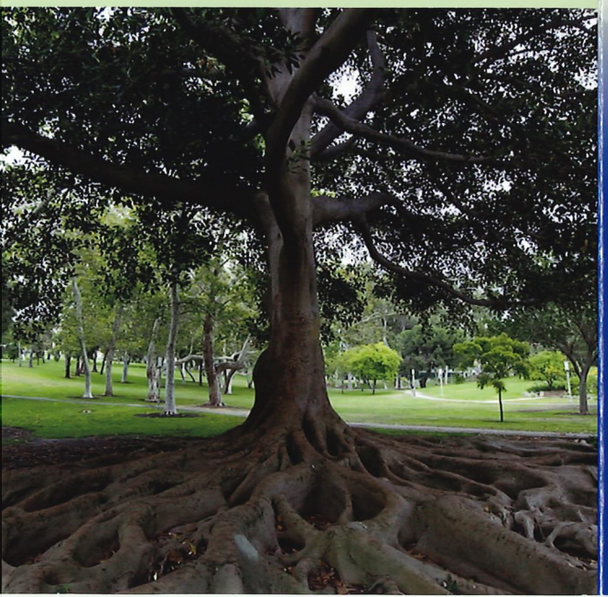
Reporting Information

UCI encourages the timely reporting of all sex offenses to the Title IX Office/Office of Equal Opportunity and Diversity (OEOD). Employees in a supervisory role and faculty members are required by the policy to report all incidents and disclosures of sex offenses to OEOD. UCI's first objective in responding to reports of sex offenses is attending to the needs of those impacted. UCI through its OEOD will work with Complainants, Respondents, and witnesses to clearly explain the administrative complaint process, the criminal complaint process, as well as the many resource and assistance options available on and off campus.

Criminal Rights
UC Irvine Police or local Police
You may report sex offenses, including dating and domestic violence, sexual assault, and stalking, to the police. When the UC Irvine Police Department is contacted, an investigating officer trained in sex offense cases will be dispatched to the scene and will explain the police procedures, safety planning, and your reporting options.

Administrative Rights
Office of Equal Opportunity and Diversity (OEOD)
You may request an administrative investigation from OEOD regardless of whether or not a report has been filed with the police. OEOD will perform non-criminal investigations of reports of sex offenses. In addition, OEOD can propose interim remedies for both parties such as no contact orders, adjustments to on-campus housing assignments and class schedules, visa and financial aid assistance, or alternative work arrangements for employees.

Students who make a complaint of a sexual offense will not be charged or held responsible for violations of UCI's drug or alcohol policy.



Assistance Options

Medical Attention
The Student Health Center (www.shc.uci.edu) is available Monday-Friday: 8am - 5pm to provide on-campus medical attention to students who have experienced a sex offense. Faculty and Staff should contact their primary care providers.

Please note that medical providers are required by law to report sex offenses to the police.

Sexual Assault Forensic Exam
Commonly referred to as a "rape kit" or "rape exam," is conducted at only one facility in Orange County, Anaheim Regional Medical Center. This option is available for approximately 96 hours after a sexual assault has occurred. Exams can be obtained by contacting the police or a victim advocate through Community Support Programs (CSP) on their 24 hour hotline: (949) 831-9110 or visit www.cspinc.org.

Campus Assistance
Office of Equal Opportunity and Diversity (OEOD)
OEOD can assist individuals obtain the following:

- No contact orders
- Changes to work or class schedules
- Housing changes
- Safety escorts
- Academic assistance
- Counseling
- Healthcare/Medical Services

For more information please visit: www.soinfo.uci.edu

Support
Campus Assault Resource and Education (CARE)
CARE offers confidential services that are free of charge to all currently enrolled students.

Campus Assault Resource and Education (CARE) provides services to those affected by sexual assault, dating, and domestic abuse, stalking, relationship health, and personal safety. The office provides consultation, counseling, and advocacy services. The office is located on the 3rd floor of the Student Center in Suite G320. For more information call (949) 824-7273.

Programs and Services:

- Individual Consultation
- Group Counseling
- Advocacy
- Yoga as Healing
- Peer Education

CARE

Please visit CARE's website for more information at: www.care.uci.edu

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Assistance Resources

Office of Equal Opportunity and Diversity (OEOD)
103 Multipurpose Science & Technology Building (MSTB)
Irvine, CA 92697-1130
Monday – Friday: 8am - 5pm
949.824.5594
Email: oeod@uci.edu
www.oeod.uci.edu

UC Irvine Police
100 Public Services Building
Irvine, CA 92697-4900
Open 24 hours everyday
949.824.5223
Emergencies: 911
www.police.uci.edu

Campus Assault Resources & Education (CARE)
G320 Student Center
Irvine, CA 92697-5125
Monday – Friday: 8am - 5pm
949.824.7273
www.care.uci.edu

Counseling Center
203 Student Services 1
Irvine, CA 92697-2200
Monday – Friday: 8am - 5pm
949.824.6457
www.counseling.uci.edu

The Office of the Ombudsman
205 Multipurpose Science & Technology Building (MSTB)
Irvine, CA 92697-4325
Monday - Friday: 8am - 5pm
949.824.7256
www.ombuds.uci.edu

Student Health Center
501 Student Health
Irvine, CA 92697-5200
Monday – Friday: 8am - 5pm
949.824.5301
www.shs.uci.edu

Office of Student Conduct
G308 UCI Student Center
Irvine, CA 92697-5125
Monday – Friday: 8am - 5pm
949.824.5590
Email: conduct@uci.edu
www.dos.uci.edu/conduct

Employee Assistance Program
(Available 24 hrs.)
844.**UCI.EAP3** (824.3273)
guidanceresources.com
Org.Web ID: **UCIEAP3**

Community Service Program (CSP) 1221 East Dyer Rd. Suite 120
Santa Ana, CA 92705
24 hour hotlines:
714.957.2737
949.831.9110
www.cspinc.org

Human Options
Domestic violence hotline:
1.877.854.3594
www.humanoptions.org

***Resources in green are confidential.**

For more information please visit: www.soinfo.uci.edu

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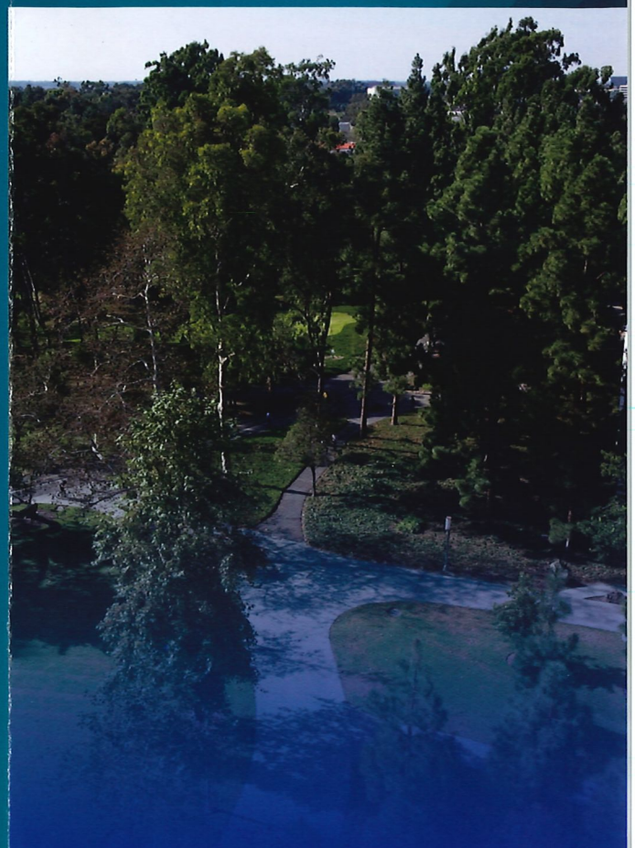
SEX OFFENSE REPORTING & OPTIONS



UCI University of California, Irvine

The University of California, Irvine is committed to creating and maintaining an environment in which all persons who live, work, and learn in our campus community can be free of all forms of sexual assault, sexual misconduct, domestic violence, dating violence, stalking, and retaliation. Every member of the University community should be aware that sex offenses are prohibited by law as well as our University policy and will not be tolerated.

Sex offenses threaten the emotional, physical, and psychological well-being of our students, faculty, and staff and endanger the safety of our community. Sex offenses impact our students' ability to feel safe on our campus and to achieve their greatest potential in the classroom. Similarly, sex offenses impede the health and safety of faculty and staff, substantially impairing their ability to teach, research, heal, and to serve our University in their myriad of vital roles. Sex offenses violate the principles of our community and the values that we hold most important. Therefore, sex offenses will not be tolerated by the University of California, Irvine and are expressly prohibited.

Kirsten Quanbeck
Associate Vice Chancellor - Equity, Diversity, and Inclusion
Director of Office of Equal Opportunity and Diversity
Title IX/Sexual Harassment Officer
103 Multipurpose Science and Technology
Irvine, CA 92697-1130
Phone: (949) 824-5594
Email: oeod@uci.edu

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Definitions

It is a violation of UC's Sexual Harassment and Sexual Violence Policy, as outlined in **UCI's Guidelines for Reporting and Responding to Reports of Sex Offenses (http://www.policies.uci.edu/adm/procs/700/700-17.html)** to commit or attempt to commit any sex offense defined or addressed below.

Sexual Assault

Sexual assault occurs when physical sexual activity is engaged in without the consent of the other person. The conduct may include:

- Physical force, violence, threat or intimidation
- Ignoring the objections of the other person
- Causing the other person's intoxication or impairment through the use of drugs or alcohol
- Taking advantage of the other person's incapacitation (including voluntary intoxication), state of intimidation, or other inability to consent
- Sexual battery

Sexual Misconduct

Sexual misconduct is non-consensual sexual activity that does not involve touching. The misconduct may include:

- Electronically recording, photographing, or transmitting intimate or sexual utterances, sounds or images of another person
- Allowing third parties to observe sexual acts
- Engaging in voyeurism
- Exposing oneself.

Attempt

An "attempt" occurs when anyone attempts to commit an act covered by these guidelines but fails, or is prevented or intercepted in its perpetration.

Consent

Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.

- Consent is informed Consent is voluntary. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act of expression of intent to engage in the act pursuant to an exercise of free will.
- Consent is revocable; it may be withdrawn at any time. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.
- Consent cannot be give when a person is incapacitated. A person cannot consent if he or she is unconscious or coming in and out of consciousness. A person cannot consent if he or she is under the threat of violence, bodily injury or other forms of coercion. A person cannot consent if his or her understanding of the act is affected by a physical or mental impairment.
- In the state of California the age of consent is 18 years or older.

It is the responsibility of the person wanting to engage in the specific sexual activity to make sure that he or she has consent. In making determinations of consent the following will be taken into consideration:

- Silence does not equal consent.
- Because incapacitation may be difficult to discern, individuals are strongly encouraged to err on the side of caution. When in doubt, assume that another person is incapacitated and therefore unable to give consent.

Incapacitation

Incapacitation is defined as the physical and/or mental inability to make informed, rational judgments. States of incapacitation include, but are not limited to, unconsciousness, sleep, and blackouts. Where alcohol or drugs are involved, incapacitation is defined with respect to how the alcohol or other drug consumed affects a person's decision-making capacity, awareness of consequences, and ability to make fully informed judgments. Being intoxicated by drugs or alcohol does not diminish one's responsibility to obtain consent. The factors to be considered when determining whether consent was given include whether the accused knew, or whether a reasonable person should have known, that the Complainant was incapacitated.

The Role of Alcohol and Drugs

It is a violation of this Policy and/or a criminal offense to engage in sexual acts with someone who has been using alcohol, drugs, or other intoxicants to the degree that he or she is unable to provide consent. This is true whether or not the person reporting the sex offense voluntarily consumed the alcohol, drug, or intoxicant.

Intentionally causing someone to become intoxicated in order to facilitate the sex offense will be considered as a factor when determining responsibility and, where responsibility has been found, imposing appropriate sanctions.

Because alcohol, drugs, and other intoxicants are often involved in sex offense matters, Complainants may be afraid to report sex offenses to authorities where they also have engaged in an activity that violated University policy or state law, such as a person under age 21 drinking alcohol. UC Irvine encourages the reporting of sex offenses and therefore does not hold Complainants and/or witnesses accountable for alcohol-related Student Code of Conduct violations that may have occurred at the time of the sex offense.

The use of intoxicants by a student or employee accused of a sex offense does not excuse the offense.

Domestic Violence

Domestic violence is behavior that includes physical, sexual, verbal, emotional or psychological abuse by a current or former spouse, by a person with whom the Complainant shares a child in common, by a person who is cohabitating or has cohabitated with the Complainant as a spouse, by a person similarly situated to a spouse of the Complainant under the laws of the jurisdiction, or any other person against an adult or youth victim who is protected from that person's acts under the domestic violence laws.

Dating Violence

Dating violence is behavior that includes physical, sexual, verbal, emotional or psychological abuse, committed by a person who has been in a relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on consideration of factors such as the length of the relationship, type of relationship, and frequency of interaction between the persons involved in the relationship.

Abuse

Abuse means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable fear of imminent serious bodily injury to himself or herself or another. Abuse may include, but not limited to;

- Physical abuse acts such as hitting, slapping, pushing, punching, kicking, and choking. It could involve using a weapon or object to threaten or hurt someone. It also includes throwing, smashing, or breaking personal items and hurting or killing of pets.
- Sexual abuse involving pressuring or forcing someone to engage in nonconsensual sexual acts, including creating pictures or videos.
- Verbal abuse involving put downs, name calling, yelling or swearing, threatening tones, or abusive language.
- Emotional abuse involving ignoring someone or using looks or actions or speaking in ways that are frightening or threatening.

Stalking

Stalking is behavior in which a person repeatedly engages in conduct directed at a specific person that places that person in reasonable fear of his or her safety or the safety of others. Examples of stalking include:

- Following
- Obsessive behavior
- Unwanted and/or excessive phone calls or other forms of communication
- Unwanted letters or messages
- Unwanted gifts or threatening gifts
- Damage to property
- Appearance at places of residence, school, work
- Threats to person, family, or friends
- Inappropriate confrontations and approaches.

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