California State University
Long Beach

Student Disclosures of Sexual Assault, Dating Violence, Stalking, or Sexual Harassment:

Faculty & Staff Guide

Special thanks to Courtney Ahrens, CSULB Faculty, and the California Office of Emergency Services Grant
Student Discloses Sexual Assault, Intimate Partner Violence, Stalking, or Harassment
*Click for information about disclosure*

Explain Conditions Under Which You Must Report to the Title IX Coordinator BEFORE the student tells you any details (if possible)
*Click for information about which incidents must be reported*

Explain Options for Confidential Reporting
*Click for information about who the student can talk to without the incident being reported*

Ask Whether Student Still Wishes to Talk to You
If the student says no, Connect them to campus support services and end the conversation.
*Click for information about support services on and off campus*

If the student discloses Title IX information to you, Respond in a Supportive and Empathetic Way
Offer to contact the Advocate, if applicable
*Click for information about how to support survivors emotionally*

Complete Any Mandatory Reporting Requirements, If Applicable
*Click for information about completing a Title IX report*

Support Student’s Choices & Provide Ongoing Support
*Click for information about providing ongoing support*
STUDENT DISCLOSURES OF SEXUAL ASSAULT, DATING VIOLENCE, STALKING, OR HARASSMENT

Students may disclose in a number of ways. Over 40% of faculty report receiving disclosures of crime victimization from students (with sexual assault as the most frequent crime disclosed)\(^1\). The majority of these disclosures are prompted by a specific topic or incident in class, and most occur during private meetings in faculty offices. Disclosure can take many forms, and students have not always made a conscious decision to seek help when they disclose.

Private, interpersonal disclosures during office hours or advising meetings.

Private, written disclosures in emails or course assignments.

Public disclosures during class discussions or presentations.

Premeditated disclosures that the student consciously chooses to make.

Spontaneous disclosures that occur in response to specific topics/discussions.

3\(^{rd}\) party disclosures where someone other than the victim describes the incident.

On average, over 60% of women whose experience meets the legal definition of rape do not define the experience as such\(^2\). Such survivors may instead use terms such as “miscommunication, “bad sex,” or “unhealthy relationship,” but the psychological consequences of the trauma remains the same.

Similarly, only 42% of college students whose experience meets the legal definition of stalking define the experience as stalking\(^3\) and 38% of domestic abuse victims do not label their experiences as abuse\(^4\).

Understanding what does and does not constitute sexual assault, intimate partner violence, stalking, and harassment is thus important.


DEFINITIONS OF SEXUAL MISCONDUCT, DATING VIOLENCE, AND STALKING

Sexual Misconduct
All sexual activity between members of the CSU community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is Sexual Misconduct, whether or not the conduct violates any civil or criminal law.

Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex. It also includes any unwelcome physical sexual acts, such as unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, and Dating Violence. Sexual Misconduct may include using physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication) to engage in sexual activity. Men as well as women can be victims of these forms of Sexual Misconduct. Sexual activity with a minor is never consensual when the Complainant is under 18 years old, because the minor is considered incapable of giving legal consent due to age.

1. Sexual Assault is a form of Sexual Misconduct and is an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's Gender or sex.

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

3. Rape is a form of Sexual Misconduct and is non-consensual sexual intercourse that may also involve the use of threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute Rape. Sexual acts including intercourse are considered non-consensual when a person is incapable of giving consent because s/he is incapacitated from alcohol and/or drugs, is under 18 years old, or if a mental disorder or developmental or physical Disability renders a person incapable of giving consent. The Respondent's relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of Affirmative Consent above.)

4. Acquaintance Rape is a form of Sexual Misconduct committed by an individual known to the victim. This includes a person the victim may have just met; i.e., at a party, introduced through a friend, or on a social networking website. (See above for definition of Rape.)

Affirmative Consent
An informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean consent nor does silence mean consent.
Affirmative Consent can be withdrawn or revoked. Affirmative Consent cannot be given by a person who is incapacitated.

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

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

Domestic violence
Abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the Respondent has a child; someone with whom the Respondent has or had a dating or engagement relationship; or a person similarly situated under California domestic or family violence law. Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. It does not include roommates who do not have a romantic, intimate, or sexual relationship. Factors that may determine whether persons are cohabiting include, but are not limited to: (1) sexual relations between the Parties while sharing the same living quarters; (2) sharing of income or expenses; (3) joint use or ownership of property; (4) whether the Parties hold themselves out as spouses; (5) the continuity of the relationship; and, (6) the length of the relationship. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to self, or another. Abuse does not include non-physical, emotional distress or injury.

Dating violence
Abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim. This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to self or another. Abuse does not include non-physical, emotional distress or injury.

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

1. 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;
2. Reasonable Person means a reasonable person under similar circumstances and with the same Protected Status(es) as the Complainant;

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

Sexual Harassment
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:

1. 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

2. 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

3. 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, 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.

This policy covers unwelcome conduct of a sexual nature. While romantic, sexual, intimate, personal or social relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Sexual Harassment or Sexual Misconduct, including Dating or Domestic Violence, or Stalking, subject to this policy.

Claiming that the conduct was not motivated by sexual desire is not a defense to a complaint of harassment based on Gender.

For further information about actions covered by each term above and faculty reporting requirements, please see Executive Order 1096 Revised (Employees) and Executive Order 1097 Revised (Students).
CONDITIONS UNDER WHICH YOU MUST REPORT THE INCIDENT TO THE TITLE IX COORDINATOR OR UNIVERSITY POLICE

Explaining Mandatory Reporting to Students
When a student begins to disclose an incident of sexual assault, intimate partner violence, stalking, or harassment, you should immediately stop the victim and let them know that you might have to report details of the incident to the Title IX Office or University Police. Here is how you can explain this:

- Before you say anything else, I want you to know that I might have to report what you tell me to the university.
- If the incident involves sexual misconduct, sexual harassment, dating or domestic violence, or stalking, I will have to tell the Title IX Office.
- If you are under 18 or the incident involves a threat to the university, I will also have to tell the University Police.
- Once reported, the Title IX Office will contact you for further information about support services, resources, and your options moving forward. Depending on the severity or continued safety concerns they might move forward with an investigation, even if you don’t want them to.
- If these conditions apply to what you are about to tell me, you can choose to speak to a Confidential Support Provider on campus instead. Confidential Support Providers are not mandated reporters and do not have to report what you tell them to the Title IX Office or University Police.

Note: Faculty have a “Duty to Report.” They must report incidents of sexual misconduct, sexual harassment, dating or domestic violence, and stalking.

If a student discloses any such incident to faculty, faculty are obligated as a condition of their employment in the CSU system to immediately report any information they receive about such acts to the Title IX Coordinator. This includes details about the assault and the names of the victim and the assailant, even when the victim has requested anonymity.

This requirement is mandated by Title IX, the Clery Act, the SaVE Act, and CSU Executive Orders 1095, 1096, & 1097.

Incidents That MUST Be Reported to the University Police
In addition to the conditions specified above, all employees of the university are also required to ensure campus safety and must report threats to the safety of others. Disclosures that meet the following criteria must be immediately reported to the University Police:

- Assaul ts against students under the age of 18
- Incidents that are actively happening (e.g., you observe a student hitting their partner)
- Incidents that involve ongoing danger to the victim (e.g., repeated threats of physical harm)

Reports made to the University Police will be investigated by the police. The police will also report all known facts about the incident, including the identity of the perpetrator (if known), to the Title IX
Coordinator. Victims of sexual assault may request confidentiality (meaning their name will not be shared with the Title IX office or released publicly), but these confidentiality protections do not extend to victims of intimate partner violence, stalking, or harassment.

Exemptions to Mandatory Reporting
There are several units on campus that are not legally obliged to report disclosures of sexual assault, intimate partner violence, stalking, or harassment (unless the student is under 18). Students wishing to receive help without having the assault reported to other campus authorities may seek advice and support from these individuals without fear of further action, unless the student specifically requests help in formally reporting the assault. A description of the help and services that each confidential support service can provide is listed below.


STUDENT REPORTING OPTIONS

Non-Confidential

Title IX Coordinator
Reports to the Title IX Coordinator may be completed online or by calling the Title IX Coordinator

Larisa Hamada, Title IX Coordinator
www.csulb.edu/titleix
Larisa.Hamada@csulb.edu, 562.985.8256
Office of Equity and Diversity, Foundation Building, Suite 220

University Police Department
Reports to the University Police may be made through a phone call to UPD who will complete an incident report at the discretion of the student:

1250 Bellflower Blvd., Long Beach, CA 90840
562.985.4101
www.csulb.edu/police

Confidential

Campus Confidential Advocate
The Campus Confidential Advocate provides sensitive support for victims coping with the trauma of sexual violence, intimate partner violence, stalking, or harassment. The Advocate can provide information and advice, offer support during medical and counseling appointments, serve as an advocate and representative throughout all stages of the university investigation, provide crisis intervention and ongoing emotional support during the aftermath of an assault, and help link survivors to further support services on campus and in the community. The confidential advocate can also intervene with other individuals, departments, and agencies on behalf of victims, and can coordinate with the Title IX office to provide academic accommodations without requiring the victim to report the assault. The Confidential Advocate is housed at the Student Health Center on campus, 208-A, 562-985-2668.

Violence Prevention & Sexual Misconduct Counselor
The Violence Prevention & Sexual Misconduct Counselor is MFT certified and provides trauma informed management counseling, including confidential counseling, psycho-education, life skills, and mindfulness meditation for survivors of trauma. This counselor can also provide short-term therapy for survivors when CAPS has a waiting list, can request accommodations from professors without requiring the victim to report the assault, and can liaison with parents to explain campus procedures (if requested by the survivor). The Violence Prevention & Sexual Misconduct Counselor is housed at Student Health Services, 268, 562-985-1732.
Counseling and Psychological Services (CAPS)

Counseling and Psychological Services (CAPS) provides short-term counseling for individuals, group counseling, referral services, psychoeducational workshops, and crisis intervention. Counseling is provided by mental health professionals and by advanced doctoral psychology interns under the supervision of licensed psychologists. Students who are confronting serious mental health illnesses, current or recent traumatic crises, and life threatening circumstances and will be seen as soon as possible, and crisis counselors are available by phone 24 hours a day. CAPS is located in Brotman Hall, 226, 562-985-4001.

Long Beach Trauma Recovery Center

LBTRC provides evidence-based trauma treatment and case management for victims and their families in both individual and group therapy sessions. The Center is staffed by a licensed therapists and masters-level interns pursuing their Masters in Family Therapy degrees. These professionals provide confidential support and therapy services for survivors of trauma, including sexual assault and all forms of sexual misconduct. The LBTRC is located in ED2, 155, 562-491-7977.

California Faculty Association, CSULB Chapter

Faculty may seek advice or representation from their CFA Union representatives about possible violations of Title IX matters. While CFA Union representatives who are acting in their role as a union representative are not mandated to report such conversations to the Title IX Coordinator, they are encouraged to do so.
SUPPORTING SURVIVORS OF SEXUAL ASSAULT, INTIMATE PARTNER VIOLENCE, STALKING, OR HARASSMENT

Most survivors of sexual assault and intimate partner violence receive a combination of positive and negative reactions from others when they disclose\(^5\). Negative reactions such as doubt and blame are related to worse recovery outcomes, while positive reactions such as emotional support and tangible aid help survivors recover\(^6\). How you respond to survivors thus matters and may affect whether the survivor ever chooses to talk about the trauma again.

How to Respond Supportively and Empathetically

Survivors of sexual assault, intimate partner violence, stalking, and harassment need to be heard, have their experiences validated, and be told it wasn’t their fault. Remain calm and focus on listening to the survivor. Responding in a compassionate and soothing manner is far more important than what you say, but here are some helpful things you can say to students when they disclose:

- I’m glad you told me what’s going on. I know it wasn’t easy to come here and talk to me, and I want you to know that I am happy to listen and support you in whatever way I can.

- It’s not your fault. The [rapist, abuser, stalker] is the person who made the choice to act this way. There is nothing you did that made him/her choose to [hurt, scare, intimidate] you.

- I believe you, and I’m sorry this happened to you. What you are describing sounds very [frightening, upsetting, disturbing], and I know it’s not easy to handle.

- It’s OK to [feel upset, cry, feel angry, feel confused]. What you are feeling is a very normal reaction to a very abnormal situation.

- How can I help you? I am happy to help in any way I can, but I also want to support the decisions you make for yourself.

What to AVOID Saying and Doing

It takes a lot of courage for survivors of sexual assault, intimate partner violence, stalking, and harassment to talk to you about their experience. Survivors are often afraid of how other people will react, leading between 1 out of 3 and 1 out of 2 sexual assault survivors not to tell anyone\(^7\) and about ¼

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of intimate partner violence survivors not to tell anyone. Don’t make the survivor regret the choice to talk to you or betray the survivor’s trust by acting in a judgmental or controlling way.

- **Do NOT** grill the survivor for details about the assault. You don’t need to know exactly what happened in order to be comforting, and it isn’t your job to be an investigator. Allow survivors to say as much or as little as they want.

- **Do NOT** question aspects of the story or insinuate that you don’t believe the event qualifies as sexual assault, intimate partner violence, or stalking. If the student is clearly upset, then your job is to listen and comfort. The police and/or Office of Student Conduct will decide whether to pursue the case or not.

- **Do NOT** ask what the survivor did to cause the assault/stalking. Perpetrators are solely responsible for choosing to assault/stalk someone, no matter how the survivor was dressed, whether the survivor was drinking, what the survivor said or did, or whether the survivor had been consensually involved with the assailant in the past.

- **Do NOT** ask how the survivor responded during the assault. Fighting, trying to flee, trying to placate the abuser, and freezing are all normal neurobiological responses to trauma that the survivor often has no conscious control over. Just because a survivor didn’t fight back doesn’t mean it wasn’t rape, and just because the survivor hasn’t left the relationship doesn’t mean it isn’t abuse.

- **Do NOT** minimize the experience or tell the survivor to stop thinking about it. Rape is a brutal invasion of one’s body, and intimate partner violence, stalking, and harassment destroy survivors’ sense of safety in the world. The trauma of these experiences cannot be understated. Trying to minimize or deny the experience is not healthy for survivors in the long run, and they shouldn’t be encouraged to do so by people who support them.

- **Do NOT** try to control what the survivor does. Survivors are in the best position to know what they can emotionally handle and what the likely consequences of reporting the assault will be. While it is a great idea to share information about possible options and to help the survivor think through potential consequences, the decision about what to do next must be the survivors. Your job is to support survivors, not judge or try to control their decisions.

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ADDITIONAL SUPPORT SERVICES

Contact information for both on-campus and off-campus Confidential Support Services are listed below. If a student wishes to connect with any of these services, you can give them this information or direct them to the Title IX Website:

www.csulb.edu/titleix

Better yet, you can offer to call the services on behalf of the student or even walk the student over to services to make sure the survivor is supported every step of the way.

On-Campus Confidential Support Services
Jacqueline Urtez, Campus Confidential Advocate, YWCA
(562) 985-2668
Student Health Services. 208-A
advocate@csulb.edu

Linda Peña, ATOD/Violence Prevention & Sexual Misconduct Counselor
(562) 985-1732
Student Health Services 268

Counseling and Psychological Services (CAPS)
http://web.csulb.edu/divisions/students/caps/
(562) 985-4001
Brotman Hall 226

Long Beach Trauma Recovery Center (LBTRC)
https://www.csulb.edu/college-of-education/long-beach-trauma-recovery-center
562.491.7977
CSULB Building ED2- RM 155

Off-Campus Confidential Support Services
YWCA-GLA Hotline
Sexual Assault Crisis Services
24-Hour Crisis Hotline
(877) Y-HELP-US
(877) 943-5778
Long Beach Trauma Recovery Center
Free Trauma-informed counseling services
(562) 491-7977
Saint Mary’s Medical Center
1045 Atlantic Avenue, Suite 801
Long Beach, CA 90813

Interval House
Domestic Violence Shelter
(562) 594-4555

Women Shelter of Long Beach
Advocacy, Counseling, & Shelter for Intimate Partner Violence
(562) 437-4663

Su Casa
Advocacy, Counseling, & Shelter for Intimate Partner Violence
24 Hour Hotline: (562) 402-4888

The Center Long Beach
Gay & Lesbian Organization
(562) 434-4455

Rape, Abuse, & Incest National Network (RAINN)
National Sexual Assault Hotline
(800) 656 - HOPE
(800) 656-4673

1 in 6
For Male survivors of Sexual Assault
www.1in6.org
PROVIDING ONGOING SUPPORT

There are a variety of things you can do to provide ongoing support to students who disclose sexual assault, intimate partner violence, stalking, or harassment. Your response may vary depending on the recentness of the event and the involvement of the Title IX office, but the following recommendations are things to consider:

**Academic Accommodations**

Sexual assault, intimate partner violence, stalking, and harassment can have a dramatic impact on survivors’ sense of safety, ability to sleep and eat well, and ability to concentrate, all of which can affect academic performance\(^9\). If the student is still in a state of crisis, you may refer the student to the Title IX office where they can receive accommodations, such as extensions on assignments or tests, arranging for class notes or tutoring, or even providing an Incomplete grade for the semester. You may receive a letter from the Title IX Coordinator requesting such options.

**Safety Planning**

If the assault occurred in the context of an abusive relationship or the survivor still has ongoing contact with the assailant, the survivor may need to consider how to stay safe. Safety plans can include identification of safe places and safe forms of transportation, creating codewords to be used to elicit help, putting the police on speed dial, using other apps to reach out for help in an emergency, and taking precautions with technology. See [https://www.rainn.org/articles/safety-planning](https://www.rainn.org/articles/safety-planning) for more ideas.

**Check-Ins**

Take the time to check in with the student a week or two later. Try inviting the student to walk with you after class or inviting the student to your office hours. Tell the student that you want to check to see how they are doing and assure the student that you are happy to listen and provide support whenever needed. Reassure survivors that you are glad they spoke to you and that you respect their decisions.

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