Date: December 17, 2021

To: All Employees

From: William A. Covino  
President

Copies: J. Williams, J. Dial, J. Gomez, O. Villalpando

Subject: Annual Notification of Campus Statement of Nondiscrimination, Systemwide Policy Prohibiting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence and Stalking against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties (Executive Order 1096), Policy Regarding Consensual Relationships between Employees or Employees and Students, and Statement of Compliance with the Americans with Disabilities Act

I am writing to provide you with information regarding our commitment to nondiscrimination, Title IX of the Education Amendments of 1972, related University antidiscrimination, harassment and retaliation policy, federal and state legislation, and our compliance with the Americans with Disabilities Act.

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

The California State University does not discriminate on the basis of gender, which includes sex and gender identity, gender expression, transgender status, and sexual orientation in its education programs or activities. Title IX of the Education Amendment of 1972, and certain other federal and state laws, prohibit discrimination on the basis of gender in employment, as well as in all education programs and activities operated by the University (both on and off campus). The protection against discrimination on the basis of gender, sex, gender identity, gender expression, transgender status and sexual orientation includes sexual harassment, sexual misconduct and gender-based dating and domestic violence and stalking. The following persons has been designated to handle inquiries regarding the non-discrimination policies:

Title IX Officer
Mariel S. Mulet
Director of Human Resources Equity and Diversity Policies and Procedures
Location: Student Services Building, 6th floor, Room 6381
Phone: 323-343-3040 or Email: mmulet@calstatela.edu

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

Deputy Title IX Coordinator
Karlos Santos-Coy, Associate Dean of Student Conduct
Location: Student Services Building, 4th floor, Room 4380
Phone: 323-343-3103 or Email: Karlos.Santos-Coy@calstatela.edu

Questions may also be addressed to:

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

Cal State LA will take action to eliminate and prevent discrimination, harassment, retaliation, sexual misconduct, dating and domestic violence and stalking and to address its effects, as mandated by California State University’s Executive Order 1095, revised on June 23, 2015 and Executive Orders 1096 and 1097, revised October 12, 2021.

www.calstatela.edu/hrm/oedi-policies-and-procedures#cal-state-la-adopts-these-csu-policies-and-procedures


Executive Order 1096 – Systemwide Policy Prohibiting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties (Revised October 12, 2021)

Executive Order 1097 – Systemwide Policy Prohibiting Discrimination, Harassment and Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Students and Systemwide Procedure for Addressing Such Complaints by Students (Revised October 12, 2021)

Sexual harassment is conduct subject to disciplinary action, including termination.

Executive Order 1096, Article I, states:

The California State University (CSU) is committed to maintaining an inclusive community that values diversity and fosters tolerance and mutual respect. We embrace and encourage our community differences in Age, Disability (physical and mental), Gender (or sex), Gender Identity (including transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion (or Religious Creed), Sexual Orientation, and Veteran or Military Status, and other characteristics that make our community unique. All individuals have the right to participate fully in CSU programs and activities free from Discrimination, Harassment, and Retaliation. The CSU prohibits Harassment of any kind, including Sexual Harassment, as well as Sexual Misconduct, Dating and Domestic Violence, and Stalking. Such misconduct violates University policy and may also violate state or federal law.

All sexual activity between members of the CSU community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific sexual activity is Sexual Misconduct and constitutes a violation of this policy, whether or not the sexual activity violates any civil or criminal law.

This policy is established in compliance with the California Equity in Higher Education Act, Title IX of the Education Amendments of 1972, Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (34 C.F.R. 106), the Violence Against Women Reauthorization Act of 2013 (which amends the Jeanne Clery Disclosure of Campus Security and Campus Crimes Statistics Act, commonly known as the Clery Act) (VAWA) under its Campus Sexual

A. **Prohibited Conduct.** The CSU prohibits:

1. Discrimination, including Harassment, because of any Protected Status: i.e., Age, Disability (physical or mental), Gender (or sex), Gender Identity (including transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color or ancestry), Religion (or Religious Creed), Sexual Orientation, sex stereotype, and Veteran or Military Status;

2. Retaliation for exercising rights under this policy, opposing Discrimination or Harassment because of a Protected Status, or for participating in any manner in any related investigation or proceeding;

3. Dating and Domestic Violence, and Stalking;

4. Sexual Misconduct of any kind, which includes sexual activity engaged in without Affirmative Consent; and,

5. Employees from entering into a consensual relationship with any Student or Employee over whom they exercise direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority. See Article I. F.

[...]

H. **Duty to Report.** Except as provided below, any Employee who knows or has reason to know of allegations or acts that violate this policy shall promptly inform the DHR Administrator or Title IX Coordinator. These Employees are required to disclose all information including the names of the Parties, even where the person has requested anonymity. The DHR Administrator or Title IX Coordinator will determine whether such confidentiality is appropriate given the circumstances of each such incident.

Employees Who Do Not Have A Duty to Report:

a. The following Employees are **not** required to report any information about an incident of Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking to the DHR Administrator or Title IX Coordinator:

   i. Physicians; psychotherapists; professional licensed counselors; licensed clinical social workers, and clergy who work on or off Campus, acting solely in those roles or capacities as part of their employment, in the provision of medical or mental health treatment or counseling (*and those who act under their supervision, including all individuals who work or volunteer in these centers and offices*);\(^1\)

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\(^1\) Under California law, there are some limited exceptions to the confidentiality of these employees.
ii. Sexual assault and domestic violence counselors and advocates who work or volunteer on or off Campus in sexual assault centers, victim advocacy offices, women's centers, and health centers and who are acting solely in that role (including those who act in that role under their supervision, along with non-professional counselors or advocates who work or volunteer in sexual assault centers, victim advocacy offices, women's centers, gender equity centers, or health centers) in the provision of counseling or advocacy services.

iii. A CSU employee/union representative is not required to report a possible violation of this Executive Order if the information is provided to the union representative, acting in that role, in a confidential setting by a union member seeking advice about a possible violation or representation in a matter within the scope of representation. However, CSU employee/union representatives are strongly encouraged to report the information to the DHR Administrator or Title IX Coordinator.

b. University police are not required to report any personally-identifiable information about a victim of certain sex offenses, if the victim requests confidentiality of identity, but must report all known facts of the incident, including the identity of the perpetrator (if known), to the Title IX Coordinator.¹

CONFIDENTIAL RESOURCES:

Student Health Center
Phone: 323-343-3302
Office Hours: Monday – Friday, 8:30 a.m. - 5:00 p.m.
www.calstatela.edu/studenthealthcenter

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

Sexual Assault Victim’s Advocate
Maxine Estrada
Peace Over Violence
Location: Student Health Center
Phone: 323-343-3314 or 213-955-9090 ext. 104
Email: maxine@peaceoverviolence.org
Office Hours: Monday, 9:00 a.m. - 1:00 p.m. and Thursday, 1:30 p.m. - 5:30 p.m.

¹ Under California law, there are some limited exceptions to the confidentiality of these employees.
NON-CONFIDENTIAL RESOURCES:

Cal State LA Support Advisors

Laura Tejada
• Assistant Director, Cross Cultural Centers
• Email: ltejeda@calstatela.edu

Candice Varnado
• Assistant Director, New Student and Family Engagement
• Email: cvarnad@calstatela.edu

Christopher Jackson
• Assistant Director, Residence Life
• Email: cjacks38@calstatela.edu

Victor (Veejay) Atlano
• Student Engagement Coordinator
• Email: vatilan2@calstatela.edu
In accordance with Executive Order 1096, CSU’s Systemwide Policy Prohibiting Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating and Domestic Violence, and Stalking against Employees and Third Parties and Systemwide Procedure for Addressing Such Complaints by Employees and Third Parties Executive (Revised October 12, 2021), the CSU prohibits employees from entering into a consensual relationship with a Student or Employee over whom that employee exercises or influences direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority.

Under Executive Order 1096, consensual relationship means a sexual or romantic relationship between two persons who voluntarily enter into such a relationship. While sexual and/or romantic relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking subject to this policy.

A CSU Employee shall not enter into a consensual relationship with a Student or Employee over whom that employee exercises or influences direct or otherwise significant academic, administrative, supervisory, evaluative, counseling, or extracurricular authority. In the event such a relationship already exists, each Campus shall develop a procedure to reassign such authority to avoid violations of this policy.

This prohibition does not limit the right of an Employee to make a recommendation on personnel matters concerning a family or household member where the right to make recommendations on such personnel matters is explicitly provided for in the applicable collective bargaining agreement or MPP/confidential personnel plan.

For more information, contact:

**Title IX Officer**
Mariel S. Mulet
Director of Human Resources Equity and Diversity Policies and Procedures
Human Resources Management
Phone: 323-343-3040 or Email: mmulet@calstatela.edu
NOTIFICATION OF COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (ADA) OF 1990, AS AMENDED

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

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

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