

Statistical Review of Title IX Reporting Activity Chico State 2021-2022

I. INTRODUCTION

In an effort to increase transparency regarding the manner in which our campus addresses reports of Sexual Harassment, Sexual Misconduct, Dating or Domestic Violence, Sexual Exploitation, and Stalking, and in compliance with *CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (Nondiscrimination Policy)*, the below information summarizes reporting and response activities related to reports of Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating/Domestic Violence, Stalking during the 2021-22 academic year.¹ In producing this report, every effort is made to ensure the privacy of the individuals involved.

Over the past year, the Equal Opportunity & Dispute Resolution (EODR) 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 subjected to Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, or Stalking. The third party in turn reported the information shared to the EODR office. When such a report is received, our first step is to ensure that the student is aware of the resources available, both on and off campus, and the various options they have for securing supportive measures and/or pursuing the matter (in criminal, civil, and/or administrative arenas). This includes inviting the student to meet and further explore what, if anything, the student feels ready to do.

The below information focuses exclusively on the campus response to reports of specific instances of Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating or Domestic Violence, and Stalking, and is not intended to capture the many other efforts undertaken as part of our EODR program. Additionally, this year the categories of data specified by the Chancellor's Office to be reported have expanded to include Sexual Harassment whereas in prior years, they focused exclusively on Sexual Misconduct, Dating/Domestic Violence, and Stalking.

II. TOTAL REPORTING

Overall, during the 2021-22 academic year, there were 112 distinct reports made to the EODR office regarding Sexual Misconduct, Dating or Domestic Violence, or Stalking. This number represents a sharp increase from the 42 reports received in the year prior, but the prior year numbers were artificially low due to limited campus activity resulting from the pandemic during the 2020-2021 academic year. Additionally, Sexual Harassment reports are included in this year's data so the numbers were expected to increase.

In response to the low numbers reported the prior year, The Title IX Oversight Committee

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, 2021 and June 30, 2022. The data does not include reports related to other forms of Discrimination, Harassment, or Retaliation (DHR) related harm, which can include DHR reports based on other protected classes.

adopted two priorities for the office. The first was to increase outreach and information to try and restore reporting to pre-pandemic levels, and the second was to implement a Restorative Justice-based adaptive resolution model which would allow students who have been harmed the ability to address those who have caused harm outside of the investigative model. The second priority was based on the chilling effect Title IX regulations may have had on the willingness of harmed parties to pursue a formal investigation.

The number of Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports received during the reporting period (July 1, 2021 to June 30, 2022).

Total	112 ²
Sexual Misconduct/Sexual Assault	46
Dating and Domestic Violence	22
Stalking	13
Sexual Exploitation	4
Sexual Harassment	34

III. IDENTIFIED RESPONDENTS

We received 62 reports of Sexual Harassment, Sexual Misconduct, Dating or Domestic Violence, or Stalking where the Respondent was alleged to be affiliated with the campus, but the University did not initiate a formal investigation. In such instances, where the identity of a Respondent is known but the Complainant has not chosen to pursue a formal investigation, the University must carefully balance competing concerns. The University always attempts to respect a Complainant’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 Complainant(s), other complaints against the Respondent, and the risk to the campus community, warrant initiating an investigation despite a victim’s wishes.

² Some reports alleged multiple forms of misconduct, thus the total reports received is less than the sum of the specifics types of harm reported.

The number of Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports received during the reporting period (July 1, 2021 to June 30, 2022) in which a *Student* is the Respondent.

Total	53
Sexual Misconduct/Sexual Assault	21
Dating and Domestic Violence	7
Stalking	8
Sexual Exploitation	3
Sexual Harassment	19

The number of Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports received during the reporting period (July 1, 2021 to June 30, 2022) in which an *Employee* is the Respondent.

Total	9
Sexual Misconduct/Sexual Assault	3
Dating and Domestic Violence	0
Stalking	0
Sexual Exploitation	0
Sexual Harassment	6

IV. UNAFFILIATED OR UNKNOWN RESPONDENTS

In academic year 2021-22, we received 50 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 to support them and enable them to continue making progress on their education. Reports falling into this category are listed below.

The number of Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, or Stalking reports received during the reporting period (July 1, 2020 to June 30, 2021) in which a *Third Party* is the Respondent.

Total	20
Sexual Misconduct/Sexual Assault	7
Dating and Domestic Violence	8
Stalking	2
Sexual Exploitation	0
Sexual Harassment	5

The number of Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports received during the reporting period (July 1, 2021 to June 30, 2022) in which the Respondent is an *Unknown* or *Unidentified Individual*.

Total	30
Sexual Misconduct/Sexual Assault	15
Dating and Domestic Violence	7
Stalking	3
Sexual Exploitation	1
Sexual Harassment	4

V. FORMAL INVESTIGATIONS

The number of completed Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking reports investigated (with a finding - Violation or No Violation) during the reporting period (July 1, 2021 to June 30, 2022).³

Total	5
Sexual Misconduct/Sexual Assault	2
Dating and Domestic Violence	0
Stalking	0
Sexual Harassment	3

³ Investigations reported during the year, but not completed as of the time of this report, are not included here. There are three such investigations pending.

The number of completed Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence, or Stalking investigations during the reporting period (July 1, 2021 to June 30, 2022) in which the Respondent was held responsible.

Total	3
Expulsion	0
Suspension of one year or more	1
Suspension of less than one year	0
Disciplinary probation	0
Termination of employment	1
Suspension without pay	0
Letter of reprimand	0
Educational training	0
Other (Resigned prior to formal discipline)	1

The number of Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, and Stalking investigations during the reporting period (July 1, 2021 to June 30, 2022) in which the evidence was found insufficient to hold the Respondent responsible.

Total	2
Sexual Misconduct/Sexual Assault	0
Dating and Domestic Violence	0
Stalking	0
Sexual Harassment	2

VI. INFORMAL RESOLUTION

Informal Resolution is becoming a more popular option. Presumably this is based on the availability of restorative models, along with the difficulty and time involved in a formal investigation, particularly for students who generally must go through a hearing as part of the process.

Total	3
Sexual Misconduct/Sexual Assault	2
Dating and Domestic Violence	1

Outcomes reached through the Informal Resolution model are shared below.

Total	3
Expulsion	0
Suspension of one year or more	0
Suspension of less than one year	0
Disciplinary probation	0
Termination of employment	0
Suspension without pay	0
Letter of reprimand	0
Educational training (Restorative Justice model used)	1 (Sexual Misconduct)
Other (Denial of access to student club; barred from seeking campus employment for specified period)	2 (Dating/Domestic Violence; Sexual Misconduct)

VII. OUTREACH AND SUPPORTIVE SERVICES

The number of Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating or Domestic Violence and Stalking reports that were resolved without investigation and/or a finding during the reporting period (July 1, 2021 to June 30, 2022).

Total	100
Complainant requested resources and/or supportive measures only	42
Complainant did not respond to outreach and insufficient information to move forward	44
Complainant elected to remain confidential so unable to send outreach	7
Insufficient information to move forward with investigation but sufficient to take other remedial action	5
Other Outcome (please specify and provide number)	2 – (Informational Report; complainant withdrew)

VIII. PENDING MATTERS

The total number of pending Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, or Stalking cases as of end of June 30, 2022.

4 (2 investigations, 1 supportive measures, 1 Other)

The total number of pending Sexual Harassment, Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, or Stalking cases as of July 1, 2021.

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IX. CONCLUSIONS AND THE PATH FORWARD FOR 2022-23

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 EODR office.

We have begun to see success related to our Restorative Justice model. Our team is currently recruiting for someone who can lead these efforts, but we have spent the past year integrating the practices and understanding into all stages of the reporting and response process. Of particular note was a successful restorative intervention when, upon completion, the harmed party expressed emotional relief and thankfulness and shared how great working through the experience felt for them. It seems like a promising avenue.

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, in a manner sensitive to the emotional cost for those involved.