

To: Campus Community  
From: D. Saake, Title IX Coordinator  
Re: 2016-17 Statistical Review  
Date: October 1, 2017

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### **2016-17 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 attempts to summarize the activity occurring in response to reports of this nature during the 2016-17 fiscal year.<sup>1</sup> In producing this report, every effort is made to ensure that the privacy of the individuals involved is respected.

The Title IX unit, principally through the Deputy Title IX investigators in Student Judicial Affairs, 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 is received, our first task 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 accommodations and/or pursuing the matter in various forums (criminal, civil, administrative). This includes inviting the student to meet and further explore what, if anything, the student feels ready to do.

It remains an uncommon occurrence for a student to report directly to either the Title IX Coordinator or a Deputy. Most reports, understandably, start with someone who is more closely connected to the student.

The below information focuses exclusively on the campus response to reports of specific instances of either 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. Last year's report erroneously included reports of sexual harassment as well. While we make similar efforts to respond when we receive a report of sexual harassment, the intent of this report is to capture data concerning the University's response to Sexual Misconduct, Dating and Domestic Violence, and Stalking, so this year's report is updated accordingly. For purposes of comparing this year's data with last year, last year's data is represented below with the harassment reports excluded.

#### **Summary of Reports Received**

Overall, during the 2016-17 fiscal year, there were 53 distinct reports regarding, Sexual Misconduct, Dating or Domestic Violence, or Stalking that were reported to the Title IX office.

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<sup>1</sup> 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, 2016 and June 30, 2017.

This number represents a more than 23% increase from the year prior. Included within those reports are the following:

- 25 Reports in which a student was the Respondent<sup>2</sup>
- Zero (0) reports in which an Employee was the Respondent
- 28 Reports in which the Respondent was either not affiliated with the campus, or there was insufficient information known as to whether or not the Respondent was affiliated with the campus.
- 15 formal investigations concerning Sexual Misconduct, Dating or Domestic Violence, or Stalking were initiated as compared to 5 in the prior year (200% increase).
  - o 8 of the 15 completed investigations resulted in the finding of a policy violation.
  - o In 2015-16, all 5 of the completed investigations resulted in the finding of a policy violation.

There was 1 matter that was initially reported and investigated during the 15-16 year, and for which final action occurred during the 16-17 fiscal year. That matter involved a formal investigation which resulted in the student being expelled.

**Investigations from 2015-16, Concluded in 2016-17**

	TYPE OF COMPLAINT	DESCRIPTION	UNIVERSITY RESPONSE OR OUTCOME
1	Sexual Misconduct/ Rape	Report of student raped by other student.	Formal investigation conducted. Policy violation found. Student was expelled.

**Formal Investigations Conducted in 2015-16**

	TYPE OF COMPLAINT	DESCRIPTION	UNIVERSITY RESPONSE OR OUTCOME
1	Sexual Misconduct/ Rape	Report of student raped by other student.	Formal investigation conducted. Policy violation found. Student suspended for <2 years.
2	Sexual Misconduct/ Rape	Report of student raped by other student.	Formal Investigation conducted. Preponderance of the evidence did not support finding a policy violation.
3	Sexual Misconduct/ Rape	Report of student abused by other student.	Formal Investigation conducted. Preponderance of the evidence did not support finding a policy violation.
4	Sexual Misconduct/ Sexual Battery; Stalking	Report of student who was sexually battered	Formal Investigation conducted. Policy violation found. Student placed on Disciplinary Probation for ≥1 year. No Contact Directive

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

		by other student; Stalking also reported	
5	Sexual Misconduct/ Rape	Report of student raped by other student.	Formal Investigation conducted. Preponderance of the evidence did not support finding a policy violation.
6	Sexual Misconduct/ Rape	Report of student raped by other student.	Formal Investigation conducted. Preponderance of the evidence did not support finding a policy violation.
7	Sexual Misconduct/ Rape	Report of student raped by other student.	Formal Investigation conducted. Preponderance of the evidence did not support finding a policy violation.
8	Sexual Misconduct/ Sexual Battery	3rd party report of students sexually battered by other student.	Formal Investigation conducted. Preponderance of the evidence did not support finding a policy violation.
9	Stalking	Report of student who was stalked by other student.	Formal Investigation conducted. Policy violation found. Student placed on disciplinary probation for < 1 year. Educational Sanction. No Contact Directive.
10	Sexual Misconduct/ Sexual Battery/Rape	Report of student assaulted and battered by other student.	Formal Investigation conducted. Accommodations provided. Policy violation partially found. Student placed on disciplinary probation for < 1 year.
11	Sexual Misconduct/ Rape	Report of student raped by other student.	Formal Investigation conducted. Preponderance of the evidence did not support finding a policy violation.
12	Sexual Misconduct/ Rape	Report of student raped by other student.	Formal investigation conducted. Policy violation found. Discipline pending.
13	Dating or Domestic Violence	Report of student abused by other student	Formal Investigation conducted. Policy violation found. Discipline pending.
14	Dating or Domestic Violence	Report of student who was abused by other student.	Formal Investigation conducted. Policy violation found. Discipline pending.
15	Stalking	Report of 3rd party stalked by student.	Formal Investigation conducted. Policy violation found. Discipline pending.

### **Early Resolutions in 2016-17**

Early resolution can be an effective way to resolve matters through agreement of the parties. However, incidents like Sexual Misconduct, Dating or Domestic Violence, or Stalking, are often matters for which Early Resolution does not fit. We did not have any instances in the past year where the matter was resolved through the Early Resolution process

	TYPE OF COMPLAINT	DESCRIPTION	UNIVERSITY RESPONSE OR OUTCOME
N/A			

## **Matters for Which Formal Investigations were Not Initiated in 2015-16**

In fiscal year 2016-17, we received 28 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 or not the Respondent was affiliated with the campus. As a result, formal investigations could not be conducted. In those instances, our focus is on providing resources and accommodations 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.

	TYPE OF COMPLAINT	DESCRIPTION	UNIVERSITY RESPONSE OR OUTCOME
1	Sexual Misconduct/ Rape	3rd party report of student who was possibly raped.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
2	Sexual Misconduct/ Sexual Battery	3rd party report of student sexually battered.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
3	Sexual Misconduct/ Sexual Battery	Report of student sexually battered by non-student.	Resources and accommodations provided. Assisted with referrals.
4	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
5	Sexual Misconduct/ Rape	Report of student who was possibly raped.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
6	Sexual Misconduct	3rd party report of student who was victim of sexual misconduct.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
7	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
8	Sexual Misconduct/ Rape	Report of student raped by non-student.	Resources provided and assisted with securing accommodations.
9	Dating or Domestic Violence	Report of student who was abused by non-student.	Resources provided and accommodations provided as available. Assisted with referrals.
10	Sexual Misconduct/ Rape	Report of student who was raped.	Resources provided and assisted with securing accommodations. Insufficient information to proceed without victim participation, or against victim's wishes.
11	Sexual Misconduct/ Rape	3rd party report of student raped by non-student.	Resources provided to victim and provided options for pursuing the matter.
12	Sexual Misconduct/ Rape	3rd party report of student raped by non-student.	Resources provided to victim and provided options for pursuing the matter.

13	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
14	Sexual Misconduct/ Sexual Battery	3rd party report of student sexually battered by non-student.	Resources provided to victim and provided options for pursuing the matter. Assisted with referrals.
16	Sexual Misconduct	3rd party report of student who was victim of sexual misconduct.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
17	Sexual Misconduct	3rd party report of student who was victim of sexual misconduct.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
18	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources provided and accommodations provided as available. Insufficient information to proceed without victim participation, or against victim's wishes.
19	Sexual Misconduct/ Sexual Battery	Report of student sexually battered by non-student.	Resources provided and assisted with securing accommodations.
20	Sexual Misconduct/ Rape	Report of student who was raped.	Resources provided and accommodations provided as available. Insufficient information to proceed without victim participation, or against victim's wishes.
21	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
22	Sexual Misconduct	3rd party report of student who was victim of sexual misconduct.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
23	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
24	Sexual Misconduct	3rd party report of student who was victim of sexual misconduct.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes.
25	Sexual Misconduct/ Sexual Assault/Sexual Battery	3rd party report of student who was victim of sexual misconduct.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes
26	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes
27	Sexual Misconduct/ Rape	3rd party report of student who was raped.	Resources provided to victim and provided options for pursuing the matter. Insufficient information to proceed without victim participation, or against victim's wishes

28	Sexual Misconduct/ Rape	3rd party report of student raped by non-student.	Resources provided to victim and provided options for pursuing the matter and securing accommodations.
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We received 10 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 also respects a victim’s choice in whether or not 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 others 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, we could do. Reports falling into either of these categories are listed below.

	TYPE OF COMPLAINT	DESCRIPTION	UNIVERSITY RESPONSE OR OUTCOME
1	Sexual Misconduct/ Rape	3rd party report of student raped by other student	Resources provided to student and provided options for pursuing the matter and securing accommodations. Student declined to pursue at this time. Insufficient indicia of risk to proceed against student’s wishes.
2	Sexual Misconduct/ Sexual Battery	3rd party report of student sexually battered by other student.	Resources provided to student and provided options for pursuing the matter and securing accommodations. Accommodations provided. Insufficient indicia of risk to proceed without victim participation, or against victim's wishes.
3	Dating or Domestic Violence	3rd party report of non-student who was victim of intimate partner violence by a student.	Resources provided to non-student and provided options for pursuing the matter. Non-student declined to pursue the matter. Insufficient indicia of risk to proceed without victim participation, or against victim's wishes.
4	Sexual Misconduct/ Rape	3 <sup>rd</sup> party report of student potentially raped by other student.	Resources provided to student and provided options for pursuing the matter and securing accommodations. Student declined to pursue at this time. Insufficient indicia of risk to proceed against student’s wishes.
5	Sexual Misconduct/ Rape	3rd party report of student engaging in sexual misconduct.	Student was interviewed concerning report. Insufficient information or indicia of risk to proceed without victim participation.
6	Sexual Misconduct/ Rape	3rd party report of student raped by other student.	Resources provided to student and provided options for pursuing the matter and securing accommodations. Accommodations provided. Insufficient indicia of risk to proceed without victim participation, or against victim's wishes.

7	Sexual Misconduct/ Rape	3rd party report of student raped by other student.	Resources provided to student and provided options for pursuing the matter and securing accommodations. Student declined to pursue at this time. Insufficient indicia of risk to proceed against student's wishes.
8	Dating or Domestic Violence	Report of student who was abused by other student.	Resources provided to student and provided options for pursuing the matter and securing accommodations. Student declined to pursue at this time. Insufficient indicia of risk to proceed against student's wishes.
9	Sexual Misconduct/ Rape	3rd party report of student raped by other student.	Resources provided to student and provided options for pursuing the matter and securing accommodations. Accommodations provided. Insufficient indicia of risk to proceed without victim participation, or against victim's wishes.
10	Sexual Misconduct/ Rape	Report of student raped by other student.	Resources provided to student and provided options for pursuing the matter and securing accommodations. Accommodations provided. Insufficient indicia of risk to proceed without victim participation, or against victim's wishes.

Overall, the Title IX Office is pleased with the increased reporting that has occurred over the past year, which we believe is to be due in part to increased attention to these issues on campus and nationwide. Training on the reporting obligations for staff and faculty have proven worthwhile, and we continue to see more and more people reaching out to the Title IX office, and more people becoming familiar with the resources available on campus and in the community. Our goal is for survivors to feel that pursuing the matter through University channels is a safe and valuable avenue, although we understand that it can be a difficult choice for a survivor to make. Our investigators attend annual training to continue to improve our techniques, and to stay abreast of current best practices and tactics.

Our goal remains to provide a safe campus for everyone irrespective of sex, gender, sexual orientation, gender identity, or gender expression. We hope to provide a fair process that respects the rights of all parties involved, and moves through these processes in a manner that is sensitive to the emotional toll involved for both Complainants and Respondents.

CSU, Chico is committed to creating and sustaining an educational and working environment free of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, and Stalking. At Chico State, we believe that violence has no place on our campus, and that everyone has a role to play in its prevention. Thank you to those individuals in our community who have fulfilled their training and reporting obligations, and to the victims and allies who have either spoken up or provided support in our efforts to move towards a safer campus.