Equal Opportunity

In addition to meeting fully its obligations of nondiscrimination under federal and state law, CSULB is committed to creating a community in which a diverse population can live, learn and work in an atmosphere of tolerance, civility and respect for the rights and sensibilities of each individual without regard to economic status, ethnic background, veteran status, political views, sexual orientation or other personal characteristics or beliefs.

An Equal Opportunity Employer

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INTRODUCTION

Title IX of the Education Amendments Act of 1972 (20 U.S.C. § 1681) prohibits discrimination based on the gender of students and employees in educational institutions which receive federal financial assistance. Best known for requiring gender equity in collegiate athletics, Title IX broadly prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance. Sexual violence is viewed under the law as an extreme form of hostile environment/sexual harassment and must be addressed. Title IX states, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance” (20 U.S.C. § 1681).

California State University, Long Beach (CSULB), in compliance with federal and state laws, does not discriminate on the basis of sex, sexual orientation, or gender in educational programs, services, or activities. For more information on Title IX, please visit: www.csulb.edu/titleix

The University takes allegations of sexual assault very seriously. If a violation of University policies has been found, it is of the utmost importance that perpetrator(s) be held accountable for their actions, especially when their actions may affect others. Enclosed for your review is Executive Order 1097, the California State University’s student complaint procedure that addresses complaints of sex discrimination, including sexual assault. Sexual violence is also defined as a criminal act. Please be advised, when a potential criminal act is reported, an individual has a right to file two possible complaints. For criminal acts, a student may file a police report in the jurisdiction where the crime was committed. In addition, the student has a right to file a separate complaint under the University’s student complaint procedure (EO 1097) if the potential respondent is a CSULB student and/or university employee.

This publication provides you with the student complaint procedure as well as additional resources and information to receive support. Please note that the charts on pages 16-17 are provided as a general guide of the sexual misconduct reporting process and resources available at CSULB. It may not be representative of every individual case or outcome. Please contact us for questions regarding a specific situation. For further information regarding sexual assault, harassment, or other Title IX concerns, please contact your Title IX Coordinator.
NOTICE OF NONDISCRIMINATION 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 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). The protection against discrimination on the basis of gender or sexual orientation includes sexual harassment, sexual misconduct, and gender based dating and domestic violence and stalking. The following person has been designated to handle inquiries regarding the non-discrimination policies:

Larisa Hamada, Title IX Coordinator & DHR Administrator
Director, Equity and Diversity
Foundation Building, Room 120  |  larisa.hamada@csulb.edu  |  (562) 985-8256

Cindy Masner, Athletics, Title IX Compliance
Barrett Athletic Center Office, Room 122  |  cindy.masner@csulb.edu  |  (562) 985-8146

Questions may also be addressed to:
Office for Civil Rights, U.S. Department of Education
50 Beale Street, Suite 7200 San Francisco, CA 94105-1813
(415) 486-5555  |  FAX: (415) 486-5570  |  TDD: (800) 877-8339
Email: ocr.sanfrancisco@ed.gov

Title IX Definitions

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.

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.

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.
AFFIRMATIVE CONSENT

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 s/he has the Affirmative Consent of 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 is incapacitated if s/he lacks the physical and/or mental ability to make informed, rational decisions. A person is unable to consent when s/he is asleep, unconscious or is incapacitated due to the influence of drugs, alcohol or medication so that s/he could not understand the fact, nature or extent of the sexual activity.
- 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.
- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent.
- A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.
- Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity.
- Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity.
- Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration.
- Once consent is withdrawn or revoked, the sexual activity must STOP immediately.

Sexual Harassment is a form of Sex Discrimination, is unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes but is not limited to sexual advances, requests for sexual favors, and any other conduct of a sexual nature where:

- Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a Complainant’s academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; or
- The conduct 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 his or her ability to participate in or benefit from the services, activities or opportunities offered by the University; or
- The conduct 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 creating an intimidating, hostile or offensive environment.

Sexual Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a classroom that are unrelated to the coursework.

Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on Gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.
**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.)

**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.)

**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:

- Sexual relations between the Parties while sharing the same living quarters;
- Sharing of income or expenses;
- Whether the Parties hold themselves out as spouses;
- The continuity of the relationship; and,
- 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 himself or herself, or another. Abuse does not include non-physical, emotional distress or injury.

**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 himself or herself, or another. Abuse does not include non-physical, emotional distress or injury.

**Stalking** means engaging in a repeated Course of Conduct directed at a specific person that would cause a Reasonable Person to fear for his/her or others’ safety or to suffer Substantial Emotional Distress. For purposes of this definition:

- **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;
- **Reasonable Person** means a reasonable person under similar circumstances and with the same Protected Status(es) as the Complainant;
- **Substantial Emotional Distress** means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.
The University is committed to creating and sustaining an educational and working environment free of sexual misconduct, dating and domestic violence, and stalking. If you experience any of these forms of misconduct, you are strongly encouraged to utilize the various on- and off-campus resources described below. Your safety and well-being is the University’s priority. This publication is intended to help you understand your rights and options, as well as provide you with information regarding support and assistance.

WHAT SHOULD I DO?

Call 9-1-1 if you are in the midst of any kind of emergency, immediate harm or threat of harm.

If you have experienced sexual misconduct (e.g., rape, acquaintance rape, or sexual battery), dating or domestic violence, or stalking, you are encouraged to seek immediate assistance from police and healthcare providers for your physical safety, emotional support and medical care.

University police can escort you to a safe place and transport you to a hospital or a sexual assault response center for a medical examination, if needed. University police can also provide access to a confidential Sexual Assault Victim’s Advocate. If you would prefer not to notify the police, you are strongly encouraged to seek assistance from the campus Title IX Coordinator who can provide you with information on your options, rights and remedies, and/or the Campus Sexual Assault Victim’s Advocate. The campus Title IX Coordinator is available to assist you in notifying the police, if you wish. The Sexual Assault Victim’s Advocate listed below can also assist you in notifying the police and/or the campus Title IX Coordinator.

You have the right to decide whom and when to tell about what happened. However, it is very important that you get confidential medical attention after being assaulted. Following the incident, you may be physically injured, there may be a chance you contracted a sexually transmitted disease or that you may become pregnant.

THE IMPORTANCE OF PRESERVING EVIDENCE

It is important that you take steps to preserve and collect evidence; doing so preserves the full range of options available to you, be it through the University’s administrative complaint procedures or criminal prosecution. To preserve evidence: (1) do not wash your face or hands; (2) do not shower or bathe; (3) do not brush your teeth; (4) do not change clothes or straighten up the area where the assault took place; (5) do not dispose of clothes or other items that were present during the assault, or use the restroom; and, (6) seek a medical exam immediately. If you already cleaned up from the assault, you can still report the crime, as well as seek medical or counseling treatment. You may consult with the Campus Title IX Coordinator or Sexual Assault Victim’s Advocate (see contact information above) for assistance as well.

WHOM SHOULD I CONTACT?

The University has designated a Title IX Coordinator to provide you with assistance and support, and to monitor and oversee overall compliance with laws and policies related to sexual misconduct, dating and domestic violence, and stalking. Your Campus Title IX Coordinator is available to explain and discuss your right to file a criminal complaint; the University’s relevant complaint process, and your right to receive assistance with that process, including the investigation process; how confidentiality is handled; available resources, both on and off Campus; and other related matters.
If you have been sexually assaulted, you are not alone, you are not to blame, and there are many resources to help you.

**Title IX Coordinator**
Larisa Hamada, Title IX Coordinator
Location: Foundation Building, Suite 120
Office hours: Monday to Friday 8:AM-5:00PM
Email: larisa.hamada@csulb.edu
Phone: (562) 985-8256

**Campus Sexual Assault Advocate**
Jacqueline Urtez, YWCA Sexual Assault Victim’s Advocate
Location: Student Health Services (SHS)
Email: advocate@csulb.edu  |  Phone: (562) 985-2668

**Law Enforcement**

**CSULB University Police Department**
Location: 1250 Bellflower Blvd. Long Beach, CA 90840
Email: fernando.solorzano@csulb.edu  |  Phone: (562) 985-4101 (non-emergency)

**Local Police: Long Beach Police Department**
Website: www.longbeach.gov/police/default.asp  |  Phone: (562) 570-7260 (non-emergency)

**U.S. Department of Education, Office for Civil Rights:**
Phone: (800) 421-3481  |  Email: ocr@ed.gov
OCR complaint form: www2.ed.gov/about/offices/list/ocr/complaintintro.html

**Medical & Counseling Services**

**Campus Services**

**Linda Peña, ATOD/Violence Prevention & Sexual Misconduct Counselor**
Location: Student Health Center, Room 268
Email: linda.pena@csulb.edu  |  Phone: (562) 985-1732
Sexual Assault Prevention: www.csulb.edu/divisions/students/shs/sexual_assault.htm

**Student Health Services (SHS)**
Location: Corner of Merriam Drive and Beach Drive
Office Hours: M, Tu, Th, F 8am-5pm/ W 9am-5pm
Phone: (562) 985-4771  |  Website: http://www.csulb.edu/divisions/students/shs/
Emergencies: 911 (after hours)

**Health Resource Center**
Location: Student Health Services (SHS), Room 268
Phone: (562) 985-4609  |  Website: www.csulb.edu/divisions/students/shs/
Counseling & Psychological Services (CAPS)
Location: Brotman Hall, Room 226  |  Phone: (562) 985-4001
Office hours: M-F 8am – 5pm  |  After hours crisis phone counseling: (562) 985-4001
CAPS Crisis Assistance:  www.csulb.edu/divisions/students/caps/crisis.htm CAPS
Website: www.csulb.edu/divisions/students/caps/appts.htm

Off-Campus Services

Community Hospital of Long Beach
Location: 1720 Termino Avenue, Long Beach, CA 90804  |  Phone: (562) 933-9000

Little Company of Mary Hospital San Pedro
Location: 1300 West 7th Street, San Pedro, CA 90732  |  Phone: (310) 832-3311

Advocacy & Support

Campus Services

Women's & Gender Equity Center
Pamela Rayburn, Coordinator
Location: Liberal Arts 1, Room 102  |  Phone: (562) 985-8576

Disabled Students Services
David Sanfilippo, Director
Location: Brotman Hall, Room 270  |  Phone: (562) 985-5401

Veterans Services
Marshall W. Thomas, Director
Location: Foundation Building, Room 220  |  Phone: (562) 985-4279

Center for International Education
Eugenia Kim, Director, International Student Services
Location: Brotman Hall, Room 212  |  Phone: (562) 985-8090

Dream Success Center
Edgar Romo, Coordinator
Location: University Student Union, Room 309  |  Phone: (562) 985-5869

Off-Campus Services

Sexual Assault

Long Beach YWCA GLA Sexual Assault Crisis Services
24-hr Sexual Assault Crisis Hotline
Phone: (877) 943-5778  |  Website: www.ywcagla.org/sexual-assault/

Long Beach Trauma Recovery Center
Location: St. Mary’s Medical Center - 1045 Atlantic Ave Suite 801, Long Beach, CA 90813
Phone: (562) 491-7977

The White House Task Force to Protect Students from Sexual Assault
Website: https://www.notalone.gov
**Domestic Violence**

**Interval House Crisis Shelter**  
Hotlines: (562) 594-4555 or (714) 891-8121  |  Website: www.intervalhouse.org

**Laura’s House**  
Hotline: (866) 498-1511  |  Website: https://www.laurashouse.org

**Su Casa**  
Hotline: (562) 402-4888  |  Website: www.sucasadv.org

**WomenShelter of Long Beach**  
Hotline: (562) 437-4663  |  Website: www.womenshelterlb.org

**LGBTQ**

**The LGBTQ Center of Long Beach**  
Phone: (562) 434-4455  |  Website: www.centerlb.org

**Gay & Lesbian National Hotline**  
Phone: (888) 843-4564  |  Website: www.glbthotline.org

**Legal Assistance**

**Neighborhood Legal Services of Los Angeles**  
Phone: (800) 433-6251  |  Website: http://www.nlsla.org/

**Other Hotlines**

**Community Service Programs (Orange County Rape Crisis Hotline)**  
Phone: (714) 957-2737 or (949) 831-9110  |  Website: www.cspinc.org/Sexual Assault

**National Organization for Victim Assistance (NOVA)**  
Phone: (800) 879-6682  |  Website: www.trynova.org

**National Domestic Violence Hotline**  
Phone: 1-800-799-SAFE (7233)

**East Los Angeles Women’s Center Rape Hotline**  
Phone: (800) 585-6231  |  Website: elawc.org

**California Coalition Against Sexual Assault (CALCASA)**  
Phone: (916) 446-2520  |  Website: calcasa.org

**Rape, Abuse & Incest National Network (RAINN)**  
Phone: (800) 656-HOPE (4673)  |  Website: www.rainn.org

For additional information and resources about Sexual Misconduct or other Title IX issues, visit:  
[www.csulb.edu/titleix](http://www.csulb.edu/titleix)
WHAT REPORTING OPTIONS DO I HAVE?

*The University’s primary concern is your safety and the safety of the Campus community.*

The use of alcohol or drugs never makes the victim at fault for sexual misconduct. If you have experienced sexual misconduct, dating or domestic violence, or stalking you should not be deterred from reporting the incident out of a concern that you might be disciplined for related violations of drug, alcohol or other University policies. Except in egregious circumstances, University students or employees who are victims of sexual misconduct will not be subject to discipline.

You have several reporting options, and you may pursue one or more of these options at any time. It is your right to have a friend, family member, Sexual Assault Victim’s Advocate, or other representative present with you while reporting the incident. You also have the right to have a sexual assault counselor, Sexual Assault Victim’s Advocate and/or support person of your choice present with you during a rape examination.

The Campus Title IX Coordinator or Sexual Assault Victim’s Advocates can assist you in notifying the police if you choose.

**Criminal:** Reporting to University Police and/or local police is an option at any time. If you choose not to report to the police immediately following an incident, you can still make the report at a later time. However, with the passage of time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on your behalf.

If you report certain sex offenses to local or University Police, the police are required to notify you that your name will become a matter of public record *unless confidentiality is requested.* If you request that your identity be kept confidential, your name will not become a matter of public record and the police will not report your identity to anyone else at the University, including the Title IX Coordinator. University Police will, however, report the facts of the incident itself to the Title IX Coordinator being sure not to reveal to the Title IX Coordinator your name/identity, or compromise their own criminal investigation.

The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the *type* of incident in the annual crime statistics report known as the Annual Security Report, your name/identity will not be revealed.

**What Else Might Happen If I Notify University Police?**

Should you choose to notify University Police, you will be escorted to a safe place if necessary, and may be transported to a hospital or sexual response assault center for a medical exam.

University police can also provide access to a confidential Sexual Assault Victim’s Advocate, if desired. First and foremost, the medical exam you receive from a hospital or sexual assault response center treats any physical injury or effect. The exam may include a vaginal and/or anal examination, testing, and prophylactic treatment for sexually transmitted infections and possible pregnancy.

Second, the medical exam properly collects and preserves evidence. Seeking a medical exam for treatment and evidence collection does not commit you to any particular course of action, and your medical records are confidential.

**Administrative:** You may report to the Campus Title IX Coordinator, who will provide you with written and verbal information regarding applicable University complaint procedures for investigating and addressing the incident. The Title IX Coordinator will also provide you with information regarding resources available to you, as well as information regarding your rights and options.

The Campus Title IX Coordinator will also discuss with you any reasonable interim remedies the University may offer prior to conclusion of an investigation or potential disciplinary action to reduce or eliminate negative impact on you and provide you with available assistance. Examples include: adjustment to work assignments, course schedules or supervisory reporting relationship; requiring the Respondent to move from University-owned or affiliated housing; immediately prohibiting the Respondent from coming to the University; or prohibiting the Respondent from contacting the parties involved in the reported incident. These options may be available to you whether or not you choose to...
report the incident to Campus police or law enforcement. The Title IX Coordinator remains available to assist you and provide you with reasonable remedies requested by you throughout the reporting, investigative, and disciplinary processes, and thereafter.

If it is determined that University policy was violated, the Respondent will be subject to discipline, up to and including dismissal from University employment or expulsion from the University. You are entitled to be accompanied to any related meeting or proceeding by an advisor of your choice, including a Sexual Assault Victim’s Advocate or domestic violence counselor. However, if you do not wish to participate in an investigation or hearing process, you have the right to decline to do so.

Most University employees have a duty to report incidents of sexual misconduct, dating and domestic violence, and stalking when they are on notice of it. When you tell the Title IX Coordinator or another University employee about an incident, you have the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. **In all cases, we strongly encourage victims to report sexual misconduct, dating and domestic violence, and stalking directly to the Title IX Coordinator.**

To the extent possible, information reported to the Title IX Coordinator or other University employee will be shared only with individuals responsible for handling the University’s response to the incident. The University will protect the privacy of individuals involved except as otherwise required by law or University policy. A report may result in the gathering of extremely sensitive information about you and other individuals in the Campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a reported incident. In such cases, efforts will be made to redact the records, as appropriate, in order to protect your identity and privacy and the privacy of other involved individuals.

If you request of the Title IX Coordinator or another University employee that your identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request and cannot guarantee complete confidentiality. If you wish to maintain confidentiality or request that no investigation be conducted or disciplinary action taken, the University must weigh that request against the University’s obligation to provide a safe, non-discriminatory environment for all students, employees and third parties, including you. Under those circumstances, the Title IX Coordinator will determine whether your request for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the particular case, including whether the University has a legal obligation to report the incident, conduct an investigation or take other appropriate steps. Without information about your identity, the University’s ability to meaningfully investigate the incident and pursue disciplinary action against the perpetrator may be severely limited.

The Title IX Coordinator will inform you prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University’s response. The Title IX Coordinator will remain mindful of your well-being, and will take ongoing steps to protect you from retaliation or harm, and work with you to create a safety plan. Retaliation against you, whether by students or employees, will not be tolerated. The University and Title IX Coordinator will also:

- Provide interim remedies requested by you, if they are reasonably available, regardless of whether you choose to report sexual misconduct, dating or domestic violence, or stalking to Campus or local police;
- Assist you in accessing other available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;
- Provide other security and support, which could include issuing a no-contact order, helping arrange a change of Campus-based living or working arrangements or course schedules (including for the Respondent pending the outcome of the investigation) or adjustments for assignments, tests, or work duties; and
- Inform you of your right to report a crime to University or local police – and provide you with assistance if you wish to do so.

The University will not require you to participate in any investigation or disciplinary proceeding if you do not wish to participate. The University will not generally notify parents or legal guardians of your report unless you are under the age of 18 or you provide the University with written permission to do so.
Under California law, and pursuant to University policy, certain University employees, including the Title IX Coordinator, are mandatory child abuse and neglect reporters and should explain to victims under 18 years of age that they are required to report the incident to the police. However, the identity of the person who reports and the report itself are confidential and disclosed only among appropriate agencies.

Because the University is under a continuing legal obligation to address the issue of sexual misconduct, dating and domestic violence, and stalking campus-wide, any such reports (including non-identifying reports) may also prompt the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported incident occurred; increased education, training and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revising its policies and practices.

The Office of the Ombuds, if available on your specific Campus, provides confidential, neutral and informal dispute resolution services, provides information about University policies and procedures, and makes referrals. However, in sexual misconduct, dating and domestic violence, and stalking cases, the Ombuds as well as all other University employees (except for physicians, licensed counselors, sexual assault counselors and advocates as discussed above) must report incidents to the Title IX Coordinator.

**NOTE:** If the University determines that the perpetrator poses a serious and immediate threat to the Campus community, a designated Campus Security Authority under the Clery Act may be called upon to issue a timely warning to the community. Any such warning will not include any information that identifies the victim.

**Health/Counseling/Clergy:** You may choose to seek advice and assistance from physicians, psychotherapists, professional counselors, clergy, sexual assault and domestic violence counselors and advocates, including individuals who work or volunteer for them.

Civil Lawsuit: You may choose to file a civil lawsuit against the Respondent, whether or not criminal charges have been filed. A civil lawsuit provides you the opportunity to recover actual damages, which may include compensation for medical expenses, lost wages, pain, suffering, and emotional distress.

You may also choose to obtain a protective or restraining order (such as a domestic violence restraining order or a civil harassment restraining order). Restraining orders must be obtained from a court in the jurisdiction where the incident occurred. Restraining orders can protect victims who have experienced or are reasonably in fear of physical violence, sexual misconduct, dating or domestic violence, or stalking. University Police and your Campus Title IX Coordinator can offer assistance with obtaining a protective or restraining order.

**Non-reporting:** You are strongly encouraged to report any incidents to the police and/or Campus Title IX Coordinator so that steps may be taken to protect you and the rest of the campus community. However, non-reporting is also an option.

**WHAT CSU PROCEDURES ARE AVAILABLE?**

The University has formal written procedures that provide for a Campus investigation of reports of sexual misconduct, dating and domestic violence, and stalking, written findings sent to the Complainant and the Respondent, and a review of the campus investigative findings by the CSU Chancellor’s Office. The procedure for CSU employees and third parties is separate from, but similar to the procedure for CSU students. Your Campus Title IX Coordinator can explain these procedures in detail.

At the conclusion of the University’s complaint procedure, any employee or student found to have violated University policy will be subject to discipline. Discipline would be administered consistent with applicable collective bargaining agreements and MPP/confidential personnel plans (for employees), University policies and legal requirements. As the victim, you are not required to participate in any University disciplinary procedure and may choose not to be a part of it. Disciplinary procedures for sexual misconduct, dating and domestic violence, and stalking will:

- Provide a prompt, fair, and impartial process and resolution;
- Be conducted by officials who receive annual training on sexual misconduct, dating and domestic violence, and stalking, including how to conduct a process that protects the safety of victims and promotes accountability;
• Provide the Complainant and the Respondent the same opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice;
• Simultaneously inform the Complainant and the Respondent in writing of:
  ◦ The outcome of the disciplinary proceeding;
  ◦ The procedures available to appeal the results of the disciplinary proceeding;
  ◦ Any change to the disciplinary results that occurs prior to the time such results become final; and
  ◦ When disciplinary results become final.

AS A REPORTER, AM I PROTECTED FROM RETALIATION?

Yes, University policies prohibit retaliation against a person who:
• Reports sexual misconduct, dating or domestic violence, or stalking;
• Assists someone with such a report; or
• Participates in any manner in any related investigation or resolution.

No officer, employee or agent of the University shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising his/her rights or responsibilities. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education. Retaliation, if proven, is a violation of University policies and may result in discipline, up to and including termination of employment or expulsion from the University. For more information, contact Larisa Hamada, Director of Equity & Diversity, Larisa.hamada@csulb.edu, (562)985-8256.

CONFIDENTIALITY—KNOW YOUR OPTIONS

We encourage victims of sexual misconduct, dating or domestic violence, or stalking to talk to someone about what happened – so you can get the support you need, and so the University can respond appropriately. Whether – and the extent to which – a University employee may agree to maintain confidentiality (and not disclose information to the Title IX Coordinator) depends on the Employee’s position and responsibilities at the University. This information is intended to make you aware of the various reporting and confidential disclosure options available to you – so you can make informed choices about where to turn for help. The University encourages victims to talk to someone identified in one or more of these groups.

As explained below, some employees are required by law to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.” Other Employees may talk to a victim in confidence, and generally only report to the University that an incident occurred without revealing any personally identifying information. Some employees are required to report all details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator. A report to these employees constitutes a report to the University, and generally creates a legal obligation for the University to investigate the incident and take appropriate steps to address the situation.

Privileged and Confidential Communications

Physicians, Psychotherapists, Professional Counselors and Clergy – Physicians, psychotherapists, professional, licensed counselors, and clergy who work or volunteer on or off campus acting solely in those roles or capacity, in the provision of medical or mental health treatment or counseling (including those who work or volunteer in those offices) may not report any information about an incident of sexual misconduct to anyone else at the University, including the Title IX Coordinator, without your consent. You can seek assistance and support from physicians; psychotherapists, professional, licensed counselors, and clergy without triggering a University investigation that could reveal your identity or the fact of your disclosure. However, see limited exceptions below regarding when health care practitioners must report to local law enforcement agencies. Health care practitioners should explain these limited exceptions to you, if applicable.
Sexual Assault and Domestic Violence Counselors and Advocates - Sexual assault and domestic violence counselors and advocates who work or volunteer on or off campus in sexual assault centers, victim advocacy offices, women's centers, and health centers (including all individuals who work or volunteer in these centers and offices, as well as non-professional counselors or advocates, and those who act in that role under their supervision) may talk to you without revealing any information about you or the incident of sexual misconduct to anyone else at the University, including the Title IX Coordinator, without your consent. You can seek assistance and support from these counselors and advocates without triggering a University investigation that could reveal your identity or that you disclosed an incident to them. However, see limited exceptions below regarding when sexual assault and domestic violence counselors and advocates must report to local law enforcement agencies. Counselors and advocates should explain these limited exceptions to you, if applicable.

If you speak only to a physician, professional counselor, clergy member, sexual assault counselor, domestic violence counselor or advocate, you must understand that the University will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the perpetrator, if you choose to maintain confidentiality.

Even so, these individuals will still assist you in receiving other necessary protection and support, such as victim advocacy, disability, medical/health or mental health services, or legal services. They may not, however, be able to assist you with University academic support or accommodations, or changes to University-based living or working schedules, or assist with adjustments to course schedules. Only the University and the Title IX Coordinator can assist with those matters (see below). A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to the police, and thus have the incident fully investigated. These counselors and advocates can provide you with that assistance if you wish. These counselors and advocates will also explain that Title IX includes protections against retaliation, and that the University will not only take steps to prevent retaliation when it knows or reasonably should know of possible retaliation, but will also take strong responsive action if it occurs.

**EXCEPTIONS:** Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if he or she provides medical services for a physical condition to a patient/victim who he or she knows or reasonably suspects is suffering from: (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including sexual misconduct and dating and domestic violence). This exception does not apply to sexual assault and domestic violence counselors and advocates. Health care practitioners will explain this limited exception to you, if applicable.

Additionally, under California law, all professionals described above (physicians, psychotherapists, professional counselors, clergy, and sexual assault and domestic violence counselors and advocates) are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement. These professionals will explain this limited exception to you, if applicable.
CSULB Sexual Misconduct Response: REPORTING OPTIONS

Report to Police
University Police (562) 985-4101

• Reporting to the police can be done confidentially. (Penal Code 293a, Govt. Code 6254)
• UPD will provide resources, help you obtain emergency protective orders, and notify an advocate on your behalf.
• If you choose to, the police will investigate the report and collect evidence (like your clothing) to help prosecute the offender.
• Reporting to the police may also help to address or resolve personal safety and security concerns.

Legal Prosecution

• If a sufficient case exists following the police investigation, you can work with law enforcement to pursue criminal prosecution of the perpetrator.
• This can occur concurrent to the student conduct process, however, it is a separate process.

Report to Title IX Coordinator
(562) 985-8256

• If the incident involved CSULB student on student, regardless of where the incident happened, you can report to the Title IX Coordinator. You may also file a police report in the jurisdiction where the incident occurred.

Investigation (EO 1097, Revised October 5, 2016) – Title IX

• A Title IX Investigator will investigate the incident to determine if a violation of campus policies occurred.
• The investigation may include interviewing the complainant, witnesses and/or alleged respondent.

Student Conduct Process
(EO 1098, Revised June 23, 2015) – Student Conduct
(562) 985-5270

• If sufficient evidence is found during the Title IX investigation, it may lead to the student respondent going through the student conduct process.
• The conduct process is not criminal prosecution. If the student respondent is found “responsible” for violating campus policy, they may face university sanctions.

Please note: These charts are provided as a general guide of the sexual misconduct reporting process and resources available at CSULB. It may not be representative of every individual case or outcome. Please contact us for questions regarding your specific situation.
CSULB Sexual Misconduct Response: CONFIDENTIAL SUPPORT

Student Health Center (SHS)  
(562) 985-4771

- If you tell a SHS clinician or physician about an assault, the information is confidential unless you have a wound or physical injury.
- SHS provides emergency contraception and STI testing and treatment, and access to a Campus Sexual Assault Advocate.

Receive Medical Support

- Getting medical attention may be important since you may be physically injured or can become pregnant or contract a STI as a result of incident.

Confidential Services

- Jacqueline Urtez  
  Campus Advocate  
  ◦ (562) 985-2668  
  ◦ Student Health Services (SHS)  
  ◦ advocate@csulb.edu
- Linda Peña  
  ATOD/Violence Prevention & Sexual Misconduct Counselor  
  ◦ (562) 985-1732  
  ◦ Student Health Center  
  ◦ linda.pena@csulb.edu

Hospital

Community Hospital of Long Beach  
(562) 933-9000  
1720 Termino Ave Long Beach, CA

- Community Hospital has a Sexual Assault Response Team (SART) that will provide you an Advocate to assist and support you through the process.
- If you report to a hospital within 5 days of the incident, the exam will be free.

YWCA Sexual Assault Crisis Services

(877) Y-HELPS-U or (877) 943-5778  
www.ywcagla.org

- A YWCA Sexual Assault Advocate can provide you with confidential support and resources to assist you.
- If it has been more than 5 days since the incident, YWCA can provide referrals for other free or low cost exam options.

Counseling & Psychological Services (CAPS)  
(562) 985-4001

- Counseling sessions at CAPS are confidential except in the case of harm to yourself/others, child/elder abuse, or if you are gravely disabled.

For more information, contact Title IX Coordinator Larisa Hamada at (562) 985-8256 or larisa.hamada@csulb.edu, the Women’s & Gender Equity Center at (562) 985-8576 or wgec@csulb.edu, or California State University, Long Beach Police Department at (562) 985-4101.

**Updates & changes to this chart can be found online at www.csulb.edu/titleix.
MYTHS AND FACTS ABOUT SEXUAL MISCONDUCT
Common Myths and Facts about the Causes of Sexual Misconduct

1) **MYTH:** Victims provoke Sexual Assaults when they dress provocatively or act in a promiscuous manner.

   **FACT:** Rape and Sexual Assault are crimes of violence and control that stem from a person’s determination to exercise power over another. Neither provocative dress nor promiscuous behaviors are invitations for unwanted sexual activity. Forcing someone to engage in non-consensual sexual activity is Sexual Assault; regardless of the way that person dresses or acts.

2) **MYTH:** If a person goes to someone’s room or house or goes to a bar, s/he assumes the risk of Sexual Assault. If something happens later, s/he can’t claim that s/he was raped or sexually assaulted because s/he should have known not to go to those places.

   **FACT:** This “assumption of risk” wrongfully places the responsibility of the offender’s action with the victim. Even if a person went voluntarily to someone’s home or room and consented to engage in some sexual activity, it does not serve as blanket consent for all sexual activity. University policy defines Sexual Misconduct to include any sexual activity that is engaged in without Affirmative Consent. Affirmative Consent means informed, affirmative, voluntary, and mutual agreement to engage in sexual activity. Each person involved is responsible to ensure that they have the Affirmative Consent of the other participant(s). When in doubt if the person is comfortable with an elevated level of sexual activity, stop and ask. When someone says “no” or “stop,” that means “STOP!” Sexual activity forced upon another without valid consent is Sexual Assault.

3) **MYTH:** It is not Sexual Misconduct if it happens after drinking or taking drugs.

   **FACT:** Being under the influence of alcohol or drugs is not an invitation for sexual activity. A person under the influence does not cause others to assault her/him; others choose to take advantage of the situation and sexually assault her/him because s/he is in a vulnerable position. A person who is incapacitated due to the influence of alcohol or drugs is not able to consent to sexual activity.

4) **MYTH:** Most Sexual Assaults are committed by strangers. It’s not rape if the people involved know each other.

   **FACT:** Most Sexual Assaults and Rape are committed by someone the victim knows. A study of sexual victimization of college women showed that about 90% of victims knew the person who sexually victimized them. Most often, a boyfriend, ex-boyfriend, classmate, friend, acquaintance or co-worker sexually victimized the person. It is important to remember that Sexual Misconduct can occur in both heterosexual and same-gender relationships.

5) **MYTH:** Rape can be avoided if women avoid dark alleys or other “dangerous” places where strangers might be hiding or lurking.

   **FACT:** Rape and other Sexual Misconduct can occur at any time, in many places, to anyone.

6) **MYTH:** A person who has really been sexually assaulted will be hysterical.

   **FACT:** Victims of Sexual Assault exhibit a spectrum of responses to the assault which can include: calm, hysteria, withdrawal, anxiety, anger, apathy, denial, and shock. Being sexually assaulted is a very traumatic experience. Reaction to the assault and the length of time needed to process through the experience vary with each person. There is no “right way” to react to being sexually assaulted. Assumptions about the way a victim “should act” may be detrimental to the victim because each victim copes in different ways.

7) **MYTH:** All victims will report the crime immediately to the police. If they do not report it or delay in reporting it, then they must have changed their minds after it happened, wanted revenge or didn’t want to look like they were sexually active.

   **FACT:** There are many reasons why a victim may not report the assault to the police or campus officials. It is not easy to talk about being sexually assaulted and can feel very shameful. The experience of retelling what happened may cause the person to relive the trauma. Another
reason for delaying a report or not making a report is the fear of retaliation by the offender. There is also the fear of being blamed, not being believed and being required to go through judicial proceedings. Just because a person does not report the incident does not mean it did not happen.

8) **MYTH:** Only young, pretty women are assaulted.

**FACT:** The belief that only young, pretty women are sexually assaulted stems from the myth that Sexual Misconduct is based on sex and physical attraction. Sexual Assault is a crime of power and control. Offenders often choose people whom they perceive as most vulnerable to attack or over whom they believe they can assert power. Men and boys are also sexually assaulted, as well as persons with disabilities. Assumptions about the “typical” victim might lead others not to report the assault because they do not fit the stereotypical victim profile.

9) **MYTH:** It’s only Rape if the victim puts up a fight and resists.

**FACT:** Many states do not require the victim to resist in order to charge the offender with Rape or Sexual Assault. Those who do not resist may feel if they do so, they will anger their attacker, resulting in more severe injury. Many assault experts say that victims should trust their instincts and intuition and do what they believe will most likely keep them alive. Not fighting or resisting an attack does not equal consent.

10) **MYTH:** Someone can only be sexually assaulted if a weapon was involved.

**FACT:** In many cases of Sexual Assault, a weapon is not involved. The offender often uses physical strength, physical violence, intimidation, threats or a combination of these tactics to overpower the victim. Although the presence of a weapon while committing the assault may result in a higher penalty or criminal charge, the absence of a weapon does not mean that the offender cannot be held criminally responsible for a Sexual Assault.

**Sexual Misconduct - Risk Reduction Tips**

“**What can I do in order to help reduce my risk of being a victim of Sexual Misconduct?”**

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame and with recognition that only those who commit Sexual Misconduct are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act:

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.
- In an emergency, call 9-1-1

“**What can I do in order to help reduce my risk of being an initiator of Sexual Misconduct?”**

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk of being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- DON’T MAKE ASSUMPTIONS about consent, about someone’s sexual availability, about whether they are attracted to you, about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you DO NOT have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual
tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.

• Don’t take advantage of someone’s drunkenness or drugged state, even if they did it to themselves. Incapacitation means a person is unable to give valid consent.
• Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don’t abuse that power.
• Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
• Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

What You Can Do To Help Stop Sexual Misconduct

• Sexual contact requires mutual and Affirmative Consent. An incapacitated person (for example, a person under the influence of drugs or alcohol) may be incapable of giving consent. Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person’s decision-making capacity, awareness of consequences, and ability to make fully informed judgments.
• No one deserves to be sexually assaulted, stalked or victimized in any way.
• Don’t engage in any behavior that may be considered Sexual Assault, Domestic Violence, Dating Violence, Stalking or any other form of Sexual Misconduct or violence.
• Never use force, coercion, threats, alcohol or other drugs to engage in sexual activity.
• Take responsibility for your actions.
• Avoid alcohol and other drugs.
• Remember “no” means “No!” and “stop” means “Stop!”
• Report incidents of violence (including coercion) to law enforcement and campus authorities.
• Discuss Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking with friends—speak out against non-consensual sex or violence and clear up misconceptions.
• Don’t mistake submission or silence for Affirmative Consent.

What You Can Do To Help Minimize Your Risk of Becoming a Victim

• Be aware. Does your partner: Threaten to hurt you or your children? Say it’s your fault if he or she hits you and then promises it won’t happen again (but it does)? Put you down in public? Force you to have sex when you don’t want to? Follow you? Send you unwanted messages and gifts?
• Be assertive. Speak up.
• Stay sober and watch out for dates and/or anyone who tries to get you drunk or high.
• Clearly communicate limits to partners, friends, and acquaintances.
• Never leave a party with someone you don’t know well and trust.
• Trust your feelings; if it feels wrong, it probably is.
• Learn all you can and talk with your friends. Help them stay safe.
• Report incidents of violence to law enforcement and campus authorities.

What You Can Do If You Are a Victim, in General

• Go to a safe place as soon as possible.
• Preserve evidence.
• Report the incident to University Police or local law enforcement.
• Report the incident to your campus Title IX Coordinator.
• Call/visit the campus Sexual Assault Victim’s Advocates
• Call a Domestic Violence, Sexual Assault or Stalking hotline.
• Call a friend or family member for help.
• Know that you are not at fault. You did not cause the abuse to occur and you are not responsible for someone else’s violent behavior.
Types of Dating/Domestic Violence That Constitute Sexual Misconduct

There usually is a pattern or a repeated cycle of Dating Violence, starting with the first instance of abuse. General Pattern of Behavior:

• Tension Building: Relationship begins to get strained or tense between partners.
• Explosion: Outburst that includes verbal, emotional, or physical abuse.
• Honeymoon: Apologies where the abuser tries to re-connect with his/her partner by shifting the blame onto someone or something else.

What Dating/Domestic Violence Looks Like

• Physical Abuse: any use of physical force with the intent to cause injury (i.e. grabbing in a way to inflict pain, hitting, shoving, strangling, kicking)
• Sexual Abuse: any action that impacts the partner’s ability to control his/her sexual activity or the circumstance in which sexual activity occurs, including Rape, coercion or restricting access to birth control

Warnings or Signs of Potential Dating/Domestic Violence

• Explosive temper.
• Mood swings.
• Tells me what to do.
• Possessiveness.
• Physically hurts me in any way.
• Extreme jealousy or insecurity
• Any actions used for the intent of gaining power and control over a person. Checks my cell phone or email without my permission.
• Monitors where I’m going, who I’m going with, what I’m doing.
• Repeatedly says or does things to make me feel inadequate or inferior to him/her.
• Isolates me from my friends and family.
• Assumes control over my access to financial resources.

Stalking

Stalking is a pattern of behavior that makes you feel afraid, nervous, harassed or in danger. It is when someone repeatedly contacts you, follows you, sends you things, talks to you when you don’t want them to or threatens you. Stalking behaviors can include:

• Damaging your property.
• Knowing your schedule.
• Showing up at places you go.
• Sending mail, e-mail, texts and pictures.
• Creating a website about you.
• Sending gifts.
• Stealing things that belong to you.
• Calling you repeatedly.
• Any other actions that the stalker takes to contact, harass, track or frighten you.

You can be stalked by someone you know casually, a current boyfriend or girlfriend, someone you dated in the past or a stranger. Getting notes and gifts at your home, on your car or other places might seem sweet and harmless to other people, but if you don’t want the gifts, phone calls, messages, letters or e-mails, it doesn’t feel sweet or harmless. It can be scary and frustrating.

Sometimes people stalk their boyfriends or girlfriends while they're dating. They check up on them, text or call them all the time, expect instant responses, follow them, use GPS to secretly monitor them and generally keep track of them, even when they haven't made plans to be together. These Stalking behaviors can be part of an abusive relationship. If this is happening to you or someone you know, you should talk to a trusted person.
Stalking is a crime and can be dangerous. California Penal Code section 646.9, in part, states, “Any person who willfully, maliciously and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking...”

**How You Can Help Yourself**

Think about ways you can be safer. This means thinking about what to do, where to go for help and who to call ahead of time:

- Where can you go for help?
- Who can you call?
- Who will help you?
- How will you escape a violent situation?

**Other Things You Can Do**

- In an emergency, call 911 or University Police or the local police department.
- Let friends or family members know when you are afraid or need help.
- Be aware of your surroundings. Knowing where you are and who is around you may help you find a way to get out of a bad situation.
- Avoid isolated areas.
- Avoid putting headphones in both ears so you can be more aware of your surroundings.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, remove yourself.
- Vary your routine, your driving routes and where you park your car.
- When you go out, tell someone where you are going and when you’ll be back. Memorize the phone numbers of people to contact or places to go in an emergency.
- Don’t load yourself down with packages or bags restricting your movement.
- Keep your cell phone handy; check to see that you have reception and that your cell phone is charged, but, then pay attention to your surroundings instead of the phone.
- Have money for a cab or other transportation.
- Save notes, letters or other items that the stalker sends to you. Keep a record of all contact that the stalker has with you; these items will be very useful in an investigation.

**How You Can Help Someone Else**

If you know someone who is being stalked, you can:

- Encourage your friend to seek help.
- Be a good listener.
- Offer your support.
- Ask how you can help.
- Educate yourself about stalking.
- Avoid any confrontations with the stalker; this could be dangerous for you and your friend.
CSULB follows the policy and procedures in Executive Order 1097, rev. 10-5-2016 to address Discrimination, Harassment and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Students. The most current version of the Executive Order may be found online at: [http://www.calstate.edu/EO/EO-1097-rev-10-5-16.pdf](http://www.calstate.edu/EO/EO-1097-rev-10-5-16.pdf).

Systemwide Policy & Procedure Summary For CSULB Students

Regarding Title IX/Discrimination, Harassment, and Retaliation (DHR)

California State University, Long Beach will not tolerate any kind of gender-based discrimination, sexual harassment, or misconduct toward any member of our campus community.

Guiding Principles from the California State University — Executive Orders

- **EO 1095**: Implementation of Title IX, Violence Against Women Act (VAWA), Campus SaVE (Sexual Violence Elimination) Act, sexual discrimination, sexual harassment and sexual misconduct legislation.
- **EO 1097**: Policies and Procedures for handling DHR, sexual misconduct, dating/domestic violence, and stalking complaints by students.
- **EO 1098**: Student Conduct Procedures.
- **Preponderance of Evidence**: Standard for demonstrating facts in an investigation. This means that the evidence on one side outweighs the evidence on the other side.
- **Complainant**: The reporting/complaining party or a person who has filed a Complaint.
- **Respondent**: The person responding to allegations or who is alleged to have violated the Executive Orders.

### INCIDENT TYPE

**WHAT IS REPORTED?**

- Discrimination/Sex Discrimination
- Harassment/Sexual Harassment
- Sexual Misconduct:
  - Sexual Battery/Assault
  - Rape/Acquaintance Rape
- Domestic/Dating Violence
- Stalking
- Retaliation

### CONFIDENTIALITY vs. PRIVACY

**EO 1097**

Information regarding the complaint may be shared with other University employees and law enforcement exclusively on a “need to know” basis.

University employees will attempt to honor any student’s request for confidentiality; however, the University must also weigh its duty to provide a safe and nondiscriminatory environment for all members of the campus community.

Confidentiality, therefore, cannot be ensured.

Students who believe they are or may have been victims of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating/Domestic Violence, or Stalking may file a complaint through either the **Early Resolution** or **Formal Complaint** process. Where the allegations involve Sexual Misconduct, the Complainant shall be advised to immediately file under the Formal Complaint process.
Filing a Complaint with the Office of the Title IX Coordinator at CSULB

Early Resolution Process vs. Formal Complaint—What’s the difference?

**EARLY RESOLUTION PROCESS**

- May initiate instead of filing a Formal Complaint
- Can be terminated at any time by either the Complainant or university
- May take the form of a mediation or other negotiated remedies as appropriate (*mediation cannot* be used, even voluntarily, to resolve cases involving Sexual Misconduct, Dating or Domestic Violence, or Stalking)
- If Early Resolution is not reached, student has right to file a Formal Complaint

**FORMAL COMPLAINT PROCESS**

- Student must submit their Complaint in writing
- Specific timelines must be adhered to (see timeline on other side)
- May be initiated by the university if warranted even if a written Complaint has not been filed
- Complainant and Respondent have the right to an Advisor of their choice throughout Complaint process
- Complainant and Respondent can appeal outcome to Chancellor’s Office

For more information about filing a Complaint, please contact the Title IX Coordinator at (562) 985-8256 or Foundation Building, Suite 120. The complaint form is available online as Attachment A of Executive Order 1097 [http://www.calstate.edu/E0/E0-1097-rev-10-5-16.pdf](http://www.calstate.edu/E0/E0-1097-rev-10-5-16.pdf)

**What’s the Complaint process? How long will this take?**

The Investigation Timeline Overview — Formal Complaint

- Within ten (10) Working Days after receipt of a Complaint, an intake interview shall be conducted with the student.
- Within ten (10) Working Days after reviewing Complaints and info received during intake interview, DHR Administrator/Title IX Coordinator will notify the student whether the Complaint has been accepted for investigation or not.
- Within sixty (60) Working Days after the intake interview, the Investigator shall complete the investigation, write and submit an investigation report to the DHR Administrator/Title IX Coordinator.
- Within ten (10) Working Days of receiving the investigation report, DHR Administrator/Title IX Coordinator will review the report and notify the Parties in writing of the investigation outcome.
- Within ten (10) Working Days after the date of the Notice of Investigation Outcome, the Student may file a written Appeal with the Chancellor’s Office (CO).
- Within thirty (30) Working Days after receipt of the written Appeal, the CO designee will respond to the appealing party.

The complete complaint timeline is available as Attachment B of Executive Order 1097 [http://www.calstate.edu/E0/E0-1097-rev-10-5-16.pdf](http://www.calstate.edu/E0/E0-1097-rev-10-5-16.pdf)
Filing a campus complaint (Early Resolution Process or Formal Complaint) with CSULB is an administrative process and does NOT preclude jointly pursuing a criminal charge filed with the University Police Department or other law enforcement agencies.

### WHERE TO GO TO REPORT

**Title IX Coordinator**

(562) 985-8256  
Brotman Hall Room 377  

**Title IX Coordinator:**  
Larisa Hamada

**CSULB University Police Department**

(562) 985-4101 (non-emergency)  
Brick building, south of Student Recreation and Wellness Center located on Palo Verde Avenue  
*If the incident occurred off campus, University Police will coordinate with the proper jurisdiction to assist you.*

### FOR CONFIDENTIAL SUPPORT

**Campus Sexual Assault Advocate**  
Advocate@csulb.edu  
(562) 985-2668  
Student Health Services  

**ATOD/Violence Prevention & Sexual Misconduct Counselor**  
Linda Pena, linda.pena@csulb.edu  
(562) 985-1732  
Student Health Services  

**Counseling & Psychological Services (CAPS)**

(562) 985-4001  
Brotman Hall - 226  

**YWCA Sexual Assault Crisis Services**

24 Hour Hotline: (877) Y-HELPS-U  
www.ywcagla.org
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