

To: Campus Community
From: D. Saake, Title IX Coordinator
Re: 2019-20 Statistical Review
Date: October 1, 2020

2019-20 Statistical Review of Title IX Reporting Activity

In an effort to increase transparency regarding the manner in which our campus addresses reports of Sexual Misconduct, Dating or Domestic Violence, and Stalking, and in compliance with Executive Order 1095, the below information summarizes the activity occurring in response to reports of this nature during the 2019-20 fiscal year.¹ In producing this report, every effort is made to ensure the privacy of the individuals involved.

Over the past year, the Title IX unit responded in some fashion to every report that was received. The most common type of report was received from a third party, typically someone affiliated with the University with whom a student shared they had been the victim of either Sexual Misconduct, Dating or Domestic Violence, or Stalking. The third party in turn made a report to the Title IX office, sharing the information received. When such a report was received, our first step was to ensure that the student was aware of the resources available, both on and off campus, and the various options they had for securing supportive measures and/or pursuing the matter (in criminal, civil, and/or administrative arenas). This included inviting the student to meet and further explore what, if anything, the student felt ready to do.

The below information focuses exclusively on the campus response to reports of specific instances of Sexual Misconduct, Dating or Domestic Violence, and Stalking, and is not intended to capture the many other efforts undertaken as part of our Title IX program.

Summary of Reports Received

Overall, during the 2019-20 fiscal year, there were 88 distinct reports made to the Title IX office regarding Sexual Misconduct, Dating or Domestic Violence, or Stalking. This number represents an increase over the 77 reports received in the year prior, and was on pace to represent an even larger increase prior to the transition to virtual instruction/telework due to the COVID-19 pandemic. Included within those reports are the following:

- Twenty-eight (28) reports in which a student (or recently separated student) was the Respondent.²
- Zero (0) reports in which an Employee was the Respondent.
- Sixty (60) reports in which the Respondent was either not affiliated with the campus, or there was insufficient information known as to whether the Respondent was affiliated with

¹ The data included is based on the date the report was received, not the date of the incident reported. We have included reports received between July 1, 2019 and June 30, 2020. Not included are reports related to Harassment or other forms of Discrimination and Retaliation.

² “**Respondent**” means the CSU, a CSU Employee, another Student, or a Third Party who is alleged to have violated this Executive Order.

the campus. It is fair to assume that at least a portion of these unknown Respondents were affiliated with the University.

Significant Changes

In January 2019, a California Court of Appeal issued a ruling in the case *John Doe v. Kegan Allee, Ph.D, et al.*, and based on the guidance from that case, in March 2019, the CSU system adopted updated procedures for the processing of cases alleging Sexual Misconduct by a student-Respondent that could result in either suspension or expulsion, where credibility was central to the finding. During 2019-20, two hearings were held pursuant to those procedures. We have seen a decrease in the number of formal investigations requested since the implementation of these procedures

Additionally, the Federal Department of Education issued new Title IX regulations in May 2020 with an effective date of August 14, 2020, which will require hearings that entail a cross examination element for certain cases involving not only Sexual Misconduct, but also Sexual Harassment, Dating and Domestic Violence and Stalking.

Finally, with the campus closure in March 2020 due to COVID-19 and the transition to virtual instruction, we have seen a stark decrease in reporting to our office.

REPORTS AND OUTCOMES

There were four (4) matters that were initially reported and investigated during the 18-19 year, which were carried forward into the 19-20 fiscal year. These matters, and the final actions taken, are described in the table directly below, followed by a table with the investigations initiated in the 19-20 academic year and how they were concluded.

Investigations of Sexual Misconduct, Dating/Domestic Violence, or Stalking from 2018-19, carried forward into 2019-20

	TYPE OF REPORT	DESCRIPTION	UNIVERSITY RESPONSE OR OUTCOME
1	Sexual Misconduct/ Rape	Student reported being raped by another student.	Formal Investigation conducted. Policy violation found. Discipline pending.
2	Sexual Misconduct/ Rape	Report of student raped by another student.	Formal Investigation conducted. Policy violation found. Student was expelled.
3	Sexual Misconduct/ Rape	Report of student raped by another student.	Formal Investigation conducted. Matter resolved by Early Resolution before hearing. Respondent agreed to certain on campus and extracurricular limitations. No Contact Directive for duration of tenure.
4	Sexual Misconduct/ Sexual Battery	Report of student battered by another student.	Formal Investigation conducted. Policy violation found. Respondent placed on Disciplinary Probation for < 2 years. No Contact Directive implemented for duration of tenure.

Formal Investigations of Sexual Misconduct, Dating/Domestic Violence, or Stalking Conducted in 2019-20

	TYPE OF REPORT	DESCRIPTION	UNIVERSITY RESPONSE OR OUTCOME
1	Dating or Domestic Violence	Report of student who was abused by another student.	Formal Investigation conducted. Policy violation found. Discipline pending.
2	Sexual Misconduct/ Sexual Battery; Sexual Harassment	Report of student battered and harassed by another student	Formal Investigation conducted. Matter resolved by Early Resolution before hearing. Student placed on disciplinary probation for duration of tenure. Student limited from certain extracurricular activities. No Contact duration or duration of tenure.

Early Resolutions of Sexual Misconduct, Dating/Domestic Violence, or Stalking in 2019-20

Early resolution can be an effective way to resolve matters through the parties’ agreement. Incidents like Sexual Misconduct, Dating or Domestic Violence, or Stalking are often matters for which early resolution may be difficult, and it was specifically discouraged for Sexual Misconduct matters in prior versions of the Executive Order. The new process implemented with the March 2019 revisions to the Executive Orders provides an opportunity to resolve matters through early resolution at any time during the process, and has a specific provision for exploring early resolution after the investigation has concluded, but before any findings are made at the hearing stage of the process. Matters resolved through early resolution after the conclusion of the investigation are captured in the above section of this report.

The below section captures instances where, early in the process, the parties requested to try and resolve the matter without an investigation, and by reaching agreement on certain terms. We did not have any of these instances in the 19-20 fiscal year.

	TYPE OF REPORT	DESCRIPTION	UNIVERSITY RESPONSE OR OUTCOME
1	N/A		

Matters in 2019-20 for which Formal Investigations Were Not Initiated Following Reports of Sexual Misconduct, Dating/Domestic Violence, or Stalking

In fiscal year 2019-20, we received 60 reports involving Sexual Misconduct, Dating or Domestic Violence, and Stalking, where the potential Respondent was either not affiliated with the campus or there was insufficient information known as to whether the Respondent was affiliated with the campus. As a result, formal investigations were not conducted. In those instances, our focus was on providing resources and supportive measures to the victims in order to support them and enable them to continue making progress on their education. Reports falling into this category are listed below. When reviewing the below, it is helpful to keep in mind that we often receive reports from third parties of a student who was “sexually assaulted.” Unless we receive specific information indicating that the conduct meets either the definition of “Rape” or “Sexual Battery,” we do not change the nature

(description) of the report received. However, it is fair to assume that a portion of the “Sexual Assault” reports are actually reports of Rape.

	TYPE OF REPORT	DESCRIPTION	UNIVERSITY RESPONSE OR OUTCOME
1	Sexual Misconduct/ Sexual Assault	3rd party report of student who had been assaulted by a non-student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
2	Dating or Domestic Violence	3rd party report of person who was abused by a non-student.	Resources provided. Connected person with other local universities and resources.
3	Stalking	3rd party report of student who is being stalked by non-student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
4	Sexual Misconduct/ Sexual Assault	3rd party report of a student who was sexually assaulted by a non-student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
5	Sexual Misconduct/ Rape	Report of student who was raped by former student.	Resources and supportive measures provided. Insufficient information to proceed without victim participation, or against victim's wishes.
6	Sexual Misconduct/ Sexual Assault	3rd party report of student who had been assaulted by a non-student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
7	Sexual Misconduct/ Rape	3rd party report of student who was raped by a non-student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
8	Sexual Misconduct/ Rape; Dating Domestic Violence	3rd party report of student who was raped by a non-student, and abused by a non-student	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
9	Sexual Misconduct/ Rape	3rd party report of student who was raped by a non-student.	Resources provided and options discussed with student. Insufficient information to proceed without victim participation, or against victim's wishes.
10	Dating or Domestic Violence	3rd party report of a student who experienced dating violence from a non-student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
11	Sexual Misconduct/ Rape	3rd party report of student who was raped by a non-student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
12	Dating or Domestic Violence	3rd party report of student who was abused by non-student.	Resources provided and student assisted with supportive measures. Insufficient information to proceed without victim participation, or against victim's wishes.
13	Dating or Domestic Violence	3rd party report of student who was victim of abuse.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.

14	Sexual Misconduct/ Rape	Report of a student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
15	Sexual Misconduct; Dating or Domestic Violence	Report of student was the victim of abuse and potential sexual misconduct.	Resources provided and student connected with various campus resources. Insufficient information to proceed without victim participation, or against victim's wishes.
16	Sexual Misconduct/ Sexual Assault	3rd party report of student who was assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
17	Stalking	3rd party report of student who is being stalked.	Resources provided and student assisted with supportive measures. Insufficient information to proceed without victim participation, or against victim's wishes.
18	Stalking	3rd party report of student who is being stalked.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
19	Sexual Misconduct/ Rape	3rd party report of student who had been raped.	Resources provided by UPD and Health Center. Insufficient information to proceed without victim participation, or against victim's wishes.
20	Sexual Misconduct/ Sexual Battery	3rd party report of a student who was sexually battered.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
21	Dating or Domestic Violence	3rd party report of a student who was victim of domestic violence.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
22	Sexual Misconduct/ Rape	3rd party report of a student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
23	Stalking	3rd party report of student being stalked.	Resources provided by housing and referred to UPD. Insufficient information to proceed without victim participation, or against victim's wishes.
24	Sexual Misconduct/ Sexual Battery	3rd party report of student who had been sexually battered.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
25	Dating or Domestic Violence	3rd party report of student who was victim of abuse.	Resources and supportive measures provided. Insufficient information to proceed without victim participation, or against victim's wishes.
26	Stalking	3rd party report of student who is being stalked.	Resources provided. Avenues for support discussed with student. Insufficient information to proceed without victim participation, or against victim's wishes.
27	Sexual Misconduct/ Sexual Assault	3rd party report of student who was sexually assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
28	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Insufficient information to proceed without victim participation, or against victim's wishes.
29	Sexual Misconduct/ Sexual Assault	3rd part report of student who had been sexually assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
30	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources and supportive measures provided. Insufficient information to proceed without victim participation, or against victim's wishes.

31	Sexual Misconduct/ Sexual Assault	3rd party report of student who had been sexually assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
32	Sexual Misconduct/ Sexual Assault	3rd party report of student who had been assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
33	Sexual Misconduct/ Sexual Assault	3rd party report of student who had been assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
34	Sexual Misconduct	Report of student who experienced sexual misconduct	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
35	Sexual Misconduct/ Sexual Assault	3rd party report of student who was sexually assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
36	Sexual Misconduct/ Rape	3rd party report of a student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
37	Stalking	3rd party report of student who was being stalked.	Resources provided and matter referred. Insufficient information to proceed without victim participation, or against victim's wishes.
38	Sexual Misconduct/ Rape	Report of student who had been raped.	Resources provided and student assisted with supportive measures. Insufficient information to proceed without victim participation, or against victim's wishes.
39	Dating or Domestic Violence	3rd party report of a student who experienced dating violence.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
40	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
41	Sexual Misconduct/ Sexual Battery	3rd party report of a student who was sexually battered.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
42	Sexual Misconduct/ Rape	3rd party report of a student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
43	Dating or Domestic Violence	3rd party report of a student who was victim of domestic violence.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
44	Sexual Misconduct/ Rape	3rd party report of a former student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
45	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
46	Sexual Misconduct/ Sexual Assault	3rd party report of student who had been assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
47	Dating or Domestic Violence.	Report of student who is the victim of domestic violence.	Resources provided and student assisted with supportive measures. Insufficient information to proceed without victim participation, or against victim's wishes.

48	Sexual Misconduct/ Sexual Assault	3rd Party report of student who had experienced sexual assault.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
49	Dating or Domestic Violence	3rd party report of student was victim of abuse.	Resources and referrals provided. Insufficient information to proceed without victim participation, or against victim's wishes.
50	Sexual Misconduct	3rd party report of student who was victim of sexual misconduct.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
51	Dating or Domestic Violence	3rd party report of a student who experienced dating violence.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
52	Stalking	3rd party report of student being stalked.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
53	Dating or Domestic Violence	3rd party report of student was had been abused.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
54	Sexual Misconduct/ Rape	3rd party report of a student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
55	Sexual Misconduct/ Sexual Assault	3rd party report of student who was assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
56	Sexual Misconduct/ Rape	3rd party report of a student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
57	Sexual Misconduct/ Sexual Assault	3rd party report of student who had been assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
58	Sexual Misconduct/ Rape	3rd party report of a student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
59	Sexual Misconduct/ Rape	3rd party report of a student who was raped.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
60	Sexual Misconduct/ Sexual Assault	3rd party report of student who had been assaulted.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.

We received 26 reports of Sexual Misconduct, Dating or Domestic Violence, or Stalking where the Respondent was alleged to be affiliated with the campus, but that University did not initiate a formal investigation. In some instances, the identity of the alleged Respondent was known to the University. In such instances, where the identity of a Respondent is known but the victim has not chosen to pursue a formal investigation, the University must carefully balance competing concerns. The University always attempts to respect a victim's desire for confidentiality and choice in whether a formal campus investigation is initiated. The University will weigh those considerations when determining whether the present circumstances, including the seriousness of the allegations, the age of the victim(s), other

complaints against the Respondent, and the risk to the campus community, warrant initiating an investigation despite a victim’s wishes.

In other instances, the only information we had was that the potential Respondent was a “student.” In such cases, the University provided resources and options to the potential Complainant, and then reviewed the information that was known at that time to determine what, if anything, the University could do. Reports falling into either of these categories are listed below.

	TYPE OF REPORT	DESCRIPTION	UNIVERSITY RESPONSE OR OUTCOME
1	Stalking	3rd party report of student being stalked by another student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
2	Sexual Misconduct/ Sexual Assault	3rd party report of a student who was assaulted by another student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
3	Sexual Misconduct/ Rape	Report of student raped by another student.	Resources provided and assisted student with securing supportive measures. Insufficient information or indicia of risk to proceed without victim participation, or against victim's wishes.
4	Sexual Misconduct/ Sexual Battery	Report of a student who had been sexually battered by another student.	Resources provided and supportive measures discussed with student. Insufficient indicia of risk or information to proceed without victim participation, or against victim's wishes.
5	Dating or Domestic Violence	3rd party report of student who was abused by another student.	Resources and supportive measures provided.
6	Stalking	Report of student being stalked by another student.	Resources provided. Assisted student with securing supportive measures and implementation of a no contact directive
7	Sexual Misconduct/ Rape	3rd party report of student who was raped by another student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
8	Sexual Misconduct/ Sexual Battery	3rd party report of a student who had been sexually battered by another student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
9	Dating or Domestic Violence	Report of student assaulted by another student.	Resources and supportive measures provided. Matter resolved by institution of no contact agreement. Insufficient information or indicia of risk to proceed against victim's wishes.
10	Stalking	3rd party report of student being stalked by another student.	Resources provided. Support provided by UPD. Insufficient information to proceed without victim participation, or against victim's wishes.
11	Sexual Misconduct/ Sexual Assault	Report of student who was sexually assaulted by another student.	Resources provided and student assisted with supportive measures. Insufficient information to proceed without victim participation, or against victim's wishes.
12	Stalking	3rd party report of student being stalked by another student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.

13	Stalking	3rd party report of student being stalked by another student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
14	Sexual Misconduct/ Rape	Report of student who was raped by another student.	Resources provided and assisted student with securing supportive measures. Insufficient information or indicia of risk to proceed without victim participation, or against victim's wishes.
15	Sexual Misconduct/ Rape	Report of student raped by another student.	Resources provided and assisted student with securing supportive measures. Insufficient information or indicia of risk to proceed without victim participation, or against victim's wishes.
16	Stalking	3rd party report of student being stalked by another student.	Resources provided and assisted student with securing supportive measures. Insufficient information to proceed without victim participation, or against victim's wishes.
17	Stalking	Report of student who is being stalked by other students.	Resources provided. Avenues for support discussed with student. Insufficient indicia of risk to proceed without victim participation, or against victim's wishes.
18	Sexual Misconduct/ Sexual Battery	3rd party report of a student who had been sexually battered by another student.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.
19	Dating or Domestic Violence	3rd party report of student who was abused by another student.	Resources provided and student directed to agencies to help. Insufficient indicia of risk or information to proceed without victim participation, or against victim's wishes.
20	Sexual Misconduct	Report of student subjected to misconduct by another student.	Resources provided and assisted student with securing supportive measures. Insufficient information or indicia of risk to proceed without victim participation, or against victim's wishes.
21	Sexual Misconduct/ Sexual Assault	3rd party report of a student who was assaulted by another student.	Resources and supportive measures provided. Insufficient information to proceed without victim participation, or against victim's wishes.
22	Dating or Domestic Violence	3rd party report of student who was abused by another student.	Resources provided. Insufficient indicia of risk or information to proceed without victim participation, or against victim's wishes.
23	Stalking	3rd party report of student being stalked by another student.	Resources provided and assisted student with securing supportive measures. Insufficient information or indicia of risk to proceed without victim participation, or against victim's wishes.
24	Sexual Misconduct/ Rape	Report of student raped by another student.	Resources provided and assisted student with securing supportive measures. Insufficient information or indicia of risk to proceed without victim participation, or against victim's wishes.
25	Sexual Misconduct/ Rape	Report of a student who raped a non-student.	Resources provided. Insufficient information to proceed.
26	Sexual Misconduct/ Rape	3rd party report of a student who committed a rape.	Resources provided. Insufficient information to proceed without victim participation, or against victim's wishes.

CONCLUSION

The above report does not capture the whole picture regarding how many incidents are taking place in our community, but rather represents what was reported to the Title IX office. This is the fourth straight year that we have seen an increase in reports made to our office concerning Sexual Misconduct, Dating and Domestic Violence, and Stalking. Because of the COVID-19 pandemic and the resulting switch to virtual instruction in March 2020, we have not seen as many reports or referrals as previously. With the upcoming Department of Education regulations effective at the start of the fall 2020 semester, combined with a reduced in-person presence on campus as the California State University continues to conduct most of its courses online, we expect to see a decline in reported incidents.

I would encourage everyone who reads this report to also consider the information shared and gathered through the Chico Speaks climate survey. A preliminary report was released in April 2019, and the full report was released in October 2019. The data highlights the importance of our office's and campus partners' efforts to bring awareness to the community on these matters, to build skills geared toward prevention, and to ensure that the resources available on campus are able to effectively serve those who seek our services. Safe Place, our campus department whose mission "is to support and advocate for victims and survivors of sexual assault, intimate partner violence, and stalking through crisis intervention, prevention education, resources, and referrals," hired a second advocate to support the work of Safe Place. The need for those services is well demonstrated by the data above and collected in the survey. Currently, the Title IX office continues to provide all services through a virtual format to students and, where needed, can provide on campus spaces for students who need privacy and safety for conversations with our office.

Ultimately, the goals of the Title IX office are to work towards a safer campus for everyone, irrespective of sex, gender, sexual orientation, gender identity, or gender expression, to ensure awareness of the resources and options available to those who believe their rights have been violated, and to provide a fair process that respects the rights of all, and does so in a manner that is sensitive to the emotional cost for those involved.