CAL STATE LA

CALIFORNIA STATE UNIVERSITY, LOS ANGELES

Date: October 12, 2023

To: All Employees

From: Leroy M. Morishita
Interim President

Subject: Annual Notification of Campus Statement of Nondiscrimination, CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (Nondiscrimination Policy), Policy Regarding Prohibited Consensual Relationships between Employees or Employees and Students, and Statement of Compliance with the Americans with Disabilities Act

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I am writing to share important information with you about Cal State LA's commitment to maintaining an environment that is inclusive, equitable, and fosters mutual respect. There is no place in our community for discrimination, harassment, and other such actions.

Our University's commitment is aligned with CSU policy, and federal and state laws. I encourage you to read and learn more about our nondiscrimination policies and laws.

CSU NON-DISCRIMINATION STATEMENT

California State University, Los Angeles is committed to maintaining an inclusive and equitable community that values diversity and fosters mutual respect. We embrace our community differences in Age, disability (physical and mental), Gender (or sex), Gender Identity (including nonbinary and transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color, caste, or ancestry), Religion (or religious creed), Sexual Orientation, Veteran or Military Status. All Students and Employees have the right to participate fully in CSU programs, activities, admissions, athletics, and employment free from Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation. The CSU prohibits Discrimination, Harassment, Retaliation, Sexual Harassment, Sexual Misconduct, Dating/Domestic Violence, Sexual Exploitation, and Stalking based on the Protected Statuses outlined above (CSU Nondiscrimination Policy, Articles I and II).

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.

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 Cal State LA:

Title IX Officer
Mariel S. Mulet, Title IX Director
Location: Student Services Building, 6th floor, Room 6381
Phone: 323-343-3040 or Email: oedi.titleix@calstatela.edu or mmulet@calstatela.edu

Deputy Title IX Coordinator
Riquelmi Gomez, Title IX Investigator
Location: Student Services Building, 6th floor, Room 6381
Phone: 323-343-3040 or Email: oedi.titleix@calstatela.edu or rgomez145@calstatela.edu

Deputy Title IX Coordinator for Athletics
Demetrus Caldwell, Deputy Athletic Director, Chief of Staff
Location: Physical Education, Room 110
Phone: 323-343-5240 or Email: dcaldwe3@calstatela.edu

You can also report an incident by completing the following link:

Title IX/DHR Reporting Form (Web Form)

Questions may also be addressed to:

Office for Civil Rights
U.S. Department of Education
50 Beale Street, Suite 7200
San Francisco, CA 94105-1813
Telephone: 415-486-5555
FAX: 415-486-5570; TDD: 800-877-8339
Email: ocr.sanfrancisco@ed.gov

APPLICABLE POLICIES

Cal State LA will take action to eliminate and prevent discrimination, harassment, related retaliation, sexual misconduct, sexual exploitation, dating and domestic violence and stalking and to address its effects, as mandated by CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation (Nondiscrimination Policy).

This Nondiscrimination Policy is established in compliance with:

- Title VI and Title VII of the Civil Rights Act of 1964;
- Title IX of the Education Amendments of 1972, Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (34 C.F.R. 106.);
- The California Equity in Higher Education Act;
- 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) (VAWA) under its Campus Sexual Violence Elimination Act provision (Campus SaVE Act);

- Section 504 of the Rehabilitation Act of 1973;
- Title II of the Americans with Disabilities Act of 1990;
- The Age Discrimination Act of 1975; and
- Other applicable state and federal laws which prohibit Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and related Retaliation.

Article II. Prohibited Conduct Covered Under this Policy states:

The CSU prohibits the following conduct, as defined in Article VII.

A. Discrimination based on any Protected Status: i.e., Age, Disability (physical and mental), Gender (or sex, including sex stereotyping), Gender Identity (including transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color, caste, or ancestry), Religion (or religious creed), Sexual Orientation, and Veteran or Military Status.

B. Harassment based on any Protected Status.

C. Sexual Harassment, including hostile environment and *quid pro quo* ("this for that").

D. Dating Violence, Domestic Violence, Sexual Exploitation and Stalking.

E. Sexual Misconduct.[1]

F. Prohibited Consensual Relationships.

G. Retaliation for exercising rights under this Nondiscrimination Policy, opposing conduct that a person believes in good faith is Discrimination or Harassment because of a Protected Status, or for participating, in any manner, in any related investigation or proceeding.

Article IV. Academic Freedom and Freedom of Speech

Freedom of expression is a cornerstone of a democratic society and is essential to the educational process. Universities have a special obligation not only to tolerate, but also to encourage and support the free expression of ideas, values, and opinions, even when unpopular or controversial. At the same time, the exercising of freedom of expression and assembly must comply with all applicable federal, state, and local laws and CSU policy. Speech activity is not protected by the First Amendment to the U.S. Constitution or by this Nondiscrimination Policy when it includes terrorist threats or the promotion of actual or imminent

[1] All sexual activity between members of the CSU community 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.

physical violence or bodily harm. Freedom of expression is not an absolute right. It coexists with other rights and the need for public order and safety.

Not every act that may be offensive or insulting constitutes Discrimination or Harassment, as defined by law and this Nondiscrimination Policy. At the same time, all members of the campus community should recognize that the manner in which they choose to express themselves has consequences and that freedom of expression includes a responsibility to acknowledge and respect the right of others to express differing opinions. Conduct that violates this Nondiscrimination Policy, including statements that constitute Discrimination, Harassment, Sexual Harassment, Retaliation or Stalking, is not protected by academic freedom or freedom of expression.

Article V. Duty to Report

Individuals who believe that they have experienced Discrimination, Harassment, Sexual Misconduct, Sexual Harassment, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, or Retaliation are strongly encouraged to talk to someone about what happened – so they can secure the support they need, and so the campus may respond appropriately.

Employees Who Have a Duty to Report

Except as provided below, any Employee who knows or has reason to know of incidents that may violate this Nondiscrimination Policy has a duty to promptly report to the Title IX Coordinator/Discrimination, Harassment, Retaliation ("DHR") Administrator, who are the campus officials designated to receive these reports. These Employees are known as Responsible Employees and are required to disclose all information available, including the names of the Parties involved, even where the person has requested anonymity.

Employees Who Do Not Have a Duty to Report

Except as required by law (see below for exceptions), the following Employees generally do not have a duty to report to the Title IX Coordinator/DHR Administrator:

1. Physicians; psychotherapists; professional licensed counselors; licensed clinical social workers, and clergy who work on or off campus, acting solely in those roles or capacities as part of their employment, in the provision of medical or mental health treatment or counseling (and those who act under their supervision, including all individuals who work or volunteer in these centers and offices).
2. Sexual assault and domestic violence counselors and advocates who work or volunteer on or off campus in sexual assault centers, victim advocacy offices, women's centers, and health centers and who are acting solely in that role (including those who act in that role under their supervision, along with non-professional counselors or advocates who work or volunteer in sexual assault centers, victim advocacy offices, women's centers, gender equity centers, or health centers) in the provision of counseling or advocacy services.
3. A CSU union representative is not required to report a possible violation of this Nondiscrimination Policy if the information is provided to the union representative, acting

in that role, in a confidential setting by a union member seeking advice about a possible violation or representation in a matter within the scope of representation. However, CSU union representatives are strongly encouraged to report the information to the Title IX Coordinator/DHR Administrator.

EXCEPTIONS: Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if he or she provides medical services for a physical condition to a person who he or she knows or reasonably suspects is suffering from: (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury where the injury is the result of assaultive or abusive conduct (including Rape, Sexual Assault, and Dating and Domestic Violence).

CONFIDENTIAL RESOURCES:

Student Health Center
Phone: 323-343-3302
Office Hours: Monday – Thursday, 8:30 a.m. - 5:45 p.m.
Fridays, 8:30 – 4:45 p.m.
www.calstatela.edu/studenthealthcenter

Counseling and Psychological Services (CAPS)
Phone: 323-343-3314
Office Hours: Monday – Friday, 8:30 a.m. – 4:30 p.m.
www.calstatela.edu/studenthealthcenter/caps

Sexual Assault Victim's Advocate
Maxine Estrada
Peace Over Violence
Location: Student Health Center
Phone: 323-343-3314 or 213-955-9090 ext. 435
Email: maxine@peaceoverviolence.org
Office Hours: Monday, 9:00 a.m. - 1:00 p.m. and Thursday, 1:30 p.m. - 5:30 p.m.

After-Hours Hotline: 213-626-3393; 310-392-8381; or 626-793-3385

COMPLAINT POLICIES AND PROCEDURES

- Complaint Policies and Procedures (pdf)
- Complaint Form (pdf)
- Rights and Options for Victims of Sexual Misconduct/Assault, Sexual Exploitation, Dating/Domestic Violence and Stalking (pdf)

In accordance with the CSU Nondiscrimination Policy, all employees, including student assistants, are required to complete the annual training on Discrimination, Harassment, and Retaliation Prevention. Please refer to the Compliance Training page.

POLICY REGARDING PROHIBITED CONSENSUAL RELATIONSHIPS BETWEEN EMPLOYEES OR EMPLOYEES AND STUDENTS

A Prohibited Consensual Relationship is a consensual sexual or romantic relationship between an Employee and any Student or Employee over whom they exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority.

For more information, contact:

Title IX Officer
Mariel S. Mulet, Title IX Director
Phone: 323-343-3040 or Email: mmulet@calstatela.edu

NOTIFICATION OF COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, AS AMENDED

Cal State L.A. does not permit discrimination on the basis of disability in admission to, access to, or operation of its instruction, programs, services, or activities, or in its hiring and employment practices. Also, the University does not permit unlawful harassment based on a protected disability. In addition, the University does not permit discrimination or unlawful harassment based on an applicant's, employee's or student's relationship with or association with anyone with a known protected disability.

Upon request, the University will consider a request for reasonable accommodation(s) when needed to facilitate the participation of qualified individuals with protected disabilities. Reasonable accommodations will be considered to permit qualified individuals with protected disabilities to: (a) complete the admission/employment process; (b) perform essential job functions; (c) participate in instruction, programs, services or activities; and (d) enjoy other benefits and privileges of similarly situated individuals without disabilities.

Questions, concerns, complaints, and requests for a reasonable accommodation or additional information may be forwarded to the Office for Equity, Diversity, and Inclusion (OEDI), the campus office assigned responsibility for compliance with the ADA. The OEDI is located in the Student Services Building, Room 6381, and is open Monday through Friday, 8 a.m. to 5 p.m., 323-343-3040 or TDD: 323-343-3670.