



# CAL STATE LA

CALIFORNIA STATE UNIVERSITY, LOS ANGELES

Date: October 20, 2022

To: All Employees

From: William A. Covino  
President

Copies: J. Williams, R. Avalos, J. Gomez, O. Villalpando

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

---

I am writing to provide you with information regarding our commitment to nondiscrimination, Title IX of the Education Amendments of 1972, related University Nondiscrimination Policy based on federal and state legislation, and our compliance with the Americans with Disabilities Act.

IES: S. Trzaskoma, Arts and Letters, D. Gross, Athletics, T. Jackson, Business and Economics, M. Lovasz, Career Development Center, M. Fryling, College of Education, J. Stewart, Communications and Public Affairs, D. Chambers, Associate Vice President for Student Life and Dean of Students, N. Warter-Perez, Engineering, Computer Science, and Technology, J. Malveaux, Ethnic Studies, D. Fazzi, Faculty Affairs, K. Elliott Brown, Graduate Studies, R. Vogel, Health and Human Services, C. Fehr, Housing and Residence Life, S. Varela, Human Resources Management, N. Mestas, Luckman Fine Arts Complex, R. Vellanoweth, Natural and Social Sciences, M. Mulet, Office for Equity, Diversity, and Inclusion, Title IX Officer, G. Centeno, Office for Students with Disabilities, H. Lee, Professional and Global Education, C. Cobb, Registrar's Office, P. Kim, Student Health Center, C. Johnson, Student Life, M. Hawley, Undergraduate Studies and Honors College, T. Marji, University Auxiliary Services, C. Rodriguez, John F. Kennedy Memorial Library, L. Bohannon, University Police, S. Fleischer, University-Student Union, C. Ndubuisi, Information Technology Services.

---

Office of the President

Distribution VI

**Executive Order 1095**  
**Revised June 23, 2015**  
**Attachment A**

## 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 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, sexual exploitation, gender-based dating and domestic violence and stalking. The following individuals have 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, 6<sup>th</sup> floor, Room 6381

Phone: 323-343-3040 or Email: [oedi.titleix@calstatela.edu](mailto:oedi.titleix@calstatela.edu) or [mmulet@calstatela.edu](mailto:mmulet@calstatela.edu)

### Deputy Title IX Coordinator

**Riquelmi Gomez**, Investigator, Office of Human Resources Equity and Diversity Policies and Procedures

Location: Student Services Building, 6<sup>th</sup> floor, Room 6381

Phone: 323-343-3040 or Email: [oedi.titleix@calstatela.edu](mailto:oedi.titleix@calstatela.edu) or [rgomez145@calstatela.edu](mailto:rgomez145@calstatela.edu)

### Deputy Title IX Coordinator for Athletics

**Demetrus Caldwell**, Deputy Athletic Director, Chief of Staff

Location: Physical Education, Room 110

Phone: 323-343-5240 or Email: [dcaldwe3@calstatela.edu](mailto:dcaldwe3@calstatela.edu)

### Deputy Title IX Coordinator

**Karlos Santos-Coy**, Associate Dean of Student Conduct

Location: Student Services Building, 4<sup>th</sup> floor, Room 4380

Phone: 323-343-3103 or Email: [Karlos.Santos-Coy@calstatela.edu](mailto: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](mailto:ocr.sanfrancisco@ed.gov)

## APPLICABLE POLICIES

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

This Nondiscrimination Policy is established in compliance with:

- Title VI and Title VII of the Civil Rights Act of 1964;
- Title IX of the Education Amendments of 1972, Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (34 C.F.R. 106.);
- The California Equity in Higher Education Act;
- The Violence Against Women Reauthorization Act of 2013 (which amends the Jeanne Clery Disclosure of Campus Security and Campus Crimes Statistics Act, commonly known as the Clery Act) (VAWA) under its Campus Sexual Violence Elimination Act provision (Campus SaVE Act);
- Section 504 of the Rehabilitation Act of 1973;
- Title II of the Americans with Disabilities Act of 1990;
- The Age Discrimination Act of 1975; and
- Other applicable state and federal laws which prohibit Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and related Retaliation.

### **Article I. Statement of Values of the Nondiscrimination Policy states:**

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

### **Article II. Prohibited Conduct Covered Under this Policy states:**

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



- A. Discrimination based on any Protected Status: i.e., Age, Disability (physical and mental), Gender (or sex, including sex stereotyping), Gender Identity (including transgender), Gender Expression, Genetic Information, Marital Status, Medical Condition, Nationality, Race or Ethnicity (including color, caste, or ancestry), Religion (or religious creed), Sexual Orientation, and Veteran or Military Status.
- B. Harassment based on any Protected Status.
- C. Sexual Harassment, including hostile environment and *quid pro quo* ("this for that").
- D. Dating Violence, Domestic Violence, Sexual Exploitation and Stalking.
- E. Sexual Misconduct.<sup>1</sup>
- F. Prohibited Consensual Relationships.
- G. Retaliation for exercising rights under this Nondiscrimination Policy, opposing conduct that a person believes in good faith is Discrimination or Harassment because of a Protected Status, or for participating, in any manner, in any related investigation or proceeding.

#### **Article IV. Academic Freedom and Freedom of Speech**

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

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

#### **Article V. Duty to Report**

Individuals who believe that they have experienced Discrimination, Harassment, Sexual Misconduct, Sexual Harassment, Sexual Exploitation, Dating Violence, Domestic Violence,

---

<sup>1</sup> All sexual activity between members of the CSU community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is Sexual Misconduct, whether or not the conduct violates any civil or criminal law.

Stalking, or Retaliation are strongly encouraged to talk to someone about what happened – so they can secure the support they need, and so the campus may respond appropriately.

[...]

### **Employees Who Have a Duty to Report**

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

### **Employees Who Do Not Have a Duty to Report**

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

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

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

## **CONFIDENTIAL RESOURCES:**

### **Student Health Center**

Phone: 323-343-3302

Office Hours: Monday – Friday, 8:30 a.m. - 5:00 p.m.

[www.calstatela.edu/studenthealthcenter](http://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](http://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. 1131

Email: [maxine@peaceoverviolence.org](mailto:maxine@peaceoverviolence.org)

Office Hours: Monday, 9:00 a.m. - 1:00 p.m. and Thursday, 1:30 p.m. - 5:30 p.m.

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

## **NON-CONFIDENTIAL RESOURCES:**

### **Cal State LA Support Advisor**

Laura Tejada

- Assistant Director, Cross Cultural Centers

- Email: [ltejada@calstatela.edu](mailto:ltejada@calstatela.edu)

## **POLICY REGARDING PROHIBITED CONSENSUAL RELATIONSHIPS BETWEEN EMPLOYEES OR EMPLOYEES AND STUDENTS**

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

For more information, contact:

### **Title IX Officer**

Mariel S. Mulet

Director of Human Resources Equity and Diversity Policies and  
Procedures

Human Resources Management

Phone: 323-343-3040 or Email: [mmulet@calstatela.edu](mailto: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 a 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.