

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation,  
Dating Violence, Domestic Violence, Stalking, and Retaliation  
Attachment A  
Revised January 1, 2022**

## Attachment A: Additional Information on Implementing the Legal Requirements Prohibiting Sex Discrimination

### Policy

The California State University (CSU) is committed to creating and sustaining an educational and working environment free of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking.<sup>1</sup> The safety and well-being of our Campus communities is a priority for the University.

The CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation, the Procedures for Complaints of Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation Made Against an Employee or Third-Party, the Procedures for Complaints of Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation Made Against a Student, and Executive Order 1098 Student Conduct Procedures, provide direction on implementing Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681 *et seq.*); the Violence Against Women Reauthorization Act of 2013 (which amends the Jeanne Clery Disclosure of Campus Security and Campus Crimes Statistics Act, commonly known as the Clery Act) (20 U.S.C. 1092(f)) (VAWA) under its Campus Sexual Violence Elimination Act provision (Campus SaVE Act); Title IV of the 1964 Civil Rights Act (42 U.S.C. § 2000c *et seq.*); the California Equity in Higher Education Act (Cal. Educ. Code § 66250 to 66292.4; the California Donahoe Higher Education Act (Cal. Educ. §§ 66000 *et seq.*); among other applicable state and federal laws and related regulations.

### Legislative Requirements

Title IX is a federal law that applies to educational institutions receiving federal financial assistance and prohibits discrimination on the basis of sex in an educational institution's programs or activities, including employment, academic, educational, extracurricular, and athletic activities (both on and off campus). Title IX protects all people regardless of their Gender, Sexual Orientation, or Gender Identity or Expression, from Sex Discrimination, including Sexual Harassment and Sexual Misconduct, which are forms of Sex Discrimination. Title IX requires institutions to take necessary steps to prevent Sex Discrimination on their campuses, and to respond promptly and effectively when Sex Discrimination is reported. The Clery Act requires colleges and universities to report annual statistics on crime, including Sexual Assault and Rape, on or near their Campuses, and to develop and disseminate prevention policies. VAWA/Campus SaVE Act provides that Dating and Domestic Violence, and Stalking must be included in Campus Clery reports, and also requires that institutional policies address and prevent Sexual Misconduct, Dating and Domestic Violence, and Stalking through training, education, and certain discipline procedures.<sup>2</sup> California Education Code § 67386 requires other institutional policies, including the adoption of an Affirmative Consent standard in assessing Sexual Misconduct. The California Equity in Higher Education Act prohibits discrimination based on any Protected

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<sup>1</sup> These and other key capitalized terms are defined in the CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation and corresponding Procedures.

<sup>2</sup> Clery reporting is addressed in [Executive Order 1107 Implementation of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act \("the Clery Act"\)](#), and student discipline procedures are addressed in [Executive Order 1098 Student Conduct Procedures](#).

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Status, including Gender or Sex, in all postsecondary institutions in the state. California Education Code §67385.7 *et seq.* requires the CSU to provide educational and preventive information about Sexual Misconduct to Students.

Together, these laws require CSU Campuses to (1) publish and widely disseminate a Notice of Nondiscrimination on the Basis of Gender or Sex; (2) designate one Employee to coordinate Title IX compliance (including compliance with VAWA/Campus SaVE Act, and all other relevant Sexual Discrimination/Harassment/Misconduct legislation); (3) adopt appropriate complaint and investigation procedures; (4) implement education and prevention programs for Students and Employees; (5) provide Supportive Measures and Remedies for victims of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking; (5) provide written rights and options information to victims of Sexual Misconduct; (6) provide training to the campus community on how to prevent, identify and report Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking; (7) provide training on how to conduct investigations to those Employees who investigate such allegations of Sexual Misconduct; (8) provide training to all other employees involved in the hearing and appeals of complaints of Sex Discrimination, Sexual Harassment, Sexual Misconduct, Sexual Exploitation, Dating and Domestic Violence, and Stalking.

### Notice of Nondiscrimination on the Basis of Gender or Sex

Each CSU campus is required to post a **Notice of Nondiscrimination on the Basis of Gender or Sex** prominently on its website. The Notice must also be: (1) posted at campus locations where other notices regarding campus policies are posted, as well as published in electronic and printed publications of general distribution that provide information to Students and Employees about the University's services and policies; and, (2) distributed to all Employees and all Students at the beginning of the fall term every academic year (no earlier than two weeks before and no later than two weeks after the first day of classes). Distribution may be electronic.

The Notice must contain specific information, including contact information for the U.S. Department of Education, Office for Civil Rights, and the campus Title IX Coordinator, as well as any Deputy Title IX Coordinator(s).

Below is the **Notice of Nondiscrimination on the Basis of Gender or Sex** form that campuses shall make available in the manner described above. Aside from inserting information regarding campus administrators and on and off campus/local resources where indicated on the form, campuses **shall not** make any other changes to the Notice. The Notice must identify the campus Title IX Coordinator and any Deputy Title IX Coordinator(s), and their respective roles and responsibilities on campus.<sup>3</sup>

**NOTICE OF NON-DISCRIMINATION ON THE BASIS  
OF GENDER OR SEX**

The California State University does not discriminate on the basis of gender, which includes sex and gender identity or gender expression, or sexual orientation, in its education programs or activities.

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<sup>3</sup> See also Attachment E, Myths and Facts about Sexual Misconduct/Sexual Assault, which should be published and distributed alongside the Notice of Nondiscrimination on the Basis of Gender or Sex.

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Title IX of the Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on the basis of gender or sexual orientation in employment, as well as in all education programs and activities operated by the University (both on and off campus), including admissions. The protection against discrimination on the basis of gender or sexual orientation includes sexual harassment, sexual misconduct, sexual exploitation, dating and domestic violence, and stalking.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to have experienced the conduct that could constitute sex discrimination or sexual harassment), in-person, by mail, by telephone, or by electronic mail, using the contact information listed below for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator.

The following person has been designated to handle inquiries regarding the non-discrimination Policies and Title IX complaints for [Campus]:

[Title IX Coordinator's Name]

[Title]

[Office Address]

[E-mail Address]

[Telephone Number]

[Web Address]

**Questions may also be addressed to:**

Office for Civil Rights  
San Francisco Office  
U.S. Department of Education  
50 United Nations Plaza  
San Francisco, CA 94102  
Telephone: (415) 486-5555  
Facsimile: (415) 486-5570  
Email: [OCR.SanFrancisco@ed.gov](mailto:OCR.SanFrancisco@ed.gov)

Notice of Rights and Options for Victims of Sexual Misconduct/Sexual Assault, Sexual Exploitation, Dating or Domestic Violence or Stalking

A **written** explanation of rights and options must be provided to a Student, Employee or Third Party **who reports to the University that they have been a victim** of Sexual Misconduct/Sexual Assault, Sexual

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Exploitation Dating or Domestic Violence, or Stalking, whether the offense occurred on or off campus. It is the Title IX Coordinator's responsibility to ensure this written Notice is provided to the Complainant/victim(s).

**Attachment D** is the written explanation of *Rights and Options for Victims of Sexual Misconduct/Sexual Assault, Sexual Exploitation, Dating or Domestic Violence, or Stalking* form campuses shall provide to Complainants/victims. Aside from inserting information regarding campus administrators or local resources where indicated on the form, campuses **shall not** make any other changes to the form.