

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**



**CALIFORNIA STATE UNIVERSITY  
BAKERSFIELD**

**Rights and Options**

**For Victims of Sexual Misconduct, Sexual Assault, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking**

**CALL 9-1-1**

**If you are in the midst of any kind of emergency, immediate harm or threat of harm.**

The safety and well-being of our campus communities is a priority for the California State University. We are committed to creating and sustaining an educational and working environment free of sexual misconduct, sexual assault, sexual exploitation, dating or domestic violence, and stalking. We are committed to ensuring a safe working and learning environment at every campus.

You have the right to be treated with dignity and respect while seeking and/or receiving support and resources, exploring and/or exercising reporting options, and participating in any formal or informal administrative complaint resolution process under the [CSU's Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking and Retaliation \("Nondiscrimination Policy"\)](#).

This publication is intended to help you understand your rights and options, as well as provide you with information regarding support and resources. This document includes information about the rights and options available throughout the reporting process and/or the duration of any formal or informal complaint resolution process. You will also find information about the

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual  
Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

protocols by which we strive to ensure, to the fullest extent possible, that students, faculty and staff who are victims of sexual violence, dating violence, domestic violence, sexual exploitation and/or stalking, shall receive treatment and information about support and services available through on-campus and/or off-campus resources.

## **Understanding Privacy, Confidentiality and Privilege**

**If your physical safety is at imminent risk**, we encourage you to seek immediate assistance from the police.

If you have been harmed in such a way that you might need and/or benefit from medical care, you are encouraged to seek immediate assistance from healthcare providers. You have the right to decide who you want to talk to and when you wish to talk about what happened. It is also important to know that you can get confidential medical attention after being assaulted. Following an assault, and depending on the nature of the assault, a victim/survivor may be physically injured, may have contracted a sexually transmitted infection, or may become pregnant. Medical professionals can help address these and other health concerns that may present following an assault.

Whether – and the extent to which – a University employee may maintain confidentiality depends on the employee’s position and responsibilities at the University. It is important to understand different levels of confidentiality in order to decide where to turn for help, and whether and to whom to report an incident.

There are a myriad of federal and state laws, along with campus policies and procedures, that help mitigate barriers to reporting and help-seeking behavior; protect student and employee privacy from disclosure; and ensure confidential resources are available for individuals seeking help, information, guidance and support. Many of these relate to the legal concepts of privacy, confidentiality, and privilege.

## **Privacy**

Generally speaking, privacy refers to a person’s right to choose what they want to disclose about themselves, and to decide what they do not wish to share with others.

# CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation

## Attachment D

Revised January 1, 2023

If you experience sexual misconduct, sexual assault, dating violence, domestic violence, sexual exploitation, and/or stalking you have a right to choose whether to make a report, or keep that information private.

The University will protect the privacy of everyone involved in a report to the greatest degree possible under applicable law and University policy. Personally identifiable information about the involved parties will be shared only on a need-to-know basis, e.g., to those who are investigating/adjudicating the report or those involved in providing support services. By only sharing personally identifiable information with individuals on a need-to-know basis, the University will maintain as confidential any supportive measures and remedies provided to the parties, to the extent that maintaining such confidentiality would not impair the ability of the University to provide supportive measures and remedies.

The CSU does not publish the name of victims/survivors or other identifiable information regarding victims/survivors in the Daily Crime Log or in the crime statistics that are disclosed in the *Annual Security and Fire Safety Report*.

Furthermore, if a Timely Warning is issued on the basis of a report of sexual assault, dating violence, domestic violence, sexual exploitation, or stalking, the name of and other personally identifiable information about the victim/survivor will be withheld.

### Confidentiality

Confidentiality refers to the duty a professional owes a person to whom they are providing services for, to not to disclose any information surrounding their work with or shared during their work with that person without the consent of that person.

### Legal privilege

Some people are required by law to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication” and communications with them are protected from disclosure in legal proceedings. Physicians, psychotherapists, licensed professional counselors, licensed clinical social workers, clergy and certified victim advocates acting in those roles or capacity may **not** report **any** information you share with them without your consent, except in very limited circumstances that are explained below.

- All professionals described above (i.e., physicians, psychotherapists, licensed professional counselors, licensed clinical social workers, clergy, and certified

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

victim advocates) are mandatory child abuse and neglect reporters and are required to report incidents involving victims under 18 years of age to local law enforcement. These professionals will explain this limited exception, if applicable.

- Note: Under California law, and University policy, certain University employees, including the Title IX Coordinator, are also mandatory child abuse and neglect reporters and should explain to victims under 18 years of age that they are required to report the incident to the police. The identity of the person who made the report and the report itself are confidential and disclosed only among appropriate agencies.
- Any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if they provide medical services for a physical condition to a patient who they know or reasonably suspect is suffering from (1) a wound or physical injury inflicted by a firearm or (2) any wound or other physical injury inflicted upon where the injury is the result of assaultive or abusive conduct (including sexual violence, domestic violence and dating violence). Health care practitioners should explain this limited exception to patients, if applicable. This does **not** apply to sexual assault and domestic violence counselors and advocates.
- Finally, some or all of these professionals may also have reporting obligations under California law to (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger or (2) to a court if compelled by court order or subpoena in a criminal proceeding related to the sexual violence incident. If applicable, these professionals will explain this limited exception to victims/survivors.

## **Understanding who does and does not have a duty to report**

If you believe you have been or may have been the victim of sexual misconduct, sexual assault, dating violence, domestic violence, sexual exploitation and/or stalking we encourage you to talk to someone about what happened so you can learn about available support, resources and options. **Responsible Employees**

# CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation

## Attachment D

Revised January 1, 2023

Any University employee who is not a Confidential Resource and who receives, in the course of employment, information that a student (undergraduate, graduate, or professional) has suffered sexual violence, sexual harassment or other prohibited behavior shall promptly notify the Title IX Coordinator or designee. This includes Resident Assistants, Graduate Teaching Assistants, and all other student employees, when disclosures are made to any of them in their capacities as employees.

### Additional Information

To help people make informed decisions about who they would like to share information with, the links below explain in greater detail which CSU employees have a duty to report information and which can keep such information confidential.

[Article V. in the CSU Nondiscrimination Policy](#) covers important information related to the following:

- [Employees Who Have a Duty to Report](#),
- [Employees Who Do Not Have a Duty to Report](#), and
- [Other Matters Related to the Duty to Report](#).

The University will not generally notify parents or legal guardians of a report of sexual violence unless the alleged victim is under the age of 18 or they provide the University with written permission to contact their parents or legal guardians.

**Important:** If a victim/survivor speaks only to a physician, therapist, professional counselor, clergy member or advocate, the University will be unable to conduct an investigation or pursue disciplinary action against the respondent, if the victim/survivor chooses to maintain confidentiality.

Regardless of whether a victim/survivor decides to maintain confidentiality, these individuals will still assist victims/survivors in receiving other necessary protection and support, such as victim advocacy, medical, mental health services, and/or legal services. However, these individuals may have limited ability to assist a victim/survivor with University academic support or accommodations, or changes to University-based living or working schedules, as such accommodations likely require the involvement of other University

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

officials.

Victims/Survivors can change their minds about reporting. A victim/survivor who at first requests confidentiality and declines to file a formal complaint, may later decide to file a complaint with the University or report the incident to the police and thus have the incident fully investigated. Campus advocates can provide victims, if they wish, with more information and assistance with reporting.

Because the University is under a continuing legal obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) may also prompt the University to consider broader remedial action — such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increased education, training and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and revising its policies and practices. The University would not reveal the name of a complainant if any of these actions were pursued.

## **Support Services & Supportive Measures**

You have the right to be offered and receive reasonably available support services and supportive measures, available both on and off campus. You do not have to file a formal complaint or a criminal complaint in order to receive support services and/or supportive measures. Supportive services and supportive measures include, but are not limited to, counseling, victim/survivor advocates, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The Title IX Coordinator, University Police Department and victim/survivor advocate on your campus can provide some of these services directly and/or provide you with information about and a referral to these and additional resources on and off campus for support. Each campus website contains information about resources for support services specific to your campus and local area.

# **CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

## **Attachment D**

**Revised January 1, 2023**

Following are some key contacts at each campus (a campus-specific template for sharing contact information for resources and support specific to your campus can be found at the end of this document):

### **Campus Advocates**

Your campus advocate is a professional specially trained to provide victims of sexual assault, dating violence, domestic violence, sexual exploitation and/or stalking with confidential trauma-informed care and support. Advocates offer nonjudgmental support, use an intersectional approach and an empowerment model. Their role is not to give advice or tell victims what they “should” do, but instead to provide victims/survivors with information and resources so that they are empowered to make their own informed decisions about what is best for them at that particular time.

Advocates work with faculty, staff and students to provide emotional support, victims’ rights information, help in finding needed resources, assistance in filling out crime victim related paperwork/forms, and more. Advocates can accompany you to the hospital for medical care and forensic exams. They may also accompany you for other meetings, such as interviews with law enforcement and/or investigators. Advocates work with survivors to access campus resources such as psychological counseling, emergency housing, transportation and academic needs. They can accompany you in meeting with the Title IX Coordinator to learn more about options and resources they can provide. Advocates often provide support for victims when they are reporting to Title IX and/or law enforcement and can help you navigate the reporting process. While an advocate’s role is one of support, they do not provide therapy or mental health counseling and instead can help you access these services.

### **Title IX Coordinator**

Your campus Title IX Coordinator is the person designated to provide you with assistance and support, and to monitor and oversee overall compliance with laws and policies related to all forms of discrimination based on sex, gender, gender identity and expression, and sexual orientation, including sexual harassment, sexual misconduct, sexual assault, sexual exploitation, dating violence, domestic violence, stalking and retaliation. Your campus Title IX Coordinator is available to explain and discuss your right to file a criminal complaint, the availability of supportive measures, the University’s relevant complaint process, and your right to

# CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation

## Attachment D

Revised January 1, 2023

receive assistance with that process, including the investigation process, how confidentiality is handled, available resources on & off campus, and other related matters.

### Counseling Services

Confidential on-campus counseling and psychological services are available for students at each campus. The Employee Assistance Plan (EAP) and counseling and psychological services through employee health plans are available to support faculty and staff at the CSU. Sexual assault/rape crisis and domestic violence centers are available throughout the state and provide confidential information and referral services, counseling, safety planning, and victim advocate services.

### University Police & Local Police

#### University Police Department

Phone (661) 654 – 2677

Emergency: (661) 654 – 2111 or 911

[www.csub.edu/bas/police/index.html](http://www.csub.edu/bas/police/index.html)

#### Bakersfield Police Department

Phone: (661) 327-7111 | Emergency: 911

1601 Truxtun Ave., Bakersfield, CA 93301

[www.bakersfieldcity.us/gov/depts/police/](http://www.bakersfieldcity.us/gov/depts/police/)

### Preserving Evidence

#### The importance of preserving evidence

Victims/survivors are encouraged to preserve all physical evidence, including but not limited to: clothing worn during the assault, bed sheets, and/or photos of any injuries. This evidence may be helpful in proving that a crime occurred, in the event the victim/survivor chooses to report now or in the future. It may also be helpful in obtaining a court-ordered protective or restraining order. If a victim/survivor does not have any evidence preserved, they still have an option to report the crime and request a medical evidentiary examination.

Victims/survivors of sexual misconduct, sexual assault, sexual exploitation, stalking, dating violence and domestic violence are also encouraged to preserve evidence by



**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

saving text messages, instant messages, social networking pages, other communications, pictures, logs or other copies of documents that may be useful to University investigators or police should the victim/survivor decide to report now or in the future.

## **Medical Care and Treatment**

### **Medical Checkups, Evidentiary Exams and VAWA Exams**

In some instances, sexual misconduct, sexual assault, sexual exploitation, stalking, dating violence and domestic violence may result in the need for medical care. You have a right to seek important medical care to address any injury or physical health concerns and to preserve evidence if the conduct alleged warrants such consideration. Regardless of whether an incident of sexual violence is reported to the police, it is important to seek immediate medical attention, even if there is no evidence of serious injury. A medical examination is important to check for sexually transmitted infections or other infections/injuries and for pregnancy. If needed, campus advocates can help you find an appropriate medical provider.

In the event you need transportation to a hospital for medical treatment, your campus Advocate, University Police Department and Title IX Coordinator are all able to provide you with more information about transportation and/or accompaniment to a hospital, including the name(s) of university personnel who may transport you.

#### **Medical Check-ups**

*Do not require a police report and do not collect evidence*

Students may schedule an appointment with their primary care provider, Student Health Services, or Planned Parenthood. Employees may schedule an appointment with their primary care provider or Planned Parenthood. You may ask them for preventative STI medication or emergency contraceptives. Emergency contraception can also be accessed at your local pharmacy.

#### **Evidentiary Exams**

*Requires a police report*

# CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation

## Attachment D

Revised January 1, 2023

Victims have the right under state and federal law to receive a medical evidentiary examination anonymously, at no cost to them. If a victim/survivor chooses not to report to law enforcement, they still have the right to a forensic exam (see “VAWA Exams” below).

An evidentiary exam requires a police report and is sometimes referred to as a Sexual Assault Forensic Exam (SAFE). It is recommended that the examination occurs within a reasonable timeframe after the assault for optimal evidence collection. Law enforcement can provide transportation to the facility, and the victim/survivor will meet with a victim advocate before the exam begins. A specially trained medical provider, called a Sexual Assault Nurse Examiner (SANE), will conduct the exam.

### **VAWA Exams**

*Do not require a police report*

Victims have the right under state and federal law to receive a medical evidentiary examination anonymously, at no cost to them. If a victim/survivor chooses not to report to law enforcement, they still have the right to a forensic exam. This exam is sometimes referred to as a VAWA (Violence Against Women Act) exam, anyone of any gender identity can receive a VAWA exam. The evidence is collected and preserved for up to two years if the survivor decides to move forward with making a report to law enforcement.

If a victim/survivor visits a medical facility solely for the purpose of requesting a forensic exam, law enforcement will be notified. A victim/survivor has the right not to participate or agree to participate in the criminal justice system, either prior to the examination or at any other time.

## **Law Enforcement & Legal Options**

### **Reporting to law enforcement and making a criminal report**

Some forms of misconduct prohibited under the Nondiscrimination Policy may also be prohibited by law. You have a right to be informed of law enforcement options

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

and information regarding the availability of a criminal or civil prosecution for victims of crime.

It is a victim's/survivor's choice to report a crime. You have the right to report or decline to report an incident to law enforcement. You have the right to not be forced, coerced, or pressured into reporting to law enforcement.

A victim/survivor may report an incident to law enforcement at any time. In the event of an emergency where immediate assistance is required, a victim/survivor should dial 9-1-1 to be connected with the nearest police department. If there is no emergency, victims/survivors can file a police report at any time in the jurisdiction where the assault occurred. A confidential victim advocate can assist the victim/survivor in filing the report if requested.

Victims/survivors of crimes such as sexual assault, sexual exploitation, stalking, dating violence, domestic violence, abuse, threats of abuse and/or serious harassment all have a right to petition the court in the appropriate jurisdiction for a protective order (also referred to as a restraining order).

Your Campus Advocate, University Police Department and Title IX Coordinator are all able to provide you with more information about pursuing criminal prosecution, civil prosecution and/or protective orders.

A victim/survivor of specific offenses [enumerated in California Government Code section 7923.615 (b)(1) ] has the right to request to be listed as a confidential victim in a law enforcement agency's report. Being listed as a confidential victim in a law enforcement agency's report prevents the law enforcement agency from disclosing the confidential victim's name and address as a matter of public record. However, the confidential victim's information can be released to the prosecutor, parole officers of the Department of Corrections and Rehabilitation, hearing officers of the parole authority, probation officers of county probation departments, or other persons or public agencies where authorized or required by law. Please see California Penal Code section 293 for more information.

**Civil reporting options & protective orders**

A victim/survivor may choose to file a civil lawsuit against the alleged offender, whether or not criminal charges have been filed. A civil lawsuit provides an opportunity to recover actual money damages, which may include compensation for medical expenses, lost wages, pain, suffering and emotional distress. An

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual  
Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

Advocate can assist a victim/survivor with identifying the necessary steps and processes for filing a lawsuit if requested.

**Court-Ordered Restraining Orders**

A victim/survivor may choose to obtain a restraining order (such as a domestic violence restraining order or a civil harassment restraining order). Restraining orders must be obtained from a court in the jurisdiction where the incident occurred. Restraining orders can help protect a victim/survivor who has experienced or is reasonably in fear of physical violence, sexual violence, domestic violence, dating violence and stalking.

**Emergency Protective Order (EPO)**

An Emergency Protective Order (EPO) is a type of restraining order that only law enforcement can ask for by calling a judge. Typically, this is done by an officer responding to the scene of a domestic violence incident. Judges are available to issue EPOs 24 hours a day. The EPO takes effect immediately and can last up to seven calendar days. The judge can order the alleged abuser to leave the domicile and stay away from the victim and their children for up to a week. This provides the victim with time to go to court to request a temporary restraining order.

**Temporary Domestic Violence Restraining Order (TRO)**

A TRO is a type of protective order. In order to obtain one, the victim/survivor must fill out paperwork explaining the facts and why a protective order is needed. If a judge agrees that protection is needed, the judge will issue a temporary restraining order. Temporary restraining orders usually last until the court hearing date, typically 20 to 25 days after the petition is filed.

**Criminal Protective Order (CPO)**

When there is a claim that a domestic violence incident occurred, a criminal charge (or charges) may be filed by a prosecutor (such as the City Attorney or District Attorney) against the person who allegedly committed the criminal act. The prosecutor commonly asks a judge to issue a Criminal Protective Order while the criminal case proceeds. A CPO typically requires the defendant (the person who allegedly committed the criminal act) to stay away from and not to hurt, threaten, or communicate with the victim/accuser. If the defendant is convicted of or pleads

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

guilty to the criminal charge(s), the CPO may last for up to ten years after the case is over.

**Civil Harassment Restraining Order**

This type of court order is available to individuals who have been harassed by any of the following: a neighbor, roommate (as long as no dating/romantic relationship existed or exists), friend, family member more than two degrees removed (e.g., an aunt/uncle, niece/nephew, cousin, or more distant relative), stranger, or another person not closely related to the victim of the harassment.

An individual who has been civilly harassed by a current or former spouse/partner, or someone with whom a dating/romantic relationship existed, or a close relative (parent, child, brother, sister, grandmother, grandfather, in-law) may qualify for a domestic violence restraining order but would not qualify for a civil harassment restraining order.

**The CSU, Restraining Orders and Protective Orders**

The CSU complies with California law in recognizing restraining orders and protective orders. If you obtain a restraining order a copy should be provided to your campus Police Department. In order to comply with the restraining order, Title IX Coordinators, DHR Administrators, Advocates and/or the University Police Department on your campus may assist with setting up escorts, establishing special parking arrangements, changing classroom or employment locations, or additional measures as needed. Victim/Survivor Advocates on your campus can offer assistance with obtaining a restraining order.

**University Reporting Options**

**Reporting to University Administration**

Complaints of discrimination, harassment, sexual misconduct and sexual assault, dating and domestic violence, sexual exploitation, and stalking may be addressed through the University administrative process. A complainant or reporting party can report an incident to the University by contacting the Title IX Coordinator on their campus. A complainant has the right to have a support person present with them while making a complaint.

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual  
Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

**Please note that the University administrative process is separate from any criminal or civil process** (see the section “Law Enforcement and Legal Options” above for more information).

Individuals have a right to submit a formal complaint through the applicable complaint resolution process. A formal complaint may also be submitted by the campus Title IX Coordinator.

The parties (meaning the Complainant and Respondent) in a matter have the right to receive written Notice of Allegations/Investigation in accordance with the applicable procedure, and to receive a copy of the CSU’s Nondiscrimination Policy and an explanation and description of the applicable complaint resolution process.

Additionally, throughout the complaint resolution process, the parties have the following rights:

- The right to participate or decline to participate in the complaint resolution process and/or any investigation meetings or disciplinary proceeding.
- The right to be informed of the option of informal resolution based on the applicable procedures:
  - Under CSU’s Nondiscrimination Policy and the procedures for Track 1: The right to request an informal resolution (when the matter does not involve an employee Respondent and a student Complainant) after a Formal Complaint has been signed but not be pressured, forced, or coerced into an informal resolution process.
  - Under CSU’s Nondiscrimination Policy and the procedures for Tracks 2 and 3: The right to request an informal resolution but not be pressured, forced, or coerced into an informal resolution process.
  - In any informal resolution process, the Title IX Coordinator will oversee the informal resolution process, conduct an initial and on-going assessment as to whether the informal resolution process should continue, and make the final determination on all informal resolutions facilitated by the Title IX Coordinator or designee regarding whether the terms agreed to by the parties are appropriate considering all the circumstances of the complaint.

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

- The right to a fair and equitable investigation and resolution of all allegations after a formal complaint.
- The right to receive an explanation of the possible sanctions for the alleged conduct.
- The right to challenge the impartiality or bias of the Title IX Coordinator, investigator(s), or decision-maker(s).
- The right to be provided sufficient notice regarding meetings and/or interviews throughout the process, including the names of individuals who will attend the interview or meeting and the reason for the meeting.
- The right for all meetings, interviews, and hearings to be closed to the public.
- The right to be accompanied by an Advisor and/or Support Person to any meeting, interview and/or hearing regarding the allegations.
- The right to receive timely updates on the status of a case, any disciplinary proceedings, and the results of any disciplinary action or appeal.
- The right to provide investigator(s) with information to review and to present a list of potential witnesses for the investigator(s) to interview.
- The right to inspect and review evidence and information in accordance with the applicable procedures and the opportunity to provide a written response within ten (10) days to the investigator.
- The right to be provided with an investigation report in accordance with the applicable procedures.
- The right for the allegations to be resolved using a preponderance of the evidence standard, with the University bearing the burden of proof. Preponderance of the evidence means that it is “more likely than not” that the respondent is responsible for the charged violation(s).
- The right to receive a written determination at the conclusion of the process which includes the information indicated in the applicable procedures.
- Right to appeal the written determination or the dismissal of a Formal Complaint.
- The right to be informed when the determination becomes final.

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual  
Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

In addition to the rights discussed above, the parties are provided with additional rights when there is a hearing, these include:

- The right to a live hearing for all formal complaints of sexual misconduct, dating or domestic violence, sexual exploitation, stalking and/or sexual harassment proceeding under Track 1 or Track 2 of the Nondiscrimination Policy that have not been dismissed or resolved by informal resolution. At the request of either party, or at the discretion of the Title IX Coordinator, the live hearing may occur with parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the other party or witnesses answering questions.
- For Track 1 hearings only (under the procedures outlined in the CSU's Nondiscrimination Policy): The right to be provided with a Hearing Advisor by the University if the party does not select their own choice of Hearing Advisor. Federal regulations require that both parties have a Hearing Advisor for a hearing under Track 1 of the Procedures.
- The right to be seen and heard in person, or via technology, during all the hearings and including the right to see and hear the opposing party.
- The right to ask questions of the opposing party and witnesses through a Hearing Advisor (Track 1) or the Hearing Officer (Track 2) at the hearing.

## **Campus and Community Resources**

### **Resources for Victims/Survivors**

The following is a list of on-campus and off-campus resources that offer a variety of services in the areas of victim advocacy, counseling, health, mental health, legal assistance, visa and immigration assistance, student financial aid and other areas. Campus advocates can help provide information about and referral to any of these resources if requested. These resources are available to victims/survivors whether or not they choose to make a criminal or administrative report.



**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

**Confidential Resources On-Campus**

<i>Resource Name</i>	<i>Type of Services</i>	<i>Contact Information</i>
Counseling Center	Counseling and mental health services for students	(661) 654 - 3366 <a href="http://www.csub.edu/counselingcenter/">www.csub.edu/counselingcenter/</a>
Student Health Services	CSUB's Student Health Services (SHS) gives enrolled students access to basic health care through: physicians; nurse practitioners and nurses; and in-house clinical laboratory and pharmacy services. Student fees support the facility and provide many basic services - which are available at little or no cost to CSUB students.	(661) 654 - 2394 <a href="https://www.csub.edu/healthcenter/">https://www.csub.edu/healthcenter/</a>
Employee Assistance Program (EAP)	An Employees Assistance Program (EAP) is a free, confidential referral and counseling service designed to help employees and members of their family balance life challenges you face every day.	(661) 654 - 2266 <a href="https://www.csub.edu/hr/benefits/employee-assistance-program.shtml">https://www.csub.edu/hr/benefits/employee-assistance-program.shtml</a>
Ombudsperson	The Ombudsperson is available to meet with any CSUB Student who has a concern or complaint about the University. The Ombudsperson is an objective mediator who helps resolve conflicts that arise from disagreement and acts as the liaison between students and the University.	(661) 654 - 2417 <a href="https://www.csub.edu/deanofstudents/ombudsperson.shtml">https://www.csub.edu/deanofstudents/ombudsperson.shtml</a>

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

**Non-Confidential Resources On-Campus**

<i>Resource Name</i>	<i>Type of Services</i>	<i>Contact Information</i>
Title IX Coordinator	The campus Title IX Coordinator is available to provide you with written and verbal information regarding the applicable University complaint procedure for investigating and addressing your reported incident.	Marcus Brown, J.D. (661) 654 - 2713 Mbrown59@csub.edu <a href="https://www.csub.edu/equity-inclusion-compliance/title-ix/index.shtml">https://www.csub.edu/equity-inclusion-compliance/title-ix/index.shtml</a>
Office of the Dean of Students	The Dean of Students supports the university's mission by developing the personal and intellectual potential of all students. We foster this through developmental learning, placing value for integrity and self-reflection, and encouraging responsible behavior. By upholding the Student Conduct Code, we create a healthy living and learning environment that empowers students to be ethical leaders.	Emily Poole Callahan (661) 654 - 6090 Epoole1@csub.edu <a href="https://www.csub.edu/deanofstudents/">https://www.csub.edu/deanofstudents/</a>
Office of Financial and Scholarships	Assist students with financial aid process	(661) 654 - 3016 <a href="mailto:finaid@csub.edu">finaid@csub.edu</a> <a href="https://www.csub.edu/financial-aid/">https://www.csub.edu/financial-aid/</a>
International Students and Programs	The office of International Students and Programs is here to support international student on each step of your journey at CSUB.	(661) 654 - 6113 <a href="mailto:internationaladmissions@csub.edu">internationaladmissions@csub.edu</a> <a href="https://www.csub.edu/isp/index.shtml">https://www.csub.edu/isp/index.shtml</a>

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

Dreamers Resource Center	The CSUB Dreamers Resource Center (DRC) is dedicated to providing support and resources for students who are undocumented, AB-540 recipients, DACA recipients, or from mixed-status families. The Dreamers Resource Center staff can assist with DACA renewals, AB-540 applications, CA Dream Act Application (CADA), and any other supporting documents.	(661) 654 - 3548 <a href="mailto:magec@sub.edu">magec@sub.edu</a> <a href="https://www.csub.edu/dreamers/">https://www.csub.edu/dreamers/</a>
--------------------------	---	---

**Law Enforcement Resources**

<i>Resource Name</i>	<i>Type of Services</i>	<i>Contact Information</i>
University Police Department (UPD)	The University Police Department is a full-service law enforcement agency that is available 24 hours a day, 7 days a week.	Non-emergency: (661) 654 - 2677 EMERGENCY: (661) 654 - 2111 or 911
Bakersfield Police Department	The Bakersfield Police Department is dedicated to the delivery of quality professional service in all activities that promote community safety, security, and public trust.	Non-emergency: (661) 327 - 7111 EMERGENCY: 911
Kern County Sheriff's Office	The Kern County Sheriff's Office is committed to work in partnership with our community to enhance the safety, security, and quality of life for the residents and visitors of Kern County through professional public safety services.	Non-emergency: (661) 391 - 7500 EMERGENCY: 911

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

**Community, National, Global Resources**

<i>Resource Name</i>	<i>Type of Services</i>	<i>Contact Information</i>
The Open-Door Network	The Open-Door Network serves those whose lives have been, or could be, impacted by homelessness, domestic violence, sexual assault, child abuse, and human trafficking.	(661) 322 - 9199 24-Hour Crisis Hotline: (661) 327-1091 Email: <a href="mailto:info@opendoorhelps.org">info@opendoorhelps.org</a> Website: <a href="https://opendoorhelps.org/">https://opendoorhelps.org/</a>
Office for Civil Rights U.S. Department of Education	The U.S. Department of Health and Human Services (HHS) Office for Civil Rights (OCR) enforces federal civil rights laws, conscience and religious freedom laws, the Health Insurance Portability and Accountability Act (HIPAA) Privacy, Security, and Breach Notification Rules, and the Patient Safety Act and Rule, which together protect your fundamental rights of nondiscrimination, conscience, religious freedom, and health information privacy.	50 Beale Street, Suite 7200 San Francisco, CA 94105-1813 Telephone: 415-486-5555 FAX: 415-486-5570; TDD: 800-877-8339 Email: <a href="mailto:ocr.sanfrancisco@ed.gov">ocr.sanfrancisco@ed.gov</a>
RAINN (Rape, Abuse, and Incest National Network)	National network supporting victims/survivors of sexual assault and abuse. 24/7 free and confidential hotline and chat services.	1-800-656-4673 <a href="https://www.rainn.org/">https://www.rainn.org/</a>

**CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation**

**Attachment D**

**Revised January 1, 2023**

U.S. Department of State – Office of Overseas Citizens Services	Assist victims/survivors who are overseas with local and/or US-based resources for victims of crime, including local legal representation.	From the US or Canada: 1-(888)-407-4747  From overseas: +1-(202)-501-4444  <a href="https://travel.state.gov/content/passports/en/emergencies.html">https://travel.state.gov/content/passports/en/emergencies.html</a>
---	--	--