

## You Have the Right to:

- feel safe.
- say “NO” and not feel guilty.
- a relationship with someone who respects your wishes and boundaries.
- be assertive and direct with someone who is sexually pressuring you.
- change your mind. If you are not sure what you want, it’s ok to STOP and think about it.
- be in a relationship free of violence and abuse.
- make a confidential police report. Your name can remain confidential as a matter of public record.

## Be an Active Bystander

Do something when you see risky behavior.

It is better to be proactive and have the threat not fully materialize than to look the other way and have the situation escalate out of control. Do not assume that someone else is taking care of it. If you feel threatened or if it is unsafe to intervene, **call 911**.

## Reluctance to Report

Sexual assault victims may be hesitant to report an assault to the police for many reasons. Victims may be afraid no one will believe them or that they will be blamed for the assault. They may feel embarrassed or that it’s too personal to share with strangers. Some victims believe they will bring shame to their family and never report the incident.

Reporting an assault is a way of regaining your sense of personal power and control. It assists you in doing something about the assault committed against you. By reporting the incident, you can also help prevent others who may be victimized.

## Reporting to the Police

Any acts of criminal sexual activity and incidents of sexual violence—such as, **sexual assault, domestic or dating violence and stalking**—can be reported by dialing 911 or contacting University Police at 909.537.7777.

University Police maintains an anonymous hotline, 909.537.7786, and an anonymous email, [reportcrime@csusb.edu](mailto:reportcrime@csusb.edu), for reporting criminal or suspicious activity on campus.

The Title IX Coordinator will work with University Police on cases which are reported to both entities.

**A campus administrative investigation may occur concurrently with a criminal investigation.**

## Reporting Sexual Misconduct and Filing Complaints

### What to Report?

All allegations of sex discrimination, sexual harassment, sexual misconduct, dating or domestic violence, or stalking, on the basis of gender, which includes sex and gender identity or expression, or sexual orientation, which are made against students, faculty, staff, applicants or third parties associated with the campus, should be referred to the Title IX Coordinator.

If you would like to submit a complaint, or a concern, go to our website at <http://titleix.csusb.edu> and click on the “File a report here” button at the top of the page, or you may email, call or visit our office (contact information below).

You also have the option to file a complaint with: Office of Civil Rights, U.S. Department of Education, 415.486.5555 [OCR@ed.gov](mailto:OCR@ed.gov)

**Please know that it is illegal to be retaliated against for reporting an incident or participating in an investigation.**

### Who is the CSUSB Title IX Coordinator?

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Training and education are a vital part of helping to stop sexual harassment. End Sexual Violence Training for students is mandatory, once per academic year.



## Institutional Equity and Compliance

## Sexual Harassment or Sex Discrimination Can Happen to Anyone

Our goal is to help increase awareness of what constitutes sexual harassment, sex discrimination, consent and being an active bystander, plus understanding what should be reported and to whom.



## What Is Title IX?

A federal law that applies to educational institutions receiving federal financial assistance and prohibits discrimination on the basis of sex in programs or activities, including employment, academic, educational, extracurricular and athletic activities (both on and off Campus). Title IX protects all people regardless of gender, sexual orientation, or gender identity or expression, from sex discrimination, including sexual harassment and sexual misconduct, which are forms of sex discrimination.

### Sexual Harassment

This 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, where the conduct is explicitly or implicitly used as the basis for certain decisions or could create an intimidating, hostile or offensive environment. While relationships may *begin* as consensual, they may *evolve* into situations that lead to **sexual harassment** or **sexual misconduct**, including **dating** or **domestic violence**, or **stalking**.

### Sexual Misconduct

All sexual activity must be based on **affirmative consent**. Engaging in any sexual activity without first obtaining affirmative consent to the specific activity is **sexual misconduct**, whether or not the conduct violates any civil or criminal law. Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part and oral sex. It also includes any unwelcome physical sexual acts, such as unwelcome **sexual touching**, **sexual assault**, **sexual battery**, **rape** and **dating violence**. When based on gender, **domestic violence** and **stalking** also constitute **sexual misconduct**. **Sexual misconduct** may include using physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication) to engage in sexual activity.

### Dating Violence

This is abuse committed by a person who is or has been in a social or dating relationship of a romantic or intimate nature with the victim. This may include someone the victim just met; i.e., at a party, introduced through a friend, or on a social networking website. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another

person in reasonable apprehension of imminent serious bodily injury to him/herself, or another. Abuse does not include non-physical, emotional distress or injury.

### Domestic Violence

This is abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the abuser has a child; someone with whom the abuser has or had a dating or engagement relationship; or a person similarly situated under California domestic or family violence law. Cohabitant means two unrelated persons living together for a substantial period of time, resulting in some permanency of relationship. It does not include roommates who do not have a romantic, intimate, or sexual relationship. For purposes of this definition, "abuse" means intentionally or recklessly causing or attempting to cause bodily injury or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another. Abuse does not include non-physical, emotional distress or injury.

### Stalking

This means engaging in a repeated conduct, two or more times, directed at a specific person that would cause a reasonable person to fear for his/her or others' safety or to suffer substantial emotional distress. It is a pattern of behavior that makes one feel afraid, nervous, harassed or in danger. It may be when someone repeatedly contacts specific person, follows them, sends things, talks to them when they don't want them to or threatens them.

## Sexual Violence and 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. Do not disturb anything at the scene of the assault or throw away any evidence.
3. Contact someone for help and support.
4. Go to a hospital for medical care. You will be given a physical exam and options for the prevention of pregnancy and STDs. (Even if several days have passed since the assault, it is still important to get medical care.)
5. Medical professionals are required to notify the police whenever they treat a rape victim but the decision to make a formal police report is still yours.
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.

## Resources

CSUSB Title IX Coordinator	909.537.5669
Campus Survivor's Advocate	909.537.7354
Counseling and Psychological Services	909.537.5040
University Police Department	909.537.7777
Women's Resource Center	909.537.7203
Partners Against Violence	909.885.8884

(24-hour hotline; bilingual counselors on call)

*See additional resources & info on our website.*

### Affirmative Consent Is Key!

If someone has been sexual with you without your consent, or if you have ever felt coerced or forced into having sex, you are not alone. *Sex without consent is sexual assault.*

### When Should You Ask for Consent?

Ask before you act! It is the responsibility of the person initiating a sex act to obtain **affirmative consent**. Whenever you are unsure if consent has been given, you need to ask. Check-with your partner. Also, a person has the right to change his/her mind anywhere in the process.

### How Do You Ask for Consent?

Consent is about getting a clear answer. It can also be understanding what your partner is feeling. Pay attention to verbal, non-verbal and physical responses.

### Consent Is Not Silence or Passivity

Don't make assumptions about consent. If an individual feels pressured, uncertain, or is having difficulty communicating and is afraid of how his/her partner may react to a "NO" response, then it is not freely given, so it's *not affirmative consent*.

**Remember:** If someone is incapacitated by alcohol or drugs, s/he is unable to give valid **consent** to sexual activity. A minor under 18 is legally incapable of giving **consent**.