

OCTOBER 2022

2021-22 Summary of Reports

Civil Rights &
Title IX Office

Occidental College



About the 2021-22 Summary of Reports

Developing and fostering a culture of sexual respect and preventing sexual misconduct are key priorities for Oxy. To promote transparency and accessibility of information, the Civil Rights & Title IX Office publishes annual reports that provide an overview of all reports it received and the resolution of formal complaints, including sanctions imposed. Helpful definitions for terms used in this report:

- **Complainant** - someone who experienced misconduct
- **Respondent** - someone accused of misconduct
- **Responsible Employee** - any non-confidential employee of the College with an obligation to report incidents of sexual misconduct to the Civil Rights & Title IX Office
- **Confidential Resource** - a College employee who by law does not have responsible employee reporting obligations (i.e., survivor advocate)
- **Prohibited Conduct** - conduct that violates the Sexual and Interpersonal Misconduct Policy

Clery Act Data

Please note that the data in this report does not match the data found in the College's Clery Report (officially known as the Annual Fire Safety and Security Report, as required by the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act). The Clery Report is limited to specific categories of crime that occur on campus or on College-controlled or affiliated properties off campus during a calendar year. This report includes *all* allegations of conduct prohibited by Oxy's Sexual and Interpersonal Misconduct Policy made to the Civil Rights & Title IX Office, including conduct that occurred on and off campus, and during College-sanctioned activities, overseas programs, Campaign Semester, and the Kahane U.N. Program during the academic year.

Incidents Reported

Between August 1, 2021, and July 31, 2022, the Civil Rights & Title IX Office received 130 reports alleging various forms of sexual and interpersonal misconduct. The incidents reported represented conduct alleged to have occurred between 1973 and 2022 but were first reported to the Civil Rights & Title IX Office during the 2021-22 academic year. Delayed reports are common and expected.

The reports came from anonymous reporters (3), third-party students (5), referrals from the College's survivor advocate with the survivor's consent (8), self-reports (33), and responsible employees (81).

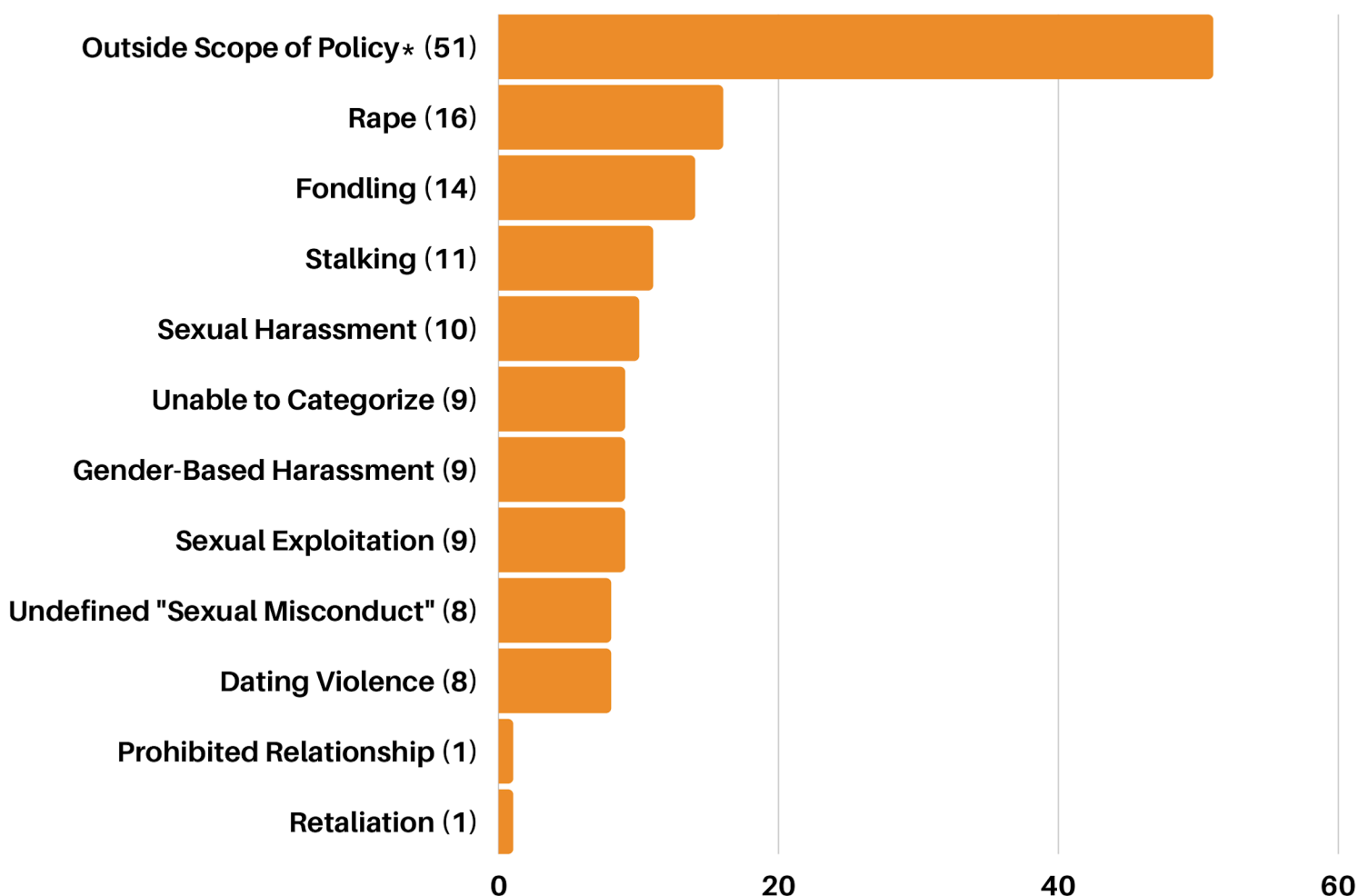
After receiving a report, the Civil Rights & Title IX Office offers to meet with the Complainant (if identified) to discuss resources and reporting options. There is no obligation for a Complainant to respond to this outreach. 36 reports were closed because the Complainant did not respond to outreach from the office.

Categorizing Reports

The incidents detailed in this report are categorized using the language of the reporting party. The Civil Rights & Title IX Office aligned the reported information to prohibited conduct within the Policy. In some cases, there was not enough information to determine whether an incident constituted prohibited conduct.

Types of Prohibited Conduct Reported

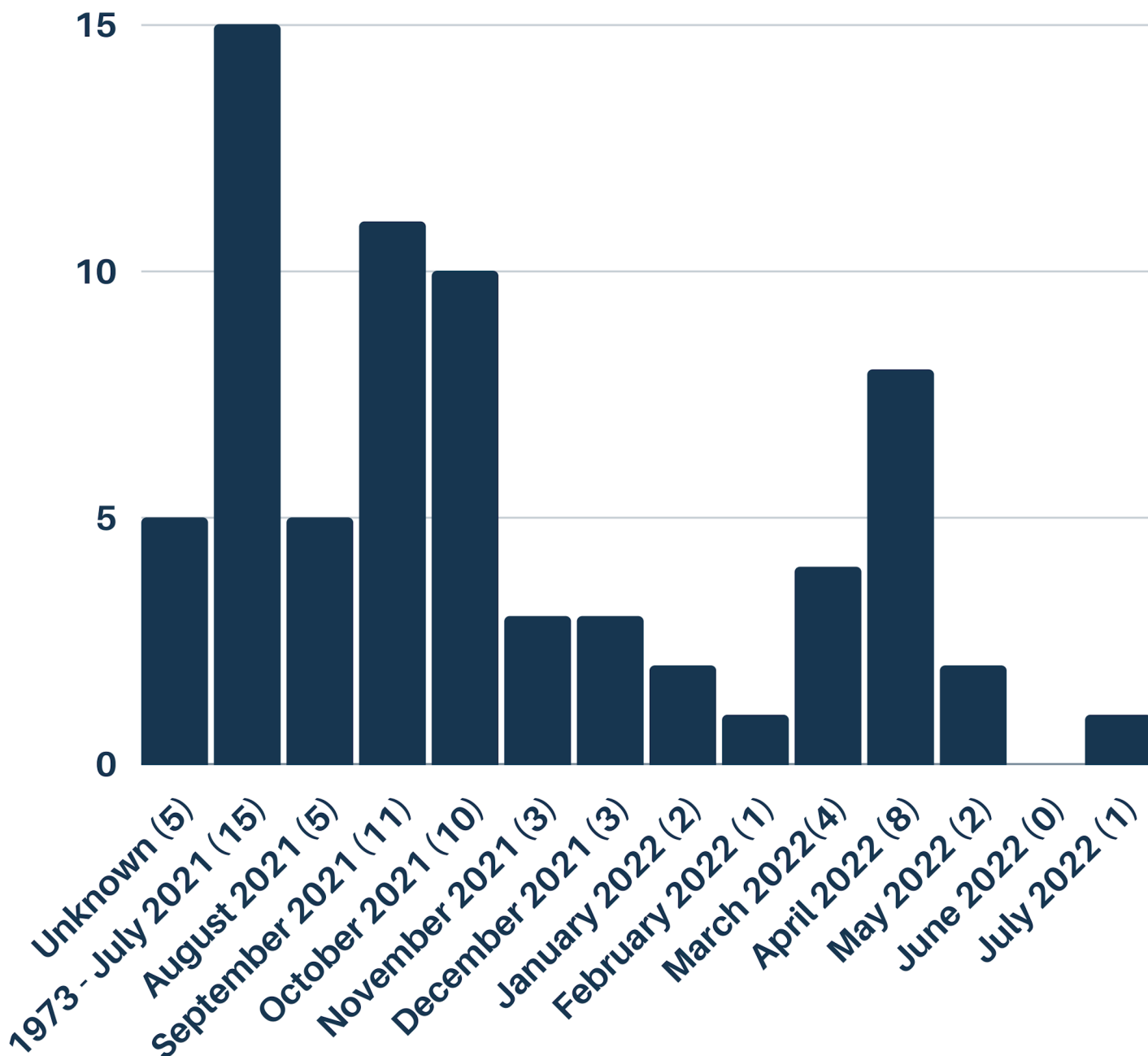
This chart represents allegations reported to the Civil Rights & Title IX Office. The total number of prohibited acts reported is greater than 130 as a single report may include more than one type of prohibited conduct.



*51 reports made to the Civil Rights & Title IX Office did not include allegations that would constitute violations of the Sexual and Interpersonal Misconduct Policy. This could, for example, include non-consensual touching of shoulders or a single sexist comment.

Incident Dates

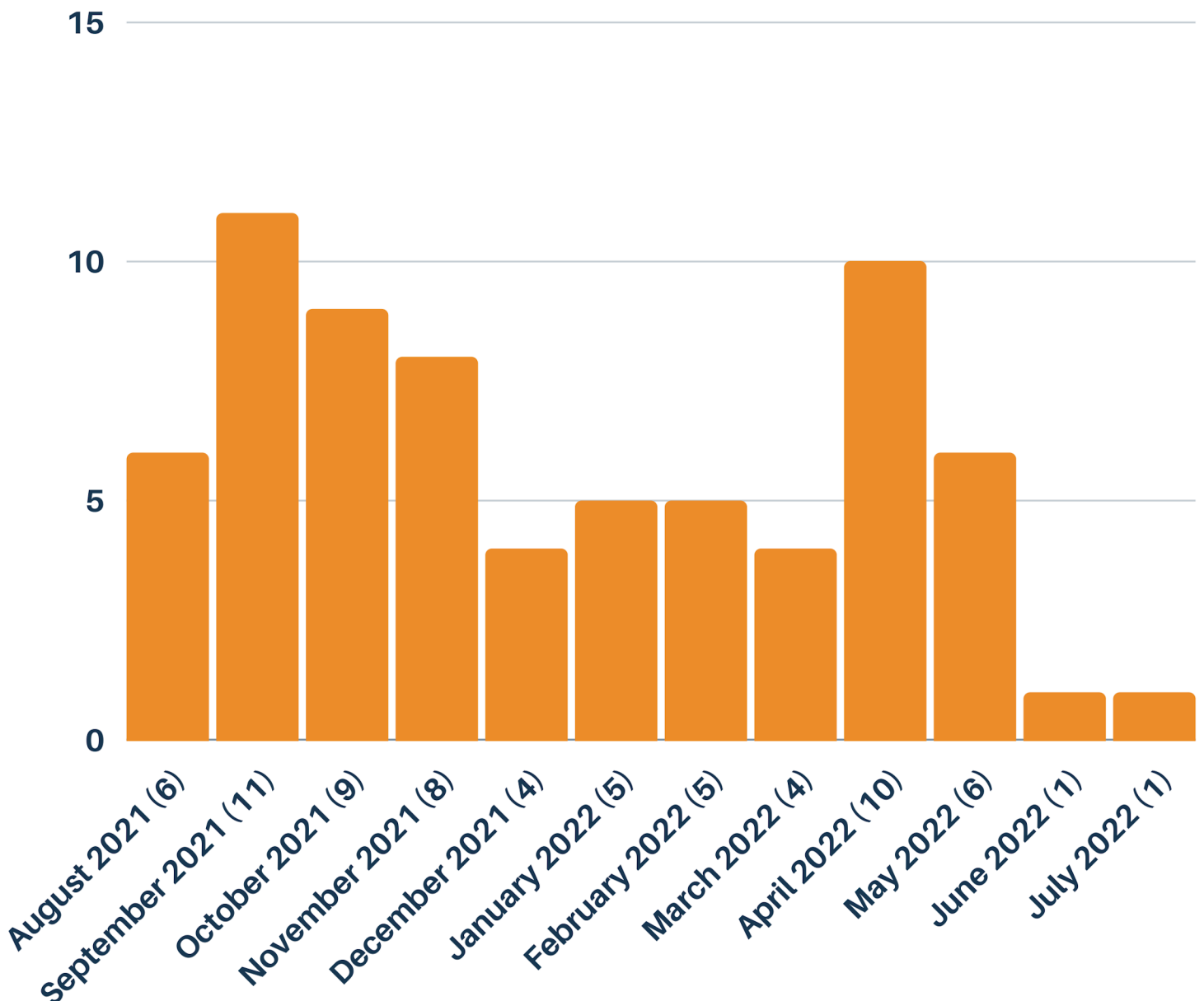
This chart provides the incident dates (when the alleged conduct occurred) of the 70 reports that alleged violations of the Sexual and Interpersonal Misconduct Policy.



This chart does not include incident dates for reports categorized as "Outside Scope of Policy" or "Unable to Categorize" on the previous page.

Report Dates

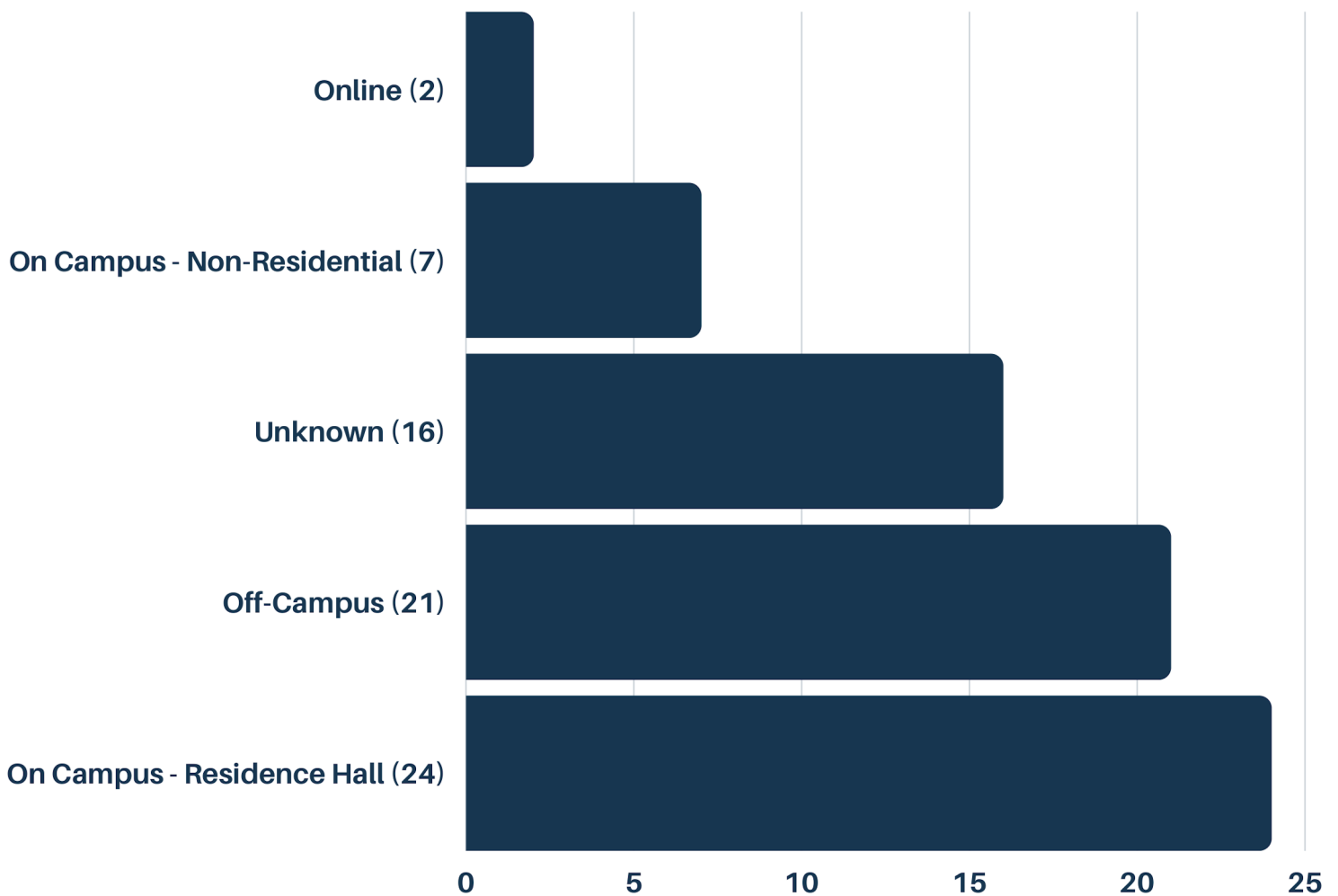
This chart provides the dates when the Civil Rights & Title IX Office received the 70 reports that alleged violations of the Sexual and Interpersonal Misconduct Policy.



This chart does not include report dates for reports categorized as "Outside Scope of Policy" or "Unable to Categorize" on page 4.

Incident Location

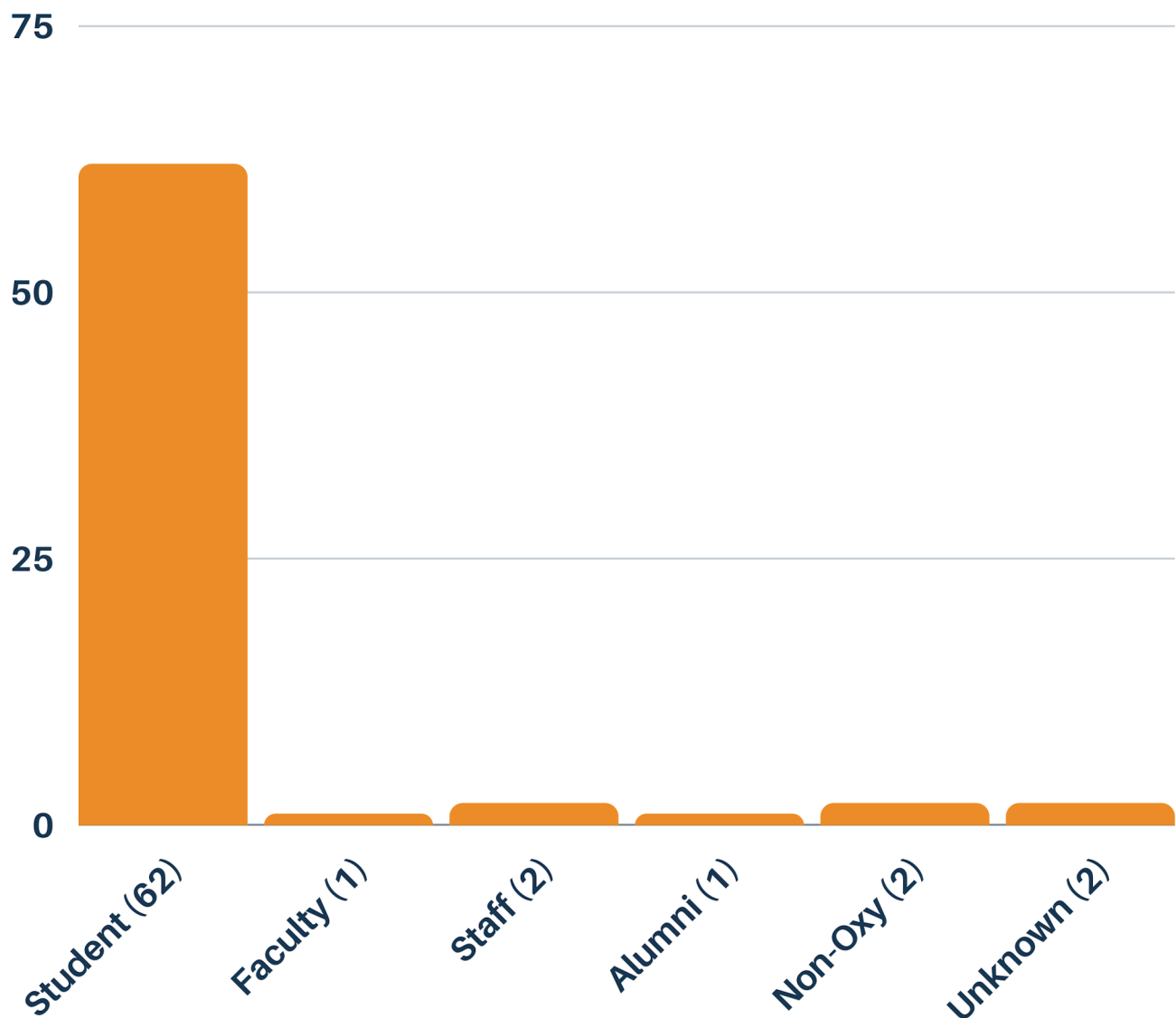
This chart provides the incident location of the 70 reports received that alleged violations of the Sexual and Interpersonal Misconduct Policy.



This chart does not include incident locations for reports categorized as "Outside Scope of Policy" or "Unable to Categorize" on page 4.

Complainant Status

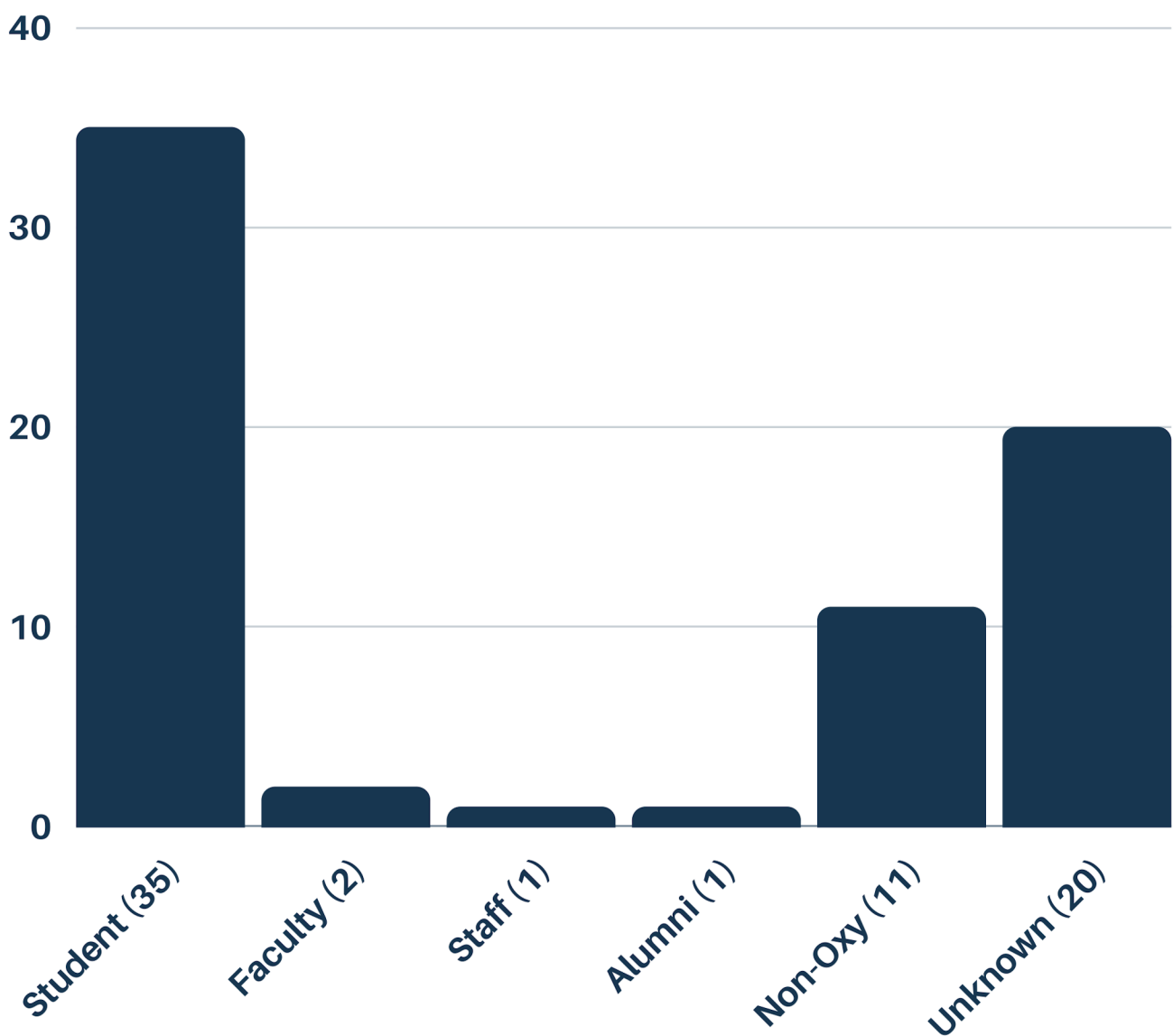
This chart provides the status of the Complainant for the 70 reports received that alleged violations of the Sexual and Interpersonal Misconduct Policy.



This chart does not include complainant status for reports categorized as "Outside Scope of Policy" or "Unable to Categorize" on page 4.

Respondent Status

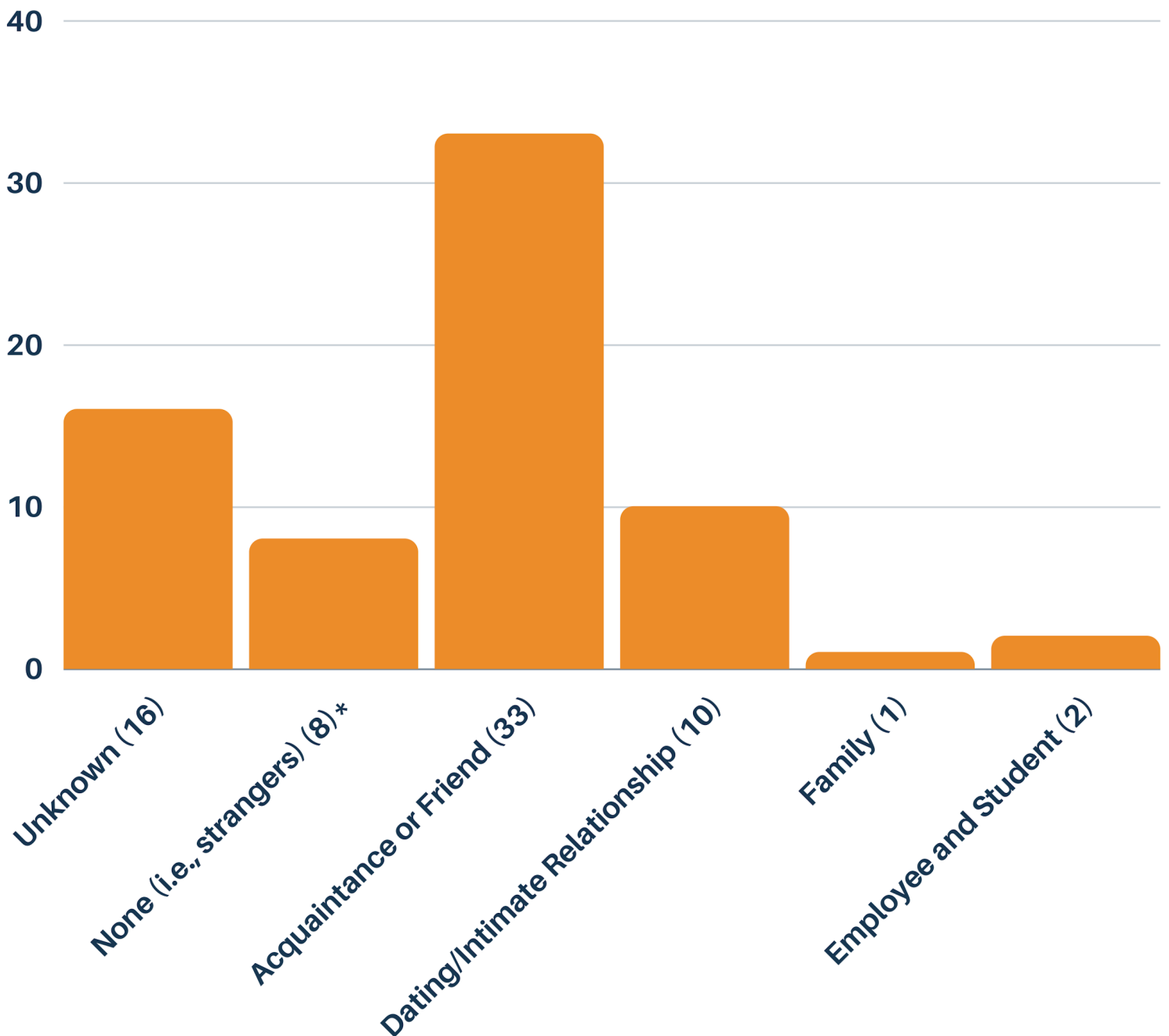
This chart provides the status of the Respondent for the 70 reports received that alleged violations of the Sexual and Interpersonal Misconduct Policy.



This chart does not include respondent status for reports categorized as "Outside Scope of Policy" or "Unable to Categorize" on page 4.

Relationship Between Parties

This chart provides the relationship between the complainant and respondent for the 70 reports that alleged violations of the Sexual and Interpersonal Misconduct Policy.



*Most incidents where there was no relationship between the parties involved unidentified persons watching others through windows or unidentified nude individuals on/near campus.

Resolution Options

The resolutions for the the 70 reports that alleged a violation of the Sexual and Interpersonal Misconduct Policy detailed on the next page include:

- **None - Complainant Did Not Respond** - There is never any obligation to respond to outreach or to meet with the Civil Rights & Title IX Office. When this happens, often the case is closed and there is no resolution.
- **None - Complainant Request** - When a complainant indicates that they do not want the College to take action, the College generally honors that request. Complainants are still able to access resources and support.
- **None - Respondent not in Oxy Community** - When the respondent is not a part of the Oxy community, the College's ability to investigate is limited. Complainants are still given information about other reporting options and are still able to access resources and support.
- **None - Anonymous Report or Unknown Parties** - When the College receives anonymous reports or reports that do not identify one or more party, the College may not have enough information to identify and reach out to the complainant or to initiate an investigation.
- **Intervention Training/Education** - When a complainant wants behavior to be addressed, but not through a process, a non-disciplinary educational conversation or training may be appropriate.
- **Formal Complaint (Disciplinary or Adaptable Resolution)**- Generally, allegations are only resolved through the disciplinary resolution (investigation) or adaptable resolution processes when requested by a complainant or if there is a pattern of conduct involving the same respondent. A disciplinary or adaptable resolution is initiated through a formal complaint. Disciplinary and adaptable resolution are detailed more thoroughly on the next page.
- **Pending - Open Cases** - These are recent reports where the complainant has not met with the Civil Rights & Title IX Office or has not decided how to proceed.

Adaptable Resolution Overview

Adaptable resolution is a voluntary, remedies-based, structured interaction between a complainant and respondent that provides support and accountability without taking formal disciplinary action. Adaptable resolution is generally designed to allow the respondent to acknowledge harm and accept responsibility for repairing harm.

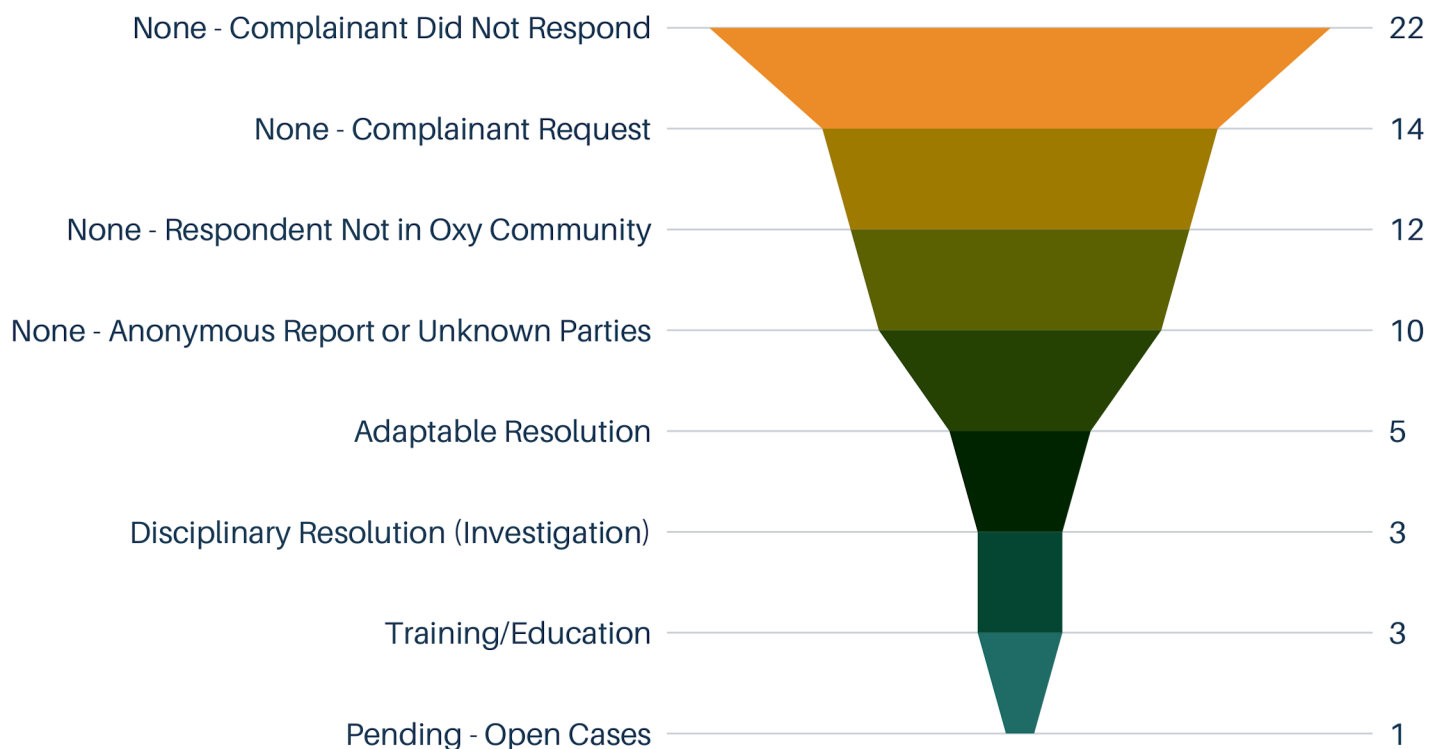
Adaptable resolution is a process that allows parties to propose their own resolution or terms as an appropriate outcome to a complaint. This process does not require the parties to communicate directly with each other, nor does it involve an investigation, hearing or finding. In 5 cases, the complainants and respondents agreed to resolve their complaint through an adaptable resolution process or agreement. Case outcomes from adaptable resolutions are varied and can include resolutions such as training; reflective conversations or clinical assessments; permanent extension of a no contact directive; letters of acknowledgement; and restrictions on participation in specific clubs and/or organizations.

Disciplinary Resolution Outcomes

Disciplinary resolution involves investigation and resolution of a complaint. If a Respondent is found responsible for one or more policy violation, they receive a sanction. There were a total of 3 cases that went through this process. One report received in fall 2021 resulted in an expulsion. Two reports received in spring 2022 are currently proceeding through the investigation process and therefore the outcome for these cases is not yet available.

Report Resolution

This chart details the resolution (what happened) for the 70 reports received that alleged a violation of the Sexual and Interpersonal Misconduct Policy.



Allegations are only resolved through the disciplinary resolution (investigation) or adaptable resolution processes when requested by a complainant or if the office identifies a pattern of conduct involving the same respondent.

This chart does not include resolutions for reports categorized as "Outside Scope of Policy" or "Unable to Categorize" on page 4.

Fall 2021 Incidents Breakdown

Looking into the details of incidents reported to have occurred in fall 2021

As noted on page 5, 27 reports alleged violations of the Interim Sexual Misconduct Policy that occurred *during* the fall 2021 semester.

Incident Date:

- August - 5
- September - 11
- October - 8
- November - 3
- December - 0

Prohibited Conduct* Reported:

- Sexual Harassment - 5
- Gender-Based Harassment - 5
- Fondling - 8
- Rape - 2
- Dating Violence - 2
- Stalking - 4
- Sexual Exploitation - 3
- Retaliation - 1
- Prohibited Relationship - 1

Incident Location:

- Unknown - 4
- Off Campus - 7
- On Campus - Non-Residential - 3
- On Campus - Residence Hall - 13

Reported Date:

- August - 4
- September - 8
- October - 7
- November - 7
- December - 1

Resolution Type:

- None - No Jurisdiction - 3
- None - Complainant Unresponsive - 6
- None - Complainant Request - 6
- None - Anonymous Report or Unknown Parties - 5
- Training/Education - 3
- Adaptable Resolution - 2
- Disciplinary Resolution - 1
- Pending - Open Case - 1



Spring 2022 Incidents Breakdown

Looking into the details of incidents reported to have occurred in spring 2022

As noted on page 5, 18 reports alleged violations of the Sexual and Interpersonal Misconduct Policy that occurred *during* the spring 2022 semester (including June/July 2022).

Incident Date:

- January - 2
- February - 1
- March - 4
- April - 8
- May - 2
- June - 0
- July - 1

Prohibited Conduct* Reported:

- Sexual Harassment - 2
- Gender-Based Harassment - 3
- Fondling - 3
- Rape - 3
- Stalking - 4
- Sexual Exploitation - 5
- Undefined "Sexual Misconduct" - 1

Incident Location:

- Online - 1
- Unknown - 3
- Off Campus - 7
- On Campus - Non-Residential - 2
- On Campus - Residence Hall - 5

Reported Date:

- January - 1
- February - 1
- March - 4
- April - 8
- May - 3
- June - 0
- July - 1

Resolution Type:

- None - No Jurisdiction - 1
- None - Complainant Unresponsive - 9
- None - Complainant Request - 3
- None - Anonymous Report or Unknown Parties - 3
- Disciplinary Resolution - 2



*Does not equal 18 as a single report may include more than one type of prohibited conduct.

Prohibited Conduct Definitions

These are relevant definitions from the Sexual and Interpersonal Misconduct Policy (effective January 1, 2022).

Sexual Harassment - any unwelcome sexual advance, request for sexual favors, and/or other unwelcome conduct of a sexual nature that creates an intimidating, offensive, or hostile working or learning environment or that unreasonably interferes with work or academic performance.

Gender-Based Harassment - harassment based on sex, sexual orientation, gender identity, or gender expression that creates an intimidating, offensive, or hostile working or learning environment or that unreasonably interferes with work or academic performance.

Rape - the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral-genital contact of another person without affirmative consent.

Fondling - the touching of the private body parts of another person for the purpose of sexual gratification without affirmative consent. **Sexual Battery** - the intentional touching of another person's intimate parts without affirmative consent, intentionally causing a person to touch the intimate parts of another without affirmative consent, or using a person's own intimate part to intentionally touch another person's body without affirmative consent.

Stalking - a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

Sexual Exploitation - taking sexual advantage of another person for the benefit of anyone other than that person without that person's affirmative consent.

Prohibited Conduct Definitions Continued

Dating Violence - Conduct that constitutes violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant.

Domestic Violence- Conduct that constitutes a felony or misdemeanor crime of violence committed: by a current or former spouse or intimate partner of the complainant; by a person with whom the complainant shares a child in common; by a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner; by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Sex or Gender-Based Discrimination - The disparate treatment of a person or group because of that person's or group's sex, sexual orientation, gender identity, or gender expression.

Retaliation - a materially adverse action, and may include intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations or this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing regarding Prohibited Conduct

Prohibited Relationship - sexual or other intimate relationships in which one party maintains - and fails to promptly report and discontinue - a direct supervisory or evaluative role over the other party.