

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation,
Dating Violence, Domestic Violence, Stalking, and Retaliation
Attachment B
Revised January 1, 2022**

Attachment B: Campus Title IX Coordinators Role and Responsibilities

Roles and Responsibilities

Each campus is required to designate one Title IX Coordinator with the primary responsibility to monitor, supervise, and oversee overall campus-wide implementation of and compliance with Title IX and the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation,¹ including coordination of training, education, communications, and administration of complaint procedures for Employees, Students and Third Parties in the areas of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking. The Title IX Coordinator shall have authority across *all* campus-based divisions and programs (e.g., Human Resources, Academic Affairs, Student Affairs, Athletics, Housing, University Police, etc.) to monitor, supervise, oversee, and ensure implementation of the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation in all areas, including the duties listed below. The Title IX Coordinator and any Deputy Title IX Coordinator(s) shall be Management Personnel Plan (MPP) employees. The designated coordinator should be someone without other institutional responsibilities that could create a conflict of interest (e.g., someone serving as university counsel or as a disciplinary decision maker) and should report directly to a vice-president or higher. The Title IX Coordinator must have the qualifications, authority and time to address all complaints throughout the campus involving Title IX issues.

Each campus may designate one or more Deputy Title IX Coordinators. The Title IX Coordinator may delegate training, education, communications, complaint procedure administration, investigations, and related Title IX duties to one or more Deputy Title IX Coordinators. However, all Deputy Title IX Coordinators must report to the Title IX Coordinator in their capacity as Deputy Title IX Coordinators. The Title IX Coordinator shall monitor, supervise, and oversee all such delegated tasks, including reviewing all investigative reports before they are final to ensure that the investigation was sufficient, appropriate, impartial, and in compliance with the relevant Policy and Procedures.

The Title IX Coordinator and any Deputy Title IX Coordinator(s) must have adequate training on what constitutes Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking, as well as how to investigate such complaints. The Title IX Coordinator and any Deputy Title IX Coordinator(s) must also understand how campus and systemwide complaint procedures operate.

The Title IX Coordinator is responsible for ensuring the ***Notice of Non-Discrimination on the Basis of Gender or Sex (Notice)*** below and the ***Myths and Facts About Sexual Misconduct (Attachment E)*** are widely published and distributed as set forth above. Also, the Notice must identify the campus Title IX Coordinator and any Deputy Title IX Coordinator(s), and their respective roles and responsibilities on campus. The Title IX Coordinator is also responsible for ensuring the written explanation of ***Rights and Options for Victims of Sexual Misconduct/Sexual Assault, Sexual Exploitation, Dating or Domestic Violence, or Stalking (Attachment D)*** is provided to all Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking victims.

¹ This includes compliance with VAWA/Campus SaVE Act and all other related sexual harassment/violence legislation.

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation,
Dating Violence, Domestic Violence, Stalking, and Retaliation
Attachment B
Revised January 1, 2022**

**NOTICE OF NON-DISCRIMINATION ON THE BASIS
OF GENDER OR SEX**

The California State University does not discriminate on the basis of gender, which includes sex and gender identity or gender expression, or sexual orientation, in its education programs or activities.

Title IX of the Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on the basis of gender or sexual orientation in employment, as well as in all education programs and activities operated by the University (both on and off campus), including admissions. The protection against discrimination on the basis of gender or sexual orientation includes sexual harassment, sexual misconduct, sexual exploitation, dating and domestic violence, and stalking.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to have experienced the conduct that could constitute sex discrimination or sexual harassment), in-person, by mail, by telephone, or by electronic mail, using the contact information listed below for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

The following person has been designated to handle inquiries regarding the non-discrimination Policies and Title IX complaints for **[Campus]**:

[Title IX Coordinator's Name]
[Title]
[Office Address]
[E-mail Address]
[Telephone Number]
[Web Address]

Questions may also be addressed to:

Office for Civil Rights
San Francisco Office
U.S. Department of Education
50 United Nations Plaza
San Francisco, CA 94102
Telephone: (415) 486-5555
Facsimile: (415) 486-5570
Email: OCR.SanFrancisco@ed.gov

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation,
Dating Violence, Domestic Violence, Stalking, and Retaliation
Attachment B
Revised January 1, 2022**

Title IX prohibits sex-based discrimination in *all* university programs and activities, including athletics. Title IX measures gender equity in athletics in three distinct areas: (1) participation; (2) scholarships; and (3) other benefits, including the provision of equipment and supplies, scheduling, travel, tutoring, coaching, locker rooms, facilities, medical and training facilities, and services, publicity, recruiting, and support services. The Title IX Coordinator is responsible for comparing the campus' enrollment data to the number of athletic participation opportunities for Students of the underrepresented sex; and evaluating whether there is unmet interest in a particular sport, whether there is sufficient ability to sustain a team in the sport, and whether there is a reasonable expectation of competition for the team. The Title IX Coordinator should also coordinate the campus' efforts to ensure that athletic financial assistance awards and the distribution of athletic benefits, including financial expenditures, comply with Title IX regulations. Because the Title IX requirements governing gender equity in athletics are complex and require coordination with NCAA and other rules, campuses may wish to consider designating a Deputy Title IX Coordinator to handle only gender equity in athletics issues under the supervision of the Title IX Coordinator, who remains ultimately responsible for campus-wide compliance.

In addition to coordinating training, education, and preventive measures in the areas of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking, the campus Title IX Coordinator's mandatory duties include:

- Ensuring that victims reporting Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking are notified of the right to file a criminal complaint.
- Providing reasonable Supportive Measures, if requested and available, regardless of whether the victim chooses to report the conduct to campus police or local law enforcement.
- Meeting on a regular basis, as appropriate, with victims reporting Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking to determine what steps (Supportive Measures and ultimate Remedies) should be taken to protect them from any resulting hostile or unsafe environment, and ensuring that such steps are taken.
- Working with all campus divisions (e.g., University Police, Human Resources, Academic Affairs, Student Affairs, and Athletics) to provide Employees and Students all required education programs and information.
- Monitoring, supervising, and overseeing *all* complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking, including related investigations, reports, Supportive Measures and/or ultimate remedies, resolution, and coordination with disciplinary decision-makers regarding any resulting discipline against the Respondent.
- Creating a case management team responsible for coordinating and monitoring reports and investigations to assure that responses are timely, appropriate, impartial, and in compliance with the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation and corresponding Procedures.
- Reviewing all investigative reports before they are final to ensure that they are sufficient, appropriate, impartial, and in compliance with the CSU Policy Prohibiting Discrimination,

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation,
Dating Violence, Domestic Violence, Stalking, and Retaliation
Attachment B
Revised January 1, 2022**

Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation and corresponding Procedures.

- Ensuring that appropriate disciplinary sanctions are imposed against Employees or Students who have violated the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation.
- Reviewing the outcome of Employee and Student disciplinary proceedings involving cases of alleged Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking to determine whether they resolve all complaints, and whether any additional remedies need to be provided.
- Creating a committee of Employees, Students and campus officials to identify strategies for ensuring that Employees and Students know how to identify and report Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking, and know what Supportive Measures and Remedies are available to victims.
- Regularly assessing Employee and Student activities to ensure that no practices or behaviors violate policies against Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking, and using the results of such assessments to inform proactive remedial steps.
- Assisting the campus in developing a method to survey the school climate and coordinate the collection and analysis of information from that survey.
- Creating a website, with a link prominently displayed on the campus' homepage, that includes the name and contact information of the Title IX Coordinator and any deputies, relevant policies and grievance procedures, and other resources related to Title IX compliance and gender equity.
- Identifying and addressing any systemic or other patterns of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking, and implementing corrective measures, as appropriate.
- Reviewing recruitment materials, admission forms, and policies and practices to ensure that the campus does not discriminate on the basis of sex or Gender in recruitment and admissions.
- Reviewing materials used in counseling or guiding students or applicants for admission to ensure that the campus does not use different materials for students based on sex or Gender or use materials that permit or require different treatment of students based on sex or Gender.
- Monitoring sex-based disparities in enrollment, including in nontraditional fields, by reviewing enrollment data, counseling practices, and appraisal materials, to ensure that disparities are not the result of discrimination on the basis of sex or Gender.
- Monitoring procedures and practices for awarding financial assistance to ensure compliance with Title IX regulatory requirements.
- Providing training to Students, administrators, faculty and other staff so that they know that Title IX prohibits discrimination against pregnant and parenting Students, and assisting the Campus in helping to meet the unique educational, childcare, and health care needs of pregnant and parenting Students.

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation,
Dating Violence, Domestic Violence, Stalking, and Retaliation
Attachment B
Revised January 1, 2022**

- Monitoring the campus' administration of discipline to ensure that similarly situated students are not disciplined differently based on sex or Gender for the same offense and that the disciplinary policies do not have an unlawful disparate impact on Students based on sex, Gender Identity, or Gender Expression.
- Regularly evaluating the timeliness of investigations in a systematic manner to ensure that investigations are conducted as promptly as possible.

Training, Education and Preventive Measures

Each campus must implement preventive education programs to promote the awareness of CSU policies against Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking, and to make victim resources available, including comprehensive victim services. Programs must include primary prevention and awareness programs: (1) for all **new** Students;² and **new** Employees; (2) refresher programs at least annually for all Students; (3) twice a year for all Students who serve as advisors in residence halls; (4) annually for all Student members of fraternities and sororities; (5) annually for all Student athletes and coaches; and, (6) annually for all Employees consistent with their role in responding to and reporting incidents. Ongoing prevention and awareness campaigns for **all** Students and Employees shall also be conducted.

Each campus must assess which Student organizations participate in activities that may place Students at risk and ensure that they receive annual supplemental trainings focused on situations the group's members may encounter.

Primary prevention programs include programming, initiatives, and strategies informed by research or assessed for value, effectiveness or outcome that are intended to stop Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking before they occur through the promotion of positive and healthy behaviors that foster mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking. It includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening and identifying safe and effective intervention options, and taking action to intervene.

Awareness programs include community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

To ensure that all Students receive the necessary information and training enumerated above on Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking, campuses should impose consequences, such as registration holds on those Students who do not participate in and complete such mandatory training.

These education and training programs shall include the following information:

² This includes incoming transfer, graduate, online, and extended education Students. The programs should occur no later than the first few weeks of the first semester.

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation,
Dating Violence, Domestic Violence, Stalking, and Retaliation
Attachment B
Revised January 1, 2022**

- A statement that the CSU prohibits Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking.
- What constitutes Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking.
- The definition of Affirmative Consent.
- A statement that Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking violate University policy and may also violate criminal law.
- Common facts and myths about the causes of Sexual Misconduct. (See **Attachment E, *Myths and Facts about Sexual Misconduct***, to be posted and published alongside, the ***Notice of Nondiscrimination on the Basis of Gender or Sex*** – above.)
- Safe and positive options for bystander intervention that may be taken by an individual to prevent harm or intervene in risky situations involving these offenses.
- Methods of encouraging peer support for victims.
- Information regarding campus, criminal, and civil consequences of committing acts of Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking.
- A statement explaining that the University's primary concern is the safety of members of the campus community; that the use of alcohol or drugs never makes the victim at fault for Sexual Misconduct; that Students or Employees who experience or witness Sexual Misconduct should not be deterred from reporting incidents out of a concern that they might be disciplined for related violations of drug, alcohol, or other University policies; and that Students or Employees who experience or witness Sexual Misconduct shall not be subject to discipline for related violations of conduct policies at or near the time of the misconduct unless the violation is egregious (including actions that place the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.)
- A statement that "CSU policy prohibits retaliation against a person who: reports Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking; assists someone with a report of such conduct; or participates in any manner in a related investigation or resolution. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education."
- How to recognize warning signs of abusive behavior and how to avoid potential attacks.
- Information on risk reduction, including options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.
- What someone should do if they have experienced or witnessed Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking.
- Individuals to whom incidents may be reported along with information regarding what degree of confidentiality may be maintained by those individuals.
- The availability of, and contact information for, campus and community resources for victims of Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking.

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation,
Dating Violence, Domestic Violence, Stalking, and Retaliation
Attachment B
Revised January 1, 2022**

- A description of campus and systemwide policies and disciplinary procedures available for addressing alleged violations and the consequences of violating these policies, including the fact that such proceedings shall:
 - Provide a prompt, fair, and impartial investigation and resolution; and,
 - Be conducted by officials who receive annual training on issues related to Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
- The fact that the Complainant and the Respondent will be afforded the same opportunities to have others present during a disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the Advisor of their choice.
- The fact that both the Complainant and the Respondent shall be simultaneously informed in writing of:
 - The outcome of any disciplinary proceedings that arises from an allegation of a Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking
 - The University's procedures for the Complainant or Respondent to appeal the results of the disciplinary proceeding
 - Any change to the disciplinary results that occurs prior to the time such results become final
 - When disciplinary results become final
- Possible sanctions or protective measures the University may impose following the final determination of a campus disciplinary procedure regarding Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking.
- How the campus will protect the confidentiality of Complainants, including how publicly available recordkeeping (e.g., campus Clery reports) will be accomplished without the inclusion of identifying information about the Complainant to the extent permissible by law.
- That persons who report being a victim of Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking **must receive written** notification of:
 - Existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both on campus and in the community.
 - Options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the incident to campus police or local law enforcement.
- Procedures victims should follow if Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking has occurred, as well as the fact that the following *written* information must be provided to victims:

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation,
Dating Violence, Domestic Violence, Stalking, and Retaliation
Attachment B
Revised January 1, 2022**

- The importance of preserving evidence as may be necessary to prove Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking, or to obtain a temporary restraining or other protective order
- The name and contact information of the campus Employee(s) to whom the alleged offense should be reported
- Reporting to law enforcement and campus authorities, including the option to: (a) notify law enforcement authorities, including on-campus and local police; (b) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and, (c) decline to notify such authorities
- Where applicable, the rights of victims and the campus' responsibilities regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court

All persons involved in implementing these procedures (e.g., the campus Title IX Coordinator and any Deputy Title IX Coordinator(s), Investigators, Human Resource Directors and Hearing Officers presiding over hearings) shall have relevant annual training on issues related to Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking. Such annual training shall include the CSU complaint processes, as well as the handling, investigation, and analysis of complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking. The annual training shall also address applicable confidentiality issues, especially with respect to the Title IX Coordinator's duty to weigh any victim's request for confidentiality against the duty to provide a safe and nondiscriminatory environment for all members of the campus community. For matters involving Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking, the training shall also include how to conduct an investigation and hearing process that protects the safety of the person(s) involved and promotes accountability.

Remedies and Enforcement

Supportive Measures and Ultimate Remedies. The campus is required to provide victims who experience Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking with reasonably available Supportive Measures, if requested, regardless of whether the Complainant chooses to report the misconduct to campus police or local law enforcement. Complainants should be notified of options for avoiding contact with the Respondent, including changes to the Respondent's or Complainant's employment, academic or living situations, as appropriate. For example, the campus may prohibit the parties from having any contact with each other pending the outcome of the campus investigation and any ensuing discipline proceeding. Other possible Supportive Measures and ultimate Remedies may include providing an escort between campus locations in extraordinary cases where safety may be endangered; changes to Employee work areas, work assignments or reporting relationships; providing Students with academic support services such as tutoring or allowing Students to re-take a course or withdraw from a course without penalty and without adverse effect on their academic records; and reviewing any disciplinary actions proposed to be taken against a Complainant to see if there is a causal connection between the misconduct forming the basis for the proposed discipline and the alleged Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking. The Title IX Coordinator shall assist and provide the Complainant with reasonable Supportive Measures and Remedies as requested throughout the reporting, investigative, and disciplinary processes, and thereafter.

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation,
Dating Violence, Domestic Violence, Stalking, and Retaliation
Attachment B
Revised January 1, 2022**

Victim Rights and Resources. Victims also should be made aware of their rights under Title IX, VAWA/Campus SaVE Act and related legislation, and any available resources, such as counseling, health, and mental health services, as well as the right to file a complaint with University and/or local law enforcement. Campuses must also ensure that persons know how to report any subsequent problems, and the campus Title IX Coordinator or other appropriate campus representatives should follow-up to determine whether any retaliation or new incidents of misconduct have occurred.

When addressing Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence or Stalking, Campuses should consider both on and off campus resources, including local rape crisis centers, municipal law enforcement agencies, district attorneys' offices, and forensic medical examination sites. This allows campuses to draw upon the expertise and resources of a broader group of professionals, thereby marshalling and maximizing time-sensitive services and resources.

Coordination with Campus Law Enforcement

Campus police should receive copies of, and training on the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation and the corresponding Procedures.

Campus agreements with local law enforcement must allow the campus to meet its obligations under the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation and corresponding Procedures to resolve complaints promptly and equitably.

Annual Report

Each Campus will report annually by October 1 on categories specified by the Chancellor's Office, for the prior fiscal year (July 1 to June 30), without disclosing any information that would reveal the identities of the parties involved.

The information shall be reported in a manner that protects the privacy of the persons involved, including Complainants, Respondents, and witnesses, and shall be posted on the campus web site.

The campus Title IX Coordinator is responsible for preparing and publishing the annual report.