

Annual Report: July 1, 2019 – June 30, 2020
Sexual Misconduct, Dating and Domestic Violence, and Stalking

CSU Dominguez Hills 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 CSU Dominguez Hills' 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) required 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 non-physical, 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 CSU Dominguez Hills from July 1, 2019 – June 30, 2020:

- A. The number of Sexual Misconduct, Dating and Domestic Violence, and Stalking reports received in which a **Student** is the Respondent: **TOTAL = 10**
- B. The number of Sexual Misconduct, Dating and Domestic Violence, and Stalking reports received in which an **Employee** is the Respondent: **TOTAL = 3**
- C. 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).
- D. 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**

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

- 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.
- E. 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.
- F. 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**

Contact

The Title IX Officer is responsible for preparing this annual report. For more information, please contact:

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