

2020-2021 Title IX Annual Report

California State University, Channel Islands



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, 2020 to June 30, 2021.

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 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, 2020 to June 30, 2021.

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.

Title IX Coordinator's Name

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The total number of pending Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking cases as of July 1, 2020.

0

The number of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports received during the reporting period (July 1, 2020 to June 30, 2021).

Total	16
Sexual Misconduct/Sexual Assault	7
Dating and Domestic Violence	2
Stalking	7

The number of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports received during the reporting period (July 1, 2020 to June 30, 2021) in which a Student is the Respondent.

Total	3
Sexual Misconduct/Sexual Assault	0
Dating/Domestic Violence	0
Stalking	3

The number of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports received during the reporting period (July 1, 2020 to June 30, 2021) in which an Employee is the Respondent.

Total	0
Sexual Misconduct/Sexual Assault	0
Dating/Domestic Violence	0
Stalking	0

The number of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports received during the reporting period (July 1, 2020 to June 30, 2021) in which a Third Party is the Respondent.

Total	11
Sexual Misconduct/Sexual Assault	5
Dating/Domestic Violence	2
Stalking	4

The number of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports received during the reporting period (July 1, 2020 to June 30, 2021) in which the Respondent is an Unknown or Unidentified Individual.

Total	2
Sexual Misconduct/Sexual Assault	2
Dating/Domestic Violence	0
Stalking	0

The number of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports investigated (with a finding - Violation or No Violation) during the reporting period (July 1, 2020 to June 30, 2021).

Total	0
Sexual Misconduct/Sexual Assault	0
Dating/Domestic Violence	0
Stalking	0

The number of Sexual Misconduct/Sexual Assault reports that were resolved without investigation and/or a finding during the reporting period (July 1, 2020 to June 30, 2021). Please provide a total and then indicate the number of reports for each type of outcome.

Total	7
Complainant requested resources and/or supportive measures only	2
Complainant did not respond to outreach and insufficient information to move forward	5

The number of Dating and Domestic Violence reports that were resolved without investigation and/or a finding during the reporting period (July 1, 2020 to June 30, 2021). Please provide a total and then indicate the number of reports for each type of outcome.

Total	2
Complainant did not respond to outreach and insufficient information to move forward	2

The number of Stalking reports that were resolved without investigation and/or a finding during the reporting period (July 1, 2020 to June 30, 2021). Please provide a total and then indicate the number of reports for each type of outcome.

Total	7
Informal Resolution prior to investigation commencing	1
Complainant requested resources and/or supportive measures only	3
Complainant did not respond to outreach and insufficient information to move forward	3

The number of Sexual Misconduct/Sexual Assault investigations during the reporting period (July 1, 2020 to June 30, 2021) in which the Respondent was held responsible. Please provide a total and then indicate the number of cases for each type of discipline. For combination forms of discipline (e.g., Suspension of less than one year and Educational training) or forms of discipline not listed, please use the "Other" boxes and specify the form/s of discipline and a number.

Total	0
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The number of Dating and Domestic Violence investigations during the reporting period (July 1, 2020 to June 30, 2021) in which the Respondent was held responsible. Please provide a total and then indicate the number of cases for each type of discipline. For combination forms of discipline (e.g., Suspension of less than one year and Educational training) or forms of discipline not listed, please use the "Other" boxes and specify the form/s of discipline and a number.

Total	0
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The number of Stalking investigations during the reporting period (July 1, 2020 to June 30, 2021) in which the Respondent was held responsible. Please provide a total and then indicate the number of cases for each type of discipline. For combination forms of discipline (e.g., Suspension of less than one year and Educational training) or forms of discipline not listed, please use the "Other" boxes and specify the form/s of discipline and a number.

Total	0
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The number of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking investigations during the reporting period (July 1, 2020 to June 30, 2021) in which the evidence was found insufficient to hold the Respondent responsible.

Total	0
Sexual Misconduct/Sexual Assault	0
Dating/Domestic Violence	0
Stalking	0

The total number of pending Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking cases as of end of June 30, 2021.

0
