

Title IX and Discrimination, Harassment, and Retaliation (DHR) Assessment

California State University, Channel Islands

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I. Introduction

In March 2022, the Board of Trustees of the California State University (CSU), through the Office of the Chancellor, engaged Cozen O'Connor to conduct a systemwide assessment of the CSU's implementation of its programs to prevent and address discrimination, harassment, and retaliation (DHR) based on protected statuses, including sex and gender (under Title IX).¹ The goal of the engagement is to strengthen CSU's institutional culture by assessing current practices and providing insights, recommendations, and resources to advance CSU's Title IX and DHR training, awareness, prevention, intervention, compliance, and support systems.

Our work involved a comprehensive assessment of infrastructure and implementation of CSU policies and procedures at the system and each university. We evaluated the coordination of information and personnel, communications, record keeping and data management, and all other aspects relevant to ensuring effective and legally compliant responses to sexual and gender-based harassment and violence, protected class discrimination and harassment, and *other conduct of concern*.

We assessed the strengths, challenges, and resources at each of the 23 universities within the CSU and the Chancellor's Office headquarters, and identified opportunities for systemwide coordination, alignment, oversight, and efficiency to support effective implementation. Specifically, the review included the assessment of:

- Infrastructure and resources at each CSU university and the systemwide Title IX and DHR offices;
- Training, education, and prevention programming for students, staff, and faculty at each university, the Chancellor's Office, and members of the Board of Trustees;
- The availability of confidential or other resources dedicated to supporting complainants, respondents, and witnesses;
- The life span of a Title IX or DHR report, from intake to resolution, including intake; outreach and support protocols; case management systems and protocols; staffing and models for investigations, hearings, sanctioning/discipline, grievance, and appeal processes; investigative and hearing protocols; inter-departmental campus collaboration, information sharing, and

¹ Definitions for discrimination, harassment, and retaliation, including the protected statuses under federal and state law are defined in the [CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation](#) (Nondiscrimination Policy).

coordination in individual cases and strategic initiatives; document and data management protocols; timeliness of case resolution, and factors impacting timely resolution; informal resolution processes; and, protocols for responding to reports of misconduct by students or employees that do not rise to the level of a policy violation;

- University culture and climate regarding Title IX and DHR issues; and
- Support and resources offered to university Title IX or DHR staff by the CSU's systemwide Title IX or DHR staff at the Chancellor's Office.

On May 24, 2023, we presented a high-level summary of the scope of the assessment, our observations, and accompanying recommendations at the public session of the Board of Trustees Committee on University and Faculty Personnel. The PowerPoint from the presentation is available [here](#). A recording of the presentation can be accessed [here](#).

This report outlines Cozen O'Connor's assessment of the Title IX and DHR programs at California State University Channel Islands (Channel Islands Report). The Channel Islands review was led by Maureen Holland and Cara Sawyer. The Channel Islands Report supplements Cozen O'Connor's Systemwide Report. The Systemwide Report and a Summary of the Systemwide Report can be accessed here: [The CSU's Commitment to Change | CSU \(calstate.edu\)](#). The Channel Islands Report must be read in conjunction with the Systemwide Report, as the Systemwide Report provides a more detailed discussion about the assessment, the scope of the engagement, our approach to the issues, and common observations and recommendations across all 23 CSU universities. For ease of reading and efficiency, the content from the Systemwide Report is not replicated in each University Report.

Channel Islands is located in Camarillo, CA. As of Fall 2022, it had a student population of approximately 6,100, 18% of whom live on campus, and a workforce of approximately 930 staff and faculty. An overview of the university's metrics and demographics is included in Appendix I.

II. Overview of Engagement

As outlined in the Systemwide Report, our assessment included a review of written documents, as well as interviews with university Title IX and DHR professionals, administrators, students, faculty, and staff, at each university. Information gathered in our interviews is presented without personal attribution in order to ensure that administrators, students, faculty, and staff could participate openly in the assessment without fear of retaliation or other concerns that might inhibit candor. Relevant de-identified and

aggregated information from the interviews is set forth in each of our reports, and Cozen O'Connor has maintained notes of each interview as attorney work product within our confidential files; these files will not be shared with the CSU.

With respect to Channel Islands, Cozen O'Connor conducted a three day virtual campus visit from August 15 to 17, 2022 as well as multiple additional virtual follow-up meetings conducted over Zoom. In total, Cozen O'Connor conducted over 20 meetings with more than 35 Title IX and DHR professionals, administrators, and other key campus partners, some of whom we spoke to on multiple occasions. These meetings included interviews with the following offices and individuals (identified by role):

- Equity and Inclusion Office
 - Executive Director of Equity and Inclusion
 - Title IX and Equity Specialist (now Manager of Institutional Equity and Deputy Title IX Coordinator)
- Student Affairs
 - Interim Vice President for Student Affairs
- Student Conduct
 - Dean of Students; Director of Campus Life and Housing and Residential Education
 - Hearing Administrator
- Confidential Campus Advocate
- University Counsel
- Human Resources
 - Associate Vice President for Administrative Services and Human Resources Officer
 - Executive Director of Human Resources
 - Associate Director
 - Human Resources and Employee Relations Manager
- Faculty Affairs
 - Interim Associate Vice President of Faculty Affairs
 - Director of Faculty Affairs
- Provost
- Campus Police
 - Chief
- Counseling and Psychological Services
 - Director
- Student Health Leadership
 - Nurse Practitioner
 - Medical Assistant
 - Administrator
- Health Promotions and Education
 - Assistant Vice President for Wellness Promotion and Education, Student Health Recreation, the Channel Islands Boating Center, and Basic Needs
 - Associate Director of Student Health and Wellness
- Housing and Residential Education

- Director of Residential Education
- Director of Housing Services
- Living-Learning Community & Conduct Coordinator
- Coordinator of Residential Education
- Diversity and Inclusion
 - Chief of Staff to President
- Director of Student Transition and Engagement Programs
- Ombuds
- Affinity Group Leaders
 - Director of Internal Programs
 - Director of Advising
 - Inclusive Student Services
 - Multi-Cultural Dream Center
 - Queer Advocacy Alliance (former)
 - Chicano/Chicana Studies
 - Asian, Asian-American and Pacific Islander Affinity Group
 - I.D.E.A.S.

In addition to these meetings with administrators and campus partners, Cozen O'Connor sought feedback from students, staff, and faculty through a variety of modalities, including in-person engagement, through a systemwide survey, through a dedicated email address (calstatereview@cozen.com), as well as individual meetings via Zoom.

Cozen O'Connor met with the Academic Senate Executive Committee (three attendees), Staff Council Officers (four attendees), Student Government Association Officers (two attendees), and faculty members (six total).

In December 2022, we asked each of the 23 universities to disseminate an invitation to participate in an online survey. University presidents and the Chancellor's Office communicated the availability of the survey to all faculty, staff, and students at the university. The survey was open from December 2022 through February 2023. In total, we received 576 responses to the survey from Channel Islands students, faculty, staff, and administrators. A summary of the survey response rate and data is included in Appendix II.

III. Summary of Findings and Recommendations

As supported by the evidence base outlined in this report, our core findings and recommendations are as follows:

Insufficient Infrastructure and Lack of Awareness: The Equity and Inclusion Office (EIO) is responsible for Channel Islands' Title IX and DHR functions. EIO responds to reports of discrimination and harassment, provides supportive measures to complainants and respondents, conducts investigations and hearings, facilitates early resolution agreements, provides training for students and employees, and oversees prevention and awareness programming. The Executive Director of EIO is also the university's Americans with Disabilities Act (ADA) Coordinator and Clery Director. EIO currently has a staff of two — the Executive Director and a Manager. In light of the office's small staff and the breadth of its portfolio of responsibility, EIO is insufficiently resourced to carry out its duties.

Although EIO professionals are experienced, trained, responsive and communicative, EIO has been unable to establish a meaningful level of awareness among students and has not been able to conduct prevention, education, awareness, or training, except in short segments at orientations or for discrete groups. EIO is physically located in a building on the edge of campus and reports up through an Associate Vice President/Acting Vice President who has an exceptionally wide set of responsibilities. We recommend adjusting EIO's current reporting line, relocating the office to a more accessible building, and investing in sufficient staffing to allow for separation of roles and focused attention to prevention and education, intake, outreach, support, and consistent communications. EIO would also benefit from strengthening internal processes and developing more formal structures for collaboration with campus partners.

Prevention and Education: Channel Islands lacks strong prevention, education, training, and awareness programs across campus constituencies. In the past, the Confidential Campus Advocate, provided through the Coalition for Family Harmony (an external agency), led prevention efforts along with Wellness Promotion & Education, EIO, and other partners. This informal partnership tapered off during a year-long vacancy in the Confidential Campus Advocate role, and prevention and education programming essentially ceased. As with all of the CSU universities, we recommend Channel Islands dedicate additional resources and engage in more strategic planning, including designating a prevention and education coordinator and a campus Prevention and Education Oversight Committee to provide a holistic approach to sexual and interpersonal violence prevention and address issues related to discrimination and harassment.

Responding to *Other Conduct of Concern*:² As with other CSU universities, Channel Islands struggles in its response to conduct that may not constitute a potential violation of the Nondiscrimination Policy, but that is nonetheless disruptive to the living, learning, and working environment. Many university community members shared concerns about bullying, bias, harassment not based on protected class, and other incidents, reflecting that the administrative structures were insufficient to provide consistent responses. While individual administrators often seek to address reports related to *other conduct of concern*, Channel Islands has no consistent and formalized mechanism for responding to these behaviors. As a result, the university triages these behaviors in an *ad hoc* manner, leading to inconsistent responses, which have led to perceptions by students, staff, and faculty that there is a lack of accountability. We recommend that Channel Islands work closely with the Chancellor's Office to develop a formal process to address reports of *other conduct of concern*.

IV. The Equity and Inclusion Office

A. Infrastructure

The Equity and Inclusion Office (EIO) is the office responsible for the implementation of Title IX and DHR at Channel Islands. EIO reviews and investigates all complaints involving alleged violations of the [CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation \(Nondiscrimination Policy\)](#). The Executive Director of EIO serves as the University's Title IX Coordinator, DHR Administrator, ADA Coordinator, and Clery Director. The office is located in Lindero Hall in a space that was described by EIO as too disconnected from the rest

²We use the term *other conduct of concern* to refer to conduct that may not rise to the level of protected class discrimination or harassment, but may nonetheless violate other university policies or be disruptive to the learning, living, or working environment. This includes, for example:

- Conduct on the basis of protected status that does not rise to the threshold of a potential policy violation because it is not severe, persistent, or pervasive
- Conduct not based on protected status, but that may implicate other policies (e.g., professionalism)
- Conduct that may not be subject to discipline because of free speech or academic freedom principles.

of the campus to be visible or accessible. EIO reports to the Associate Vice President for Administrative Services and Human Resources Officer.³

As currently constituted, EIO consists of two staff members: the Executive Director/Title IX Coordinator/DHR Administrator (Executive Director) and the Manager of Institutional Equity/Deputy Title IX Coordinator (Manager), with an opening for a third position, Title IX and Equity Specialist (Specialist), with recent approval to hire a restorative justice and outreach coordinator. During our visit, the current Manager was serving as the Title IX and Equity Specialist (Specialist) and the Manager position was vacant and in recruitment. The Specialist has been promoted to Manager and there is now a vacancy in the Specialist position. The Executive Director has been at Channel Islands for approximately three years and has been the Executive Director for more than one year. The current Manager has been at Channel Islands for approximately five years (previously in Human Resources) and has been in the Manager role for less than one year. Prior to the current leadership of EIO, there had been historic instability in the leadership of the office. Channel Islands has had more than four Title IX Coordinators over the past four years, including individuals with other significant responsibilities serving in the role in an interim capacity.

EIO's infrastructure is underdeveloped, which is a particular problem due to the relatively high numbers of reports the office receives. We learned that, in 2021-2022, EIO received 135 reports, which EIO reported was the highest ratio of reports by population size in the system. Despite only having two staff members, EIO attempts to separate the outreach and intake function from the investigative function, although this is not always possible. EIO is not sufficiently staffed to engage in the level of prevention, education, and awareness programming required by federal and state law. A fully resourced EIO office would include, at a minimum, a Title IX Coordinator/DHR Administrator, a prevention and education coordinator, a support and intake coordinator/administrative manager, and one to two investigators (the need for which may increase over time or may be subsumed by the recommended CSU Center for Investigations and Resolutions). The addition of a support and intake coordinator would allow the office to have more consistent separation between the care and support function of the office (the intake coordinator) and the resolution function of the office (investigators), and would allow for a reallocation of responsibilities

³ At the time of our visit, the AVP was also serving as the Acting Vice President for the Division of Business and Financial Affairs.

to the education coordinator, who would be able to track training requirements and ensure follow through.

EIO uses a case management system called Maxient, which is also used by Student Conduct, Housing and Residential Education, and the University Police Department (UPD).

As is clear from the office's staffing level, portfolio of responsibility, and length of tenure of staff, EIO is in a state of development. During our visit, key partner offices expressed gratitude for the dedication and knowledge of the current EIO team; however, many people noted that EIO was not sufficiently staffed. The staffing shortfalls were reported to have caused gaps in communication and delayed responses, which ultimately undermine the effectiveness of nascent efforts to build trust with the community. The success of EIO's ongoing development will depend upon several factors: the ability to establish a stable leadership and supervisory structure with sufficient subject-matter knowledge and capacity to oversee EIO's many functions; sufficient personnel to address EIO's broad portfolio, including personnel to address outreach, intake, initial assessment, supportive measures, investigations, communications, prevention and education, and case management; and administrative support, technology tools, and protocols to assist with consistent documentation and recordkeeping.

Each of the 23 CSU universities maintains data about the nature of reports, resolutions, and other demographics, albeit in inconsistent and varied manners. Each of the 23 CSU universities also produces an annual report and shares data with the Chancellor's Office. An overview of the metrics from the Title IX annual reports is included in Appendix III.

B. Visibility and Community Awareness of EIO

In conversations with EIO staff and key university partners, we learned that awareness-building efforts have been challenging at Channel Islands for several reasons. First, as noted above, there has been significant turnover in the Executive Director role, which has required the continual need to create and develop relationships between EIO and partner offices. Second, as discussed more fully below, there was recently a year-long gap in which the campus did not have a Confidential Campus Advocate. The Advocate has historically played a key role in serving as an ambassador to students and in building awareness of campus resources, including EIO. Third, the COVID-19 pandemic required most programming to shift from in-person to online. This has made it more difficult to reach community members through traditional means such as signage, handouts, giveaways, tabling events, and information fairs. Fourth, we learned

that EIO is located on the second floor of a building in an area that is not heavily trafficked and is only accessible with a key card or code. According to one administrator, individuals visiting EIO often resort to banging on the downstairs door to ask to be let upstairs. We also understand that the EIO office does not have a reception area.

Student leaders shared that EIO did not have a strong student presence and that the office was hard to locate. Another student shared, “We have an issue with engagement overall, especially post-pandemic. We haven’t really seen a push for workshops on these topics.” One student said they were unfamiliar with EIO but had heard of “Title IX” because of a specific instance in their student organization. Another student shared that the social media site @shadesofcsuci on Instagram contained posts from an anonymous person who purported to be a faculty member expressing concern about how some EIO cases were addressed.

Our recommendations address the development of an awareness campaign that includes key campus partners and reaches throughout the university community. We also recommend that the university evaluate barriers to awareness or access that may exist as a byproduct of the office’s current location.

C. Website

EIO’s outward-facing resources require updating. EIO is in need of an updated and streamlined website that introduces the purpose of the office, the Nondiscrimination Policy, reporting options, resources, and personnel. Although EIO leads the university’s Title IX and DHR programs, Channel Islands maintains separate websites for [Title IX](#) and [DHR](#) (which the website refers to as “Inclusion”). The DHR website does not refer to Discrimination, Harassment and Retaliation or “DHR,” but instead uses the word “Inclusion.” The Inclusion website does not list the DHR Administrator and solely lists resources related to the Americans with Disabilities Act (ADA). There is a separate website for [Accessibility](#) with a more robust set of disability-related resources. There is also a separate page to “[Report a Concern](#)” regarding DHR matters, but that page refers to outdated Executive Orders instead of the Nondiscrimination Policy.

The [Title IX and Inclusion](#) webpage within the Division of Business and Financial Affairs links to the Title IX, DHR, Accessibility, and Clery pages, but has outdated contact information (e.g., the Executive Director position is listed as “vacant”). The Title IX and Inclusion webpage has two PDF documents available for download, but both are outdated: a [Title IX & Inclusion Strategy Map from 2015-2020](#) and a [2016-17](#)

[Annual Report & 2017-18 Work Plan for the Title IX and Inclusion Office](#). Our recommendations speak to enhancing and streamlining web resources and ensuring that all pages are updated regularly.

D. Reporting Options

Reports can be made to the Title IX Coordinator/DHR Administrator in person or via email, telephone, and online reporting form. Reports can be made by a complainant directly or through third parties (e.g., responsible employees).

The online reporting form is accessible and conveniently placed on the Title IX and Inclusion landing page. The Title IX and Inclusion webpages each have a button that reads, "[Report a Concern Now](#)." The button redirects to a Maxient form that states, "This form may be used to report alleged incidents involving sexual misconduct, dating/domestic violence, and stalking. Incidents involving discrimination, harassment, or retaliation may also be reported through this form." Unlike the template complaint form appended as Attachment F to the Nondiscrimination Policy, the Channel Islands reporting form does not specify that a person may report anonymously or that the filling out of the form does not, in and of itself, initiate an investigation. Like many other CSU university reporting forms, the Channel Islands reporting form marks certain fields as "required," including the nature of the report, the date and location of the incident, a "detailed description of the incident/concern using objective language," whether resources have been provided to the complainant, whether law enforcement has been notified of the alleged incident, and whether the "Rights & Options" document⁴ has been provided.

E. Case Processing

EIO uses Maxient to receive online reports and to maintain case documentation. When a report comes to EIO's attention, the Manager sends outreach to the complainant via email using a standard template. If the complainant does not respond, EIO makes four attempts at outreach via three emails and one text message, each sent a week apart. All outreaches contain a specific request for the complainant to meet with EIO. If the report includes sexual harassment, sexual assault, dating violence, domestic violence, or stalking, then the email outreach also includes the Rights & Options document.

⁴ Attachment D to the Nondiscrimination Policy is a document titled "Rights and Options for Victims of Sexual Misconduct, Sexual Assault, Sexual Exploitation, Dating and Domestic Violence, and Stalking."

Currently, EIO does not have a practice that allows for a querying of other offices' records systems. Although other offices use Maxient, EIO does not have access to those offices' cases. EIO reported challenges in receiving timely responses from other offices when querying whether the parties had prior or open matters that might be relevant to EIO's initial assessment or subsequent investigation.

When communicating with parties, EIO uses the systemwide templates provided by the Chancellor's Office. During our visit, EIO indicated that it was creating a template for case closures and working on a system to ensure that all email communications were captured in Maxient, even if emails were not sent through the Maxient system.

If a complainant responds to outreach and agrees to meet, the Executive Director leads an intake meeting with the complainant and the Manager is present to take notes and document the meeting. The intake meeting does not follow a written template or format, but the Executive Director reported generally ensuring that the intake covers rights, non-retaliation, resolution options, and a brief recitation of the facts. If the reported conduct would potentially constitute a Nondiscrimination Policy violation then the Executive Director may gauge amenability to early resolution by asking the complainant about their ideal resolution. After the intake meeting, the Executive Director and Manager meet and determine the next appropriate steps – typically, either preparing a Notice of Investigation, a notice of early resolution, referral to another office, or maintaining the case for the provision of supportive measures only.

The Executive Director assesses whether to file a formal complaint if a complainant chooses not to do so by evaluating whether the reported conduct involved other risk factors, such as weapon, pattern, predation, violence, threats, or a complainant who was a minor at the time of the conduct. The Executive Director often consults with the university's Behavioral Intervention Team (BIT) in determining whether to file a formal complaint if a complainant chooses not to. The BIT consists of the Executive Director and representatives from Student Conduct, the Dean of Students Office, Counseling and Psychological Services (CAPS), University Police, and Housing and Residential Education.

In correspondence following our visit, EIO reported receiving 141 reports in 2021-2022, which EIO reported was its highest number ever. Of those reports, 86 involved Title IX, 54 involved DHR, and one could not be classified based upon the available information. In terms of resolutions for Title IX reports, five of the 86 Title IX reports reportedly resulted in investigations, and 13 resulted in an Early Resolution Agreement (ERA). With respect to DHR matters, 21 reportedly resulted in investigations, and none

resulted in an ERA. Currently, investigations are conducted either by the Executive Director, the Manager, or an external professional. The Executive Director noted that the raw numbers were somewhat misleading in that multiple cases were, in some instances, single incidents with multiple respondents (e.g., three cases which had multiple respondents accounted for 18 of the DHR investigations).

Hearings are conducted by an external professional chosen from a pool provided by the Chancellor's Office. If there is a finding of responsibility, the case is sent to the relevant disciplinary unit for sanctions only (Student Conduct for students, Faculty Affairs for faculty, and Human Resources for employees).

As noted below, EIO resolution processes have reportedly taken a long time, exceeding the 100 day timeframe provided for in the Nondiscrimination Policy. This is due to a number of factors, including turnover, changes in investigative structure, changes to policies and procedures, and long disciplinary processes for faculty and staff that are appended to the end of EIO's processes.

F. Review of Case Files⁵

EIO provided us with 12 case files, including four DHR matters involving an employee respondent, three DHR matters involving a student respondent, two Title IX matters involving an employee respondent, and three Title IX matters involving a student respondent. In reviewing these files – which involved investigations and resolutions that occurred between fall 2019 and spring 2022 – we note that the investigation reports did not follow a consistent format or approach. Some listed witnesses by name, whereas others listed witnesses by anonymized number. We observed concerns with the length of time between when a report was made and when the final investigation report was issued. Of the matters we reviewed, all but one of the 12 took more than 100 days to resolve. The average length of the resolution process from intake to investigation report in these 12 matters was 217 days. In some cases, particularly those in the 2019-2020 timeframe, there were investigative steps that had to be repeated because of a change in the investigator mid-investigation.

Overall, we noted that investigations completed by internal personnel were of better quality and were completed in a more timely fashion than those by external investigators; however, some timeliness issues in external investigations may be attributable to the fact that external personnel were retained *after* the

⁵ We requested to review a small sample of case files at each university to evaluate form, comprehensiveness of documentation, timeliness, and responsiveness. Given the scope of our assessment, we did not conduct an extensive audit of all Title IX and DHR records.

university had taken some investigative steps but could not complete the investigation because of turnover in staff.

In the most recent cases we reviewed, especially those conducted by internal personnel, we noted a stronger adherence to a template and higher quality analyses.

G. Community Feedback about the Equity and Inclusion Office

As noted above, student leaders shared a generally low level of familiarity with Title IX and DHR among students. Some faculty and staff shared negative perspectives about EIO. In many cases, those negative perspectives were tied to individual experiences as parties in an investigation or tied to the belief that some individuals “weaponize” Title IX or DHR complaints by raising concerns in bad faith.

Those who worked with EIO most closely noted that they had the Executive Director and Manager on “speed dial,” and that EIO was very responsive and helpful. Those partner offices noted that EIO had significant turnover and was under-resourced, but that the current staff had worked hard to bring stability to the Office. Several individuals who worked closely with EIO noted that, historically, investigations have taken longer than is communicated in the Nondiscrimination Policy. Some administrators noted that, in or around 2018 or earlier, they had received training and been asked to serve as “Title IX investigators” – a role they described as “daunting,” and “weighty.” Those individuals said they were happy not to serve in that capacity any longer.

We received feedback from individuals who work closely with students, some of whom have gone through a grievance process. Those individuals shared that, generally, students have a negative perception of EIO and believe that EIO does not care, does not do anything, that the process simply protects respondents, and/or that the process takes too long.

Based on feedback from across the university, we observed a low level of awareness of the support and resource functions of EIO and little awareness of the resource available through the Confidential Campus Advocate. Our recommendations seek to help Channel Islands elevate the care and support functions of EIO to better serve its community through additional resources to adequately staff EIO to carry out both the care and the compliance functions. Our recommendations also speak to improving engagement with the community to rebuild trust and increase awareness beyond those who are involved in grievance processes and administrators who work closely with the office.

V. Core Title IX and Related Requirements

In evaluating legal compliance and effectiveness based on the observations described above, we reviewed Title IX's implementing regulations as the legal framework. Title IX's implementing regulations, amended most recently in May 2020, require that educational institutions (i) appoint a Title IX coordinator;⁶ (ii) adopt grievance procedures that are prompt and equitable;⁷ and (iii) publish a non-discrimination statement.⁸ In the sections below, we describe our observations of the university's compliance with each of these core Title IX obligations. Although the implementing regulations and regulatory frameworks are not as prescriptive under other federal and state laws that address all other protected class discrimination, harassment, and retaliation,⁹ we incorporate the Title IX framework as it relates to these core requirements, because they apply equally to DHR programs.

A. Title IX Coordinator

Under the current Title IX regulations, every educational institution that receives federal funding must designate at least one employee, known as the Title IX Coordinator, to coordinate the institution's Title IX compliance efforts.¹⁰ In this role, the Title IX Coordinator is designated as the university official responsible for receiving and coordinating reports of sex discrimination, including sexual harassment, made by any person.¹¹ The Title IX Coordinator's role and responsibilities should be clearly defined, and the institution

⁶34 C.F.R. § 106.8(a).

⁷34 C.F.R. § 106.8(b).

⁸34 C.F.R. § 106.8(c).

⁹ These include Title VI and Title VII of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Age Discrimination Act of 1975. The implementing regulations for these statutes outline some requirements that are similar or identical to certain of the "core Title IX obligations." For instance, most of the regulatory frameworks require a notice of non-discrimination. See 34 C.F.R. §100.6(d) (Title VI), 34 C.F.R. § 104.8 (Section 504), and 34 C.F.R. § 110.25 (Age Discrimination Act), and 28 C.F.R. § 35.106 (ADA). Furthermore, the implementing regulations for the Age Discrimination Act closely mirror the core Title IX obligations in that they require educational institutions to: (i) designate at least one employee to coordinate their efforts to comply with and carry out their responsibilities, including investigation of complaints; (ii) notify beneficiaries of information regarding the regulations and the contact information for the responsible employee; and (iii) adopt and publish grievance procedures providing for prompt and equitable resolution of complaints. 34 C.F.R. § 110.25.

¹⁰ 34 C.F.R. § 106.8(a).

¹¹ *Id.*

must notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the institution, of the name or title, office address, electronic mail address, and telephone number of the employee or employees designated as the Title IX Coordinator.¹² The Title IX regulations detail the responsibilities of the Title IX Coordinator, which include, among other things:

1. Receiving reports and written complaints;¹³
2. Coordinating the effective implementation of supportive measures;¹⁴
3. Contacting complainants to discuss the availability of supportive measures, with or without the filing of a formal complaint;¹⁵
4. Considering the wishes of the complainant with respect to supportive measures, explaining the process for filing a formal complaint;¹⁶
5. Attending appropriate training;¹⁷
6. Remaining free from conflicts of interest or bias with respect to complainants or respondents, generally or individually;¹⁸
7. Overseeing the prompt and equitable nature of any investigation or resolution, and;¹⁹

¹² *Id.*

¹³ 34 C.F.R. § 106.30(a)(defining “actual knowledge” as including notice to the Title IX Coordinator).

¹⁴ *Id.*

¹⁵ 34 C.F.R. § 106.44(a)

¹⁶ *Id.*

¹⁷ 34 C.F.R. 106.45(b)(1)(iii) (“A recipient must ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment in 34 C.F.R. § 106.30, the scope of the recipient’s education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.”)

¹⁸ 34 C.F.R. 106.45(b)(1)(iii).

¹⁹ 34 C.F.R. § 106.8(a)(charging the Title IX Coordinator with “coordinating [institutional] efforts to comply” with Title IX)

8. Overseeing effective implementation of any remedies issued in connection with the grievance process.²⁰

Under the Title IX regulations, guidance documents issued by the U.S. Department of Education Office for Civil Rights (OCR), and effective practices, the Title IX Coordinator should be sufficiently positioned within the institutional organizational structure, sufficiently resourced to carry out care and compliance responsibilities, sufficiently trained and experienced, and free from conflicts of interest.²¹ Generally, Title IX Coordinators and DHR Administrators should be positioned to operate with appropriate independence and autonomy, have sufficient supervision and oversight, and have direct or dotted reporting lines to senior leadership.

The Chancellor's Office has published guidance regarding the role of campus Title IX Coordinators. Attachment B to the Systemwide Nondiscrimination Policy mandates that campus Title IX Coordinators "shall have authority across *all* campus-based divisions and programs (e.g., Human Resources, Academic Affairs, Student Affairs, Athletics, Housing, University Police, etc.) to monitor, supervise, oversee, and ensure implementation of [the Nondiscrimination Policy] in all areas" (emphasis in original) Attachment B further requires that all campus Title IX Coordinators and Deputy Title IX Coordinators be MPPs and "have the qualifications, authority and time to address all complaints throughout the campus involving Title IX issues."²² Finally, Attachment B recommends that all campus Title IX Coordinators "be someone without other institutional responsibilities that could create a conflict of interest (e.g., someone

²⁰ 34 C.F.R. § 106.8(a); 34 C.F.R. § 106.45(b)(7)(iv).

²¹ These effective practices have been articulated, among other places, in a [Dear Colleague Letter](#) from the U.S. Department of Education's Office for Civil Rights on April 24, 2015. Although this Dear Colleague Letter has since been rescinded, the underlying concepts described in the letter are still instructive. The 2015 Dear Colleague Letter stated, "The Title IX coordinator's role should be independent to avoid any potential conflicts of interest and the Title IX coordinator should report directly to the recipient's senior leadership" The Letter further instructed that "the Title IX coordinator must have the authority necessary to [coordinate the recipient's compliance with Title IX] and, in order to do so, "Title IX coordinators must have the full support of their institutions . . . [including by] making the role of the Title IX coordinator visible in the school community and ensuring that the Title IX coordinator is sufficiently knowledgeable about Title IX and the recipient's policies and procedures."

²² The Nondiscrimination Policy similarly defines campus DHR Administrators as "the [MPP] Employee at each campus who is designated to administer this Nondiscrimination Policy and coordinate compliance with the laws prohibiting Discrimination, Harassment and Retaliation." The Nondiscrimination Policy states that the DHR Administrator "may delegate tasks to one or more designees, provided that any designee shall be an MPP Employee or an external consultant, and the DHR Administrator retains overall responsibility and authority."

serving as university counsel or as a disciplinary decision maker)” and that they report to a supervisor who is a Vice President or higher.

In addition to reviewing these written guidelines applicable to the system as a whole, Cozen O'Connor evaluated whether, in practice, each campus Title IX Coordinator and DHR Administrator was well positioned to effectively carry out their duties. As described above, this analysis consisted of assessing whether each Title IX Coordinator/DHR Administrator was appropriately positioned organizationally; sufficiently resourced; sufficiently trained; and free from conflicts of interest.

EIO's Executive Director (and Title IX Coordinator/DHR Administrator), has been in the current role for approximately one year. Prior to that, he served as the Manager in EIO where he conducted outreach, intake, and investigations. The Executive Director's contact information is displayed on a University [website](#), as is the contact information for EIO as an office. The Executive Director reports to the Associate Vice President for Administrative Services and Human Resources Officer (AVP of HRO). Because of the responsibility the AVP of HRO has in determining sanctions for staff respondents, the breadth of the AVP of HRO's portfolio, and the CSU requirement that the Title IX Coordinator report to a Vice President level or higher, we recommend that the university consider shifting the reporting structure, perhaps to the President's office or a Vice President or other cabinet member. We recognize the subject-matter experience that the current reporting structure entails – including that the AVP of HRO served as the Title IX Coordinator while the university searched for and hired its first full-time Title IX Coordinator in 2017. Despite this subject-matter knowledge and experience, we believe other factors weigh in favor of moving the reporting line for EIO out of its current structure.

As it relates to resources, during our visit to Channel Islands, EIO had only two full-time staff dedicated to Title IX and DHR, and both had responsibilities outside of the Title IX and DHR program. The university has taken some steps – for example, promoting the Specialist to the Manager position, recruiting for the open Specialist role, and identifying needs for outreach and restorative justice personnel. We commend the University for its commitment to providing the appropriate resources. Our recommendations speak to the need to continually evaluate resourcing levels, structure, and needs as awareness of EIO grows and as reporting increases. We provide specific recommendations for resourcing and structure below.

In terms of training, the Executive Director and Manager have received relevant Title IX and DHR training and both possess the necessary substantive subject matter knowledge with respect to Title IX and DHR issues.

B. Notice of Non-Discrimination

The Title IX regulations require that institutions publish a non-discrimination statement.²³ The statement must notify applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and unions that:

1. The institution does not discriminate on the basis of sex in its education programs and activities, and that it is required by Title IX not to discriminate in such a manner;²⁴
2. The institution does not discriminate with respect to admissions or employment, and;
3. Inquiries about the policy may be referred to the Title IX Coordinator, the Assistant Secretary for Civil Rights in the U.S. Department of Education's Office for Civil Rights, or both.

Along with these notification requirements, institutions must display contact information for the Title IX coordinator on their respective websites, and in each handbook or catalog that it makes available to all stakeholders listed above.²⁵

Channel Islands' Title IX website contains a [Statement of Non-Discrimination](#) (Statement) which is consistent with the Title IX regulations in that it states that the University does not discriminate on the basis of sex, gender, gender identity, or sexual orientation in its education programs and activities, including employment and admissions. The Statement indicates that the prohibition against discrimination includes a prohibition against sexual harassment, sexual misconduct, and gender based dating and domestic violence and stalking. The Statement provides the Executive Director's contact information as well as the contact information for OCR for individuals who wish to report sex discrimination. The notice is located on the Title IX website. A search for "nondiscrimination" using the

²³34 C.F.R. § 106.8(b).

²⁴ *Id.*

²⁵ 34 C.F.R. § 106.8(b)(2).

Channel Islands website's search function results in a multiple links to other Notices of Nondiscrimination, some of which are outdated.

The Statement on the Title IX website also includes wording about nondiscrimination on the basis of protected statuses other than sex and gender. This notice is not a requirement of Title IX but would be consistent with the purpose and goals of Title VI, Title VII, and other federal nondiscrimination laws. We also found nondiscrimination language related to disability on the university's [website](#). We recommend developing and using a consistent Notice of Non-discrimination across all relevant university webpages.

C. Grievance Procedures

Finally, the Title IX regulations require educational institutions to “adopt and publish grievance procedures that provide for the prompt and equitable resolution of student and employee complaints alleging any action that would be prohibited [as sex discrimination under Title IX] and a grievance process that complies with [34 C.F.R. § 106.45] for formal complaints”²⁶ The regulations further require educational institutions to provide notice of the grievance procedures and process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the institution will respond to such a report or complaint.²⁷

CSU's Chancellor's Office maintains the [CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation \(Nondiscrimination Policy\)](#). Consistent with its obligations under Title IX and other federal and state laws prohibiting protected class discrimination, harassment, and retaliation, this document sets forth the grievance procedures and process for resolving reports of sex discrimination, as well as other protected class prohibited conduct. Pursuant to the Nondiscrimination Policy, there are three separate tracks for formal resolution of complaints. Specifically, “Track One” applies to reports of sexual harassment that fall within the federal mandated hearing process required under the 2020 Title IX regulations; “Track Two” applies to reports of sexual misconduct, dating violence, or domestic violence against a student where credibility is an issue, that fall within the mandated hearing process articulated in California case law; and “Track Three” applies to all other reports that allege a violation of the Nondiscrimination Policy.

²⁶ 34 C.F.R. § 106.8(c).

²⁷ *Id.*

This Nondiscrimination Policy, which applies to all 23 CSU universities is an omnibus policy document that maps the complex and overlapping procedural requirements mandated by several federal and state frameworks, including the federal Title IX regulations, California state law relating to sex discrimination and sexual harassment in higher education, California case law relating to due process, and other federal and state laws relating to discrimination based on other protected classes. Although the Nondiscrimination Policy is consistent with the legal requirements of Title IX and the related federal framework for discrimination and harassment on the basis of protected statuses, Title IX/DHR professionals and campus constituents from every university consistently expressed to Cozen O'Connor that the Nondiscrimination Policy was impenetrable in practice; that it was dense, lengthy, and difficult to navigate; and, that it bred confusion. We heard a strong desire for the Chancellor's Office to simplify its procedures, and were optimistic that the forthcoming amendments to the federal Title IX regulations, expected to be released by the U.S. Department of Education in the fall of 2023, would provide the impetus for the Chancellor's Office to do so.

The CSU's prohibition against certain consensual relationships is embedded within the Nondiscrimination Policy.²⁸ We learned that at many of the CSU universities, the prohibition is not adequately communicated to the campus community, limited or no training is offered on the prohibition, and the prohibition is not enforced. Given the significant overlap of the prohibited relationship policy with Title IX, and DHR and *other conduct of concern*, attention should be given to the training and enforcement of this prohibition. We recommend that training on this section of the Policy be incorporated into required training and education. On many campuses, this was an issue of significant concern for faculty and staff.

VI. Campus Coordination

We heard positive feedback regarding strong relationships and good communication between EIO and key partners including Human Resources, Faculty Affairs, Student Conduct, and the University Police Department; however, we understand that this communication generally occurs organically in real time rather than pursuant to a formal information-sharing practice. Currently, Channel Islands has no formal multidisciplinary team (MDT) that meets on a regular basis to discuss all new student, staff, and/or faculty

²⁸ Under Article II, Section F of the [Nondiscrimination Policy](#), a "Prohibited Consensual Relationship" is defined as "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."

EIO reports. We observed a willingness from EIO and other partner offices to institute such a routinized and structured practice, and we note that the university has well-functioning MDT-like structures in other places, including the CARE Team (discussed below) and the BIT (discussed above). Our recommendations speak to establishing a formal MDT for Title IX and DHR related issues.

Similarly, in terms of recordkeeping and data management across offices, multiple individuals commented that the ability to locate and share information across departments has been hindered by a lack of established processes and the lack of visibility across iterations of the campus's recordkeeping systems. As a result, the university relies heavily on institutional knowledge and memory, which is often lost with the turnover of employees. In addition, efforts to understand full information about the parties or a reported incident require manual requests and queries. As noted above, EIO has experienced significant turnover in staff, which has required the ongoing cultivation of new relationships and systems of communication. We learned that some offices maintain files in paper form and in a manner that is not indexed, electronically catalogued, or otherwise readily searchable. Collectively, these inconsistent and decentralized recordkeeping practices make it difficult to reliably query information on a pan-institutional level and leave the university reliant on the individual knowledge of longtime employees or the ability of campus units to search systems. Our recommendations speak to centralizing documentation and recordkeeping across units.

The need for centralized documentation and recordkeeping is especially pressing in addressing *other conduct of concern*. In the absence of a unified process to address conduct, and without a centralized records management system across all offices, effective coordination requires the building of intentional structures for coordination, communication, follow-up, and documentation. Our recommendations address the establishment of formal structures and processes to address *other conduct of concern*.

A. University Police Department

The [University Police Department \(UPD\)](#) is led by the Interim Chief of Police who has served in the interim capacity since June 2021. The UPD website includes information about how to [report a crime](#), a [crime mapping tool](#), and information about [safety escorts](#). At the time of our visit, UPD consisted of the Interim Chief, two Lieutenants – one over Operations and one over Administration – four Patrol Sergeants, 16 sworn Police Officers, three Public Safety Officers, two Community Service Officers, five dispatchers, an analyst, accreditation manager, emergency manager, support coordinator, and two customer service

coordinators. UPD has a memorandum of understanding with the Ventura County Sheriff's Office and the Ventura Community College District.

We asked UPD about its approach to California Penal Code 293 – the state statute which provides that a law enforcement agency must inform a victim of a sex offense that their name will become a matter of public record unless they request otherwise, and further, that the law enforcement agency may not disclose their name to other persons except where authorized or required by law, if the victim has chosen to exercise their right to maintain their name as private. We learned that, at Channel Islands, UPD will grant a survivor's request to remain confidential, but that UPD attempts to differentiate between confidentiality writ large and confidentiality that still allows UPD to share the victim's name and contact information with the Title IX Coordinator. Based on our conversations with administrators and leaders in UPD and EIO, we understand that UPD is almost always in a position to share complainants' names with Title IX. We also heard that UPD and EIO have a positive working relationship. UPD works with the Executive Director of EIO on the Clery [Annual Security Report](#).

B. Student Conduct

[Student Conduct](#) investigates and addresses academic and non-academic allegations that may violate the [Student Conduct Code](#). At the time of our visit, there was one full-time employee in Student Conduct – the Interim Student Conduct and CARE Administrator – and one part-time Student Conduct Specialist who split her time equally between Student Conduct and Housing and Residential Education. We understand that the office is in the process of hiring a full-time coordinator, and the division is searching for an Associate Dean of Students following the departure of the previous Associate Dean in December 2021. Student Conduct reported that it addressed 166 reports in 2021-2022, and that Housing and Residential Education addressed 488 Student Conduct reports within campus housing.

We observed a strong and well-functioning relationship between Student Conduct and EIO. Student Conduct and EIO reportedly share an interest in incorporating more restorative justice practices into their systems. EIO shared that it sends referrals to Student Conduct after a determination that the reported conduct does not constitute a potential violation of the Nondiscrimination Policy; however, Student Conduct thought that referrals of this nature were infrequent. Our recommendations address the need for better communication, tracking, and documentation when matters are referred between offices.

C. Human Resources

As a unit within the Division of Business and Financial Affairs, [Human Resources \(HR\)](#) consists of Benefits, Compensation, Employee Relations, Payroll, Training and Development, Employment, and Recruitment services. The website offers an [online HR service desk](#). HR is located in Lindero Hall, Room 1804.

HR is led by the Associate Vice President for Administrative Services and Human Resources Officer (AVP of HRO). At the time of our visit, the AVP of HRO also shared responsibilities as the Acting Vice President for the Division of Business and Financial Affairs, along with one other Associate Vice President. The AVP of HRO oversaw a broad portfolio including fiscal oversight of Administrative Services (which includes EIO and HR), Facilities Services, Information Technology Services, and Public Safety. We understand that the AVP of HRO is still in this Acting Vice President Role. During our visit, HR was also led by a longstanding Employee Relations Manager who left shortly after our visit and then returned to Channel Islands in the role of Director of Human Resources in May 2023.

Information-sharing between HR and EIO is reportedly strong. The biggest impediment to information-sharing and collaboration between the units has been the amount of turnover in staff in both HR and EIO. EIO and HR reported that EIO refers employee matters to HR when it determines that the reported conduct does not constitute a potential violation of the Nondiscrimination Policy. HR then coordinates the response, which may include educational measures or the initiation of an employee discipline process. The Employee Relations Manager (and now Director of HR) reported that she oversees employee training for Title IX and DHR through CSULearn.

D. Academic Affairs / Faculty Affairs, Success, and Equity

The [Division of Academic Affairs](#) is led by the Provost, who served at four other CSU universities before joining Channel Islands in 2021.

Within the Division of Academic Affairs, [Faculty Affairs, Success, and Equity \(FASE\)](#) is the central location for all faculty-related programs, policies, and procedures, including support to academic personnel regarding the implementation of the Faculty (Unit 3) and Academic Student Employee (Unit 11) Collective Bargaining Agreements. FASE has six staff members, including the Interim Associate Vice President of Faculty Affairs, Director of Faculty Affairs, Administrative Specialist, Academic Personnel Analyst, Academic Support Coordinator, and Academic Personnel Specialist. FASE is located on the second floor of Bell Tower West.

FASE manages various personnel processes including: faculty retention, tenure, and promotion; faculty grievance/arbitration; sabbatical/difference-in-pay leaves; and compensation programs such as the Faculty Early Retirement Program. FASE provides support for faculty recruitment, faculty orientation, and other related faculty personnel functions. FASE acts as the custodian for official faculty personnel files.

E. Housing and Residential Education

In the Division of Student Affairs, [Housing & Residential Education](#) provides facilities, services, and programs to 1,500+ student residents. The Housing website includes information about [applying](#), [accommodations and rates](#), [employment opportunities and involvement](#), and the [Summer Conference](#) program. The Housing and Residential Education office is located in Santa Cruz Village on Ventura Street.

Housing and Residential Education has approximately 11 employees, including two staff who live on campus. In addition to the online training through the CSU system, student Resident Advisors (RAs) receive in-person training from EIO about the office's purpose and function and what it means to be a responsible employee. Housing also holds an annual "scenario day" with the RAs where they walk through scenarios including what to do if a resident reports conduct that may violate the Nondiscrimination Policy. Professional Staff in Housing do not receive any additional training other than the CSULearn modules.

F. Clery Act Responsibilities

The EIO Executive Director leads the university's Clery compliance function.²⁹ Channel Islands maintains a robust [Clery Compliance website](#), which contains information about identification of campus security authorities (CSAs), Clery geography, CSA reporting obligations, a CSA reporting form, and links to the most recent [Annual Security Report](#), Annual Campus Safety Plan, and Systemwide Hate Incidents Report (the latter two of which are required by the California Education Code). CSAs receive Clery Act training through CSULearn. EIO refers all known reports of Clery crimes to UPD for entry into the daily crime log. UPD maintains the [daily crime log](#) as part of its crime mapping tool. When a timely warning may be appropriate, EIO works with the Interim Chief of University Police to review the report. EIO maintains a spreadsheet of all timely warning decisions, including whether or not a warning was issued and the reasons for issuance or non-issuance.

²⁹ While outside the scope of our review, we observed a number of opportunities to strengthen the Clery program, which we will share separately with the university.

VII. Campus Resources for Students and Employees

The care side of campus resources is critically important to the effective functioning of the Title IX and DHR programs. Channel Islands provides the following resources dedicated to supporting student and employee well-being.

A. Confidential Campus Advocate³⁰

Channel Islands partners with the [Coalition for Family Harmony](#) to provide a [Confidential Campus Advocate](#) who is trained in supporting survivors of sexual assault, sexual misconduct, sexual harassment, dating violence, domestic violence, and stalking. The Confidential Campus Advocate provides options counseling, assistance, and accompaniment to survivors whether or not they pursue a medical or legal process. The Confidential Campus Advocate is available to serve as a support person to a complainant in a grievance process under the Nondiscrimination Policy, but the Confidential Campus Advocates does not conduct cross-examination and will not, therefore, serve as an advisor for a Track One hearing. The Confidential Campus Advocate is available to serve all Channel Islands students, faculty, and staff.

The Confidential Campus Advocate's hours of operation are 7:00 AM to 5:00 PM on Mondays, Wednesdays, and Fridays in the Counseling and Psychological Services (CAPS) office on campus, and 7:00 AM to 1:30 PM on Tuesdays and Thursdays via videoconference. The website provides the Campus Advocate's campus office phone number, cell phone number, and email address.

The current Confidential Campus Advocate, who started in June 2022, reported meeting with approximately five to seven clients per week. The current Confidential Campus Advocate also shared annual reports prepared by her predecessors showing that the prior advocate provided crisis counseling to an average of 18 students, two family members/friends of a survivor, and one employee per year. The annual reports also reflected that previous Confidential Campus Advocates had direct contact with approximately 800 students and 100 employees each year, through training, presentations, tabling/information fairs, or events.

All referrals to the Confidential Campus Advocate – even direct referrals to the Confidential Campus Advocate from the Title IX and DHR Office, Housing and Residential Education, Student Affairs and other

³⁰ The Campus Care Advocate role is defined in Attachment C of the Nondiscrimination Policy and discussed in the Systemwide Report.

partner offices – are made through the Coalition for Family Harmony for intake and then are referred to the Confidential Campus Advocate. If the Confidential Campus Advocate receives a direct referral, they direct the person to the Coalition for Family Harmony to complete an intake process, which can take one to two days. If that person needs crisis support in the interim, they may be referred to CAPS.

Many of the individuals with whom we spoke noted that there had recently been a long vacancy in the Confidential Campus Advocate position and that, during that time, the advocacy and prevention and education functions were dormant. As noted below, prevention and education at Channel Islands is largely led by the Confidential Campus Advocate, which left a significant gap in programming. We also noted, in reviewing previous annual reports provided, that the Campus Confidential Advocate role experienced a high level of turnover, with personnel changing nearly every year. The current Confidential Campus Advocate has a long history with Channel Islands having served as a temporary emergency clinician in CAPS and full-time administrative coordinator before moving into her current role.

B. Respondent Support

Like most other CSU universities, Channel Islands does not have any dedicated resources uniquely for respondents, such as a dedicated support person for respondents or a respondent advisor program. In the event a Title IX case proceeds to a hearing, the Chancellor's Office provides a hearing advisor to respondents if they do not already have their own advisor, as required by the federal Title IX regulations. While there is no requirement to have a respondent support person or advisor, we recommend that Channel Islands identify a dedicated resource to address the unique needs of respondents in the grievance process.

C. Counseling and Psychological Services

[Counseling and Psychological Services \(CAPS\)](#) provides crisis intervention, 24/7 crisis phone counseling, individual counseling, group therapy, psychiatric consultation, and mental health peer programs, as well as a variety of psychoeducational resources and supports. The CAPS website describes the wide range of [services](#) it offers. CAPS is available to all currently enrolled students.

CAPS is located in Bell Tower East. The CAPS Front Office hours for Fall 2023 are Monday through Friday from 8:00 AM to 5:00 PM, and CAPS Urgent Care hours for Fall 2023 are Monday through Friday from 9:00 AM to 4:00 PM. In our visit, we learned that CAPS has five clinicians, one case manager, two administrative assistants, one doctoral trainee, and one psychologist.

In addition to services at CAPS, the website directs students to multiple telephone crisis hotlines which are available when CAPS is closed.

D. Health Services

[Student Health Services \(SHS\)](#) is an outpatient clinic affiliated with the Ventura County Medical System that provides telehealth and in-person services to all enrolled students. SHS provides services much like those offered at a primary care clinic. SHS providers write prescriptions for many common prescription medications; however, they do not currently offer on-site pharmacy services. Student Health Services has partnered with the Conejo Free Clinic to provide Dental and Vision services to students. Student Health Services is located in Yuba Hall. SHS employs two family nurse practitioners and one medical assistant. The SHS website also provides information regarding off-campus clinics and urgent care.

As part of the Division of Student Affairs, Channel Islands has a [Wellness Promotion & Education \(WPE\)](#) program that address three dimensions of wellness – physical, mental, and spiritual. WPE hosts programs related to alcohol, tobacco and other drug prevention; mental health and suicide prevention; financial wellness; body image and body positivity; healthy eating and nutrition; sleep hygiene; stress management and mindfulness; and sexual and reproductive health. WPE has a peer educator program that hosts workshops, presentations, and events. In the past, WPE peer educators have partnered with the Confidential Campus Advocate to provide programming on sexual violence prevention, bystander intervention, and other topics; however, because of the long vacancy in the Confidential Campus Advocate role, that collaboration tapered off.

E. University Ombuds

The [University Ombuds](#) helps members of the Channel Islands campus navigate, manage, prevent, and resolve conflict, and work through policies. The Ombuds Office advertises its serves as off-the-record, independent, impartial and confidential. The University Ombuds serves staff, faculty, student employees, and first-year and residential students navigating workplace concerns, conflict and policy.

The University Ombuds offers assistance with conflict coaching, conflict management process consultation, workshops, facilitated discussions, shuttle diplomacy, policy navigation, web-based self-help, and organizational assessments. Individuals may make an appointment [online](#) or by phone. The University Ombuds office is located in Solano Hall. Confidential meetings can be held in the Ombuds Office, virtually, or elsewhere if desired.

F. Additional Resources for Students

The [Campus Access, Retention & Equity \(CARE\) Team](#) is a multidisciplinary partnership which consists of Channel Islands faculty, staff, and administrators who come together to evaluate and assess distressing or concerning behaviors exhibited by students. The CARE Team coordinates and develops centralized responses to help students of concern. The CARE Team also evaluates and monitors ongoing related issues.

The CARE Team website offers an online [reporting form](#) and provides their phone number for consultations. Individuals seeking confidential advice or immediate crisis support after hours, including weekends, holidays or during campus closures may call CAPS or the Sexual Assault, Domestic/Dating Violence, and Stalking Crisis Line. The CARE Team includes ten members from various departments. The office is located in Bell Tower 1780.

The [Basic Needs Program](#) at Channel Islands offers emergency food and toiletries, connects students to critical on and off-campus resources, and provides educational opportunities for students regarding wellness and the well-being of their communities.

[The Dolphin Guardian Scholars Program](#) supports and empowers students who are foster youth, adopted, in guardianship or kinship care, and/or have experienced homelessness. The Dolphin Guardian Scholars provides services aimed to meet the unique needs of displaced students to improve access, retention and graduation rates.

Channel Islands offers [food assistance](#) through Dolphin Pantry, which exists to provide immediate food, toiletries and basic necessities at no cost to students in need. The goal of the Dolphin Pantry is to decrease the impact that food and hygiene insecurities have on the academic success of students and to alleviate hunger within our student community. The Dolphin Pantry is located in Arroyo Hall room 114. The website lists the Dolphin Pantry house of operation for January 23, 2023 through May 18, 2023. The hours are Monday Tuesday and Thursday from 1:00 PM to 6:00 PM, and Wednesday from 1:00 PM to 8:00 PM. The website also provides links for emergency housing, emergency funds, and other support services. The program includes four team members, including one Associate Director, one Manager, and two Coordinators. The Basic Needs Program has dining cards loaded with two meals for Islands Café. These cards are available for students to provide access to hot meals.

Channel Islands offers [emergency housing](#) which seeks to provide support to students experiencing housing insecurity on a short-term basis as they identify long-term housing solutions. Channel Islands is able to provide emergency transitional housing accommodations based on space availability.

Channel Islands offers [financial assistance](#) through an Emergency Funds Grant, awarded through the Basic Needs Program, which seeks to provide immediate financial assistance for students who encounter temporary financial hardship due to unforeseen and catastrophic life events.

In addition to food, housing, and financial assistance, Channel Islands offers on- and off-campus resources, including legal assistance, internet resources, campus support services and general campus services, which are described on the [website](#).

G. Additional Resources for Employees

Channel Islands offers an [Employee Assistance Program](#) (EAP) through [LifeMatters](#), which is designed to provide confidential support for challenges that employees face in their everyday lives. Services are provided through Empathia. Services include counseling services, financial and legal assistance, family support, help with relationships, health and wellness support, referrals to community resources, and assistance in choosing the best providers. The EAP is available 24 hours a day and can be accessed by phone or online. Services are available to all employees and the members of their households, including dependents living away from home.

VIII. Prevention, Education, Professional Development, Training and Awareness³¹

Under the Nondiscrimination Policy, the Title IX Coordinator is responsible for “coordinating training, education, and preventive measures,” which may be delegated to a Deputy Title IX Coordinator.³² Even if responsibilities are shared with a Confidential Advocate, the Title IX Coordinator “remains primarily responsible for all campus-based prevention and awareness activities.”³³ The Nondiscrimination Policy further provides: Confidential Advocates may serve on campus-based task force committees/teams to provide general advice and consulting, participate in prevention and awareness activities and programs,

³¹ The legal and regulatory framework, which sets forth requirements under federal and state law, is outlined in Section VII.B.2. of the Systemwide Report, Legal Framework re: Prevention and Education.

³² See Attachment B: Campus Title IX Coordinators Role and Responsibilities.

³³ See Attachment C: Confidential Sexual Assault Victim's Advocates.

and play an active role in assisting, coordinating, and collaborating with the Title IX Coordinator in developing and providing campus-wide awareness and outreach activities, possibly including prevention activities.³⁴

This level of coordination and oversight is not occurring at Channel Islands, nor at most universities across the system.

Primary and ongoing prevention and awareness programming is offered primarily through the Confidential Campus Advocate and through policy trainings and resource awareness presentations offered by EIO. As noted above, in previous years, Wellness Promotion & Education (WPE) had provided some programming in collaboration with the Confidential Campus Advocate, but that collaboration stopped due to the long vacancy in the Advocate position. We learned during our virtual visit that many key stakeholders at Channel Islands have identified the need for full-time, dedicated staff person to be responsible for prevention and education. Additionally, we recommend creating a university-wide Prevention and Education Oversight Committee focused on health and wellbeing to coordinate prevention and education programming and engage in strategic planning to ensure effectiveness.

A. Students

Under the Nondiscrimination Policy, all Channel Islands students are required to take online Title IX online training every academic year. In addition, EIO provides annual in-person training to RAs, peer mentors, and student employees, and a 30-minute training at new student orientation for students and parents. Fraternity and Sorority Life also built a custom Canvas course, which includes modules on Title IX and Diversity.

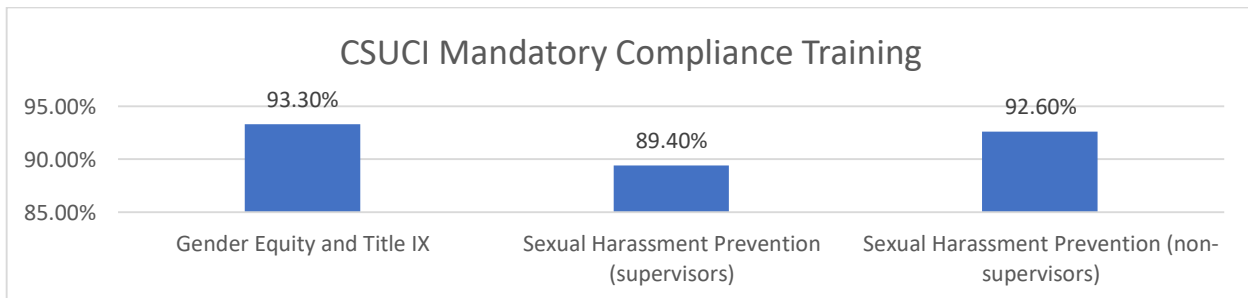
The overwhelming messages we heard from students were: 1) the online modules are not effective, 2) the current in-person offerings are not far-reaching enough, and 3) students would appreciate more frequent interactive training on Title IX, DHR, and related topics.

³⁴ *Id.* Under Attachment C, all awareness outreach activities must “comply and be consistent with University policies” and the Advocate is required to “partner and collaborate with the Title IX Coordinator to ensure the activities comply with CSU policy and are consistent with campus-based practices.”

B. Employees

Consistent with California state law, CSU policy requires all employees to complete the online CSU *Sexual Misconduct Prevention Program Training*, also known as *Gender Equity and Title IX*, on an annual basis (for at least 60 minutes). In addition to this annual requirement for all CSU employees, supervisors and non-supervisors are required to participate in CSU's *Discrimination Harassment Prevention Program* every two years (for at least 120 minutes). At Channel Islands, EIO provides a 15-minute training at faculty and staff orientation, but does not provide any ongoing prevention, education, or awareness for continuing employees. Wellness Promotions & Education (WPE) provides some additional in-person training (e.g., responsible employee training for CAPS staff) and WPE coordinates with EIO to ensure that its content is consistent with EIO's policies and procedures.

The systemwide Learning and Development Office in the Chancellor's Office hosts these online modules, which are provided by an external vendor, on its systemwide employee learning management system. The Learning and Development Office tracks employee completion of these required programs. The below chart, provided by the Chancellor's Office, shows the completion percentage for Channel Islands for the 2022 calendar year:³⁵



As with student training, we heard a strong interest from faculty and staff in more frequent, more engaging Title IX and DHR training that provides opportunities for questions and answers, and that speaks to the unique needs of certain populations – for example, for faculty, how the Title IX and DHR processes work, what happens after a referral to EIO is made, and how to best support a student who is a complainant or respondent in a process.

³⁵ These percentages have been validated by each CSU university. Please note employees designated by their campus as "on leave" were removed from these final percentages.

As at other CSU universities, we also noted the need for expanded professional development and training opportunities for faculty and staff.

C. Coordination

There is currently no prevention coordinator or coordinating committee to ensure strategic planning, calendaring, and delivery of training across all constituencies. Our recommendations speak to the creation of a dedicated prevention coordinator and Prevention and Education Oversight Committee, with a structure to support a well-functioning and legally compliant program for delivering primary prevention and bystander intervention training.

IX. Other Conduct of Concern

We use the term *other conduct of concern* to refer to conduct that may not rise to the level of protected class discrimination or harassment, but may nonetheless violate other university policies or be disruptive to the learning, living, or working environment. This includes, for example:

- Conduct on the basis of protected status that does not rise to the threshold of a potential policy violation because it is not severe, persistent, or pervasive
- Conduct not based on protected status, but that may implicate other policies (e.g., professionalism)
- Conduct that may not be subject to discipline because of free speech or academic freedom principles.

We learned that Channel Islands currently has no coordinated system for centralized reporting, evaluating or responding to *other conduct of concern*. Instead, if conduct is reported to be based on protected status, it is reported to EIO, EIO evaluates whether the conduct has a nexus to protected status and whether it is sufficiently severe, persistent, or pervasive such that it constitutes a violation of the Nondiscrimination Policy. If, at any stage, EIO finds that the conduct would not or does not violate the Nondiscrimination Policy, EIO may refer the matter to another appropriate office, such as Faculty Affairs, Student Conduct, Human Resources, or Housing and Residential Education. Conduct that is not reported to be based on protected status – such as bullying, unprofessionalism, or hostility – may be reported to Human Resources, Student Conduct, or Faculty Affairs directly; however, we understand from our community engagement that individuals may not recognize that conduct as reportable and that, if it is reported, university offices may not have sufficient tools or consistent processes to address the conduct.

Historically, Human Resources has addressed *other conduct of concern* through direct conversation, facilitated dialogue, and other low level interventions, but those efforts have depended upon the skills and capacities of individuals in Human Resources. We understand that Human Resources is interested in developing additional tools and systems to respond to *other conduct of concern*. We also understand that Student Conduct and EIO are interested in building models to address harm, including integrating restorative practices into its suite of options for parties. Our recommendations address the need to build systems for centralized reporting and evaluation, and a suite of tools and response options, for addressing *other conduct of concern*.

X. Recommendations

In the Systemwide Report, we provide detailed recommendations for enhanced Chancellor's Office oversight and coordination of university Title IX and DHR programs. The Systemwide Report also highlights the need for collaboration between Chancellor's Office personnel and university-level Title IX and DHR professionals to ensure accountability for the effective implementation of informed and consistent frameworks. These recommendations must be read together with the recommendations set forth in the Systemwide Report.

Unless otherwise specified, the below recommendations are directed toward the university as a whole. We recommend that the Title IX Coordinator/DHR Administrator and the Campus Implementation Team work with the Chancellor's Office to map and calendar an implementation plan.

A. Infrastructure and Resources

We offer the following recommendations to address infrastructure challenges at the campus level:

1. Work with the Chancellor's Office to develop a project plan for addressing gaps and implementing recommendations
2. Share existing budget line information with the Chancellor's Office, including historic and anticipated annual fees for external investigators, hearing officers, and other Title IX/DHR related resources, as well as budget line information related to the confidential campus advocates, prevention and education specialists, and respondent resources (recognizing that these resources are typically outside of the Title IX/DHR budget)
3. Map functions within the Title IX/DHR program to ensure sufficient personnel to cover all core functions, including: intake and outreach, case management, investigations and hearings, informal resolution, sanctions and remedies, prevention and education, training, data entry and analysis,

administrative tasks, and additional resources to support legally-compliant, effective Title IX/DHR programs, as well as the essential care side of campus responses

- 3.1. To be fully resourced, at a minimum, EIO would have a Title IX Coordinator/DHR Administrator, a prevention and education coordinator, a support and intake coordinator/administrative manager, and one to two investigators (the need for which may increase over time or may be subsumed by the CSU Center for Investigations and Resolutions). The addition of a support and intake coordinator would allow the office to have more consistent separation between the care and support function of the office (the support and intake coordinator) and the resolution function of the office (investigators), and would allow for a reallocation of work load to the prevention and education coordinator, who would be able to track training requirements and ensure follow through.
4. Based on benchmarking and recommendations from the Chancellor's Office, identify recurring baseline (or line item) funding (both source and amount) for the Title IX/DHR program
5. Work with the Chancellor's Office to implement an enterprise-level case management system and develop protocols for consistent collection and retention of data
6. Ensure an adequate supervisory model that includes a routine cadence of supervisory meetings, guidance about how to ensure effective oversight and accountability measures, an appropriate level of detail for review, development, integration and tracking of decision-making frameworks, and balancing implementers' independence and autonomy with the need to identify and elevate critical issues and concerns about safety/risk
 - 6.1 Consider moving EIO out of the Administrative Services and Human Resources structure and shift the reporting line to the President's Office or another similar pan-institutional role
7. Commit to the consistent investment in professional development and continuous learning for Title IX and DHR professionals and senior leaders who oversee the Title IX/DHR program (CLEs, conferences, system training, etc.)
8. Identify a sustainable model to provide respondent support services
9. Consider moving EIO to a more centrally-located office space that is readily accessible to university community members

B. Strengthening Internal Protocols

We offer the following recommendations to promote accountability and strengthen internal protocols within the Title IX/DHR program:

1. Coordinate with the Regional Director, Systemwide Title IX/Civil Rights Division, and subject matter experts to:

- 1.1. Map the case resolution process from reporting and intake through to investigation and resolution process
 - 1.1.1. Compare the current process against standard practices and identify any concerns related to timeliness, conflicts, gaps in communication, or gaps in consistent process
 - 1.1.2. Identify, map, and reconcile intersections with faculty/staff grievance and disciplinary processes
- 1.2. Develop robust intake, outreach, and case management protocols for supportive measures and resources
 - 1.2.1. Develop internal protocols and written tools (e.g., templates and checklists) for intake and outreach, oversight of supportive measures, and decision-making regarding emergency removal or administrative leave
 - 1.2.2. Seek to hold an intake meeting with all individuals who make a report of conduct that would potentially violate the Nondiscrimination Policy
 - 1.2.3. Develop protocols for notifying and coordinating with the confidential advocate at the intake meeting, if possible
 - 1.2.4. Develop or update protocols for information sharing to ensure that the Title IX/DHR Office can fulfill its responsibility of documenting all supportive measures offered, requested, implemented, and if denied, the reasons for the denial
 - 1.2.5. Create a feedback loop to acknowledge responsible employee reports and confirm receipt of the report and next steps
 - 1.2.6. Establish standardized protocols for outreach to complainants that involve multiple modalities, systems to document outreach, and a protocol for how and when to make additional outreach in cases with non-responsive complainants, including the potential for outreach through a third-party or a responsible employee
- 1.3. Develop integrated, written processes for initial assessment designed to evaluate known facts and circumstances, assess and implement supportive measures, facilitate compliance with Title IX and Clery responsibilities, and identify the appropriate institutional response after triaging the available and relevant information; as part of the initial assessment, the Title IX Coordinator/DHR Administrator should:
 - 1.3.1. Take steps to respond to any immediate health or safety concerns raised by the report
 - 1.3.2. Assess the nature and circumstances of the report to determine whether the reported conduct raises a potential policy violation and the appropriate manner of resolution under the Nondiscrimination Policy

- 1.3.3. Assess the nature and circumstances of the report, including whether it provides the names and/or any other information that identifies the complainant, the respondent, any witness and/or any other individual with knowledge of the reported incident
- 1.3.4. Provide the complainant with both oral and written information about on - and off - campus resources (including confidential resources), supportive measures, the right to contact (or decline to contact) law enforcement or seek a civil protection order, the right to seek medical treatment, the importance of preservation of evidence, the right to be accompanied at any meeting by an advisor of choice, and an explanation of the procedural options available
- 1.3.5. Refer the report to appropriate campus officials to assess the reported conduct and determine the need for a timely warning or other action under the Clery Act
- 1.3.6. Assess the available information for any pattern of conduct by respondent
- 1.3.7. Discuss the complainant's expressed preference for manner of resolution and any barriers to proceeding (e.g., confidentiality concerns)
- 1.3.8. Explain the policy prohibiting retaliation and how to report acts of retaliation
- 1.3.9. Determine the age of the complainant and, if the complainant is a minor, make the appropriate report of suspected abuse consistent with state law
- 1.3.10. Evaluate other external reporting requirements under federal or state law or memoranda of understanding
- 1.3.11. Develop, and follow, a comprehensive written checklist/form to ensure that all required actions are taken under state and federal law
- 1.3.12. Develop checklist of factors to consider in determining whether to move forward without a complainant or whether informal resolution is appropriate and ensure sufficient documentation of the determination
- 1.3.13. Provide a written statement of concern at the conclusion of the initial assessment to ensure that the complainant (and as appropriate, the respondent) have a clear understanding of the nature of the report and the proposed resolution path
- 1.4. Consistently separate support/advocacy functions from investigation to avoid role confusion and ensure clear demarcation between the individuals who provide supportive measures to a complainant, respondent or other individual in need of assistance, and the investigator
- 1.5. Strengthen campus collaboration and information-sharing through a multidisciplinary team (MDT) model

- 1.5.1. The Title IX Coordinator/DHR Administrator, in conjunction with the Chancellor's Office, should identify essential university partners to serve on the MDT and set standards for meeting goals and sharing real time information. MDT members may include representatives from Student Affairs/Student Conduct, Faculty/Academic Affairs, Human Resources, UPD, Title IX Coordinator/DHR Administrator/Clery Coordinator, and University Counsel
 - 1.5.2. The MDT should meet regularly and at a minimum, weekly, to review all new reports
 - 1.5.3. The MDT should ensure that all known and available information about the parties and the reported incident is shared with TIX/DHR to inform TIX/DHR's initial assessment and any steps it determines to take in response (including information maintained outside of Title IX/DHR's recordkeeping systems and information that may only be known to another unit or individual)
 - 1.5.4. The Title IX Coordinator/DHR Administrator should follow a protocol for securely sharing parties' university ID numbers or names and basic information about the reported incident in advance of MDT meetings to enable all participants to query their records systems and bring forward any relevant information
 - 1.5.5. The Title IX Coordinator/DHR Administrator should ensure that the multidisciplinary team is trained to treat information confidentially, with sensitivity, and consistent with state and federal privacy laws
 - 1.5.6. The MDT should engage in consultation to inform decisions, including those about emergency removal, administrative leave, the reasonable availability of supportive measures, and questions about the scope of the university's education program or activity
 - 1.5.7. The MDT meetings should serve as natural opportunities for documenting the factors considered in reaching key decisions and documenting what information was known, when it was known, by whom it was known, and what impact it had on the Title IX Coordinator/DHR Administrator's analysis
 - 1.5.8. The MDT should facilitate the development of shared fluency and knowledge among key university partners related to the legal and regulatory requirements, policy frameworks, and considerations related to care and informed and equitable processes
- 1.6. Develop tools for consistent, informed, effective documentation and case management
 - 1.6.1. For quality control, develop a case opening and closing checklist to ensure that all relevant documents, correspondence, and information are captured and preserved electronically
 - 1.6.2. To the extent feasible, seek to maintain data in a usable and searchable electronic format for efficient decision making, analysis and review

- 1.6.3. Migrate all historical DHR reports and Title IX reports into the enterprise-level case management system, if not already included
- 1.6.4. Develop periodic reviews for quality assurance
- 1.7. Oversee investigations for quality and consistency of prompt and equitable processes
 - 1.7.1. Establish a protocol to ensure the timeliness of investigations, with routine quality control mechanisms throughout investigation process
 - 1.7.2. Develop quality control processes for monitoring active investigations for thoroughness and timeliness and ensure timely communications to parties throughout the investigative process (e.g., calendar internal 30-day, 60-day and 90-day alerts to prompt the investigator or case manager to make outreach to the parties)
 - 1.7.3. Ensure each report has sufficient review by the Title IX Coordinator/DHR Administrator and University Counsel (for legal review of sufficiency and adherence to policy)
2. Continue to evaluate barriers to reporting and engagement at the university level, with aggregation of data and advice and guidance by the Chancellor's Office
3. Review and revise tone, content, and format of reporting forms and other template communications
4. Review the current post-Title IX/DHR disciplinary processes for faculty and staff to ensure promptness, equity, and informed communication
 - 4.1. Ensure the Title IX Coordinator/DHR Administrator remains engaged in any disciplinary processes, including sanctions and appeals, until final
 - 4.2. Ensure that decisions about negotiated settlements are supported by a careful and coordinated review by all relevant campus and system level administrators
5. Develop and implement a process to routinely collect post-resolution feedback from the parties and all impacted individuals

C. Communications

We offer the following recommendations to improve awareness of EIO, strengthen campus communications, and address the trust gap:

1. Ensure distribution of a clear and consistent communication plan each semester that includes, at a minimum:
 - 1.1. Dissemination of the Notice of Non-Discrimination
 - 1.2. Dissemination of the Nondiscrimination Policy

- 1.3. Information about reporting and resources
2. Develop an intentional marketing campaign to raise awareness about the role of EIO, available resources, and resolution options
 - 2.1. Prioritize the messages of care, supportive measures, and resources
 - 2.2. Differentiate and educate about the difference between confidential resources and reporting options
 - 2.3. Partner with campus communications professionals to create and promote effective marketing materials, including through the use of professional branding that can be used across platforms (print, web, social media, imprinted on giveaway products)
3. Improve the Title IX/DHR website and other external-facing communications
 - 3.1. Review and revise web content, across all relevant webpages, for clarity, accuracy, and accessibility
 - 3.2. Ensure that web content includes: photographs and contact information for Title IX/DHR staff, Notice of Non-discrimination, a link to the Nondiscrimination Policy, an overview of procedural and resolution options (with accessible graphics), how to make a report (to Title IX/DHR or UPD), on and off campus confidential resources, the difference between confidentiality and privacy, supportive measures, employee reporting responsibilities, an FAQ, prevention and education programming
 - 3.3. Update written Notice of Non-discrimination and conform across all university websites and locations in print (e.g., handbooks, admissions materials, employment websites)
 - 3.4. Develop updated EIO website that includes the recommendations in the report above
 - 3.5. Gather, evaluate, and update all existing informational materials, web resources, posters/flyers, social media information, and other public-facing communications about the Title IX/DHR program to ensure that those materials:
 - 3.5.1. Reflect the current staffing and structure of the office, the current CSU Nondiscrimination Policy and resolution processes, and current information about on- and off-campus resources including confidential resources
 - 3.5.2. Are written in clear language, accessible (from both a disability perspective and a reading comprehension perspective), and consider strategic placement of newly developed print materials in areas frequented by students, staff, and faculty
 - 3.6. Use standardized email addresses and/or materials that are able to be updated quickly (e.g., use of QR codes that point to dynamic webpages that can be updated; using, for example,

“TitleIX@[name of university].edu,” so that print materials do not become outdated if there is a personnel change, etc.)

4. Develop an expanded annual report with meaningful information/data
5. Develop standing committee of representative student, faculty and staff ambassadors to support and facilitate institutional efforts to more effectively communicate with campus constituents
6. Identify and prioritize opportunities for in-person engagement with Title IX/DHR staff (e.g., pop-up events, tabling at an information fair, open houses in various central locations, routine scheduled short presentations to key audiences, and/or sponsored or co-sponsored events)

D. Prevention, Education, Professional Development, Training and Awareness

We offer the following recommendations to promote legal compliance with the VAWA provisions of the Clery Act and consistent attention to prevention and education programming, training, professional development and awareness:

1. Allot sufficient budget lines to ensure consistent, baseline funding for personnel, legally-required programming, and technology/learning management systems
2. Proactively coordinate with system-level subject matter experts to assist with education, training, materials and communications related to complex and difficult issues facing all CSU institutions
3. Designate one individual with specific oversight of all university prevention and education planning and programming, preferably a full-time role without other job responsibilities
 - 3.1. This coordinator should be tasked with oversight of and responsibility for all legally-required programming under Title IX, the Clery Act, and California law
4. Convene a university-wide Prevention and Education Oversight Committee to coordinate and align programming across the university
 - 4.1. The Committee should include all departments who provide training, prevention and education, including, at a minimum, representatives from the Title IX/DHR program, the confidential advocate, student affairs, student health, counseling, UPD, fraternity and sorority life, residential life, human resources and employee labor relations, academic/faculty affairs, DEI professionals, identity-based affinity centers, university subject-matter experts, and staff, faculty, and student representatives
 - 4.2. The Committee should include subcommittees, as determined by the Committee. Committees may focus on the needs of various constituencies (undergraduate students, graduate students, staff, administrators, and faculty) or the types of programming (compliance, professional development, prevention and education, bystander intervention, etc.)

- 4.3. The Committee should be charged with reviewing prevention program content, evaluating proposed programming or speakers, ensuring that prevention-related communications are reaching all constituents, and developing and implementing a mechanism for assessing effectiveness including by monitoring participation levels and measuring learning outcomes
5. With assistance from the Chancellor's Office, develop a strategic plan for university programming that identifies all training requirements under federal and state law and CSU policy, all constituencies and constituent groups in need of training, and all potential university partners that can collaborate to deliver content
 - 5.1. Constituent groups subject to required training should include students (undergraduate and graduate); targeted student populations (athletes, fraternity and sorority life, residential students, residence life student staff, international students, student leaders); senior leadership; faculty (deans, department chairs, leads, lecturers); staff (managers, supervisors); and campus partners who assist in the implementation of Title IX/DHR
 - 5.2. Identify all university partners who provide programming, including affinity and identity-based centers and student affairs personnel
 - 5.3. Identify opportunities for virtual and in-person engagement
 - 5.4. Develop core principles and standards for content development
 - 5.5. Build a university calendar that includes online modules, social norm campaigns, orientation for students and employees, recurring opportunities for programming, and awareness events
6. Facilitate a consistent communication plan each semester that includes dissemination of the policy, Notice of Non-discrimination, reporting options and resources
7. Ensure that programming is coordinated, communicated and tracked
8. Develop a university website dedicated to prevention and campus programming that is kept current, facilitates distribution of prevention and education materials, and incorporates the opportunity for feedback and recommendations
9. Identify social media platforms and other vehicles for distributing programming information on a regular basis
10. In conjunction with the Chancellor's Office, expand professional development and training for faculty and staff, including senior leadership, deans, department chairs, managers and leads on Title IX and DHR; respectful and inclusive environments; conflict resolution; bystander intervention strategies; effective leadership and supervision; and, reporting responsibilities under Title IX, the Clery Act, and CANRA

- 10.1. Ensure the training includes information about prohibited consensual relationships given the significant overlap of prohibited consensual relationships with Title IX, DHR and *other conduct of concern*
11. Create routine training, education, and professional development opportunities to cultivate competencies in navigating difficult conversations, bridging differences, and modeling respect and civility
12. Evaluate the potential opportunities for curricular or course-based programming credential-based options
13. Incorporate information about the Nondiscrimination Policy, reporting options, and confidential resources in syllabi statements
14. Commit to providing programming regarding bystander engagement
15. Participate in national conferences, listservs, networking events and other opportunities to coordinate with other professionals dedicated to prevention
16. Engage students in the development and delivery of programming through peer educator/peer advocate programs
17. Identify student leaders who can serve as ambassadors/promoters of this work
18. Develop consistent on-campus opportunities to be visible and present in the community

E. Responding to Other Conduct of Concern

We offer the following recommendations to develop policy, infrastructure, systems, and training to address *other conduct of concern*:

1. In conjunction with the Chancellor's Office and CSU's Office of General Counsel, develop a written policy, document, or statement by senior leadership to establish expectations, guidelines, and/or definitions of conduct
 - 1.1. The written framework should address unprofessional conduct, abusive conduct, microaggressions, acts of intolerance, and other disruptive behavior in the living, learning and working environment
 - 1.2. The written framework must also address intersections with free speech and academic freedom, including the explicit recognition that the CSU cannot discipline for protected speech
2. Reinforce CSU values and expectations about respect, tolerance, and professionalism through programming and opportunities for in-person engagement

3. Strengthen and expand available competencies regarding conflict resolution, navigating interpersonal conflict, restorative justice, and other forms of remedial responses
 - 3.1. Strengthen traditional employee relations functions within human resources to assist in responding to concerns involving faculty and staff
 - 3.2. Strengthen competencies of managers, supervisors, deans and department chairs by providing expanded training and professional development to meet the needs of assigned roles
 - 3.3. Consider the need for additional personnel, such as an Ombuds or a conflict resolution professional, including those with expertise in restorative justice and mediation
 - 3.4. Develop communications competencies to embrace the tension of difficult issues including the intersections of speech in the contexts of politically and socially-charged events and issues
 - 3.5. Communicate the new and available conflict resolution suite of resources through web content, annual training, and awareness campaigns
 - 3.6. Invest in education and training about conflict resolution
4. Create a centralized reporting mechanism that includes the option for online and anonymous reporting
 - 4.1. Ensure that the landing page for the anonymous reporting option includes appropriate caveats about the university's limited ability to respond to an anonymous report
5. Build a triage model/review process to ensure that all reports are assessed by Title IX and DHR professionals (and a subset of the Title IX/DHR MDT) and evaluate potential avenues for resolution that include the following:
 - 5.1. Identify potential policy violation and investigative response, if any
 - 5.2. Refer to the appropriate administrator/department to coordinate/lead the response
 - 5.3. Identify reasonably available individual supportive measures, if any, and
 - 5.4. Identify appropriate community remedies, if any
6. The reporting and resolution processes must ensure sufficient documentation system to track responsiveness, patterns and trends.
7. This information should be tracked and analyzed on at least an annual basis to inform the need for remedial actions regarding culture and climate, targeted prevention and education programming, and ongoing issues of concern

Appendix I
Metrics: Campus Demographics and Population³⁶

The below chart reflects key metrics and demographic information for Channel Islands.

California State University, Channel Islands			
Location Information			
Location: Camarillo, CA (pop. 70,282) ³⁷	County: Ventura (pop. 832,605) ³⁸	Locale Classification: Midsize Suburb ³⁹	
University Information			
President: Richard Yao, Ph.D. (January 2022-present)			
Designations: Hispanic Serving Institution (HSI) ⁴⁰			
Students – Enrollment Data ⁴¹			
Total Number of Students		6143	
State-Supported		Self-Supported	
Undergraduates	5,470	Undergraduates	208
Grad & Post Bac Students	173	Grad & Post Bac Students	292
Student Ethnicity ⁴²			
Overall (includes State- and Self-Supported)			
Hispanic / Latino		59%	
White		24%	
Asian		7%	
Two or More Races		4%	
Race and Ethnicity Unknown		3%	
Black / African American		2%	
International Student		1%	
Native Hawaiian / Other Pacific Islander		<1%	
American Indian / Alaska Native		<1%	
State-Supported (5,643 students)		Self-Supported (500 students)	
Hispanic / Latino		Hispanic / Latino	
60%		39%	

³⁶ Unless otherwise noted, Cozen O'Connor obtained data concerning Channel Islands demographics, populations, Title IX and DHR staffing, operations and caseload from California State University and Channel Islands sources. This report will be updated to reflect material inaccuracies brought to our attention on or before September 15, 2023.

³⁷ United States Census Bureau, <https://www.census.gov/quickfacts/fact/table/camarillocitycalifornia/PST045221>, population estimate as of July 1, 2021.

³⁸ United States Census Bureau, <https://www.census.gov/quickfacts/fact/table/venturaorangecountycalifornia/PST045221>, population estimate as of July 1, 2021.

³⁹ Defined as a territory outside a Principal City and inside an Urbanized Area with population less than 250,000 and greater than or equal to 100,000. See National Center for Education Statistics, <https://nces.ed.gov/programs/edge/Geographic/LocaleBoundaries> and <https://nces.ed.gov/surveys/annualreports/topical-studies/locale/definitions>.

⁴⁰ HSIs are defined under the Higher Education Act as colleges or universities where at least 25% of the undergraduate, full-time enrollment is Hispanic; and at least half of the university's degree-seeking students must be low-income. See <https://www2.ed.gov/about/offices/list/ope/itudes/eligibility.html>

⁴¹ California State University Enrollment Data, Fall 2022, Cal State Channel Islands: https://tableau.calstate.edu/views/SelfEnrollmentDashboard/EnrollmentSummary?iframeSizedToWindow=true&%3Aembed=y&%3AshowAppBanner=false&%3Adisplay_count=no&%3AshowVizHome=no For purposes of this table, "state-supported" refers to students for whom the State of California underwrites some or all of their educational expenses and "self-supported" refers to students whose educational expenses are not underwritten by the state. Across the California State University system, with some exceptions, self-supported degree seeking students are generally those enrolled in programs administered by professional and continuing education programs.

⁴² *Id.* This data includes students at the undergraduate, graduate, and post-baccalaureate levels.

White	23%	White	30%
Asian	6%	Asian	11%
Two or More Races	4%	International Student	8%
Race and Ethnicity Unknown	3%	Race and Ethnicity Unknown	6%
Black / African American	2%	Two or More Races	3%
International Student	1%	Black / African American	2%
Native Hawaiian / Other Pacific Islander	<1%	Native Hawaiian / Other Pacific Islander	<1%
American Indian / Alaska Native	<1%	American Indian / Alaska Native	<1%
Other Student Demographics⁴³			
Overall (includes State- and Self-Supported)			
First in Family to Attend College	33%		
% students who are traditionally underrepresented ⁴⁴	61%		
% of undergrads who were Pell Grant recipients ⁴⁵	49%		
% of students who live on campus ⁴⁶	18%		
# undergrads who are in a fraternity or sorority ⁴⁷	46		
4-year graduation rate for first-time FT freshmen ⁴⁸	29.6%		
State-Supported (5,643 students)		Self-Supported (500 students)	
Average Age	23	Average Age	31
Sex ⁴⁹	66% F; 34% M	Sex ⁵⁰	62%F; 38% M
First in Family to Attend College	33%	First in Family to Attend College	29%
% traditionally underrepresented ⁵¹	63%	% traditionally underrepresented ⁵²	41%
Instructional Faculty⁵³			
Total # of faculty	421		
Tenure-track	39.9%		
Lecturer	60.1%		
% full-time ⁵⁴	54.82%		
% part-time	45.18%		
Leadership body	Academic Senate ⁵⁵		

⁴³ *Id.*, except where noted otherwise. This data includes students at the undergraduate, graduate, and post-baccalaureate levels.

⁴⁴ For purposes of this table, “traditionally underrepresented” refers to students with ethnicity of Hispanic, Black/African American, or Native American/Alaska Native.

⁴⁵ Pell Grants are federal grants that are usually awarded only to undergraduate students who display exceptional financial need. See U.S. Department of Education, Federal Student Aid, <https://studentaid.gov/understand-aid/types/grants/pell>. This data is for 2021 as 2022 data is not yet available.

⁴⁶ California State University, 2022 Systemwide Housing Plan, Figure 7, p. 20: <https://www.calstate.edu/impact-of-the-csu/government/Advocacy-and-State-Relations/legislativereports1/Legislative-Report-CSU-Systemwide-Housing-Plan.pdf>

⁴⁷ Data regarding numbers of students in fraternity and sorority life provided by the University.

⁴⁸ California State University, Graduation & Success Dashboards, with link to Graduation Dashboard, selecting the Summary Overview tab, and with Cal State Channel Islands selected in drop-down menu. See <https://www.calstate.edu/data-center/institutional-research-analyses/Pages/graduation-and-success.aspx>. This data reflects the four-year graduation rate for first-time full-time freshmen entering Channel Islands during the Fall 2018 (most recent complete 4-year term available).

⁴⁹ Data does not capture number of students who do not identify on the sex/gender binary.

⁵⁰ *Id.*

⁵¹ For purposes of this table, “traditionally underrepresented” refers to students with ethnicity of Hispanic, Black/African American, or Native American/Alaska Native.

⁵² *Id.*

⁵³ California State University, CSU Faculty, Fall 2022. See <https://www.calstate.edu/csu-system/faculty-staff/employee-profile/csu-faculty>, except where noted otherwise.

⁵⁴ California State University, CSU Workforce, Fall 2022. See <https://www.calstate.edu/csu-system/faculty-staff/employee-profile/csu-workforce/Pages/default.aspx> See “Headcount/FTE by Campus” tab.

⁵⁵ Cal State Channel Islands Academic Senate. See <https://senate.csuci.edu/>

Staff⁵⁶	
Total # of staff	513
% full-time	98.44%
% part-time	1.56%
Collective Bargaining Units	
Units 2, 5, 7, 9	California State University Employees' Union (CSUEU)
Unit 3	California Faculty Association (CFA)
Unit 4	Academic Professionals of California (APC)
Unit 6	Teamsters, Local 2010 – Skilled Trades
Unit 8	Statewide University Police Association (SUPA)
Athletics⁵⁷	
NCAA Division	N/A
NCAA Conference	N/A
Number of sponsored sports for '22-'23 academic year	N/A
Number of student athletes	N/A

⁵⁶ California State University, CSU Workforce, Fall 2022. See <https://www.calstate.edu/csu-system/faculty-staff/employee-profile/csu-workforce/Pages/default.aspx> See "Headcount/FTE by Campus" tab.

⁵⁷ Channel Islands has intramural athletics only. https://www.csuci.edu/recreation/intra_extramural.htm (last visited July 6, 2023).

Appendix II Feedback from Survey

In December 2022, we asked each campus President and the Chancellor's Office to disseminate an invitation to participate in an online survey meant to provide a platform for all community members to share their experiences, perspectives, and insights. Nearly 18,000 students, staff and faculty across the system participated in the survey. We used a third-party vendor to host the survey, which was designed by Cozen O'Connor.

As a foundational matter, the surveys were meant to be qualitative, not quantitative. We sought qualitative information to assess perceptions and provide insights into complex issues, not quantitative data for measurement of rates of incidence or prevalence. The purpose of the surveys was to ensure that all campus community members had the opportunity to participate in the review, and to do so in a manner that reduced barriers and allowed for candid participation without fear of retaliation. We do not view the extrapolated themes from the comments as representative of the entire campus community. Rather, the qualitative feedback requested through the survey was to gather community input and understand how stakeholders interact with, and perceive, their individual university and the system as a whole.

The systemwide survey, which was customized for each university, provided the opportunity to share anonymous responses to questions with respect to the following areas:

- Physical Safety and Security. Survey respondents were asked to rate their physical safety on campus, including locations in which they felt more or less safe.
- Culture of Inclusivity and Respect. Survey respondents provided feedback with respect to the culture of inclusivity and respect in their working, living, and classroom environments.
- Prevention, Education and Training Programs. Survey respondents were asked to rate the quality of the prevention, education, and training programs provided by the university.
- Interactions with Title IX/ DHR. Survey respondents were asked to describe their interactions with Title IX and DHR, share their perspective whether complaints were handled properly, and provide any insights and recommendations they had as community members to foster reporting and build trust in these resources.
- Barriers to Reporting. Survey respondents were asked about their perspectives of campus resources, including confidential resources and reporting options, and to share feedback about potential barriers to reporting.

We received feedback from students, faculty, staff, and administrators in the form of survey responses. In total, we received 576 responses⁵⁸ to the survey from Channel Islands students, faculty, staff, and administrators, as follows:

Constituency	Number of Responses
Undergraduate Student	344
Graduate Student	31
Staff	110
Faculty	74
Administrator or Manager	32
Other	18

An important part of this engagement was to provide the opportunity for community voices to be heard, as is, and we share that aggregate feedback here. We recognize that the information, perceptions, and insights shared by university constituents and stakeholders reflect individual perspectives and experiences that may not be universally held, or in some instances, supported by objective review of specific cases or incidents. We accept those perceptions as valid and do not seek to test the foundation of the perceptions. Our goal in seeking broad feedback was to identify aggregate themes by synthesizing information gathered, which we could then review and factor into the context of our own observations of policies, procedures and practices. The aggregate themes from the survey are as follows:

- Confidentiality of private and protected information. Survey respondents described instances in which the substance of ongoing Title IX investigations became public, eroding trust in the office and causing reputational harm.
- Title IX perceived as under-resourced and lacking authority. A common theme was that EIO lacked adequate staff, and that its recommendations and sanctions may ultimately not be honored or may be undone post-process.
- Retaliation a major concern. In response to many questions, survey respondents wrote that they had experienced or witnessed retaliation against complainants who had filed Title IX reports or other reports of discrimination. These experiences made some survey respondents less likely to report, particularly where power differentials existed.
- Campus security. In response to questions regarding campus safety, survey respondents stated that there were occasional issues with access to campus buildings and gates surrounding campus housing, which made them feel unsafe. Likewise, survey respondents

⁵⁸ Due to some respondents identifying as multiple categories, the aggregate of the individual categories will exceed the total.

noted they felt unprepared for active shooter situations and concerned about campus infrastructure in the event of an active shooter scenario.

- Wildlife as a safety concern. Many survey respondents noted that the most significant threat to their safety was an abundance of dangerous wildlife, including mountain lions, in or around the campus.
- Polarized responses re: LGBTQIA+ issues. Survey respondents who identified as LGBTQIA+ reported discrimination as a common concern. These survey respondents requested trans-inclusive Title IX training. By contrast, other survey respondents expressed disagreement with gender-neutral bathrooms, stating they perceived them as a safety threat.
- Disability resources. Several survey respondents who identified as having one or more disabilities stated that they were inadequately accommodated within the university.
- Training. Online prevention and education trainings were reported as lacking in substance, and the online format was near-universally disliked by survey respondents. Several survey respondents found the training to be damaging to their mental health or otherwise triggering. Some survey respondents requested training that was more inclusive of trans and nonbinary individuals.
- Policy. Policy materials were viewed as difficult to read and overly legalistic for those who needed it most.
- Clarity of reports and records. Recordkeeping was perceived as an issue, with multiple survey respondents noting that they received misleading, incomplete, or inaccurate investigation reports or notes following interviews.
- Perception of bias and weaponization. Some survey respondents viewed EIO as being weaponized by parties who engaged in the process in bad faith. Likewise, many survey respondents viewed EIO as a department that exists solely to serve the institution's interests, at the expense of its students, faculty, and staff.
- Diversity within EIO as a barrier to reporting. Some survey respondents noted that they felt less comfortable reporting to non-diverse Title IX officers, or those of other genders.
- Diligence and follow through a major concern. Some survey respondents stated that EIO complaints were not addressed, and that they never heard back from the EIO when they made efforts to file complaints.

Appendix III Title IX Metrics (Title IX Annual Reports)

I. Approach to Metrics: Review of Annual Title IX Reports

As part of our review of the Title IX program at Channel Islands, we reviewed the University's annual Title IX reports for academic years 2018-2019 through 2021-2022. These annual reports are posted online on the EIO website.⁵⁹ The annual reports provide data regarding the reports of Sexual Misconduct/Sexual Assault, Dating and Domestic Violence, Stalking, and – in 2021-2022, Sexual Exploitation and Sexual Harassment – made to EIO each year. The annual reports reflect the number of reports received, disaggregated by the type of conduct and whether the respondent was a student, employee, or third-party, unknown, or unidentified. Beginning in 2019-2020, the annual reports also reflect procedural outcomes, including:

- the number of reports that resulted in investigations with findings of a policy violation or no policy violation;
- informal resolutions reached before or during an investigation;
- requests from the complainant for resources supportive measures only;
- no response from the complainant to the Title IX Office's outreach and insufficient information to move forward;
- insufficient information to move forward with an investigation but sufficient information to take other remedial action;
- an inability to send outreach to the complainant because the Title IX Office did not know their identity, and;
- other types of outcomes as specified by the university.

The annual reports provide information about sanctions imposed upon findings of responsibility and as a result of informal resolution. Finally, the annual reports also provide information about the number of open reported matters as of the beginning and end of the reporting period.

II. Caveats Regarding Interpretation of Data

In evaluating this data, we note that the CSU system currently lacks sufficient tools, processes, and practices to support consistent and reliable data-gathering across CSU individual universities. As currently structured, the data-gathering system has significant challenges: it is reliant on self-reporting by Title IX staff at the university level based on the nature and manner in which they keep documentation; across the system, the CSU universities do not use consistent documentation and recordkeeping systems and

⁵⁹ <https://www.csuci.edu/titleix/annual-report.htm> (last visited July 9, 2023).

practices to maintain their university's data; the structure and questions posed by the Chancellor's Office to request data for the annual Title IX report have changed over time and not all universities use the same report structure; some data requests and questions may be unclear and therefore subject to interpretation; and the annual Title IX reports do not capture foundational data that would enable an informed comparison between universities, such as number of students and employees and number of residential versus commuter students.

Importantly, the annual Title IX reports do not reflect the full breadth of work being performed by Title IX Offices, which is most often concentrated in campus outreach, prevention and education programming and training; responding to reports, conducting intake meetings, overseeing supportive measures, and conducting initial assessments; overseeing informal resolutions; coordinating with campus partners; responding to information requests in a variety of capacities; ensuring accurate and contemporaneous documentation; and strategic leadership on Title IX issues more broadly. The data currently requested also does not capture key metrics such as the numbers and types of reports of Sex- or Gender-based Discrimination, Retaliation, and Discrimination or Harassment on the basis of other protected characteristics covered by the Nondiscrimination Policy. In addition, as noted above, until the 2021-2022 academic year, the annual Title IX reports did not include data regarding reports of Sexual Exploitation or Sexual Harassment. For the above reasons, under the current process for systemwide data-gathering, it is difficult to draw precise conclusions about university Title IX functions or make meaningful comparisons with other CSU universities from the data alone. That being said, we have confidence that the data, while imperfect, provides sufficient reliability to extrapolate key themes and observations.

In presenting the below data, we note that some universities identified challenges with accuracy or completeness in their data. We have attempted to reconcile that data where possible, recognizing that some CSU universities have provided data prepared by individuals who are no longer employed by the university. Before publishing this report, we sent outreach to all Title IX Coordinators to request that they verify the accuracy of their 2021-2022 annual Title IX report. Channel Islands verified the accuracy of the 2021-2022 annual Title IX report via email on April 25, 2023. Channel Islands provided additional information about reports open as of June 30, 2022, including one which resulted in a completed formal investigation and our which resulted in informal resolutions. Those updates are reflected in the below tables.

Finally, we recognize the significant impact of the global pandemic on colleges and universities across the country, including Channel Islands. While we cannot know the precise impact that the pandemic had on incidence rates, awareness of campus resources, barriers to reporting and other relevant factors, we are careful not to draw firm conclusions about trends over the past three years due to the obvious but unquantifiable differences in pre- versus post-pandemic conditions.

III. Historical Data: Annual Title IX Reports (2018-2019 through 2021-2022)

The below charts reflect the number of reports of Sexual Misconduct/Sexual Assault, Dating/Domestic Violence, and Stalking that the Title IX and Inclusion Office received each per year; the procedural outcomes of those reports; and the number of reports involving student Respondents, employee Respondents, third-party Respondents, and unknown or unidentified Respondents.

A. Types of Reported Conduct⁶⁰

	2018-2019	2019-2020	2020-2021	2021-2022
Reports of Sexual Misconduct/Sexual Assault	23	30	7	16
Reports of Dating/Domestic Violence	10	9	2	13
Reports of Stalking	8	19	7	21
Sexual Exploitation*	-	-	-	0
Sexual Harassment*	-	-	-	32
Total # of Reports in Above Categories	41 ⁶¹	58 ⁶²	16	82
* This data was not requested by the Chancellor’s Office prior to the 2021-2022 academic year.				

B. Respondents’ Roles⁶³

The below data, prior to the 2021-2022 Academic Year, relate to the numbers of reports of Sexual Misconduct/Sexual Assault, Dating/Domestic Violence, and Stalking only. Sexual Exploitation and Sexual Harassment Claims are included in 2021-2022.

⁶⁰ This data does not include reports of incidents that fail to meet the threshold of Title IX misconduct.

⁶¹ There were a number of reports against third party respondents constituting “two or more” violations, which were not delineated in the Annual Report. This brings the total number of reports to 46 despite the receipt of only 41 unique complaints.

⁶² The 2019-2020 annual Title IX report reflects that there were 61 total reports, but only 58 when broken down by complaint type.

⁶³ Respondent Role totals may differ from Reported Conduct totals due to multiple allegations for one Respondent.

	2018-2019	2019-2020	2020-2021	2021-2022
Reports in which the Respondent is a student	8	24	3	15
Reports in which the Respondent is an employee	2	2	0	1
Reports in which the Respondent is a third-party	17	2	11	17
Reports in which the Respondent is unknown	16	8	2	4
Reports in which the Respondent is unidentified	-			0
Total # of Reports in Above Categories	43⁶⁴	36⁶⁵	16	37



⁶⁴ The 2018-2019 annual Title IX report reflects that there were 46 total reports of Sexual Misconduct/Sexual Assault, Dating/Domestic Violence, and Stalking but only 43 reports of those forms of conduct when broken down by Respondent role.

⁶⁵ The 2019-2020 annual Title IX Report reflects that there were 61 total reports, but only 36 have been categorized by respondent type.

C. Case Outcomes⁶⁶

The below data reflect the collective outcomes of reports to the Title IX and Inclusion Office.⁶⁷

	2018-2019	2019-2020	2020-2021	2021-2022
Reports in which the Complainant did not respond to outreach and there was insufficient information to move forward	Data not available	Data Not Available	10	40
Reports in which the Complainant’s identity was unknown to the Title IX Office			-	-
Reports in which the Complainant requested supportive measures or resources only			5	11
Reports that resulted in other outcomes (except formal investigation)			1	22
Reports that resulted in a formal investigation*	6	4	0	0
<p>* We learned through this review that this category is not an accurate indicator of the total number of investigations, in part because of how the question was narrowly framed by the Chancellor’s Office. This number does not capture investigations that were open at the end of the reporting period. It also doesn’t capture investigations that were substantially completed, but discontinued at the request of the complainant, because the case was otherwise resolved, or because the matter was dismissed based on mandatory/discretionary grounds under Title IX and university policy.</p>				

⁶⁶ Case Outcome totals may differ from Reported Conduct totals depending on exclusion of pending cases at the time of the annual report and inclusion of resolved open cases from previous years.

⁶⁷ As a reminder, in 2021-2022, the data included Sexual Exploitation and Sexual Harassment, which were not included in earlier years. Because of the manner in which data was gathered by the Chancellor’s Office, it is unclear how the addition of these two categories of conduct impacted the number of outcomes.