



# California State University Dominguez Hills



Title IX Office  
Annual Report  
2019 - 2020

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# Department Overview

**The Title IX Office 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. Our work is also informed by the *Violence Against Women Reauthorization Act*, a federal act that aims to prevent gender-based and sexual violence and harassment, and requires educational institutions to respond to it when it occurs.

Another law that shapes CSUDH's commitment to equity and inclusion is the *Student Safety: Sexual Assault* law, which defines the affirmative consent standard for California schools.

The CSUDH Notice of Non-Discrimination, as well as CSU Executive Orders 1095, 1096, and 1097 detail how CSUDH prohibits discrimination, harassment, and violence on the basis of sex or gender and promote a safe, inclusive environment for all staff, faculty, and students.

The Title IX Officer has been designated to ensure prevention education, provision of supportive resources to all of CSUDH, and handle inquiries regarding the non-discrimination policies, including reports of alleged policy violations.

# Department Staff

## Title IX Office

### **Elizabeth Schrock, M.S.W.**

Title IX Officer

Interim Discrimination, Harassment, and  
Retaliation Administrator

*pronouns: she/her*

### **Amy Largarticha, M.S.**

Title IX and Discrimination, Harassment,  
and Retaliation Investigator

*pronouns: she/her or they/them*

### **Yvonne Calderon**

Compliance Coordinator

*pronouns: she/her*

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# Campus Partners & Resources

## Center for Advocacy, Prevention, and Empowerment (CAPE)

**Mayra Romo, M.A.**

CAPE Coordinator and Advocate

*pronouns: she/her*

**Claudia Argüelles**

Project Coordinator

*pronouns: she/her*

Student Advocate and  
Process Navigator

**Daryl Evans**

Senior Student Advocate and  
Retention Analyst

*Pronouns: he/him*



Center for Advocacy, Prevention & Empowerment

# Definitions

The CSU Executive Orders provide the following definitions:

**Affirmative Consent** means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean consent nor does silence mean consent.

Affirmative Consent can be withdrawn or revoked. Affirmative Consent cannot be given by a person who is incapacitated.

A person with a medical or mental Disability may also lack the capacity to give consent.

Sexual activity with a minor (under 18 years old) is never consensual because a minor is considered incapable of giving legal consent due to age.

**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.

**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 non-physical, emotional distress or injury.

**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. When based on Gender, Domestic Violence or Stalking also constitute Sexual Misconduct. 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.

1. **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.

2. **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.

3. **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.)

4. **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)

**Discrimination** means Adverse Action taken against a Student by the CSU, a CSU employee, or another Student because of a Protected Status.

**Harassment** means unwelcome conduct, based on the Complainant's Protected Status, that 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 Complainant, and is in fact considered by the Complainant, as limiting her/his ability to participate in or benefit from the services, activities or opportunities offered by the University.

**Protected Status** includes Age, Disability (physical or mental), Gender (or sex), Genetic Information, Gender Identity (including transgender), Gender Expression, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion or Religious Creed, Sexual Orientation, and Veteran or Military Status.

**Retaliation** means Adverse Action taken against a Student because the Student has or is believed to have:

- Exercised rights under this Executive Order;
- Reported or opposed conduct which was reasonably and in good faith believed to be in violation of this Executive Order;
- Assisted or participated in a policy-related investigation/proceeding regardless of whether the Complaint was substantiated; or,
- Assisted someone in reporting or opposing a violation of this Executive Order, or assisted someone in reporting or opposing Retaliation under this Executive Order.



# Response & Outreach

**When an incident reported is submitted** to the Title IX Office, we send a letter to the affected party with information about support resources and campus reporting options.



The affected party may use reporting options and support resources at their own discretion. It is common for Title IX to receive no response to the outreach letter.

In 2019-2020, Title IX sent 85 outreach letters

# Outreach Resources

**(Confidential) CSUDH Center for Advocacy, Prevention, and Empowerment (CAPE).** Mayra Romo, our survivor advocate, assists with private and confidential information and support related to sexual assault, intimate partner abuse, stalking, and sexual harassment.

**CSUDH Student disAbility Resource Center (SdRC).** The SdRC ensures that students with disabilities have full access to their educational, cultural, social, and physical facilities and programs. The Title IX Office may partner with the SdRC to ensure that you are provided the appropriate long-term academic accommodations or other adjustments.

**CSUDH University Police.** Campus Police assists with reporting crimes, including sexual assault, dating/domestic violence, and stalking. Campus police responds to all emergency incidents on campus.

**CSUDH Student Health.** Student Health offers appointments for students in need of medical care, including walk-in appointments, routine care, and other non-emergency health services.

**(Confidential) CSUDH Psychological Services.** Psychological Services offers private and confidential services for a wide-range of emotional, mental, or social health concerns.

**CSUDH Basic Needs.** Basic Needs assists with concerns related to food or housing insecurity.

**CSUDH Affinity Centers.** CSUDH has 5 affinity centers that aim to provide students with identity-based support, programming, and resources: Toro Dreamers Success Center, Rose Black Resource Center, Queer Culture Resource Center, Women's Resource Center, and Veteran's Resource Center.

**(Confidential – Off Campus) Rainbow Services** offers a 24-hour crisis hotline for concerns related to dating/domestic violence.

**(Confidential – Off Campus) YWCA of Greater Los Angeles** offers a 24-hour crisis hotline for concerns related to sexual assault.

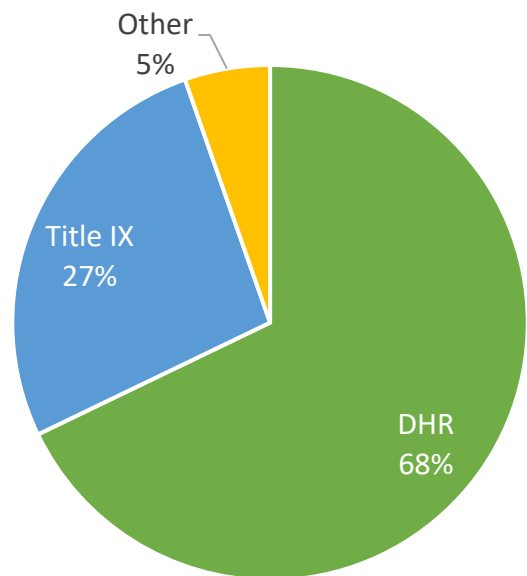
# Complaints

**The Title IX Office responds to complaints from students and employees concerning Sexual Misconduct, Sexual Harassment, Dating/Domestic Violence, Stalking, and Discrimination, Harassment and Retaliation (DHR).**

In 2019-2020, The Title IX Office received **57 reports** of alleged Executive Order (EO) policy violations from 24 separate individuals. Of the total reports, **38** were DHR related complaints, **15** were Title IX related complaints, and **3** were some other type of complaint.

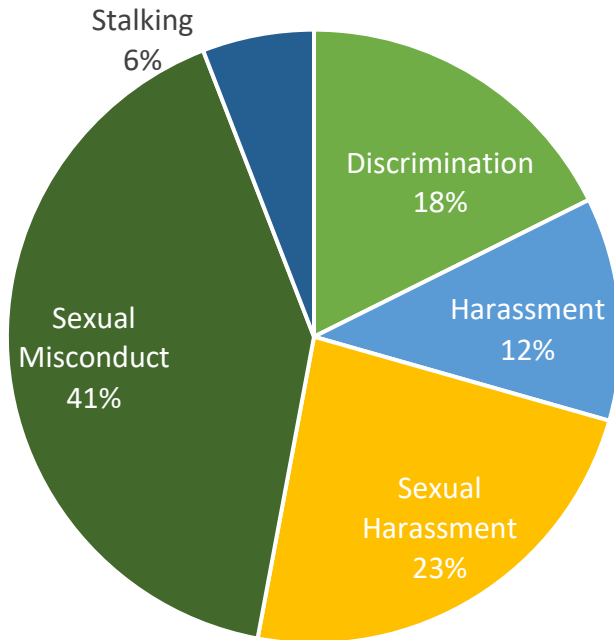
**Reporting parties have several resolution options,** and not all of them request a campus investigation. Additionally, some complaints do not fall under the scope of EO policies.

**Complaints can also be resolved through the resolution process,** whether or not they are accepted for investigation.



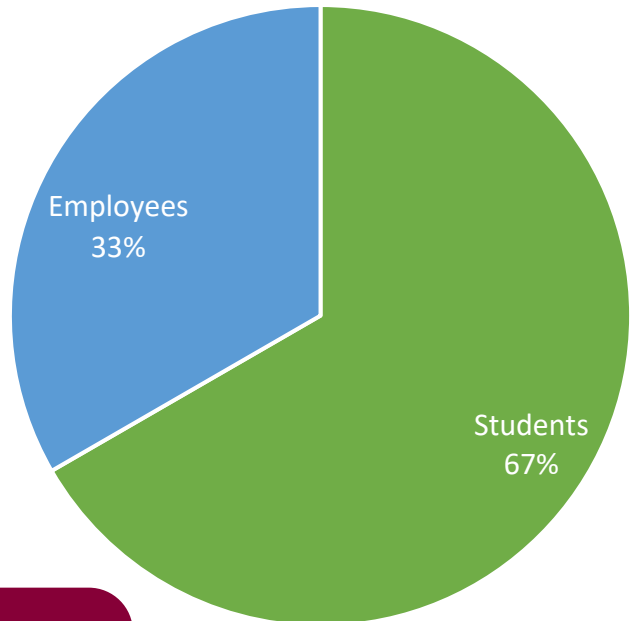
**In 2019-2020, The Title IX Office conducted 18 investigations under EO 1097 and EO 1096**

# Investigations



**The Title IX Office conducted 18 investigations in 2019-2020.** Of the investigations conducted, there were 7 allegations of Sexual Misconduct, 4 allegations of Sexual Harassment, 3 allegations of Discrimination, 2 allegations of Harassment, 1 allegation of Stalking, and 0 allegations of Dating/Domestic Violence

**Reporting Parties (or Complainants) can be students or employees.** In 2019-2020, there were 10 student Complainants and 5 employee Complainants.



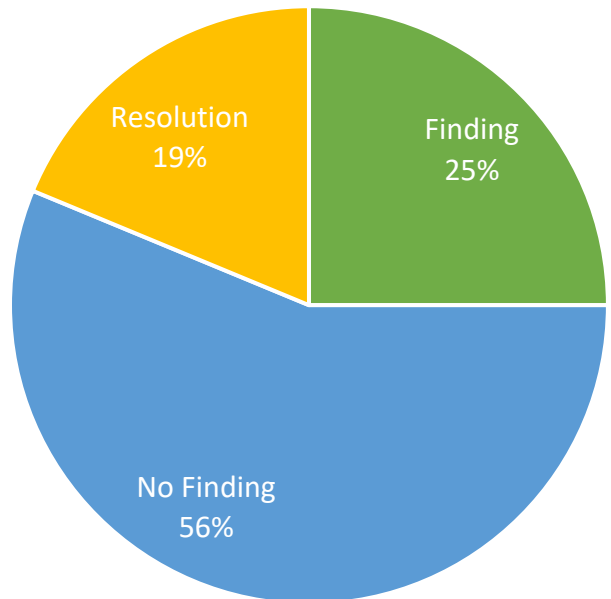
In 2019-2020, most of the complaints were student sexual misconduct allegations



# Findings & Resolutions

**When a complaint is accepted for investigation, it is referred to the Title IX/DHR Investigator.** The Investigator relies on Executive Order 1096 and 1097 procedures to determine findings for an alleged policy violation. The standard of evidence used in investigations is called the “preponderance of the evidence,” or the greater weight of the evidence.

**Of the complaints accepted for investigation,** 9 resulted in no finding, 4 resulted in a finding, and 3 resulted in a resolution.

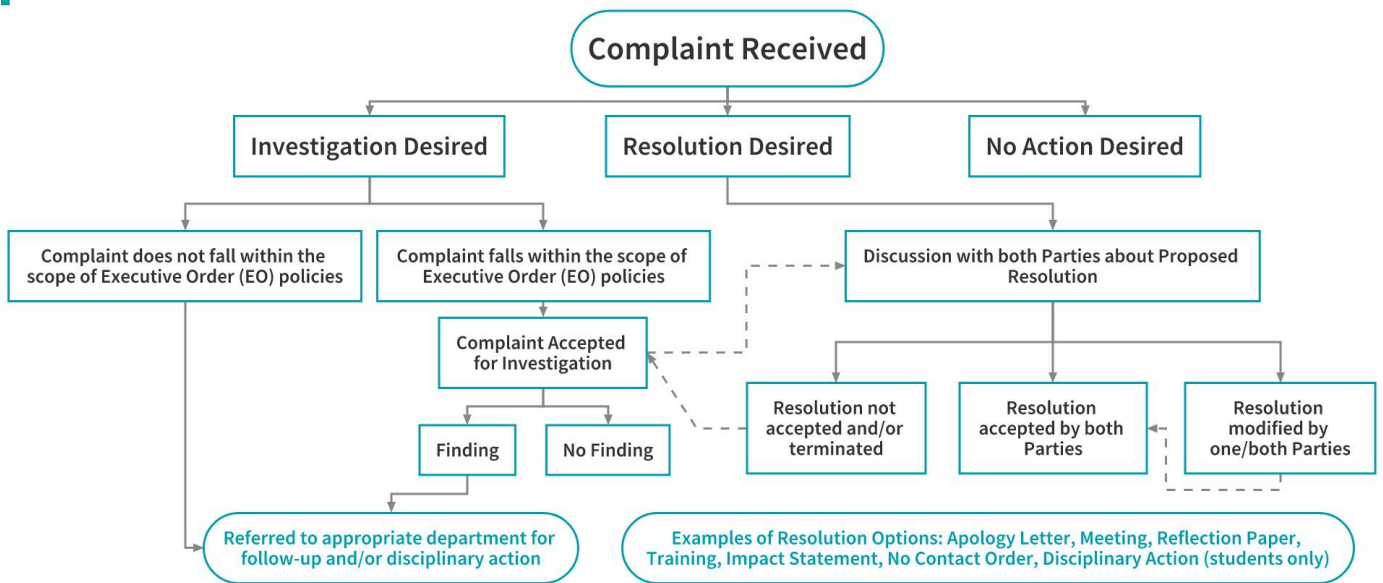


In 2019-2020, 3 investigations were resolved through the early resolution process

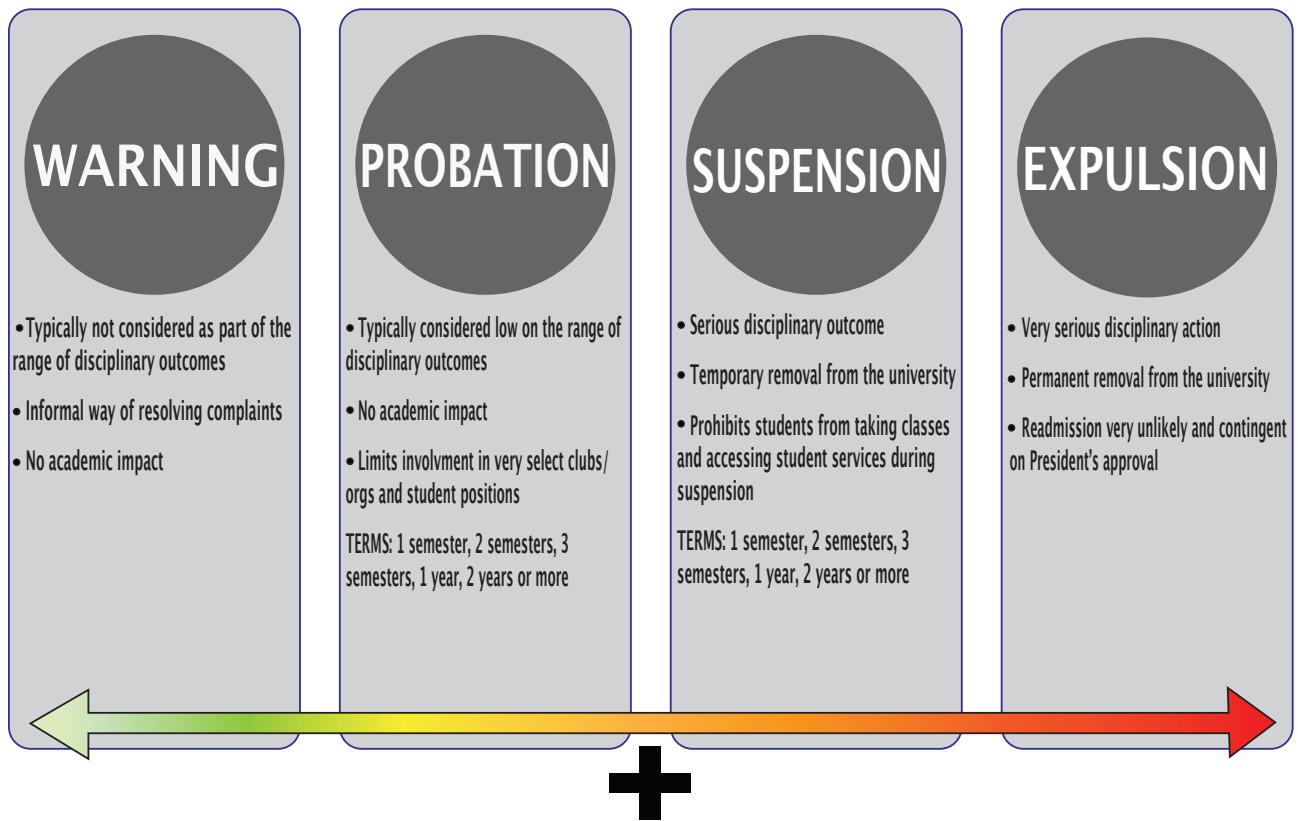
During the formal investigation process, a complainant and respondent may resolve the investigation through a mutually agreed upon outcome called an “informal resolution.”

# Complaint & Resolution Options

## Title IX & Discrimination, Harassment, and Retaliation Resolution Options



# Disciplinary & Educational Outcomes



## EDUCATIONAL SANCTIONS

Assignments designed to encourage learning, development, reflection, or a sense of justice associated with the alleged issue. Educational sanctions should be specific, measurable, attainable, relevant, and time-based. Examples of educational sanctions include workshops, papers, letters, presentations, meetings, research, or other creative sanctions.

*Title IX Office, CSU Dominguez Hills, February 2020*

# EO 1095 Compliance Data

- The number of Sexual Misconduct, Dating and Domestic Violence, and Stalking reports received in which a **Student** is the Respondent: **TOTAL = 10**
- The number of Sexual Misconduct, Dating and Domestic Violence, and Stalking reports received in which an **Employee** is the Respondent: **TOTAL = 3**
- The number of Sexual Misconduct, Dating and Domestic Violence, and Stalking reports **investigated**: **TOTAL = 7**. *2 investigations were resolved by EO 1097 Informal Resolution after the investigations concluded and the final investigation reports were written. These reports are included in Section C (above) and Section D (below).*
- The number of Sexual Misconduct, Dating and Domestic Violence, and Stalking reports **resolved without investigation**, including a description of the resolution and/or reason for no investigation: **TOTAL = 42**. *23 reports involved an Accused Party that was identified as a Third Party and 10 reports involved an Accused Party that was not identified or was unknown. For each of these reports, supportive remedies for the Reporting Party included academic accommodations, housing accommodations, and/or referrals to other supportive resources (such as the Center for Advocacy, Prevention, and Empowerment or CAPE Advocate, YWCA Rape Crisis Center, Rainbow Services Domestic Violence Agency, CSUDH Student Health and Psychological Services, CSUDH or other local Police Departments).*
  - *7 reports involved an Accused Party was a student or employee.*
    - *3 Reporting Parties did not want to move forward with a formal investigation and were provided supportive remedies, including academic accommodations, No Contact Orders, and referrals the CAPE Advocate, Student Health and Psychological Services, CSUDH Police Department, and external resources.*
    - *2 Reporting Parties never responded to outreach, but were provided all options including reporting options and supportive remedies.*
    - *2 Reporting Parties alleged behaviors that were found not to fall under the scope of the policies contained in EO 1097, and were therefore referred to Student Affairs to be addressed under Student Conduct policies and EO 1098. Reporting Parties were still provided with all supportive resources and reporting options.*
  - *2 reports were resolved by EO 1097 Informal Resolution and included disciplinary sanctions including suspension, probation, and No Contact Orders, as well as educational sanctions, such as participating in educational trainings and writing papers.*
- The number of Sexual Misconduct, Dating and Domestic Violence, and Stalking investigations in which the Respondent was held responsible, including a description of the final sanction: **TOTAL = 1**. *This sanction is still being processed by the CSUDH Office of Community Standards.*
- The number of Sexual Misconduct, Dating and Domestic Violence, and Stalking investigations in which the evidence was found insufficient to hold the Respondent responsible: **TOTAL = 4**



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