

UC SANTA CRUZ



**FAIRNESS IN  
ACCOUNTABILITY,  
EQUITY IN  
INCLUSION**

TITLE IX  
ANNUAL  
REPORT

2018–19

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## Letter from UCSC Chancellor and Interim Campus Provost/EVC

Dear UC Santa Cruz Faculty, Students and Staff,

We are pleased to introduce to you *Fairness in Accountability, Equity in Inclusion*, the first installment of our commitment to produce annual reports detailing the important work being done by the UC Santa Cruz Title IX Office.

With increased awareness of the prevalence of sexual violence and sexual harassment in higher education, there is significant, justifiable interest in what colleges and universities are doing to combat it. Our hope is that this yearly summary will serve as a useful addition to our campus efforts to create a campus where every student, faculty, and staff member is protected from sexual harassment, sexual violence, and gender-based harassment and discrimination.

Creating a more equitable and discrimination-free campus will not be easy. Sexual violence and harassment are deeply rooted in society, and the legal and political landscape surrounding the issues remains challenging. We have new systemwide regulations in place, while the federal Department of Education has proposed its own Title IX rules. It is vital in this environment that we have an office committed to fairness, due process, and best practices — in short, an office that is committed to doing things right. We also need a process that reflects our institutional values. We are confident we have both, and we believe this report demonstrates that.

It is important that we remember why the issue of sexual violence and harassment has garnered so much attention, both locally and nationally, and why addressing it requires so much time and thought: It can be devastating for those who experience it, and harmful to those around them and to the broader community, undermining our educational environment and our ability to carry out the mission and central functions of the university.

We thank the courageous people who step forward to report their experiences to our Title IX Office and participate in the adjudication process. Our campus is a safer place because of their bravery. Sexual misconduct has no place at UCSC, and we will continue working hard to create a community that is inclusive and welcoming to all.

Sincerely,



Cynthia Larive  
UCSC Chancellor



Lori Kletzer  
Interim Campus Provost/  
Executive Vice Chancellor

## Letter from Systemwide Title IX Coordinator

Dear UC Santa Cruz Community,

I am pleased to be part of UC Santa Cruz's first annual Title IX report, *Fairness in Accountability, Equity in Inclusion*. Members of your campus community work hard every day to further important objectives related to Sexual Violence and Sexual Harassment (SVSH). These objectives—shared across the UC system—include fostering a culture of safety, respect, accountability and inclusion; providing clarity, fairness, and timeliness in case resolutions; ensuring that sanctions are commensurate with substantiated conduct; and continually improving our prevention and response efforts. This report furthers those critical goals.

Recent revisions to our systemwide SVSH policies are one of the timely topics discussed in the report. Some changes we made on our own initiative, to improve upon the processes already in place. Some changes were required by law or outside agencies. Regardless of the impetus, we sought and carefully considered input on the changes from students, faculty, and staff throughout UC. This input helped ensure that we continue to provide processes that are fair, treat parties with respect and compassion, and result in just outcomes. I value the passion and engagement we saw and continue to see from stakeholders on your campus.

Also, I am so proud of UC Santa Cruz's Title IX professionals and their campus partners. The individuals who do SVSH-related work at UC Santa Cruz care deeply about students, and are committed to excellence, integrity, and kindness in all that they do. They make your campus a better place.

Finally, I am grateful for your partnership in this critically important work. We will continue building on the tremendous progress we have already made, together. Publication of this report is a great step forward. Thank you for your willingness to read and learn from it.

Kind Regards,



Suzanne Taylor

Systemwide Title IX Director

# SUMMARY

The Title IX Office at the University of California, Santa Cruz, is dedicated to fostering a climate in which members of the campus community are protected from all forms of sex discrimination, including sexual harassment, sexual violence, and gender-based harassment and discrimination. The Title IX Office is responsible for ensuring the safety, inclusion, and respect for all individuals at the university. This annual report was created with two goals in mind: to provide visibility and greater transparency to the work of the Title IX Office, and to initiate a conversation about what Title IX is and community accountability on campus.

## What is Title IX?

Title IX is a comprehensive federal civil rights law passed as part of the Education Amendments of 1972. It prohibits discrimination on the basis of sex in any federally funded education program or activity. However, Title IX is more than prohibiting sex discrimination. It's about protecting and ensuring equity and inclusion in an educational setting, such as the UC Santa Cruz campus.

## Your Rights Under Title IX

Title IX prohibits sex discrimination in educational programs, which includes housing and activities sponsored by the university, employment, and admission. Sex discrimination, which is inherently a broad category, includes sexual harassment, sexual assault, dating and domestic violence, stalking, invasions of sexual privacy, and gender-based discrimination. Additionally, Title IX prohibits discrimination against people who are pregnant, people who are nursing, and parents. Everyone is protected by Title IX, regardless of their actual or perceived sex, gender identity, and/or gender expression. The Title IX Office does not record or report citizenship status.

## What Does the Title IX Office Do?

The Title IX Office provides assistance in resolving and investigating complaints of sex and gender discrimination, including: sexual harassment, and sexual violence (sexual assault, dating violence, domestic violence, stalking,

**// No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.**

**Title IX, Education Amendments of 1972, Section 1681(a)**

and invasions of sexual privacy). The Title IX Office can provide supportive, preventive, and educational measures in response to reports. The Title IX Office also provides formal complaint resolution options which include alternative resolutions or formal investigation.

In addition, the Title IX Office ensures gender equity and access, which includes providing strategies for increasing diversity in recruitments and retention; gender-inclusive practices in pedagogy, supervision, and service philosophy; employment and academic support during pregnancy (gestation or termination); and lactation room access and accommodations. The Title IX Office also supports the LGBTQA+ community with support in response to harassment and bullying on the basis of gender identity and gender expression; instances of sexual violence and harassment where respondents and complainants are gender queer and/or of the same gender; employment and academic support during the gender-affirmation process; and access to all-gender restrooms.

When the Title IX Office receives a report, it will prioritize the safety of the complainant when determining how to proceed. If appropriate and feasible, the Title IX Office will implement safety measures for a complainant. When the complainant does not want a formal investigation, the Title IX Office will review options for alternative resolution with the complainant to address the matter. The Title IX Office may delay its investigation temporarily, so as not to interfere with a criminal investigation, when the complainant has made a police report and asks for a formal investigation.

While the Title IX Office may assist complainants who are students, staff, faculty, and nonaffiliates, they can investigate allegations of policy violations only if the respondent is a campus affiliate. The Title IX Office and the disciplinary bodies have authority only over campus affiliates.

The Title IX Office must ensure a fair and neutral investigatory process. The Title IX Office does not represent either party during a complaint Resolution Process. Both parties are afforded the same rights to support services, information, and participation during the investigation.

When a completed investigation results in a policy violation finding, the finding(s) will be forwarded to the appropriate office to conduct the adjudication process. The status of the respondent (student, staff, or faculty) determines which office has responsibility for the adjudication process.

## How to Report

**// Anyone can report to the Title IX Office using the online reporting option available on [titleix.ucsc.edu](https://titleix.ucsc.edu), by calling (831) 459-2462, or by walking in to Kerr Hall Room 105.**

# ABOUT US



**The Title IX Office at UC Santa Cruz** is committed to responding meaningfully when it is made aware of any form of gender-based discrimination on campus. In addition to implementing the UC Policy on Sexual Violence and Sexual Harrassment (SVSH), the Title IX Office protects students, staff and faculty, from discrimination on the basis of sexual orientation or gender identity. This section of the report will provide an overview of the Title IX Office team, as well as highlight critical campus partners and collaborations, such as the Campus Advocacy Resources and Education (CARE) program, Respondent Support Services (RSS), the Coordinated Community Review Team (CCRT), and the Beyond Compliance Advisory Council.

ABOVE: The Title IX Office team at UC Santa Cruz.

## The Title IX Office Team



**Note:**

\*These are new positions funded by the Campus Provost/Executive Vice Chancellor in response to the UC Office of the President Systemwide Title IX Office California State Auditor Recommendation/Implementation Strategic Plan. The student interns, as well as one currently vacant position, are also part of this funding effort.



## Universitywide Education and Engagement

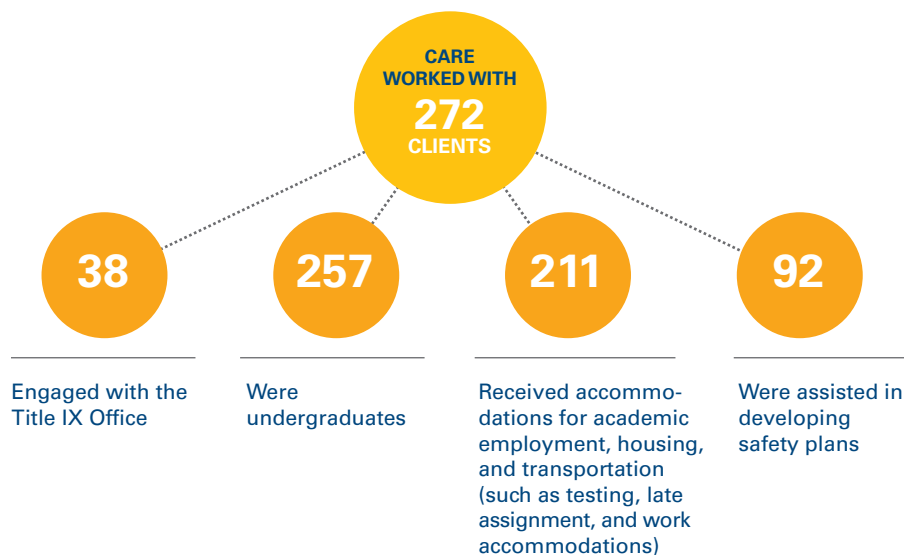
As part of a UC-wide effort to prevent and address Sexual Violence and Sexual Harassment (SVSH), all UC Santa Cruz students and employees are required to complete ongoing SVSH prevention training. Trainings are delivered online and in person. Title IX works with campus partners, such as the Registrar’s Office; Orientation Services; the Graduate Division; the Office for Diversity, Equity, and Inclusion; Campus Advocacy Resources and Education (CARE); Colleges, Housing, and Educational Services (CHES); the Learning Center; and individual offices and departments. We work with these partners to provide tailored trainings to ensure that all affiliates are aware of their reporting options and campus resources in response to reports that are received, and to ensure that responsible employees are aware of their reporting responsibilities and how to support someone who has made a disclosure. In 2018–19, the Title IX Office conducted 78 in-person trainings for almost 10,000 (9,792) campus affiliates. Additionally, the Title IX Office implemented a train-the-trainer model in collaboration with CHES, and provided training to coordinators for residential education (CRE) who supervise student leaders serving residents on our campus. CREs then provided secondary training to the student leaders they supervise.

Training is mandatory, but an alternative training option can be requested through CARE for those who have been impacted by sexual violence.

## Related Resources

### CARE (Confidential), 2018–19

Campus Advocacy Resources and Education (CARE) is a safe place for survivors and victims of sexual assault, dating and domestic violence, stalking, and sexual harassment to get support, consultation, and crisis counseling services.



CARE advocates are available to support and advocate for UC Santa Cruz victims and survivors. A CARE advocate can provide free and confidential support and information on rights as a survivor; reporting options; navigating the university conduct system and/or the criminal justice system; obtaining emergency protective orders, restraining orders or university no-contact directives; and counseling or medical referrals through UCSC or outside community agencies. A CARE advocate may accompany a survivor to law enforcement or Title IX interviews, phone calls, or any other proceedings; arrange academic accommodations; request changes in living arrangements; request changes in transportation arrangements; and request changes in work situations.

## Respondent Support Services (Non-Confidential), 2018–19

Respondent Support Services (RSS) provides comprehensive support and assistance to student respondents alleged to have engaged in sexual misconduct (sexual assault, sexual violence, dating/violence, stalking, or sexual harassment). Students can access RSS through the Dean of Students office, while faculty and staff can also access services through a separate channel outside of the Dean of Students office. RSS helps a respondent navigate the complaint, investigation, and/or adjudication process, as well as the associated impacts—directly and/or indirectly—by referring a respondent to available campus and community resources. While this service is not confidential, the staff member who provides the service will typically not share information disclosed in the course of facilitation and support without a signed release and consent from the respondent. The designated staff member who provides respondent support services is a designated employee of the University of California, and is required to notify the proper university authorities whenever an incident of sexual misconduct is reported. Services available for the respondent include navigation throughout the investigation, student conduct process, and formal hearings. As it relates to Title IX, RSS will offer support by providing an explanation of rights and the university adjudication process; guidance and support through Title IX and student conduct processes; Title IX and student conduct meeting and hearing accompaniments; and assistance in navigating logistical challenges of interim suspensions or other restrictions of privileges.



## What Is a Responsible Employee?

/// All UC employees who are not confidential are required to report sexual harassment and sexual violence to the Title IX Office if a student reports to them. Faculty, deans, and supervisors are additionally required to report sexual harassment and sexual violence reported by faculty and staff. The Title IX Office encourages staff and faculty to disclose their reporting obligations prior to receiving a report whenever possible and to promote awareness of confidential resources.

## Community Resources

### **Monarch Services (Confidential)**

Monarch Services provides safe shelter and services to domestic violence victims. The organization currently serves approximately 1,500 victims of domestic violence and sexual assault each year. To learn more, visit: <https://www.monarchsc.org/>.

### **Walnut Avenue (Confidential)**

Walnut Avenue Family and Women's Center provides support and services, such as domestic violence survivor support, so that women, children, and families have the opportunities and skills to thrive. To learn more, visit: <http://www.wafwc.org/>.

## Additional Campus Partners

The Title IX Office works with many programs and departments on campus to support students, faculty, and staff as they navigate the Title IX process. They include:

- **Campus Advocacy Resources and Education**  
*Confidential support for survivors of sexual violence*
- **Colleges, Housing, and Educational Services**  
*Student programming and trainings and housing accommodations*
- **Counseling and Psychological Services**  
*Confidential resource for students, mental health support*
- **Disability Resource Center**  
*Resource for disability accommodations*
- **Immigration Services**  
*Resource for legal advice*
- **Employee Assistance Program**  
*Confidential resource for faculty and staff mental health support*
- **Graduate Advisor Group**  
*Training and graduate student support*
- **Lionel Cantú Queer Center**  
*Resource for LGBTQ+ community*
- **Office for Diversity, Equity, and Inclusion**  
*Report hate. [ucsc.edu](http://ucsc.edu)*
- **Respondent Support Services**  
*Advisor for respondents in the Title IX process*
- **Slug Support**  
*Resource for additional support*
- **Student Health Center**  
*Resource for medical assistance*
- **UC Santa Cruz Police Department**  
*Campus safety, reporting option outside of Title IX and Clery Report*  
*- Safety Dispatch*  
*Resource for campus escort*

# CAMPUS COLLABORATION PARTNERS

The Title IX Office could not do its important work in protecting the UC Santa Cruz community without the help of several collaborative partners on campus. Some serve in an advisory capacity to the Title IX Office, while others include the Title IX Office as part of a larger cross-campus partnership.

## Coordinated Community Review Team

### Advisory group to the Title IX Office

The UC Santa Cruz Coordinated Community Review Team (CCRT) is charged with overseeing a collaborative approach to preventing and addressing sexual assault, dating violence, domestic violence, and stalking. The CCRT serves in an advisory capacity to campus leadership and community members about best practices in policies, education, prevention, and response to these kinds of incidents.

### 2018–19 Highlights:

- Increased student engagement in the Title IX Office, by adding two graduate students and two undergraduate Title IX student interns who were central to the development and presentation of the incoming student prevention trainings.
- Submitted *Proposed Conflict of Interest related to Consensual Relationships Policy* for review and developed a Frequently Asked Questions (FAQ) document to respond to concerns about the policy.
- Developed feedback surveys to be utilized after case closure for complainants and respondents participating in the Title IX process.



Title IX Office student interns conduct many of the university's prevention trainings. Pictured left to right: Ike Minton, graduate student in Music, Sona Kaur, graduate student in Psychology, Mia Buak, undergraduate student in Legal Studies, and Alea Evans, undergraduate student in Psychology.

## Beyond Compliance Advisory Council

### **Led by UC Santa Cruz faculty**

The Beyond Compliance Advisory Council was formed with the intention of involving faculty in taking a leading role in reshaping campus culture, attitude, and response toward Sexual Violence and Sexual Harassment (SVSH).

#### **2018–19 Highlights:**

- Formed a Faculty Learning Community (FLC) focused on curriculum development for topics related to SVSH.
- Researched best practices for a faculty education unit based on student-centered experiences of SVSH.
- Developed a Graduate Student Learning Community for those interested in learning about and discussing possible curricula, as well as best practices for teaching highly charged material.
- Hosted an open campus forum with CARE, RSS, Title IX, and the Student Union Assembly to discuss what we are doing to address and prevent sexual violence and sexual harassment on our campus.

## Case Management Team

### **Led by the Title IX Office, with a weekly all-Case Management Team (CMT) meeting including CARE, RSS, Student Conduct, and Athletics and Recreation**

The Case Management Team brings together key members of the support and response offices on campus to coordinate on specific reports of sexual misconduct and to review trends, identify areas of concern for the campus population, and identify necessary actions to address those areas of concern. Individual meetings are also scheduled weekly between the Title IX Office and the individual CMT members and/or on an as-needed basis.

#### **2018–19 Highlights:**

- Recruited UC Santa Cruz Athletics and Recreation to begin participating in all CMT meetings.
- Formed an SVSH Policy Revision workgroup during October–November 2018 to review the proposed revisions to the UC Policy on Sexual Violence and Sexual Harassment (SVSH) and provided collective feedback.
- Met to review Office of Civil Rights proposed Title IX legislation and provide feedback during the public comment period.
- Conducted trauma-informed training for all staff involved in conducting the student Title IX process from investigation through adjudication.

## We Are Slugs! Collaborative Team

**Led by the Office of Student Conduct, the Office for Diversity, Equity, & Inclusion, and the Title IX Office, with the support of the Registrar's Office and Student Success**

We Are Slugs! represents the coming together of three offices to administer and support incoming students in completing mandatory prevention education to address some of the very real challenges and risks that new students face. We Are Slugs! combines two previous online requirements for all incoming students—Alcohol Education for College Students and Sexual Assault Prevention—with a new online program called Diversity, Equity and Inclusion Introduction for Students. The Office of Student Conduct, the Office for Diversity, Equity, and Inclusion, the Title IX Office, and the Registrar's Office work collectively with the goal of preparing students to successfully navigate campus in effective, healthy, and inclusive ways. The three programs aim to inform students about the expectations of all UC Santa Cruz community members, improve awareness of campus resources, and create a more inclusive and safer campus experience for undergraduate students at UC Santa Cruz. An alternative training for the Sexual Assault Prevention programs is available by request to CARE for students who have been impacted by sexual violence.

### 2018–19 Highlights:

- Generated 100 percent completion rate for incoming fall students in all three programs.
- Added Sexual Assault Prevention for Adult Learners as a program option and assigned it to incoming students 25 years and older in order to better meet their needs and concerns.
- Engaged Institutional Research, Assessment, and Policy Studies (IRAPS) at UC Santa Cruz and, in collaboration with the UC Office of the President and our campus partners (UC Santa Barbara and UC Davis), designed a survey that was administered by IRAPS in February 2019 to 1,000 students.

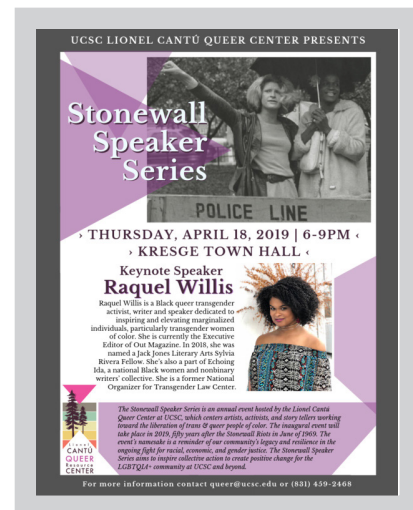
Key findings included:

- Most incoming students, including transfer students, reported having no knowledge of the topics prior to participating in each of the three programs.

### SPOTLIGHT:

## Stonewall Speaker Series

**The Stonewall Speaker Series** is an annual event hosted by the Lionel Cantú Queer Center at UC Santa Cruz, which centers on artists, activists, and storytellers working toward the liberation of trans and queer people of color. The inaugural event took place in April 2019, 50 years after the Stonewall Riots in June 1969. Raquel Willis, a black, queer, and transgender activist, was the featured speaker. She shared powerful and personal stories, and attendees noted that they appreciated the thoughtfulness of the program, the representation of a queer trans person of color, and the sense of community in the room. More than 100 students, staff, and faculty attended the event.



- The vast majority of students found the programs at least somewhat helpful to improving their knowledge.
- The three programs provide valuable information and should continue to be offered to all incoming students.

## UC Santa Cruz Police Department/ Clery Act Compliance Committee

### **Led by UC Santa Cruz Police Department and the Title IX Office with Other Campus Partners**

The Title IX Office and UC Santa Cruz Police Department work in close collaboration to promote campus safety and implement comprehensive education and prevention programs. The Clery Compliance Committee also includes the Academic Personnel Office, Admissions, CHES (Colleges, Housing, and Educational Services), the Dean of Students, the Emergency Management and Business Continuity Office, Environmental Health and Safety, the Office of the Campus Provost/Executive Vice Chancellor, the Fire Marshal, the General Counsel, Human Resources, ITS (Information and Technology Services), Risk and Safety Services, Risk Services, the Student Health Center, Student Judicial Affairs, and the Women's Center. In order to assist the university administration with achieving annual compliance with the Clery Act, UC Santa Cruz has appointed members of the campus community to the Campus Clery Act Compliance Committee. The overall charge of the Campus Clery Act Compliance Committee is to plan and facilitate activities that will directly support the campus in achieving compliance.

### **2018–19 Highlights:**

- Continued to implement federal, state, and University of California mandates related to prevention education, as well as the investigation and adjudication of instances of sexual harassment, sexual assault, dating violence, domestic violence, and stalking.
- Approved a revision to the University of California Clery Act Policy on Campus Safety and Security Reporting, which provides overarching system guidance and describes the roles and responsibilities of the University community related to compliance with legal requirements regarding crime reporting, awareness, and prevention.
- Rolled out the University of California Office of the President's (UCOP) online training component—UC Systemwide Clery Act Training for CSAs—to assist campuses with training Campus Security Authorities.
- The [UC Santa Cruz Annual Campus Security & Fire Safety Report 2018](#) was shared with the UC Santa Cruz Community on October 1, 2019, and can be found on the UC Santa Cruz Police Department website.



# PREVENTION EDUCATION

An important and vital piece of the Title IX Office's work is prevention. All campus affiliates receive ongoing training related to preventing and responding to sexual violence and sexual harassment. Additionally, the office may conduct trainings related to reports that we receive from campus affiliates.

As part of UC Santa Cruz's efforts to prevent and address Sexual Violence and Sexual Harassment (SVSH), all UC students and employees are required to complete ongoing SVSH prevention training, either in person or online.

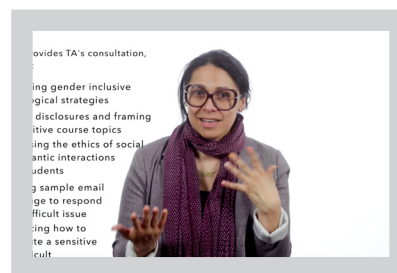
Incoming students are especially vulnerable to sexual harassment. At the start of each quarter, all incoming students receive an in-person training and are assigned an online program related to their status as an incoming graduate or undergraduate student.

All university employees are also required to complete prevention training every two years. The SVSH Prevention training for employees includes information about reporting responsibilities that employees have unless they are designated as confidential. The online SVSH prevention trainings for staff and faculty are provided through the UC Learning Center for all UC locations, but many offices and departments at UC Santa Cruz request an in-person alternative because of their strong role in responding to reports and receiving disclosures. Last year, 5,287 faculty and staff completed an online SVSH prevention training via the Learning Center.

While there is no waiver for the required trainings, students and staff who have experienced sexual misconduct may request an alternative training by contacting CARE. In 2018–19, 38 individuals completed a total of 49 alternate trainings (some individuals hold multiple roles and did alternate training for both staff and student roles). Ten of these individuals were then connected with an advocate for additional services. The 49 alternate trainings included 14 undergraduate student trainings, 16 graduate student trainings, 18 SVSH Prevention for Non-supervisors Learning Center training, and 1 SVSH Prevention for Supervisors Learning Center training.

## SPOTLIGHT:

### Ethics Training Video



In 2018–19, the Center for Innovations in Teaching and Learning (CITL) and Online Education partnered with critical campus partners, including the Title IX Office, on the creation of a module for their new course, *Teaching as an Ethical Practice: A Guide for Teaching Assistants*, a series of six multimedia educational ethics training modules. The goal of the course is to prepare new graduate student Teaching Assistants for their roles as student workers, who have the opportunity to promote educational equity, accessibility, and student success. Title IX contributed content for one module, *Responding to Sexual and Interpersonal Power-based Violence* (screenshot above), which explains what the Title IX Office is and how it can be a resource to Teaching Assistants. The modules rolled out to new and continuing graduate teaching assistants in Fall 2019.



SPOTLIGHT:

**Greek  
Leadership  
Training**

The Title IX Office also conducts targeted trainings, often in conjunction with the Campus Advocacy Resources and Education (CARE) team, for critical campus stakeholders. The targeted trainings address reports and areas of concern, in response to requests from the campus community.

Last, the Title IX Office participates in a number of engagement and awareness campaigns, which includes having a physical presence at campus events such as FallFest, STARS Move-In, and the Graduate Symposium, and circulating print materials to students about Title IX resources. Specifically in 2018–19, the Title IX Office provided thousands of My Body My Rules resource cards at in-person trainings to incoming students, handed out Resources and Options brochures to responsible employees and students, and distributed Title IX postcards to solicit feedback to the Office of Civil Rights during the public comment period for proposed changes to Title IX policies.

In partnership with CARE, the Title IX Office delivered prevention and bystander training to all Greek Leadership this year. In addition, the Title IX Office met monthly with Katherine Canales, Greek Life advisor and SOMeCA Associate Director, to ensure that Greek organizations received necessary support, consultation, and ongoing education.

Together with the Title IX Office, Greek Leadership developed a statement affirming their commitment to a safe inclusive campus, which they adopted at the Spring Quarter April 14, 2019, Inter-Greek Council Meeting:

**Greek Leadership at UCSC takes a public stance against sexual violence, sexual harassment, and gender-based discrimination. We pledge to be inclusive in our language because gendered pejoratives are limiting and offensive and have no place in Greek life. We pledge to learn more about sexual violence because understanding is a critical step in addressing and preventing sexual violence. We pledge to work to foster communities in which sexual violence is unacceptable, because everyone has a right to be safe. We pledge to support survivors.**



Photo: Stephen Louis Marino

The Title IX Office worked closely with Greek Leadership this year to develop a statement affirming their commitment to a safe inclusive campus.

## 2018–19 Prevention Education Highlights

### EVENTS

**60**  
ENGAGEMENT AND  
AWARENESS EVENTS  
ATTENDED BY  
TITLE IX STAFF

**17**  
FALL 2018 EVENTS  
INCLUDING STARS  
MOVE-IN, LA BIENVENI-  
DA AND POLICE CHIEF  
ADVISORY BOARD

**15**  
WINTER 2019 EVENTS  
INCLUDING GREEK  
COUNCIL RETREAT, COVE  
BIRTHDAY EVENT AND  
RENAISSANCE SCHOL-  
ARS EVENT

**28**  
SPRING 2019 EVENTS  
INCLUDING BLACK OUT,  
CANTÚ SPEAKER SERIES  
AND THE CHANCELLOR'S  
OPEN HOUSE

### TRAININGS

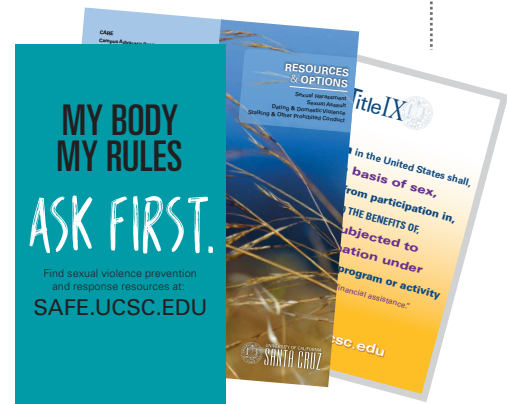
**9,792**  
STUDENTS, STAFF AND  
FACULTY WENT THROUGH  
IN-PERSON TRAINING

**4,384**  
EMPLOYEES COMPLETED  
THE SVSH PREVENTION FOR  
NON-SUPERVISOR  
TRAINING ONLINE

**903**  
FACULTY AND  
SUPERVISORS COMPLETED  
SVSH PREVENTION FOR  
SUPERVISORS  
TRAINING ONLINE

**78**  
IN-PERSON SVSH  
PREVENTION AND  
AWARENESS TRAININGS

### COMMUNICATIONS



**6,000**  
MY BODY MY RULES  
POSTCARDS  
HANDED OUT

**2,000**  
RESOURCES AND  
OPTIONS BROCHURES  
HANDED OUT TO  
STUDENTS, STAFF, AND  
FACULTY DURING  
AWARENESS EVENTS  
AND TRAININGS

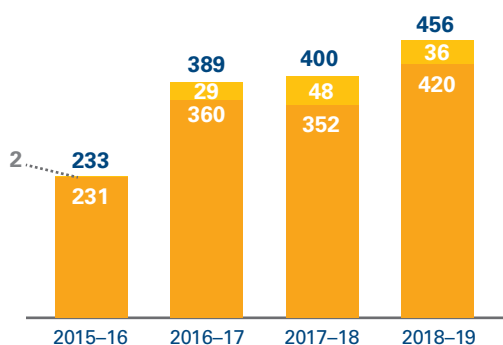
**800**  
TITLE IX POSTCARDS  
DISTRIBUTED TO  
STUDENTS AND  
STAFF DURING  
PUBLIC COMMENT  
PERIOD AND AFTER

# TITLE IX OFFICE REPORTS

In 2018–19, the Title IX Office received 420 reports regarding gender discrimination and gender-based harm, compared with 352 reports during 2017–18. While the office received 456 unique incident reports, after initial review, the office determined that 36 of these reports were not related to gender discrimination or gender-based harm and the parties were referred to the appropriate campus resource. Of the 420 reports, formal action was taken on 46 reports, compared with 41 reports during the previous academic year. Over the past four years, reporting has increased from 231 reports in 2015–16 to 420 reports in 2018–19. The significant increase in reporting year over year underscores the tremendous progress that the Title IX Office has made in raising awareness among students, faculty, and staff about reporting responsibilities and other campus resources.

## 2018–19 Report Highlights

### Increase in reporting, 2015–2019



**Note:**

**2015–16**

2 of 233 initial reports were referred outside of Title IX, remaining reports: 231

**2016–17**

29 of 389 initial reports were referred outside of Title IX, remaining reports: 360

**2017–18**

48 of 400 initial reports were referred outside of Title IX, remaining reports: 352

**2018–19**

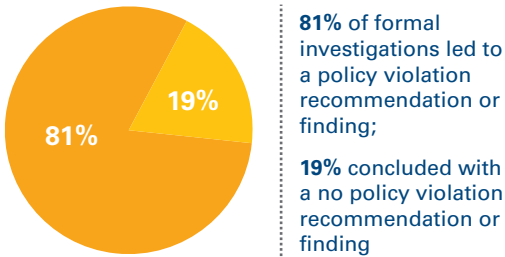
36 of 456 initial reports were referred outside of Title IX, remaining reports: 420

### Reports leading to formal action



46 of 420 reports led to formal action

### Formal investigation findings and recommendations



81% of formal investigations led to a policy violation recommendation or finding;  
19% concluded with a no policy violation recommendation or finding

### Drop-ins/Consults

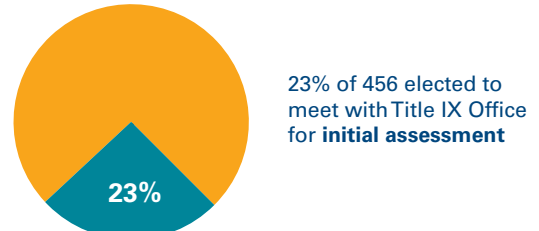


Students and staff consulted with the Title IX Office in addition to consults related to a report

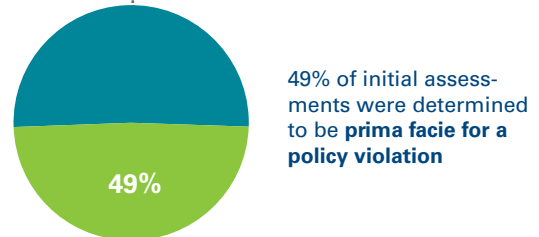


Students, staff, and faculty dropped in to the Title IX Office to report/consult

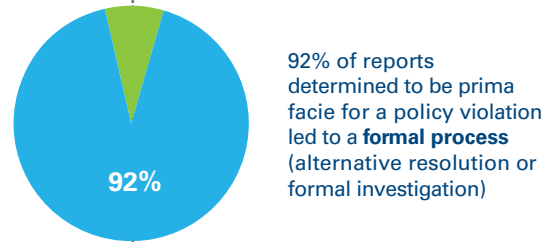
### Initial reports breakdown



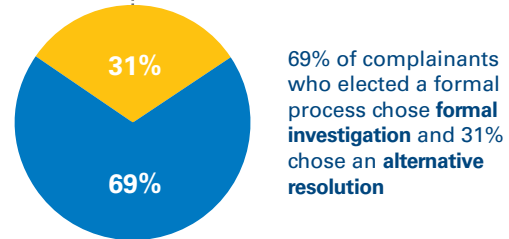
23% of 456 elected to meet with Title IX Office for initial assessment



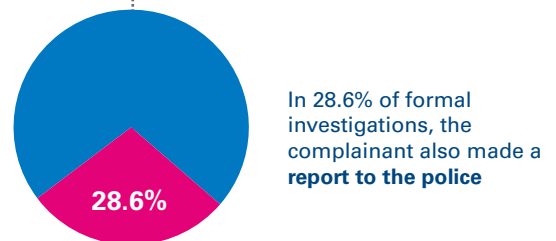
49% of initial assessments were determined to be **prima facie** for a policy violation



92% of reports determined to be prima facie for a policy violation led to a **formal process** (alternative resolution or formal investigation)

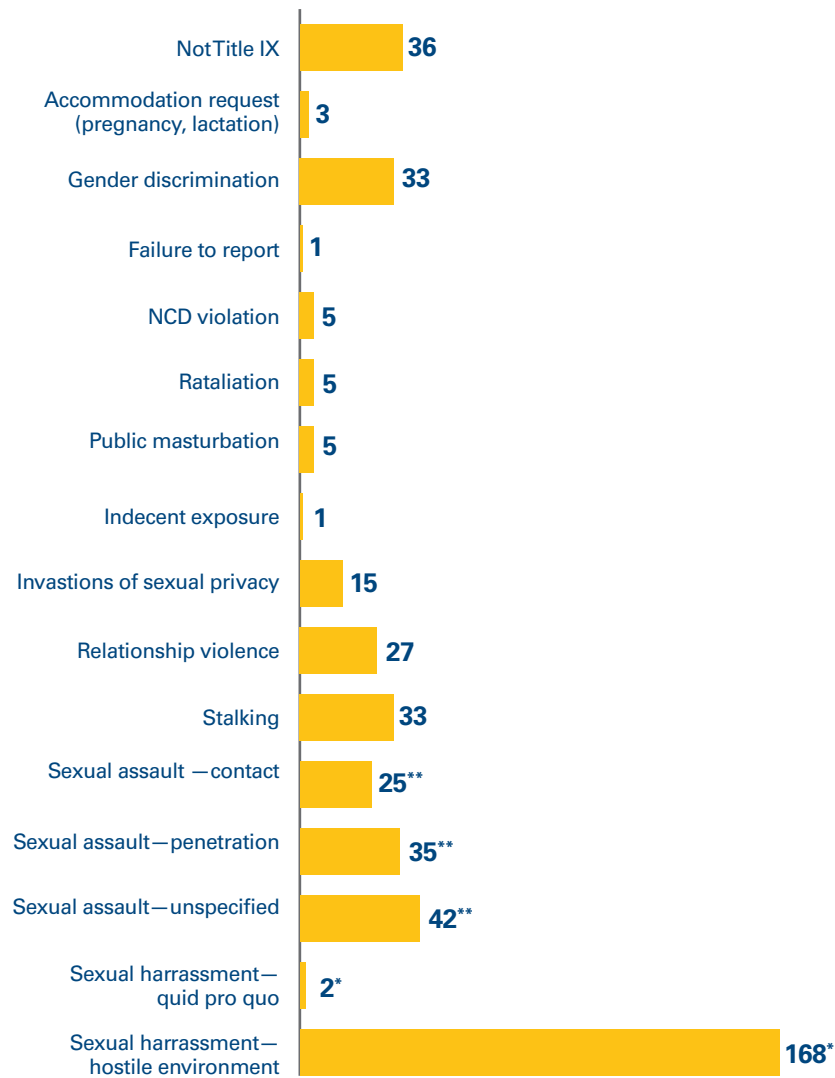


69% of complainants who elected a formal process chose **formal investigation** and 31% chose an **alternative resolution**



In 28.6% of formal investigations, the complainant also made a **report to the police**

## Incidents reported by type



**Note:**

Many reports involve more than one incident type

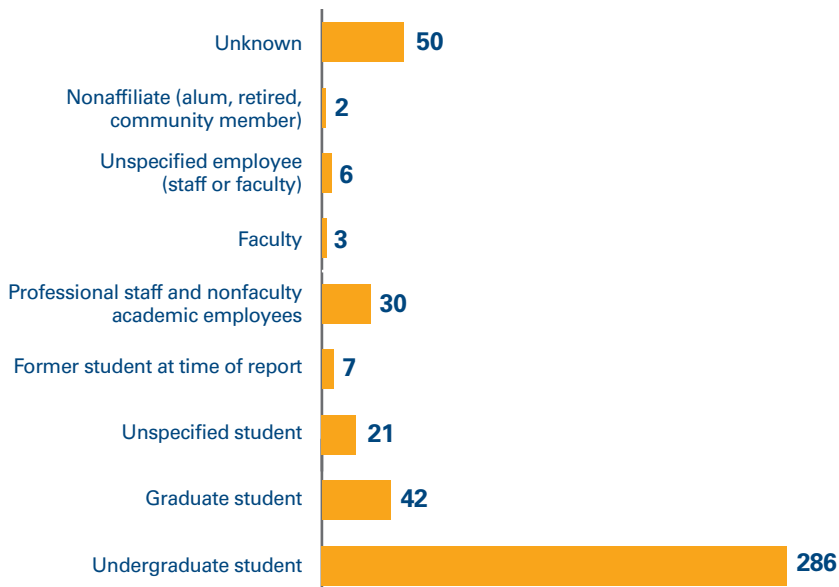
\*Total Sexual Harrasment incidents: 170

\*\*Total Sexual Assaults reported: 102

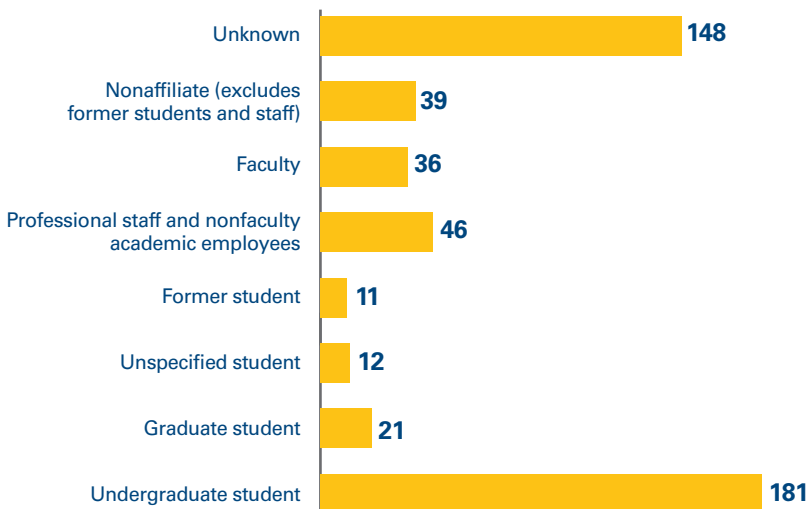
**Note:**

The total Complainant and Respondent Affiliations do not equal the total number of reports received because of incidents in which the affiliation is known but their identity is not. In these instances, a complainant or respondent will be counted in more than one way. The Title IX Office encourages reporting as much or little information as is available to the reporting party. In some reports, the affiliation of the complainant or respondent is known but their unique identity is unknown.

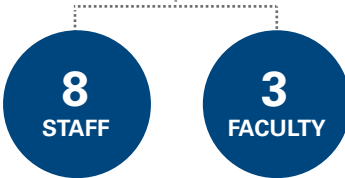
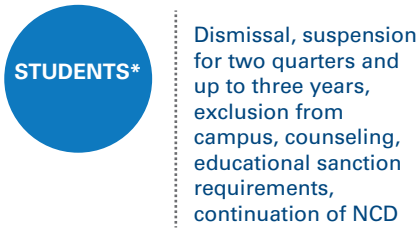
### Complainant affiliation



### Respondent affiliation



## Sanctions



Since 2014–15, 8 professional staff and 3 faculty members have either retired or were dismissed during a Title IX investigation or adjudication process

**\*Note:**

Information about student adjudication outcomes over the past five years is currently unavailable but will be included next year. Student Conduct is undergoing a review in 2019–20.

## Investigations

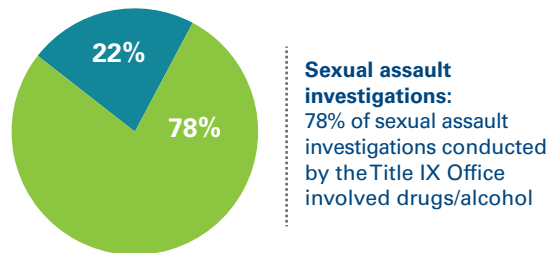
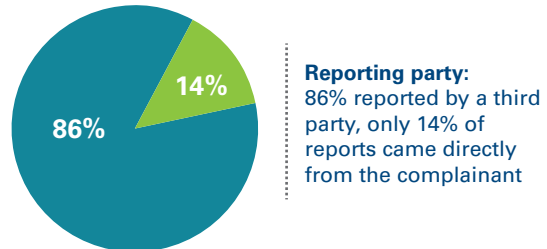
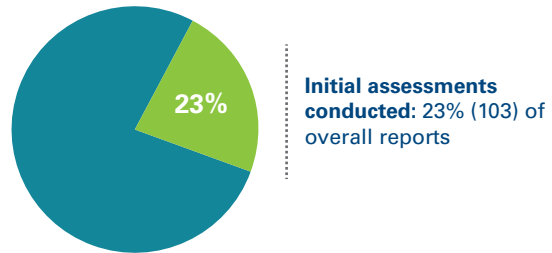
### Length of investigations



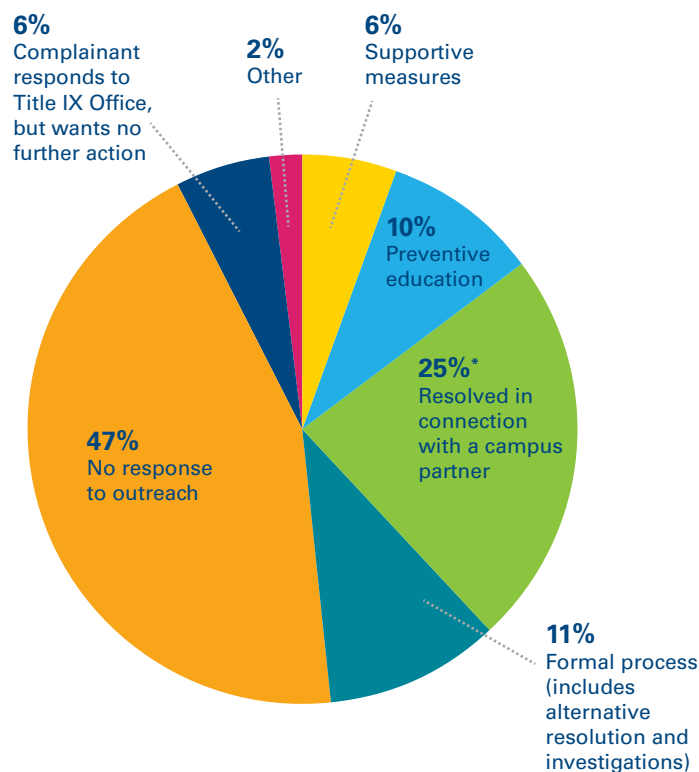
**Note:**

All investigations that went beyond the 60-day time period were extended due to good cause, except for one that was extended for sufficient basis due to the health of the investigator.

### Investigation breakdown



## 2018–19 Closing Summary



### Notes:

The closing summary does not add up to 100% because more than one summary may apply. For example, in response to a report, the Title IX Office may provide supportive measures and engage in preventive education. Additionally, in some instances where there is no response to outreach, the Title IX Office may collaborate with another office to address the concern and/or engage in a preventive effort. In 5% of the reports received, the respondent is not an affiliate of the campus, but the complainant or reporting party reports to identify resources and/or to inquire about supportive measures.

\*In 15% of reports, complainants notify the Title IX Office that they will work with CARE after initial outreach and referral.

These reports include data on respondent and complainant type. It is important to note that in many instances, the Title IX Office receives more than one report about the same incident or affected party from more than one responsible employee. While we combine multiple reports for clarity in data, these additional reports may help us to gather more information and to better assist and/or prevent future harm.



# UPDATES AND TRENDS

## SVSH 2019 Policy Changes and Implementation

In 2018–19, significant changes were made to UC’s Sexual Violence and Sexual Harassment (SVSH) policy. These changes stem from UC’s efforts to continually improve policies and procedures, to reflect best practices, and to be responsive to the latest developments in the legal and policy landscape. We sought a wide variety of input from a cross-section of the UC community to help inform and shape these important changes, which we believe further ensure a fair process and just outcomes.

Through a process that began in spring 2018, the Systemwide Title IX Office sought and received significant input on UC’s 2016 SVSH policy from students, faculty, and staff from across the system. The office considered all of the input carefully, and consulted on responsive changes with Title IX officers, Student Conduct directors, CARE directors, and Respondent Services Coordinators; and the Title IX Student Advisory Board.

The revised SVSH Policy UC issued on July 31, 2019 addresses feedback received through this extensive review process. It also includes changes required by the U.S. Department of Education’s Office for Civil Rights (OCR) in its February 2018 resolution agreement with UC Berkeley, and additions recommended by the California State Auditor (CSA) in its June 2018 report.

UC also recently issued revised PACAOS-Appendix E: SVSH Student Investigation and Adjudication Framework. It describes the University’s procedures for resolving reports of Sexual Violence, Sexual Harassment, and Other Prohibited Behavior as defined by the SVSH Policy where the responding parties are students, including the sanctioning of students who are found in violation of the SVSH Policy.

## Action Collaborative on Preventing Sexual Harassment in Higher Education

UC Santa Cruz joined the Action Collaborative on Preventing Sexual Harassment in Higher Education, which is led by the National Academies of Sciences, Engineering, and Medicine. The purpose of the action collaborative is to bring together academic leaders and key stakeholders to prevent sexual harassment across all disciplines and among all people in higher education. It is designed to be an active space where colleges, universities, and research and training organizations can research and develop efforts that move beyond basic legal compliance to evidence-based policies and practices for addressing and preventing all forms of sexual harassment.

# GLOSSARY OF TERMS

## CONSENT

**Consent** is affirmative, conscious, voluntary, and revocable. Consent to sexual activity requires of each person an affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person to ensure they have the affirmative consent of the other to engage in the sexual activity. Lack of protest, lack of resistance, or silence do not, alone, constitute consent. Affirmative consent must be ongoing and can be revoked at any time during sexual activity. The existence of a dating relationship or past sexual relations between the Complainant and Respondent will never by itself be assumed to be an indicator of consent (nor will subsequent sexual relations or dating relationship alone suffice as evidence of consent to prior conduct). The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable. In making this determination, the factfinder will consider all of the facts and circumstances the Respondent knew, or reasonably should have known, at the time. In particular, the Respondent's belief is not a valid defense where:

1. The Respondent's belief arose from the Respondent's own intoxication or recklessness;
2. The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented; or
3. The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
  - a. asleep or unconscious
  - b. unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication;
  - c. unable to communicate due to a mental or physical condition.

**Note:** Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking, using drugs, or taking medication.

## PROHIBITED CONDUCT

### Sexual Violence

- a. **Sexual Assault – Penetration:** Without the consent of the Complainant, penetration, no matter how slight, of: the Complainant's mouth by a penis or other genitalia; or the Complainant's vagina or anus by any body part or object.
- b. **Sexual Assault – Contact:** Without the consent of the Complainant, intentionally: touching Complainant's intimate body part (genitals, anus, groin, breast, or buttocks); making the Complainant touch another or themselves on any intimate body part; or touching the Complainant with one's intimate body part, whether the intimate body part is clothed or unclothed.

**Note:** This definition encompasses a broad spectrum of conduct, not all of which is sexual violence. So, the Title IX Officer must sometimes determine whether an allegation should be charged as sexual

violence or sexual harassment. Conduct that meets the definition of both Sexual Assault—Contact and Sexual Assault—Penetration will be charged as Sexual Assault—Penetration.

**Note: Sexual Assault—Penetration and Sexual Assault—Contact** are aggravated when they include any of the following: Overcoming the will of Complainant by:

- **force** (the use of physical force or inducing reasonable fear of immediate or future bodily injury);
- **violence** (the use of physical force to cause harm or injury); menace (a threat, statement, or act showing intent to injure);
- **duress** (a direct or implied threat of force, violence, danger, hardship, or retribution that is enough to cause a reasonable person of ordinary sensitivity, taking into account all circumstances including age and relationship (including a power imbalance), to do or submit to something that they would not otherwise do); or deliberately causing the Complainant to be incapacitated (for example, through drugs or alcohol);
- Deliberately taking advantage of the Complainant's incapacitation (including incapacitation that results from voluntary use of drugs or alcohol); or
- Recording, photographing, transmitting, or distributing intimate or sexual images of Complainant without Complainant's prior knowledge and consent.

**c. Relationship Violence:**

- i. Relationship Violence is:
  1. physical violence toward the Complainant or a person who has a close relationship with the Complainant (such as a current or former spouse or intimate partner, a child or other relative), or
  2. intentional or reckless physical or non-physical conduct toward the Complainant or someone who has a close relationship with the Complainant (such as a current or former spouse or intimate partner, a child or other relative) that would make a reasonable person in the Complainant's position fear physical violence toward themselves or toward the person with whom they have the close relationship, that is by a person who is or has been in a spousal, romantic, or intimate relationship with the Complainant, or who shares a child with the Complainant, and that is part of a pattern of abusive behavior by the person toward the Complainant.
- ii. Physical violence is physical conduct that intentionally or recklessly threatens the health and safety of the recipient of the behavior, including assault.
- iii. Patterns of abusive behavior may consist of or include non-physical tactics (such as threats, isolation, property destruction, abuse of pets, economic control, displaying weapons, degradation, or exploitation of a power imbalance).
- iv. The nature of the relationship between the Complainant and Respondent is determined by the length and type of relationship, and the frequency of interaction between them. Relationship violence includes both "dating violence" and "domestic violence."
- v. Conduct by a party in defense of self or another is not Relationship Violence under this Policy. If either party asserts that they acted in defense of self or another, the Title IX Officer will use all available, relevant evidence to evaluate the assertion, including reasonableness of the defensive actions and which party is the predominant aggressor.

**d. Stalking:** Repeated conduct directed at a Complainant (for example, following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual or romantic nature or motivation, that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress. Stalking of a non-sexual nature is addressed by other University policies including but not limited to the Policy on Student Conduct and Discipline Section 102.10.

### SEXUAL HARASSMENT

- a. Sexual Harassment** is unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal, nonverbal, or physical conduct of a sexual nature when:
- i. **Quid Pro Quo:** a person's submission to such conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a University program, activity, or service; or
  - ii. **Hostile Environment:** such conduct is sufficiently severe, persistent or pervasive that it unreasonably denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment or other programs, activities or services of the University, and creates an environment that a reasonable person would find to be intimidating or offensive.
- b.** Consideration is given to the totality of the circumstances in which the conduct occurred.
- c.** This Policy will be implemented in a manner that recognizes the importance of the rights to freedom of speech and expression and will not be interpreted to prohibit expressive conduct that is protected by the free speech and academic freedom principles discussed in Section III.F.

### OTHER PROHIBITED BEHAVIOR

- a. Invasions of Sexual Privacy.**
- i. Without a person's consent, watching or enabling others to watch that person's nudity or sexual acts in a place where that person has a reasonable expectation of privacy;
  - ii. Without a person's consent, making or attempting to make photographs (including videos) or audio recordings, or posting, transmitting or distributing such recorded material, depicting that person's nudity or sexual acts in a place where that person has a reasonable expectation of privacy; or
  - iii. Using depictions of nudity or sexual activity to extort something of value from a person.
- b.** Sexual intercourse with a person under the age of 18.
- c.** Exposing one's genitals in a public place for the purpose of sexual gratification.
- d.** Failing to comply with the terms of a no-contact order, a suspension of any length, or any order of exclusion issued under this Policy.
- e.** Engaging in Retaliation. Retaliation is an adverse action against a person based on their report or other disclosure of alleged Prohibited Conduct to a University employee or their participation in the investigation, reporting, remedial, or disciplinary processes provided for in this Policy. An adverse action is conduct that would discourage a reasonable person from reporting Prohibited

Conduct or participating in a process provided for in this Policy, such as threats, intimidation, harassment and coercion. Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.

## OTHER DEFINITIONS

### **Complainant**

A person alleged, in a report to the Title IX Officer, to have experienced Prohibited Conduct.

### **Confidential Resources**

The following employees who receive information about Prohibited Conduct in their confidential capacity:

- a. CARE Advocates
- b. Licensed counselors in student counseling centers and in employee assistance programs
- c. Any persons with a professional license requiring confidentiality (including health center employees but excluding campus legal counsel), or someone who is supervised by such a person. Designation as a “Confidential Resource” under this Policy only exempts a person from reporting to the Title IX Officer. It does not affect other mandatory reporting obligations under UC CANRA (Child Abuse and Neglect Reporting Act) Policy, the Clery Act as a Campus Security Authority (CSA), and other policies or laws that require reporting to campus or local law enforcement, or Child Protective Services.

### **Interim, Remedial and Supportive Measures**

- a. **Interim Measures:** Services, accommodations, or other measures put in place temporarily after the Title IX Officer receives a report of Prohibited Conduct to assist or protect the Complainant, the Respondent, or the University community.

Interim measures may:

- remain in place until the final outcome of a Resolution Process (see Section V.A.5) or a subsequent disciplinary or appeal process;
- change or terminate depending on the parties’ evolving needs, as assessed by the Title IX Officer; or become permanent as part of the resolution of a report.

- b. **Remedial Measures:** Services, accommodations, or other measures put in place as a result of a completed Resolution Process (see Section V.A.5).

- c. **Supportive Measures:** Services, accommodations or other measures put in place to support a Complainant who is not involved in a Resolution Process (see Section V.A.5). Examples of services, accommodations, and other measures are in Appendix III. The Title IX Officer will consult with the Complainant and, when appropriate, the Respondent, to identify suitable services, accommodations and other measures.

### **Location**

“Location” is any University campus, the Lawrence Berkeley National Laboratory, Medical Centers, the Office of the President, and Agriculture and Natural Resources.

### **Preponderance of Evidence**

A standard of proof that requires that a fact be found when its occurrence, based on evidence, is more likely than not.

**Prima Facie**

Latin for “at first look,” or “on its face,” referring to whether a report alleges an act that, if true, is Prohibited Conduct covered by the SVSH policy.

**Respondent**

A person alleged, in a report to the Title IX Officer, to have engaged in Prohibited Conduct.

**Responsible Employee**

Any University employee who is not a Confidential Resource. If a Responsible Employee learns, in the course of employment, that a student may have experienced Prohibited Conduct, they must promptly notify the Title IX Officer or designee. This includes professional staff, residential assistants, graduate teaching assistants, and all other student employees, when disclosure is made to them in their capacities as employees. In addition, if any of the following people learn, in the course of employment, that any other person affiliated with the University may have experienced Prohibited Conduct, they must promptly notify the Title IX Officer or designee:

- Campus Police
- Human Resources Administrators, Academic Personnel Administrators, and Title IX Professionals
- Managers and Supervisors including Deans, Department Chairs, and Directors of Organized Research Units
- Faculty members

Despite the above, Responsible Employees need not report possible Prohibited Conduct they learn while attending a public awareness event, such as “Take Back the Night,” or disclosed by someone while participating in human subjects research that has either been approved by an Institutional Review Board (IRB) or certified as exempt from IRB review.