

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 exists where submission to unwanted/unwelcomed sexual conduct is made as a condition of employment, or employment benefits, or is used as a basis for employment decisions affecting a certain individual or when unwelcome sexual conduct has the purpose of unreasonably interfering with an individual's work performance.
- 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.
- Gender based Domestic Violence or Stalking also constitute Sexual Misconduct.
- Sexual Misconduct may include using physical force, violence, threat, or intimidation, ignoring the objections of the other person, or taking advantage of the other person's incapacitation to engage in sexual activity.
- Men as well as women can be victims of these forms of Sexual Misconduct.

Sexual Misconduct & Assault

When a victim/survivor discloses to you:

- **Respond with support;** affirm the person's courage for speaking up and reiterate that the responsibility for the violation resides with the perpetrator.
- **Listen with unconditional positive regard;** resist common myths and misconceptions that unfairly blame victims for their victimization.
- **Take the report seriously;** reports of sexual harassment and sexual assault should never be regarded as the result of "misunderstanding" or "morning regrets," and while false reports do occur, their incidence is rare.
- **Provide referrals ASAP;** appropriate programs/services are listed on the back of this brochure.
- **Defer to the victim/survivor's wishes for next steps;** rather than advocate for a particular course of action, explore the pros/cons of each choice with them, and support their decision.
- **Inform the victim/survivor that you are mandated to report the incident to the Title IX Coordinator or designee; however, the Title IX Coordinator will consult with the victim/survivor about how to proceed.***

**The privacy and support of students who have experiences sexual misconduct is of paramount importance. CSUSM must weigh requests for confidentiality with our duty to investigate and respond to complaints in order to provide a safe and nondiscriminatory environment for all members of our community. While strict confidentiality cannot be ensured, we will strive to protect the privacy of the reporting party to the fullest extent possible.*

Employee Title IX Responsibilities

1. Most CSUSM employees are required to make a report to the Title IX Coordinator or designee if notified about gender discrimination, harassment, or violence. If you are unsure about whether to report, please consult with the Title IX Coordinator.*
2. Complete Title IX training by deadlines as required.
3. Refer victim/survivors of sexual misconduct to appropriate resources immediately.

**Exceptions to this obligation are limited to employees whose positions include legal confidentiality protections such as medical and mental health providers, sexual assault advocates, and in some cases, University Police Department.*

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

Reporting Sexual Misconduct

All allegations of discrimination, harassment or retaliation (DHR) based on sex, gender or sexual orientation, made against students, faculty, staff, applicants or third parties associated with the campus, should be reported to the Title IX Coordinator or designee.

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



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 so that immediate action can be taken to protect the victim/survivor, and to correct and eliminate the cause of sexual misconduct.
- Other CSUSM employees (sexual assault advocate, physicians, mental health counselors, and 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, but will report the facts of the incident to the Title IX Coordinator or designee, including the identity of the perpetrator.
- **For more information on confidentiality,** please read the document [Rights and Options for Victims of Sexual Misconduct](#) by visiting the CSUSM Title IX website at www.csusm.edu/title9

Prohibited Conduct Under CSU Executive Orders

The CSU prohibits:

1. Discrimination, including Harassment, because of any Protected Status: i.e., Age, Disability, Gender, Genetic Information, Gender Identity or Expression, Marital Status, Medical Condition, Nationality, Race or Ethnicity, Religion, Sexual Orientation, and Veteran or Military Status*;
2. Retaliation for exercising rights under this policy, opposing Discrimination or Harassment because of a Protected Status, or for participating in any manner in any related investigation or proceeding;
3. Dating and Domestic Violence, and Stalking;
4. Sexual Misconduct of any kind, which includes sexual activity engaged in without Affirmative Consent; and,
5. Employees from entering into a consensual relationship with any Student over whom s/he exercises direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority.

The University shall respond promptly and effectively to all complaints and shall take appropriate action to prevent, correct, and discipline conduct that violates its policies.

Employees and Students who are found to have violated this policy shall be subject to discipline commensurate to the violation. If Employee discipline is warranted, it shall be administered in a manner consistent with applicable collective bargaining agreements, CSU policies, and legal requirements.

**To report all other forms of Discrimination (NOT based on Gender, Gender Identity or Expression, or Sexual Orientation) please contact Dr. Bridget Blanshan, Associate Vice President, Student Affairs, bbblanshan@csusm.edu; or Meng "May" Zhang, Deputy Title IX Coordinator/DHR Administrator, mzhang@csusm.edu; (760) 750-6020, Administrative Building 3200.*

Applicable CSU Policy and Procedures

- **CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**
<https://calstate.policystat.com/policy/12891658/latest>
- **Procedures for Complaints of Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation Made Against a Student**
<https://calstate.policystat.com/policy/12891658/latest#autoid-56krv>
- **Procedures for Complaints of Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation Made Against an Employee or Third-Party**
<https://calstate.policystat.com/policy/12891658/latest#autoid-j378k>

Resources for Referral:

CAMPUS RESOURCES

CSUSM Interim Title IX Coordinator: Corinne Vorenkamp

Address: Administrative Building 3200

Email: cvorenkamp@csusm.edu

Phone: (760) 750-6020

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

Deputy Title IX Coordinator/DHR Administrator: Meng "May" Zhang

Address: Administrative Building 3200

Email: mzhang@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,*

advocates@csusm.edu

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

Phone: (760) 750-4915 (Crisis/Walk-In) or (760) 750-4912 (Non-urgent)

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.*

CSUSM Title IX



**Promoting Gender
Equity & Preventing
Sexual Violence**
Information for Faculty & Staff



California State University
SAN MARCOS

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