpeting of that space, unit or area.

More information on the CSUMB campus Smoke and Tobacco Free Campus Policy can be reviewed at: <https://csumb.edu/cleanair>

Soliciting/Operating a Business

Selling or promoting any service or product within the residential facilities without the expressed approval of the Director of Student Housing & Residential Life or his/her designee is prohibited. This includes, but is not limited to utilizing university resources to sustain business efforts, the misuse of mail services or excessive use of mail services for implementing a business, distributing merchandise, door-to-door soliciting, and/or in-person, electronic, or paper advertising.

Subletting

Subletting is not permitted in any residential space at any time. This includes CSU Monterey Bay students who leave during summer break and wish to have an unauthorized individual live and pay rent while they are away.

Deep Roots - Health and Wellness Living Agreement

Regardless of their age, students living within the Student Housing & Residential Life Health and Wellness Housing program sign a Commitment Form pledging that they are choosing a substance free lifestyle. This means Health and Wellness community members (and their guests) will not smoke cigarettes/cigars, consume alcohol, use illegal drugs (including medicinal marijuana), or bring substances into their community;

nor will they engage in substance use in their lives while they are assigned to the Health and Wellness Housing. This community offers an environment that reduces residents' exposure to the primary and secondary effects of substance use, including the disruption of sleeping and studying. Violating this commitment may result in removal from the Health and Wellness Housing, as well as additional conduct action.

Deep Roots - Health and Wellness Living Agreement – Alcohol & Drugs Not

Permitted: The possession, use, and/or consumption of smoke/tobacco products, alcoholic beverages, or illegal drugs are not permitted within the Health and Wellness Housing at any time.

Deep Roots - Health and Wellness Living Agreement – Alcohol & Drugs:

Residents assigned to the Health and Wellness Housing may not possess, use and/or consume smoke/tobacco products, alcoholic beverages, or illegal drugs within or beyond the Substance Free community.

Deep Roots - Health and Wellness Living Agreement – Under the Influence:

Entering the Health and Wellness community under the influence or after the use of the above stated substances is prohibited.

Deep Roots - Health and Wellness Living Agreement – Smell:

Entering the Health and Wellness community smelling of smoke, alcohol, and/or drugs, or otherwise creating a substance-related disturbance that negatively impacts individuals in the community will not be tolerated.

Deep Roots - Health and Wellness Living Agreement – Behavior:

Health and Wellness residential community members are responsible for the behavior of their guests and assume accountability for their guests' actions.

Technology

Technology – WiFi Wireless Access Points:

Wi-Fi Wireless Access Points (“Rogue Servers”) on the CSU Monterey Bay network are prohibited without prior approval by the Information Technology (IT) Department. Such unauthorized devices often cause interference and reduce performance of the existing university-managed wireless network. Users should contact the IT Help Desk at 582- HELP if there is inadequate wireless coverage in their area.

Technology – Misuse of Resources:

Misuse of CSU Monterey Bay computers, resources, and/or the network (i.e. OtterNet) includes, but is not limited to, unauthorized computer access (personal, university, or University Corporation owned), unauthorized transfer of a file; use of another's identification or password; violation of the CSU

Monterey Bay Acceptable Use of Computing and Technology Resources policy; sending obscene, intimidating, and/or abusive messages; and use of the network that interferes with others, normal university operations, and/or violates copyright laws.

Technology – Rewiring Devices: Rewiring, the placing of attachments, or attaching unauthorized devices on a telephone or computer is prohibited.

University and Community Information

It is required that residents attend mandatory community meetings with their Resident Advisors where students receive important information regarding their housing and campus community. Based on the university Student Email Notification Policy, it is every student's responsibility to check university-issued email account on a consistent and frequent basis. Failure to check this university-issued email account does not negate a students' responsibility for information.

Unmanned Aircraft Systems Use

Use of Unmanned Aircraft Systems (UAS) such as but not limited to, remote controlled airplanes, helicopters, drones, or other model aircrafts, is prohibited in or around the CSU Monterey Bay residential facilities. This includes, Main Campus Residence Hall, North Quad, Promontory Apartments, and East Campus Apartments. If an individual is found operating an Unmanned Aircraft System in or around the CSU Monterey Bay residential communities they are subject to conduct action.

If for any reason you are required to operate an Unmanned Aircraft System for a class, you will need to seek permission from your Community Director who will confirm: the class, the project purpose, length of time and use of the Unmanned Aircraft System. It is the discretion of the Community Director if approval for use is granted. If an individual receives approval for use of an Unmanned Aircraft System such system(s) may only be used 500 feet or more away from and residential facility.

Vandalism/Damage

Damage to property owned or possessed by the State of California, the University Corporation at Monterey Bay, Student Housing & Residential Life, by any community member or guest thereof is prohibited. Individuals and/or residential communities may be held financially responsible for repairing damages, painting costs, and general maintenance related to vandalism. Residents of the floors or halls that are found responsible for these community damages may be required to pay a fee.

Weapons and Explosives

Weapons and Explosives – Prohibited: Weapons are prohibited on campus premises, including, but not limited to, replicas, firearms (defined as any gun, from which a shot, readily capable of producing death or physical injury, may be discharged; rifles, pistols, or handguns designated to fire bullets, BBs, pellets, or shots, including paintballs, airsoft guns, Nerf guns, regardless of propellant used or if no propellant is used as in starter or blank guns/pistols) "Electronic dart or stun guns"; knives (including but not limited to hunting, switchblade, gravity, "Butterfly," sport, daggers, cane swords, decorative, or throwing of any size or any large blade kitchen knife displayed in public areas); bows and arrows, crossbows, slingshots, or similar devices; ammunition; noxious materials, or any unauthorized hazardous materials or chemicals; other weapons, such as batons, Billy clubs, nightsticks, kubatons, blackjacks, slapjacks, slap gloves, brass knuckles, Pilum ballistic knives, "Chuka sticks", "Kung Fu stars", or other martial arts equipment; explosives and fireworks of any sort or any other weapon described in the California State Penal Law.

Weapons and Explosives – Knives: Only knives specifically purchased for culinary activities are permitted, and must be kept in kitchen areas.

Weapons and Explosives – Failure to Report: Failure to report the presence of an unlawful weapon, explosive or incendiary device, when the presence of such weapon or device is known or reasonably suspected to the University Police Department and/or Student Housing & Residential Life personnel is a violation of the rules and regulations of the University, as well as these Community Standards.

Weapons and Explosives – Reporting False Weapon Claim: Reporting the false presence of an unlawful weapon, explosive or incendiary device with the intent to mislead or deceive is prohibited.

***Please note these Community Standards are subject to change based upon the needs of Student Housing & Residential Life.**

Conduct Process

Student Housing & Residential Life is committed to supporting individual rights, as well as the rights and interests of all community members. Therefore, all residential students and their guests are responsible for knowing and following the CSU Monterey Bay Student Conduct Code, Student Housing & Residential Life Community Standards, agreements set forth in the Housing License agreement, federal, state and local laws, university administrative codes, and revised statutes. Alleged violations of any of the aforementioned will be addressed by Student Housing & Residential Life, the Office of Judicial Affairs and Community Standards, and/or may be referred to/from the University Police Department.

Staff members in Student Housing & Residential Life take an educational approach to the conduct process. They seek to work with and educate students about the importance of following Community Standards and CSU Monterey Bay policies to ensure a safe environment for everyone so all students can focus on academic success. The educational process includes explaining expectations of student conduct and the reasons why Community Standards and policies exist so students can be aware of the repercussions of their actions.

The conduct process is a cumulative one. When a student is involved in an alleged Community Standard violation, all previous violations and conduct related interactions are taken into account when determining outcomes of the situation, generally called 'sanctions.' Repeated conduct violations may lead to the termination of a resident's License Agreement and/or suspension or dismissal from the institution.

Students, faculty, administrative staff, visitors and/or guest(s) may document details of a situation that may be viewed as an alleged violation of the University Student Conduct Code, Student Housing & Residential Life Community Standards, agreements set forth in the Housing License Agreement, federal, state, and local laws, university administrative codes, and revised statutes. This documentation can be submitted to a Resident Advisor, Community Director, Conduct Coordinator, Associate Director, Director of Student Housing & Residential Life, other Student Housing & Residential Life staff, the University Student Conduct Administrator, and/or the University Police Department. In general, the Community Director or Conduct Coordinator (in terms of potential license termination the Associate Director) will meet with all students involved in the situation.

Process Overview

The Student Housing & Residential Life Conduct Process has been designed in a manner that strives for fundamental fairness to all persons involved. Any questions regarding these procedures should be directed to your Community Director, Conduct Coordinator, Associate Director of Student Housing & Residential Life, and/or the Director of Student Housing & Residential Life. When Student Housing & Residential Life professional staff members receive documentation that an alleged violation of Community Standards occurred, the following process begins:

An Incident Occurs

- When an allegation that Community Standards and/or CSU Monterey Bay policies have been violated, Student Housing & Residential Life staff (usually RAs) will be on scene to document what they have observed (or have been told) by writing an Incident Report (IR).
- An Incident Report **MUST** include the names of all people present during the alleged violation and descriptive details of what was observed (seen, smelled, heard, etc.).
- Students, faculty, administrative staff, visitors and/or guests may submit an Incident Report documenting what they have observed – which may or may not constitute an alleged violation of Student Housing & Residential Life Community Standards or university policy. Community members can draft this Incident Report within an email or document attached to an email, then send that documentation to the Conduct Coordinator or Community Director who oversees the area where the incident occurred. (**Important Note: the person documenting an incident must be available for follow up questions.**)
- Student Housing & Residential Life does not 'guarantee' anonymity to individuals who report/document alleged Community Standard violations. Our staff will make every effort not to share individuals' identities, however, we believe it is important to address issues when they arise regardless of where information originates. This includes our staff documenting conversations with community or non-community members when information comes forward about alleged Community Standard violations.
- In general, students whose behaviors have been documented will be informed that an Incident Report has been created and forwarded to a Conduct Coordinator or Community Director. However, this may not always be the case and/or possible.
- The Conduct Coordinator or Community Director reviews the Incident Report, determines who allegedly violated what Community Standards and/or university policies.
- In general, Community Directors or Conduct Coordinator will hear a conduct cases depending on the severity of the incident. Lower level incidents such as noise, or first time alcohol may be heard by the Community Director. Higher level cases such as second time alcohol or drugs will be seen by the

Conduct Coordinator. While any incident that has a potential of license termination will be heard by the Associate Director.

- The Conduct Meeting Officer will send student(s) named in the Incident Report a written request for a conduct meeting via each student's CSUMB email account.
- The Conduct Meeting Officer will provide details as to the date, time, and location of the conduct meeting. In addition, the Conduct Officer may indicate specific allegations of alleged violations that will be discussed.
- Residents may request in writing notice of what Community Standards will be discussed prior to the meeting.
- Students will have at least 48 hours from the date/time of when the email is sent until the conduct meeting.

As email is the official form of communication at CSU Monterey Bay, students are responsible for checking their email daily. Once the notice arrives in a student's email account, the student is considered to have received notice.

In extreme cases, the referred student(s) may be sent notice that a conduct meeting needs to take place without 48-hour notice.

In extreme circumstances, meeting requests may be hand delivered or sent through the postal service.

RECEIPT OF THIS NOTICE DOES NOT INDICATE RESPONSIBILITY.

- If the referred student(s) has a conflict during the referred time, they will have 24-hours in advance of the conduct meeting to schedule an alternate meeting date and/or time. It is the student's responsibility to provide a minimum of three alternative meeting dates and/or times.
- In all cases, conduct meetings are required appointments. Failure to attend the original meeting, request an alternative meeting, and/or failing to be present for the original or an alternative meeting will result in a decision being made without the benefit of a student's input.
- When conduct meeting request letters are sent and until the actual, residents are strongly encouraged not to place themselves in situations where they may be allegedly violating additional Community Standards.

The Conduct Meeting

It is the student's responsibility to come prepared to fully discuss the alleged incident and alleged violations of Community Standards. Sincere participation and open, honest communication is critical to the learning objectives of the conduct process.

- Students will meet with the Conduct Meeting Officer in a location designated in the conduct meeting request letter.
- At this meeting, the Conduct Meeting Officer meets with the student to:
 - Discuss the conduct process and role of Community Standards in our community;

- Discuss the facts of the incident(s) from multiple perspectives;
- Determine the student's level of involvement in the situation;
- Discuss relevant Community Standards in order to determine which, if any, Community Standards have been violated
- Needed, they may interview witnesses and/or do other fact finding prior to making a decision.
- Prior conduct history is not considered when determining a student's level of responsibility in a situation.
- If appropriate, the Conduct Meeting Officer will determine the student's level of responsibility based on all the information available and the preponderance of evidence (what more likely than not occurred in the situation).
- If the Conduct Meeting Officer determines more information is needed, they may interview witnesses and/or do other fact finding prior to making a decision.
- Prior conduct history is not considered when determining a student's responsibility in a situation.
- If enough information is available to make a decision, the Conduct Meeting Officer and student may discuss what sanctions are appropriate for the violation(s).
- A conduct sanction is a tool used by Conduct Officers to work with students to help them understand the consequences of their actions. Sanctions could include, but are not limited to, written warnings, educational projects, probation, and removal from CSU Monterey Bay residential facilities (see the next section for a more detailed list of possible sanctions).
- Prior conduct history is taken into account when determining sanctions for new cases.
- It is the goal of Student Housing & Residential Life to follow-up after a conduct meeting within seven (7) days, indicating the level to which students are responsible for their behavior in a situation, as well as appropriate sanctions. All students involved in a situation will receive a 'resolution letter' from the Conduct Meeting Officer, summarizing the conduct meeting, levels of responsibility, and outline any applicable sanctions. This letter may be sent via email to the student's CSUMB email account, physical street or permanent address by the USPS, or posted on their door.

Examples of Possible Sanctions

When Community Standards are violated, Conduct Meeting Officers may implement educational sanctions as a means of helping students:

- Understand the consequences of their actions
- Understand the impact of their behavior on others
- Take responsibility for their actions

In general, a deadline or end date is affiliated with implemented sanctions, giving students a specific timeline in order to complete all necessary tasks related to those sanctions. Students who do not complete assigned sanctions will be referred through

the conduct process again and may see an increase in the severity and or number of sanctions assigned.

Educational sanctions include, but are not limited to:

1. **Warning:** A verbal or written warning stating that the student has been warned their actions or behaviors are not acceptable and subsequent infractions may result in further action.
2. **Developmental Sanctions:** Developmental sanctions are recommended in combination with any other sanction and provide a beneficial avenue for changing a resident's behavior and understanding (i.e., online learning modules, projects, community service, etc.). The goal is to determine appropriate and creative sanctions which facilitate the learning of responsible freedom, consideration for others, and acceptance of the consequences and responsibilities for one's actions.
3. **Loss of Privilege:** This includes, but is not limited to; limiting a student's ability to receive guests, register gatherings, have/gain access to buildings/residential spaces other than their own.
4. **Loss of Visitation Rights:** A student (or their guests) is no longer permitted to be in any or all of the following spaces; Main Quad residence halls, North Quad Suites and Apartments, Promontory, or East Campus Apartments. The Conduct Meeting Officer will determine where and for how long a person is unable to have access to a particular space(s). This includes, but is not limited to, common spaces, rooms, hallways, lounges, stairwells, and any other physical spaces associated with these residential facilities, etc. Should a student be found in any of these spaces after removal, they will be escorted out and further action may be taken including, but not limited to, referring the matter to the University Police Department and/or the Office of Judicial Affairs and Community Standards. Any restricted persons found in any of the above listed spaces are considered the responsibility of their host, and that resident will be held responsible for the corresponding violation of the Community Standards.
5. **Decision Making Workshop:** Students often face situations that require them to reflect on their values in order to make sound ethical decisions. This workshop utilizes interactive activities to engage students in dialogue with each other as they learn about how personal experiences, relationships, and the role of leadership influence the decision making process. At its conclusion, participants will have a better understanding of what it means to be interdependent, think critically, and act responsibly. CSU Monterey Bay faculty and staff facilitate this excellent opportunity where students will learn guiding principles and decision making skills that will enhance their abilities to be successful within, and beyond, their higher education experience. This workshop is offered several times a semester and students will need to sign-up for a particular session at least 24-hours in advance.
6. **Required Service:** Community service is activity specifically detailed by the Conduct Meeting Officer
7. **Student Housing & Residential Life Probation:** A documented statement from a Conduct Meeting Officer that a student's ability to reside in CSU Monterey Bay

residential facilities is jeopardized and further violations of Community Standards will likely result in a recommendation that a student's Housing License Agreement be revoked. Probationary status often includes developmental sanctions.

8. **Restitution:** The student is required to make payment to CSU Monterey Bay or to other persons, groups, or organizations for damages for which they are responsible. This is true whether the action was intentional or an accident. If an act was deemed intentional, other sanctions may also apply. Damage caused in public areas in which there is not a known perpetrator may be charged to all residents in a wing, floor, entire hall/building or apartment. Charges are posted to a student's CSU Monterey Bay account and failure to make restitution will result in the student's inability to enroll in classes, maintain a housing assignment, and/or receive official transcripts.
9. **Termination of a Housing License Agreement:** When a student's License Agreement is revoked/terminated, that student will have a set amount of time, as determined by the Conduct Meeting Officer, in which to vacate their living space. The ability to return to CSU Monterey Bay residential facilities will be determined by the Conduct Meeting Officer. Additionally, the discussion of housing related cost will be determined by the hearing officer.

Appealing a Conduct Decision:

Students have a right to appeal a decision made by the Conduct Meeting Officer. If students choose to appeal the results of a conduct meeting decision, they must complete the online appeal form within five business days from the date this decision is sent by the Conduct Meeting Officer.

Conduct meeting decisions may be appealed on the following grounds:

- New relevant information has come forward which was unavailable for presentation at the time of the original conduct conference;
- Specific information to support the allegation that the decision is not consistent with the nature of the policy violation or incident;
- Specific facts to support the allegation that the decision was prejudiced with respect to facts of the conduct case and individuals involved.

Failure to submit a complete appeal within the timeline stated above will result in the forfeiture of the right to appeal. For all Student Housing & Residential Life cases at CSU Monterey Bay, students have one opportunity to appeal a conduct decision. The decision of the Appeals Officer is final.

If appeals meet the guidelines outlined in the appeal form, the individual reviewing the appeal will consider all relevant materials, may talk with the person filing the appeal, and will possibly speak with appropriate others. This process is a review of the original conduct meeting and corresponding decisions, not an additional conduct meeting.

Appeals Officers consider all applicable information when making decisions, at which point, they may:

- Uphold the original decision and sanction(s)
- Eliminate or decrease the original decision and/or sanction(s)
- Increase the original decision and/or sanction(s)
- Decide to have the case re-heard (either by the original or a different Hearing Officer)

Unless extenuating circumstances exist, students will receive written notification of the status of their appeal via CSUMB email within seven business days.

Conduct Records

Records regarding conduct meetings including, but not limited to, incident reports, letters, notes from the conduct meeting, and records of appeals relating to a student will be maintained by the Community Director for the building/area where the students reside or in the Student Housing & Residential Life office. Students have a right to review their Student Housing & Residential Life conduct file by contacting

Student Housing & Residential Life at studenthousing@csumb.edu or (831) 582-3378 and setting up an appointment to review their conduct file.

Student Housing & Residential Life maintains student conduct records for seven years after students leave CSU Monterey Bay housing. After this time, all conduct records will be destroyed.

Finding Information Online

- CSU Monterey Bay Main website: CSUMB.EDU
 - Students use the A-Z index tool (located on the bottom of the webpage) to find contact information for departments, programs, services, faculty, and staff. Students can also find links to academic calendars, events, and registration information.
- Housing Website: csumb.edu/housing
 - Students use links to find information regarding benefits of on-campus housing, housing options, housing rates, student employment and volunteer opportunities, and much more. Students can also access the online housing application for new students from this website.
- MyCSUMB (PeopleSoft): my.csumb.edu
 - Students access their email address here and use PeopleSoft to access their student account and account summary, change their pin, inquire about financial aid status, academic records, and changing personal information (i.e. addresses, emergency contacts).
- CSUMB Master Calendar: <https://csumb.edu/mastercalendar>

- Students can access a number of opportunities occurring on campus including athletic events, World Theater performances, and activities sponsored by student clubs and organizations, academic departments, Associated Students, Alumni Relations and Annual Giving, the Residential Housing Association, Students Housing & Residential Life, Academic and Career Advising, Health and Wellness Services, Student Activities & Leadership Development, Intramurals, Outdoor Recreation, among others.

Appendix 1.1.

NOTICE OF NON-DISCRIMINATION ON THE BASIS OF SEX

The California State University does not discriminate on the basis of sex, gender, or sexual orientation in its education programs or activities. Title IX of the Education Amendments of 1972, and certain other federal and state laws,⁽¹⁾ prohibit discrimination on the basis of sex, gender, or sexual orientation in employment, as well as all education programs and activities operated by the University (both on and off campus), and protect all people regardless of their gender or gender identity from sex discrimination, which includes sexual harassment and sexual violence.

Sex Discrimination means an adverse action taken against an individual because of gender or sex (including sexual harassment, sexual violence, domestic violence, dating violence, and stalking) as prohibited by Title IX; Title IV; VAWA/Campus SaVE Act; California Education Code § 66250 *et seq.*; and/or California Government Code § 11135. See *also* Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act (Cal. Govt. Code § 12940 *et seq.*), and other applicable laws. Both men and women can be victims of Sex Discrimination.⁽¹⁾ Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*, and its implementing regulations, 34 C.F.R. Part 106 (“Title IX”); the Violence Against Women Reauthorization Act of 2013 (20 U.S.C. 1092(f)) (VAWA), also known as the Campus Sexual Violence Elimination Act (Campus SaVE Act); Title VII of the Civil Rights Act of 1964; the California Fair Employment and Housing Act (Cal. Govt. Code §12940 *et seq.*); the California Equity in Higher Education Act (Cal. Educ. Code §66250 *et seq.*); California Education Code §§ 67385.7, 67390-91; the Governor’s *California Campus Blueprint to Address Sexual Assault*; and California Government Code §11135; among other applicable laws.

Sexual Harassment, a form of Sex Discrimination, is unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes, but is not limited to sexual violence, sexual advances, requests for sexual favors, and indecent exposure, where:

- A. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a student’s academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; *or*
- B. Such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the student, and is in fact considered by the student, as limiting the

student's ability to participate in or benefit from the services, activities or opportunities offered by the University; *or*

- C. Submission to, or rejection of, the conduct by a University employee is explicitly or implicitly used as the basis for any decision affecting a term or condition of employment, or an employment decision or action; *or*
- D. Such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the University employee or third party, and is in fact considered by the University employee or third party, as intimidating, hostile or offensive.

Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Sexual Violence is a form of Sexual Harassment and means physical sexual acts, such as unwelcome sexual touching, sexual assault, sexual battery, rape, domestic violence, dating violence, and stalking (when based on gender or sex), perpetrated against an individual against his or her will and without consent or against an individual who is incapable of giving consent due to that individual's use of drugs or alcohol, status as a minor, or disability.(2) Sexual Violence may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication).

Men as well as women can be victims of these forms of Sexual Violence. Unlawful sexual intercourse with a minor (statutory rape) occurs even if the intercourse is consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.

Sexual Assault is a form of Sexual Violence and is an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's gender or sex. (3)

Sexual Battery is a form of Sexual Violence and is any willful and unlawful use of force or violence upon the person of another because of that person's gender or sex.(4)

Rape is a form of Sexual Violence, and is non-consensual sexual intercourse that may also involve the use or threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute rape. Sexual acts including intercourse are considered non-consensual when the person is incapable of giving consent because s/he is incapacitated from alcohol and/or drugs, is under 18 years old, or if a mental disorder or developmental or physical disability renders the person incapable of giving consent. The accused's relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant.(5) (See complete definition of Consent below.)

Acquaintance Rape is a form of Sexual Violence committed by an individual known to the victim. This includes a person the victim may have just met; i.e., at a party, introduced through a friend, or on a social networking website. (See above for definition of Rape.)

Consent means an informed, affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity.

- Consent must be **voluntary**, and given without coercion, force, threats, or intimidation. Consent requires positive cooperation in a particular sexual act, or expression of intent to engage in that sexual act through the exercise of free will.
- Consent can be **withdrawn or revoked**. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity (or other sexual acts). Consent to sexual activity given on one occasion does not constitute consent to sexual activity on another occasion. The fact that two people are or were in a dating or sexual relationship does not constitute consent to engage in sexual activity. There must **always** be mutual and affirmative consent to engage in sexual activity. Consent to a sexual act may be withdrawn or revoked at any time, including after penetration. The victim's request for the perpetrator to use a condom or birth control does not, in and of itself, constitute consent. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
- Consent cannot be given by a person who is **incapacitated**. For example, a person cannot give consent if s/he is unconscious or coming in and out of consciousness. A person is **incapacitated** if s/he lacks the physical and/or mental ability to make informed, rational judgments. Examples of incapacitation include unconsciousness, sleep and blackouts. Whether an **intoxicated** person (as a result of using alcohol or other drugs) is **incapacitated** depends on the extent to which the alcohol or other drugs impact the person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. A person with a medical or mental disability may also lack the capacity to give consent.
- Being intoxicated by drugs or alcohol does not diminish a person's responsibility to obtain consent from the other party before engaging in sexual activity. Factors to be considered include whether the person knew, or whether a reasonable person in the accused's position should have known, that the victim did not give, or revoked, consent; was incapacitated; or was otherwise incapable of giving consent.
- Sexual intercourse with a minor is never consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.

Domestic Violence is a form of Sexual Violence and is abuse committed against someone who is a current or former spouse, current or former cohabitant, someone with whom the abuser has a child, someone with whom the abuser has or had a

dating or engagement relationship, or a person similarly situated under California domestic or family violence law. Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.(6)

Dating Violence is a form of Sexual Violence, and is abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim.(7) This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website.

Stalking means a repeated course of conduct directed at a specific person (when based on gender or sex) that places that person in reasonable fear for his/her or others' safety, or to suffer substantial emotional distress.(8)

2 **Consent** means an informed, affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity.

3 Cal. Penal Code § 240.

4 Cal. Penal Code § 242.

5 Cal. Penal Code §§ 261-263.6 Cal. Penal Code § 13700(b) and Cal. Family Code § 6211.

7 Cal. Penal Code § 13700(b).

8 Cal. Penal Code § 646.9.

Who to Contact If You Have Complaints, Questions or Concerns

Call 9-1-1 if you are in the midst of any kind of emergency, immediate harm or threat of harm.

The University has designated a Title IX Coordinator to monitor and oversee overall compliance with laws and policies related to nondiscrimination based on sex. The campus Title IX Coordinator is available to explain and discuss: Your right to file a criminal complaint (in cases of Sexual Violence); the University's relevant complaint process, and your right to receive assistance with that process, including the investigation process; how confidentiality is handled; available resources, both on and off campus; and other related matters.

If you have experienced Sexual Violence you are encouraged to **seek immediate assistance from police and healthcare providers** for your physical safety, emotional support and medical care. The campus Title IX Coordinator is available to assist you in notifying University police, if you wish. University police can escort you to a safe place and transport you to a hospital or a sexual assault response center for a medical examination, if needed. University police can also provide access to a confidential sexual assault advocate. If you would prefer not to notify University or local police, you are strongly encouraged to seek assistance from the campus Title IX Coordinator who can provide you with information on your options, rights and remedies.

CSUMB Title IX Coordinator:

Wendy Smith wensmith@csumb.edu (831) 582-3510

M-F 8am-5pm

Complaint intake, investigations, findings

CSUMB University Police Department:

24 Hour police services

Emergency 9-1-1

Non-Emergency (831) 655-0268

Anonymous Tip Line (831) 582-4747

<https://csumb.edu/police>

Chief of Police, Earl Lawson

elawson@csumb.edu

Valley Hall (Building 82)

M-F 8am-5pm

U.S. Department of Education, Office for Civil Rights:

(800) 421-3481 or ocr@ed.gov

If you wish to fill out a complaint form online with the OCR, you may do so at:

<http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

The White House Task Force to Protect Students from Sexual Assault

<https://www.justice.gov/ovw/protecting-students-sexual-assault>

Medical & Counseling Services

Campus Services:

CSUMB Campus Health Center
<http://csumb.edu/health>
Building 80, Gen Jim Moore at
Inter-Garrison (831) 582-3965
(M-F 8am-5pm)

CSUMB Personal Growth &
Counseling Center
<http://csumb.edu/counseling>
Campus Health Center, Building 80
(831) 582-3969
(M-F 8am-5pm)

Off-Campus Services:

Monterey County Rape Crisis Center
<http://www.mtryrapecrisis.org/>
P.O. Box 2630
Monterey, CA 93942
(831) 375-HELP(4357)
(24 Hours)

YWCA of Monterey
County <http://ywca.org/>
236 Monterey Street
Salinas, CA 93901
(831) 422-8602
(24 Hours)

Your Reporting Options

The University's primary concern is the safety of its campus community members. The use of alcohol or drugs never makes the victim at fault for Sexual Violence. Moreover, victims should not be deterred from reporting incidents of Sexual Violence out of a concern that they might be disciplined for related violations of drug, alcohol or other University policies. Except in extreme circumstances, victims of Sexual Violence shall not be subject to discipline for related violations of University policy.

Criminal: Reporting to University police and/or local police is an option at any time following a Sexual Violence incident. If you choose not to report to the police immediately, you can still make the report at a later time. However, with the passage of time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on your behalf.

Administrative: You may report to the campus Title IX Coordinator any incident of Sex Discrimination, Sexual Harassment, or Sexual Violence (e.g., Rape, Acquaintance Rape, Dating Violence, Domestic Violence or Stalking). Contact information for the Title IX Coordinator is listed above. The Title IX Coordinator will provide you with written and verbal information regarding applicable University complaint procedures for investigating and addressing the incident.

The campus Title IX Coordinator will also discuss with you any reasonable interim remedies the University may offer prior to conclusion of an investigation or potential disciplinary action to reduce or eliminate negative impact on you and provide you with available assistance. Examples include: adjustment to University work assignments, course schedules or supervisory reporting relationship; requiring the accused to move from University-owned or affiliated housing; immediately prohibiting the accused from coming to the University; or prohibiting the accused from contacting you. These options may be available to you whether or not you choose to report the Sexual Violence to campus police or law enforcement. The Title IX Coordinator remains available to assist you and provide you with reasonable remedies requested by you throughout the reporting, investigative, and disciplinary processes, and thereafter. If it is determined that University policy prohibiting Sexual Violence (9) was violated, the perpetrator will be subject to discipline, up to and including dismissal from University employment or expulsion from the University. You are entitled to be accompanied to any related meeting or proceeding by an advisor of your choice. However, if you do not wish to participate in an investigation or hearing process, you have the right to decline to do so.

Health/Counseling/Clergy: You may choose to seek advice and assistance from physicians, psychotherapists, professional counselors, clergy, sexual assault and domestic violence counselors and advocates, including individuals who work or volunteer for them.

Civil Lawsuit: You may choose to file a civil lawsuit against the perpetrator, whether or not criminal charges have been filed. A civil lawsuit provides you the opportunity to recover actual damages, which may include compensation for medical expenses, lost wages, pain, suffering and emotional distress.

You may also choose to obtain a protective or restraining order (such as a domestic violence restraining order or a civil harassment restraining order). Restraining orders must be obtained from a court in the jurisdiction where the incident occurred.

Restraining orders can protect victims who have experienced or are reasonably in fear of Sexual Violence, including Domestic Violence, Dating Violence and Stalking. Your campus Title IX Coordinator can offer assistance with obtaining a protective or restraining order.

Non-reporting: You are strongly encouraged to report any incident of Sexual Violence to the police and/or campus Title IX Coordinator so that steps may be taken to protect you and the rest of the campus community. However, non-reporting is also an option.

How to File a Complaint under University Complaint Procedures

Federal and state laws require that the CSU adopt and publish complaint procedures that provide for prompt and equitable resolution of Sex Discrimination complaints, including Sexual Harassment and Sexual Violence.

CSU Executive Order 1096 sets forth the university's systemwide policy and complaint procedure for Discrimination, Harassment and Retaliation complaints ***made by third parties and employees*** not eligible to file a complaint or grievance under a collective bargaining agreement or whose collective bargaining agreement incorporates the CSU systemwide complaint procedure.

CSU Executive Order 1097 is the systemwide policy and complaint procedure for all complaints of Discrimination, Harassment or Retaliation ***made by students*** against the CSU, a CSU employee, other CSU students or a third party.

The campus Title IX Coordinator is available to provide you with written and verbal information regarding the applicable University complaint procedure for investigating and addressing your reported incident. Contact information for the Title IX Coordinator is listed above.

Sexual Violence and Confidentiality—Know Your Options

We encourage victims of Sexual Violence, Dating Violence, Domestic Violence, and Stalking (collectively Sexual Violence) to talk to someone about what happened – so you can get the support you need, and so the University can respond appropriately. Whether – and the extent to which – a University employee may agree to maintain confidentiality (and not disclose information to the Title IX Coordinator) depends on the employee's position and responsibilities at the University. This information is intended to make you aware of the various reporting and confidential disclosure options available to you – so you can make informed choices about where to turn for help. The University encourages victims to talk to someone identified in one or more of these groups.

As explained below, some employees are required by law to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.” Other employees may talk to a victim in confidence, and generally only report to the University that an incident occurred without revealing any personally identifying information. Finally, some employees are required to report all details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator. A report to these employees constitutes a report to the University, and generally creates a legal obligation for the University to investigate the incident and take appropriate steps to address the situation.

Privileged and Confidential Communications

Physicians, Psychotherapists, Professional Counselors and Clergy(10) – Physicians, psychotherapists, professional, licensed counselors, and clergy who work or volunteer on or off campus, and who provide medical or mental health treatment or counseling (including those who act in that role under their supervision) may **not** report **any** information about an incident of Sexual Violence to anyone else at the University, including the Title IX Coordinator, without your consent. You can seek assistance and support from physicians, psychotherapists, professional, licensed counselors, and clergy without triggering a University investigation that could reveal your identity or the fact of your disclosure. *However, see limited exceptions below regarding when health care practitioners must report to local law enforcement agencies. Health care practitioners should explain these limited exceptions to victims, if applicable.*

Campus Health Center (CHC) provides urgent, primary, and ancillary care for the campus community. (831) 582-3965 <http://csumb.edu/health>

Personal Growth and Counseling Center (PGCC) provides individual counseling, group counseling, workshops, classes, campus chaplaincy, spiritual support, and mental health screenings. (831) 582- 3969 <http://pgcc.csumb.edu>

Sexual Assault and Domestic Violence Counselors and Advocates(11) – Sexual assault and domestic violence counselors and advocates who work or volunteer on or off campus in sexual assault centers, victim advocacy offices, women’s centers, and health centers (including all individuals who work or volunteer in these centers and offices, as well as non-professional counselors or advocates, and those who act in that role under their supervision) may talk to you without revealing any information about you or the incident of sexual violence to anyone else at the University, including the Title IX Coordinator, without your consent. You can seek assistance and support from these counselors and advocates without triggering a University investigation that could reveal your identity or that you disclosed an incident to them. *However, see limited exceptions below regarding when sexual assault and domestic violence counselors and advocates must report to local law enforcement agencies. Counselors and advocates should explain these limited exceptions to you, if applicable.*

Contact information for sexual assault and domestic violence counselors and advocates:

Monterey County Rape Crisis Center

<http://www.mtryrapecrisis.org/>

P.O. Box 2630

Monterey, CA 93942

(831) 375-HELP(4357)

(24 Hours)

YWCA of Monterey County

<http://ywca.org/>

236 Monterey Street

Salinas, CA 93901

(831) 422-8602

(24 Hours)

If you speak only to a physician, professional counselor, clergy member, sexual assault counselor, domestic violence counselor or advocate, you must understand that the University will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the perpetrator, if you choose to maintain confidentiality.

Even so, these individuals will still assist you in receiving other necessary protection and support, such as victim advocacy, disability, medical/health or mental health services, or legal services. They may not, however, be able to assist you with University academic support or accommodations, or changes to University-based living or working schedules, or assist with adjustments to course schedules. Only the University and the Title IX Coordinator can assist with those matters (see below). A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to the police, and thus have the incident fully investigated. These counselors and advocates can provide you with that assistance if you wish. These counselors and advocates will also explain that Title IX includes protections against retaliation, and that the University will not only take steps to prevent retaliation when it knows or reasonably should know of possible retaliation, but will also take strong responsive action if it occurs.

EXCEPTIONS: Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if he or she provides medical services for a **physical condition** to a patient/victim who he or she knows or reasonably suspects is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Violence, Domestic Violence, and Dating Violence). (12) This exception does **not** apply to

sexual assault and domestic violence counselors and advocates. Health care practitioners should explain this limited exception to you, if applicable. Additionally, under California law, **all** professionals described above (physicians, psychotherapists, professional counselors, clergy, and sexual assault and domestic violence counselors and advocates) are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement.(13) These professionals will explain this limited exception to you, if applicable.

Finally, some or all of these professionals may also have reporting obligations under California law to (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger;(14) or (2) the court if compelled by court order or subpoena in a criminal proceeding related to the Sexual Violence incident.(15) If applicable, these professionals will explain these limited exceptions.

Reporting to University or Local Police

If you report to local or University Police about Sexual Violence, the police are required to notify you that your name will become a matter of public record **unless confidentiality is requested.** (16) If you request that your identity be kept confidential, your name will not become a matter of public record and the police will not report your identity to anyone else at the University, including the Title IX Coordinator. University Police will, however, report the facts of the incident itself to the Title IX Coordinator being sure not to reveal to the Title IX Coordinator your name/identity, or compromise their own criminal investigation.

The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the **type** of incident in the annual crime statistics report known as the Annual Security Report, your name/identity will not be revealed.

Reporting to the Title IX Coordinator and Other University Employees

Most University employees have a duty to report incidents of Sexual Violence when they are on notice of it. When you tell the Title IX Coordinator or another University employee about a Sexual Violence incident, you have the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. ***In all cases, the University strongly encourages victims to report Sexual Violence directly to the Title IX Coordinator.***

As detailed above in the Privileged and Confidential Communications section, all University employees **except** physicians, licensed counselors, and sexual assault counselors and advocates, must report to the Title IX Coordinator all relevant details about any Sexual Violence incidents of which they become aware. The University will

need to determine what happened – and will need to know the names of the victim(s) and the perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the incident.

To the extent possible, information reported to the Title IX Coordinator or other University employees will be shared only with individuals responsible for handling the University's response to the incident. The University will protect the privacy of individuals involved in a Sexual Violence incident except as otherwise required by law or University policy. A Sexual Violence report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report of Sexual Violence. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim's identity and privacy and the privacy of other involved individuals.

The Title IX Coordinator can be reached at:

Wendy Smith

wensmith@csumb.edu

(831) 582-3510

If you request of the Title IX Coordinator or another University employee that your identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request and guarantee complete confidentiality. If you wish to remain confidential or request that no investigation be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, employees and third parties, including you. Under those circumstances, the Title IX Coordinator will determine whether your request for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the particular case, including whether the University has a legal obligation to report the incident, conduct an investigation or take other appropriate steps. Without information about your identity, the University's ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited.

The Title IX Coordinator will inform you prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response. The Title IX Coordinator will remain mindful of your well-being, and will take ongoing steps to protect you from retaliation or harm, and work with you to create a safety plan. Retaliation against you, whether by students, or employees, will not be tolerated. The University and Title IX Coordinator will also:

- Provide interim remedies requested by you, if they are reasonably available, regardless of whether you choose to report Sexual Violence to campus or local police;
- Assist you in accessing other available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;

- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules (including for the perpetrator pending the outcome of the investigation) or adjustments for assignments, tests, or work duties; and
- Inform you of your right to report a crime to University or local police – and provide you with assistance if you wish to do so.

The University will not require you to participate in any investigation or disciplinary proceeding if you do not wish to participate.

The University will not generally notify parents or legal guardians of your report of Sexual Violence unless you are under the age of 18 or you provide the University with written permission to do so.(17) Under California law, and pursuant to University policy, all University employees, including the Title IX Coordinator, are mandatory child abuse and neglect reporters and should explain to victims under 18 years of age that they are required to report the Sexual Violence incident to the police.(18) However, the identity of the person who reports and the report itself are confidential and disclosed only among appropriate agencies.(19)

Because the University is under a continuing legal obligation to address the issue of Sexual Violence campus-wide, reports of Sexual Violence (including non-identifying reports) may also prompt the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported incident occurred; increased education, training and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revision of policies and practices.

The Office of the Ombuds, provides confidential, neutral and informal dispute resolution services, provides information about University policies and procedures, and makes referrals. However, in Sexual Violence cases, California law mandates that the Ombuds as well as all other University employees (except for physicians, licensed counselors, sexual assault counselors and advocates as discussed in the Privileged and Confidential Communications section of this policy above) report Sexual Violence incidents to the Title IX Coordinator.

NOTE: If the University determines that the perpetrator poses a serious and immediate threat to the campus community, a designated Campus Security Authority under the Clery Act may be called upon to issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

Campus, Civil, and Criminal Consequences of Committing Acts of Sex Discrimination, Sexual Harassment, and Sexual Violence

Individuals alleged to have committed Sexual Violence may face criminal prosecution by law enforcement and may incur penalties as a result of civil litigation. In addition, employees and students may face discipline/sanctions at the University. Employees may face sanctions up to and including dismissal from employment, per established CSU policies and provisions of applicable collective bargaining agreements. Students and employees charged with Sex Discrimination, Sexual Harassment or Sexual Violence will also be subject to discipline, pursuant University policies, and will be subject to appropriate sanctions. (20)

In addition, during any investigation, the University may implement interim measures in order to maintain a safe and non-discriminatory educational and working environment. Such measures may include immediate interim suspension of the accused from the University, a required move from University-owned or affiliated housing, an adjustment to work or course schedule, or prohibition from contact with parties involved in the alleged incident.

9 Executive Order 1096 (Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Employees and Third Parties and Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Employees and Third Parties); Executive Order 1097 (Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Students and Systemwide Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Students).

10 Cal. Evid. Code § 990 *et seq.*, § 1010 *et seq.*, and § 1030 *et seq.*

11 Cal. Evid. Code § 1035 *et seq.* and § 1037 *et seq.*

12 Assaultive or abusive conduct is defined to include a list of 24 criminal offenses, including Sexual Battery, incest, Rape, spousal Rape, abuse of a spouse or cohabitant, and any attempt to commit these crimes. Cal. Penal Code §§ 11160-11163.2.

13 Cal. Penal Code §§ 11164-11174.3; see also CSU Executive Order 1083 or any superseding executive order.

14 Cal. Evid. Code § 1024.

15 Cal. Evid. Code § 1035.4.

16 Cal. Penal Code § 293; Cal. Gov. Code § 6254(f).

17 If there is a health and safety issue (e.g., immediate threat to self or others), the University may notify parents or legal guardians, regardless of the victim's age, as allowed under the Family Educational Rights and Privacy Act (20 U.S.C. § 1232g).

18 Cal. Penal Code §§ 11164-11174.3; see also CSU Executive Order 1083 or any superseding executive order.

19 Cal. Penal Code § 11167(d).

20 Executive Order 1096 (Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Employees and Third Parties and Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Employees and Third Parties); Executive Order 1097 (Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation Against Students and Systemwide Procedure for Handling Discrimination, Harassment and Retaliation Complaints by Students).

Additional Resources

- U.S. Department of Education,
regional office Office for Civil Rights
50 Beale Street, Suite
7200 San Francisco, CA
94105 (415) 486-5555
TDD (877) 521-2172
- U.S. Department of Education,
national office Office for Civil Rights
(800) 872-5327
- Know Your Rights about Title IX
<http://www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.html>
- California Coalition against
Sexual Assault 1215 K. Street,
Suite 1850 Sacramento, CA
95814
(916) 446-2520
<http://calcasa.org/>
- Domestic and Family Violence: <http://ovc.ncjrs.gov/>
- National Institute of Justice: Intimate Partner Violence
<http://www.nij.gov/topics/crime/intimate-partner-violence/>
- National Domestic Violence Hotline: 1-800-799-SAFE (7233)
- Office of Violence against Women <http://www.ovw.usdoj.gov/>
- Center for Disease Control and Prevention: Intimate
Partner Violence
<http://www.cdc.gov/ViolencePrevention/intimatepartnerviolence/>
- Defending Childhood <http://www.justice.gov/defendingchildhood/>