

2020-2021 TITLE IX ANNUAL REPORT



Human Resources,
Equal Opportunity
and Compliance

Stanislaus State is committed to promoting inclusive excellence and equal access to education and employment for all students and employees. Part of that commitment is a dedication to the efforts of Title IX, a federal law requiring nondiscrimination on the basis of gender and sex at educational institutions, and the Violence Against Women Reauthorization Act, a federal act aiming to prevent gender-based and sexual violence and harassment, as well as require that educational institutions respond when it occurs. Another law that shapes Stanislaus State's commitment to equity and inclusion is the California Student Safety: Sexual Assault law that defines an affirmative consent standard for California schools. CSU Executive Order 1095 Revised (2015) requires that CSU campuses report information on reports of sexual misconduct, dating and domestic violence, and staking annually on October 1, for the prior fiscal year (July 1 to June 30), without disclosing any information that would reveal the identities of the parties involved.

Definitions

The following definitions are provided in Executive Order 1096 Revised (2020) and Executive Order 1097 Revised (2020):

1. Dating Violence 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. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to self, or another. Abuse does not include non-physical, emotional distress or injury.
2. Domestic Violence is abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the Respondent has a child; someone with whom the Respondent 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. It does not include roommates who do not have a romantic, intimate, or sexual 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 spouses; (5) the continuity of the relationship; and, (6) the length of the relationship. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in

reasonable apprehension of imminent serious bodily injury to self, or another. Abuse does not include nonphysical, emotional distress or injury.

3. Employee means a person legally holding a position in the CSU. This term includes full-time, 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.

4. Sexual Misconduct: All sexual activity between members of the CSU community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is Sexual Misconduct, whether or not the conduct violates any civil or criminal law. Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex. It also includes any unwelcome physical sexual acts, such as unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, and Dating Violence. Sexual Misconduct may include using 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) to engage in sexual activity. Men as well as women can be victims of these forms of Sexual Misconduct. Sexual activity with a minor is never consensual when the Complainant is under 18 years old, because the minor is considered incapable of giving legal consent due to age.

a. Sexual Assault is a form of Sexual Misconduct 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.

b. Sexual Battery is a form of Sexual Misconduct and is any willful and unlawful use of force or violence upon the person of another because of that person's Gender or sex as well as touching an intimate part of another person against that person's will and for the purpose of sexual arousal, gratification, or abuse.

c. Rape is a form of Sexual Misconduct and is non-consensual sexual intercourse that may also involve the use of 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 a 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 a person incapable of giving consent. The Respondent's relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of Affirmative Consent above.)

d. Acquaintance Rape is a form of Sexual Misconduct 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.)

5. Stalking means engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for the safety of self or others' safety or to suffer Substantial Emotional Distress. For purposes of this definition:

a. Course of Conduct means two or more acts, including but not limited to, acts in which the stalker directly, indirectly, or through Third Parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property;

b. Reasonable Person means a reasonable person under similar circumstances and with the same Protected Status(es) as the Complainant;

c. Substantial Emotional Distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

6. Student means 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.

Reports

The following reports were made to Stanislaus State from July 1, 2020 – June 30, 2021:

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

Total = 1

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	10
Dating and Domestic Violence	3
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 a Student is the Respondent.

Total	5
Sexual Misconduct/Sexual Assault	3
Dating/Domestic Violence	1
Stalking	1

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	1
Sexual Misconduct/Sexual Assault	1
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 the Respondent is an Unknown or Unidentified Individual.

Total	10
Sexual Misconduct/Sexual Assault	6
Dating/Domestic Violence	2
Stalking	2

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	10
Informal Resolution prior to investigation commencing	2
Informal Resolution while investigation was in process, or after investigation completed (prior to a finding being made)	0
Complainant requested resources and/or supportive measures only	4

Complainant did not respond to outreach and insufficient information to move forward	4
Complainant elected to remain confidential so unable to send outreach	0
Other Outcome (please specify and provide number)	0

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	3
Informal Resolution prior to investigation commencing	1
Informal Resolution while investigation was in process, or after investigation was completed (prior to a finding being made)	0
Complainant requested resources and/or supportive measures only	2
Complainant did not respond to outreach and insufficient information to move forward	0
Complainant elected to remain confidential so unable to send outreach	0
Other Outcome (please specify and provide number)	0

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	4
Informal Resolution prior to investigation commencing	2
Informal Resolution while investigation was in process, or after investigation was completed (prior to a finding being made)	0
Complainant requested resources and/or supportive measures only	2
Complainant did not respond to outreach and insufficient information to move forward	0
Complainant elected to remain confidential so unable to send outreach	0
Other Outcome (please specify and provide number)	0

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

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

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

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.

Total = 0