



**Annual Title IX Report**  
**July 2019 to June 2020**

## **Introduction**

CSU Channel Islands (“CSUCI”) is committed to creating and sustaining a positive learning and working environment, free of discrimination, including sexual misconduct, dating and domestic violence and stalking. This report presents information about complaints of sexual misconduct, dating and domestic violence, and stalking brought to the attention of University officials and the actions taken by the Title IX & Inclusion office (“T9&I”) to address those allegations for the reporting period of July 1, 2019 to June 30, 2020.

This is the annual campus report under CSU Executive Order 1095. Because of privacy obligations, the report cannot fully convey the complexity and specifics of circumstances associated with cases. Likewise, the report assigns complaints to general categories such as “sexual misconduct,” “dating violence,” “domestic violence” and “stalking” that encompass broad ranges of behavior. This is primarily because the report is required to protect the privacy of the individuals involved and as such, it cannot provide a public forum for discussion of specific cases.

CSU Executive Orders 1096 and 1097 include the option to resolve concerns of potential sexual misconduct, dating and domestic violence and stalking through the Early Resolution process prior to, or instead of filing a complaint. Those cases resolved by Early Resolution are included in this report. However, not all reports of sexual misconduct, dating and domestic violence, and stalking are made by someone seeking to use the complaint or Early Resolution process. As such, T9&I responds to such reports by providing information regarding a person’s rights, options, and resources.

T9&I may also determine that a report is insufficient to warrant an investigation. Circumstances where T9&I may not initiate an investigation can include a person who reports to the University Police Department but invokes confidentiality, persons who decline to identify the respondent, where the allegation does not rise to the level of a violation and matters where T9&I honors a request for confidentiality or refusal to advance a formal complaint. There are also instances when T9&I may determine that the report warrants an investigation even if someone is not interested in participating. This report presents information from sixty-one (61) allegations of sexual misconduct, dating and domestic violence, and stalking.

The ongoing engagement of the CSUCI community is essential to our efforts to prevent sexual misconduct in our community and to maintain a safe and respectful campus. Your questions, comments, and concerns are always welcome. You may contact the T9&I at [titleix@csuci.edu](mailto:titleix@csuci.edu) or schedule a meeting by calling (805) 437-2077.

## **Policies**

The following CSU policies were in effect during the reporting period:

- CSU Executive Order 1095, the Systemwide Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence and Stalking Policy

- CSU Executive Order 1096, the Systemwide Policy Prohibiting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties
- CSU Executive Order 1097, Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Students and Systemwide Procedure for Addressing Such Complaints by Students

This executive order has been revised in response to a recent California court of appeal decision, and includes an addendum that applies to cases where a student has been accused of sexual misconduct as defined by CSU policy. The addendum supersedes Article III.B.7-9 and Article IV of this executive order with respect to cases (i) alleging sexual misconduct by a student that, (ii) if substantiated, could result in a severe sanction (suspension or expulsion), and (iii) where credibility of any party or witness is central to the finding.

As such, the governing policy, including applicable definitions, is based on the CSU Executive Orders that were in effect when the alleged incident of sexual misconduct occurred. The applicable procedures for investigating allegations of sexual misconduct are determined by the Executive Order that was in effect at the time of the filed complaint.

### **Definitions**

For purposes of this report and in accordance with CSU Executive Order 1096 and 1097, “**Student**” refers to a CSU Channel Islands student, an applicant for admission to the CSU, an admitted CSU Student, an enrolled CSU Student, a CSU extended education Student, a CSU Student between academic terms, a CSU graduate awaiting a degree, a CSU student currently serving a suspension or interim suspension, and a CSU Student who withdraws from the University while a disciplinary matter (including investigation) is pending.

**Dating Violence** is a form of sexual misconduct 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. This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website.

**Domestic Violence** is a form of sexual misconduct 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. Abuse does not include non-physical, emotional distress or injury.

**Employee** means a person legally holding a position in the CSU. This term includes fulltime, part-time, permanent, tenured, probationary, temporary, intermittent, casual, and per-diem positions. This term does not include auxiliary or Foundation Employees or other Third Parties.

**Sexual misconduct** encompasses a wide variety of behavior, from 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 status as a minor, use of drugs or alcohol, or disability. Sexual misconduct 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).

**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 causes the victim to suffer substantial emotional distress.

Whether certain behaviors constitute sexual misconduct, dating and domestic violence, and stalking depends greatly upon the circumstances surrounding the behavior. This report accounts for every incident of sexual misconduct, dating and domestic violence, and stalking concern reported to the T9&I during the reporting period of July 1, 2019 to June 30, 2020.

To read more about the CSU policy and definitions discussed above, please see CSU Executive Orders 1096 and 1097, located at <https://www.calstate.edu/eo/>.

### **Statistical Summary of Complaints**

The University encourages a culture of reporting and hopes that every member of the CSUCI campus will report an occurrence of sexual misconduct, dating and domestic violence, and stalking. A report can be by a person who experienced, witnessed, heard, or has knowledge of a possible incident.

The Complainant is the person alleged to have experienced misconduct. The Respondent is the person alleged to have committed the misconduct.

**Reports Received**

**1- Sexual Misconduct, Dating and Domestic Violence, and Stalking Reports Which Were Investigated**

The number of sexual misconduct, dating and domestic violence, and stalking reports received by CSUCI was sixty-one (61)<sup>1</sup>. Out of the sixty-one (61) reports received, four (4) are being actively investigated with their outcomes pending at the time of this report’s publication.

	<b>Number of Investigated Reports</b>
Sexual Misconduct & Stalking	4
Dating/Domestic Violence	0
Two or More Violations Combined	0
<b>TOTAL</b>	<b>4</b>

**2- Student Respondent**

The number of sexual misconduct, dating and domestic violence, and stalking reports received in which a Student is a Respondent is twenty-four (24). Out of the twenty-four (24) reports received, two (2) were investigated.

	<b>Number of Reports with Student Respondent</b>	<b>Number of Cases Early Resolved</b>	<b>Number of Cases Where No Investigation Occurred</b>	<b>Number of Investigated Reports</b>
Sexual Misconduct	7	0	5	2
Dating/Domestic Violence	1	0	1	0
Stalking	14	1	13	0
Two or More Violations Combined	2	0	2	0
<b>TOTAL</b>	<b>24</b>	<b>1</b>	<b>21</b>	<b>2</b>

<sup>1</sup> It is important to note that due to COVID-19, in-person operations at CSUCI ceased on March 17, 2020. There was no in-class student instruction or non-essential employees populating the campus through June 30, 2020.

**3- Employee Respondent**

The number of sexual misconduct, dating and domestic violence, and stalking reports received in which an Employee is a Respondent is two (2). Of the two (2) reports received, two (2) were investigated and pending outcomes. Student employees are included in this category.

	<b>Number of Reports with Employee Respondent</b>	<b>Number of Cases Early Resolved</b>	<b>Number of Cases Where No Investigation Occurred</b>	<b>Number of Investigated Reports</b>
Sexual Misconduct	2	0	0	2
Dating/Domestic Violence	0	0	0	0
Stalking	0	0	0	0
<b>TOTAL*</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>2</b>

**4- Third Party Respondent**

The number of sexual misconduct, dating and domestic violence and stalking reports received in which a Third Party is a Respondent is twenty-seven (27). One (1) case in which a Third Party was the Respondent contained **two (2) or more violations**.

	<b>Number of Of Cases with Third Party Respondents</b>	<b>Number of Cases Where Early Resolved</b>	<b>Number of Cases Where No Investigation Occurred</b>	<b>Number of Investigated Reports</b>
Sexual Misconduct	14	1	13	0
Dating/Domestic Violence	7	0	7	0
Stalking	5	0	5	0
Two or More Violations Combined	1	0	1	0
<b>TOTAL</b>	<b>27</b>	<b>1</b>	<b>26</b>	<b>0</b>

**5 – Unknown Respondent**

The number of sexual misconduct, dating and domestic violence and stalking reports received in which the status of the Respondent is unknown is eight (8).

	<b>Number of Of Cases with Unknown Respondents</b>	<b>Number of Cases Where Early Resolved</b>	<b>Number of Cases Where No Investigation Occurred</b>
Sexual Misconduct	7	0	7
Dating/Domestic Violence	1	0	1
Stalking	0	0	0
Two or More Violations Combined	0	0	0
<b>TOTAL</b>	<b>8</b>	<b>0</b>	<b>8</b>

**Description of the resolution and/or reason for no investigation:**

From the reports received, there were several factors which led to cases not being investigated:

- There was lack of participation from the Complainant despite outreach from the T9&I;
- The Parties accepted Early Resolution;
- Students were given academic accommodations and requested no further action taken; or
- Cases fell outside the scope of the Executive Orders.

**7 - Sexual Misconduct, Dating or Domestic Violence, and Stalking Investigations Where Respondent was Held Responsible**

The number of sexual misconduct, dating and domestic violence, and stalking investigations which resulted in the Respondent being held responsible is pending. There are currently **four (4)** investigations in process from the July 2019 - June 2020 time period due to an Executive Order hearing process put into effect on March 29, 2019 and a change in staffing within the Title IX & Inclusion office.

**8 - Sexual Misconduct, Dating or Domestic Violence, and Stalking Investigations Where Evidence was Insufficient to Hold Respondent Responsible**

The number of sexual misconduct, dating and domestic violence, and stalking investigations in which the evidence was found insufficient to hold the Respondent responsible is pending.

## **Education and Prevention Measures**

CSUCI is aware of research indicating that incoming students are particularly vulnerable to Sexual Misconduct during their first several weeks on campus. As such, all incoming students are required to participate in an interactive online program that relies on prevention theories and educational strategies to help students understand the many aspects of sexual assault and alcohol issues. Topics covered include common myths about sexual assault and rape, the definition of consent, the link between sexual assault and alcohol, and bystander intervention.

During orientation, all first-year and incoming transfer students attend the CSUCI orientation program. This program includes a presentation on campus sexual assault and violence prevention. The presentation includes an overview of consent, warning signs of stalking, how to help friends who have been affected by sexual assault or relationship violence, and other issues related to sexual and dating violence.

All continuing students are required to participate in online training that focused on sexual harassment, sexual assault, dating/domestic violence, stalking, consent, and bystander intervention. CSUCI has also offered online training to new and existing faculty and staff. In addition to these efforts, there are a variety of in-person educational sessions customized to specific groups, such as administrators, housing staff and resident advisors, student assistants, club leaders, peer groups, and academic departments upon request.

## **Conclusion**

For more information, including definitions, resources, and a more detailed overview of the processes available under the CSU Executive Orders, or to report an incident of Sexual Misconduct, please visit: <https://www.csuci.edu/titleix/>. Please contact the Interim Title IX Coordinator with any questions or concerns at:

**titleix@csuci.edu**  
**Title IX & Inclusion office**  
**1 University Drive – Lindero Hall, Camarillo, CA 93012**  
**(805) 437-2077**