

What is Title IX?

Title IX of the Education Amendments of 1972 is a federal law that (1) protects people from discrimination based on sex *regardless of gender identity or orientation* in educational programs or activities receiving federal financial assistance, (2) covers sexual harassment/sexual assault as forms of sex and gender discrimination, and (3) provides protections for pregnant and parenting students.

What is Sexual Harassment?

Sexual Harassment 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.

- 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 frequently being exposed to unwanted images of a sexual nature in a classroom that are unrelated to the coursework.
- Sexual Harassment also includes intimidation or hostility based on Gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

What is Sexual Misconduct?

Sexual Misconduct: Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is Sexual Misconduct.

- Sexual activity includes unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, Dating Violence and unwelcome physical acts, such as kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex.
- The existence of a dating relationship or past sexual activities should never by itself be assumed to be an indicator of Affirmative Consent.
- Sexual Misconduct may include using physical force, violence, threat, coercion or intimidation, ignoring the objections of the other person, or taking advantage of the other person's incapacitation to engage in sexual activity.
- People of any gender identity can be victims of these forms of Sexual Misconduct.

Sexual Misconduct & Assault

What to do if this happens to you:

1. Get to a safe place and call 911.
2. Do not shower, bathe, douche or change your clothes if you have been assaulted or raped.
3. Go to a hospital for medical care. You will be given a physical exam and options for the prevention of pregnancy, STIs and HIV/AIDS. You have the option of a Sexual Assault Forensic Exam without reporting to the police.
4. Medical professionals are required to notify the police whenever they treat a victim/survivor but the decision to make a formal police report is still yours.
5. Contact friends/family or resources listed in this brochure for help and support.
6. If you decide not to go to the police immediately, write down all the details of the assault (who, what, when, where, why and how) and keep them in case you wish to report the assault later.
7. Seek support through the Student Health and Counseling Services on campus. Services are free.

Note: No victim/survivor or witness in related proceedings will be subject to disciplinary sanctions by the University for related violations of conduct policies that occur at or near the time of the incident, unless the conduct is egregious or places the health and safety of any other person at risk.

Exercise the "Power of One"



Don't be a bystander. Step Up and take action when you see risky behavior. If you witness someone trying to lead an intoxicated person into a private room, or if you see someone providing another person with drinks or acting in a sexually aggressive manner, intervene or find help. Likewise, pay attention to your friends so that you can help them if they are being targeted or are in a vulnerable situation. If you feel threatened or too unsafe to intervene, then call 911 or University Police at (760) 750-4567.

**IF YOU SEE SOMETHING,
SAY OR DO SOMETHING**

Reporting Sexual Misconduct

All allegations of discrimination, harassment or retaliation based on sex, gender or sexual orientation, made against students should be reported.*

Confidential Reporting: Students can receive advocacy and support through Student Health and Counseling Services, CSUSM's Sexual Violence Advocate and Educator, or off campus advocacy services.*

Administrative Reporting: Students can make a report to the Title IX or Deputy Title IX Coordinator/DHR Administrator. To access the complaint form, please visit: www.csusm.edu/title9 *

Criminal Reporting: Students can make a report with the University Police Department.*

Note: it is *illegal* to be retaliated against for reporting an incident or participating in an investigation.

**To report other forms of Discrimination (NOT based on Gender, Gender Identity/Expression, or Sexual Orientation) please contact CSUSM's Discrimination Harassment & Retaliation Administrator, Gail Mendez, Craven Hall 3600 (moving soon to Craven Hall 3200); gmendez@csusm.edu; (760) 750-6020.*

**Contact information for these reporting options are located on the back of this brochure*



About Confidentiality

- Most CSUSM employees are required to report all details of a sexual misconduct incident *including the identities of both the victim/survivor and alleged perpetrator* to the Title IX Coordinator or designee.
- Other CSUSM employees (sexual violence advocate, physicians, professional mental health counselors, psychotherapists) are required by law to maintain near or complete confidentiality.
- University Police Department employees may maintain the victim/survivor's identity as confidential, *if requested by the victim/survivor*.
- **For more information on confidentiality**, please read the document [Rights and Options for Victims of Sexual Misconduct](#) by visiting the CSUSM Title IX website: www.csusm.edu/title9

Affirmative Consent- “Yes Means Yes”

Affirmative Consent: means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity.

- Consent must be given without coercion, force, threats or intimidation
- Lack of protest or resistance does not mean consent
- Silence does not mean consent
- Consent can be withdrawn or revoked at any time
- Consent to one form of sexual activity does not mean consent to other forms of sexual activity
- Prior sexual activity is not consent for future activity

Don’t make assumptions about consent. If an individual feels pressured or uncertain, is having difficulty communicating or is afraid of how a partner might react to a “NO” response, it is **not** consent.



You Have The Right To:

- Say “NO” and not feel pressured to engage in sexual activity
- Feel safe
- A relationship with someone who respects your emotional and physical wishes and boundaries
- Be assertive and direct with someone who is sexually pressuring you
- Change your mind, and if you are not sure what you want, to STOP and think about it
- Be in a relationship free of violence and abuse
- File a Report with CSUSM’s Title IX Coordinator
- Make a confidential police report, by requesting that you remain anonymous

When Should You Ask For Consent?

Before you engage in sexual activity! It is the responsibility of the person initiating a sex act to obtain clear, affirmative consent. Whenever you are unsure if consent has been given, you need to ask. Check-in with your partner.

Remember: Consent CANNOT be given if someone is....

- Unconscious, unresponsive, asleep, or incapacitated by alcohol or drugs
- Under the age of 18
- Unable to communicate due to mental or physical condition

Who Should You Contact?

CAMPUS RESOURCES

CSUSM Title IX Coordinator: Bridget Blanshan

Associate Vice President for Student Development Services

Address: Craven Hall 3600 (moving soon to Craven Hall 3200)

Email: bblansha@csusm.edu

Phone: (760) 750-6020

Monday-Friday 8AM to 5PM, closed during campus closure days

Deputy Title IX Coordinator/DHR Administrator: Gail Mendez

Address: Craven Hall 3600 (moving soon to Craven Hall 3200)

Email: gmendez@csusm.edu

Phone: (760) 750-6020

Monday-Friday 8AM to 5PM, closed during campus closure days

University Police Department

Address: 425 La Moree Road

Phone: (760) 750-4567 or 911 on campus phones

www.csusm.edu/police/

Student Health and Counseling Services * & Sexual Violence Advocate & Educator,*

Christa Wencil, cwencil@csusm.edu

Address: Bldg. 21, (located adjacent to the parking structure and across from the University Student Union)

Phone: (760) 750-4915 (ext. 7 for Christa Wencil)

Monday-Friday 8AM to 5PM, closed during campus closure days

Website: www.csusm.edu/shcs/

www.csusm.edu/shcs/advocate

OFF-CAMPUS RESOURCES

Center for Community Solutions (CCS) *

Address: 210 S. Juniper St., Suite 101, Escondido, CA 92025

Monday-Friday 8:30AM to 5:30PM; Phone: (760) 747-6282

24-Hour Crisis Hotline: (888) 385-4657 (Bilingual)

Website: www.ccssd.org

Women’s Resource Center *

Address: 1963 Apple St., Oceanside, CA 92054

Monday-Friday 9AM to 5PM; Phone: (760) 547-8800

24-Hour Hotline: (760) 757-3500

Website: www.wrcsd.org

U.S. Department of Education, Office of Civil Rights

Address: 50 Beale Street, Suite 7200, San Francisco, CA 94105-1813

Email: ocr.sanfrancisco@ed.gov

Phone: (415) 486-5555 or (800) 421-3481

FAX: (415) 486-5570; TDD: (800) 877-8339

If you wish to fill out a complaint form online with the OCR, you may do so at www2.ed.gov/about/offices/list/ocr/complaintintro.html

**CONFIDENTIAL – except as noted by law, individuals in these locations are not required to report incidents of sexual misconduct to the CSUSM Title IX Coordinator or designee without consent of the victim/survivor.*

Portions of this brochure were adapted from materials by San Francisco State University, San Diego State University and CSU San Bernardino

CSUSM Title IX



Promoting Gender Equity & Preventing Sexual Violence

Information for Students



California State University
SAN MARCOS

<http://www.csusm.edu/title9/>