



JANUARY 2022

# Summary of Fall 2021 Reports

The Title IX Office



Occidental College

# About the Summary of Fall 2021 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 Title IX Office publishes end-of-semester reports that provide an overview of all reports 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 Title IX Office
- **Confidential Resource** - an employee of the College who does not have responsible employee reporting obligations (i.e., survivor advocate)
- **Prohibited Conduct** - conduct that violates the Interim Sexual 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. This report includes *all* allegations of conduct prohibited by Oxy's Interim Sexual Misconduct Policy made to the 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.

# Incidents Reported to the Title IX Office

**Between August 1, 2021 and December 31, 2021, the Title IX Office received 73 reports.** The incidents reported represented conduct alleged to have occurred between 2017 and 2021, but were first reported to the Title IX Office during the fall 2021 semester. Delayed reports are common and expected.

The reports came from anonymous reporters (1), third-party students (4), referrals from the College's survivor advocate with the survivor's consent (6), self-reports (16), and responsible employees (46).

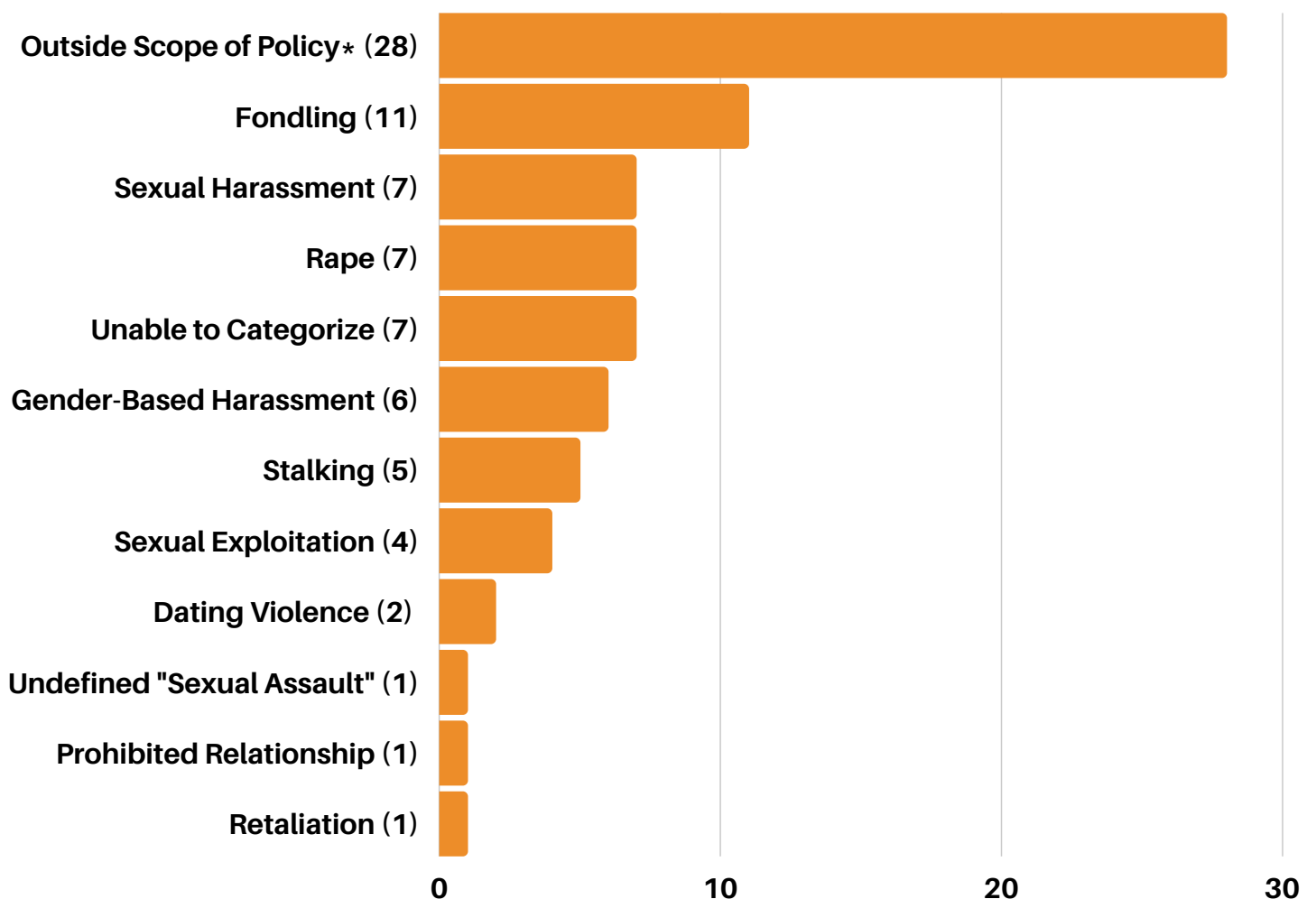
After receiving a report, the Title IX Office offers to meet with the Complainant (if identified) to discuss resources and reporting options. There is no obligation for a Complainant to meet with or respond to outreach from the Title IX Office. 18 reports were closed because the Complainant did not respond to outreach from the office.

## Categorizing Reports

The incidents detailed in this report are categorized using the language of the reporting party. The 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

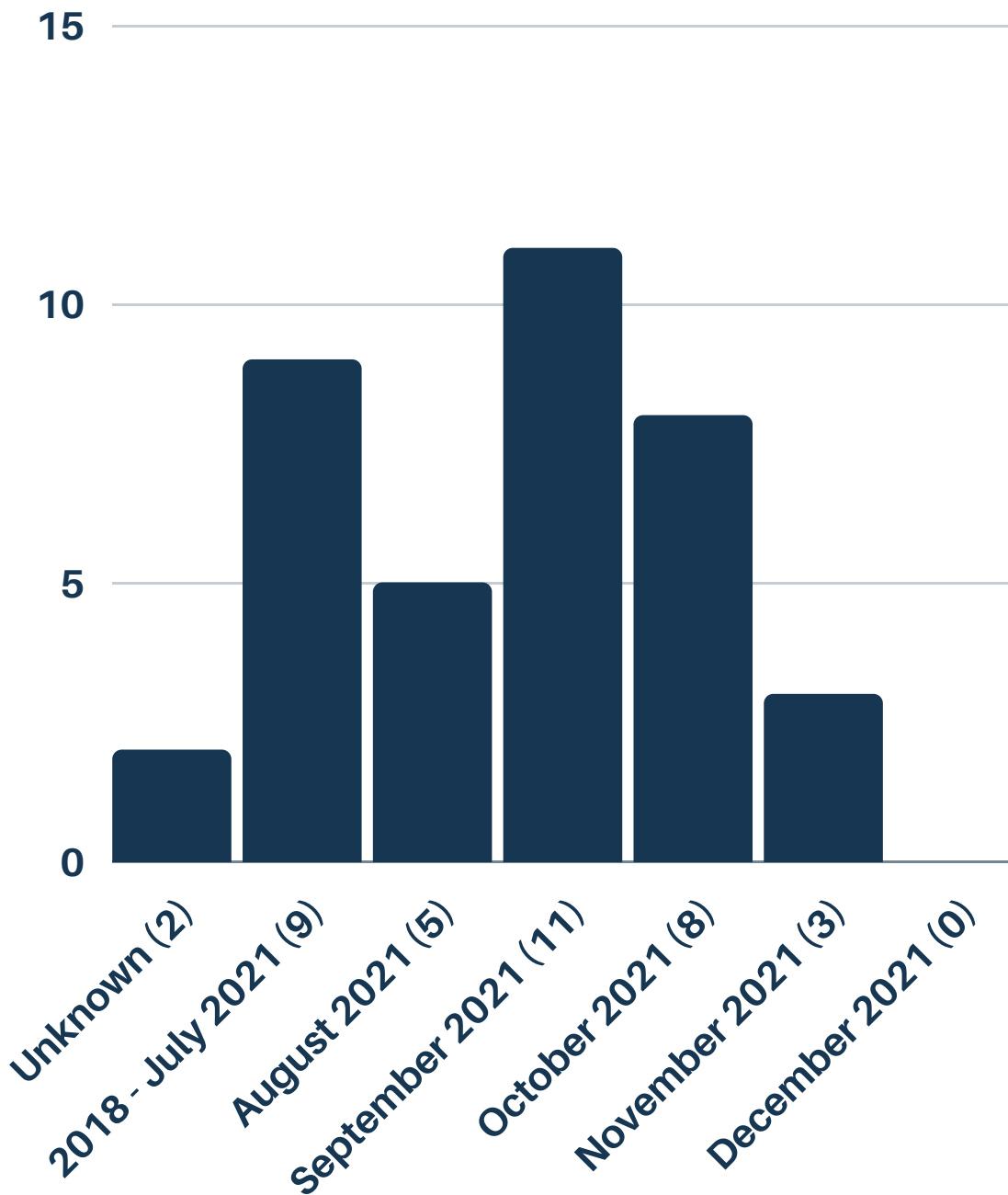
*This chart represents allegations reported to the Title IX Office. The total number of prohibited acts reported is greater than 73 as a single report may include more than one type of prohibited conduct.*



\*28 reports made to the Title IX Office did not include allegations that would constitute violations of the Interim Sexual Misconduct Policy. This could, for example, include non-consensual touching of shoulders or a single sexist comment.

# Incident Dates

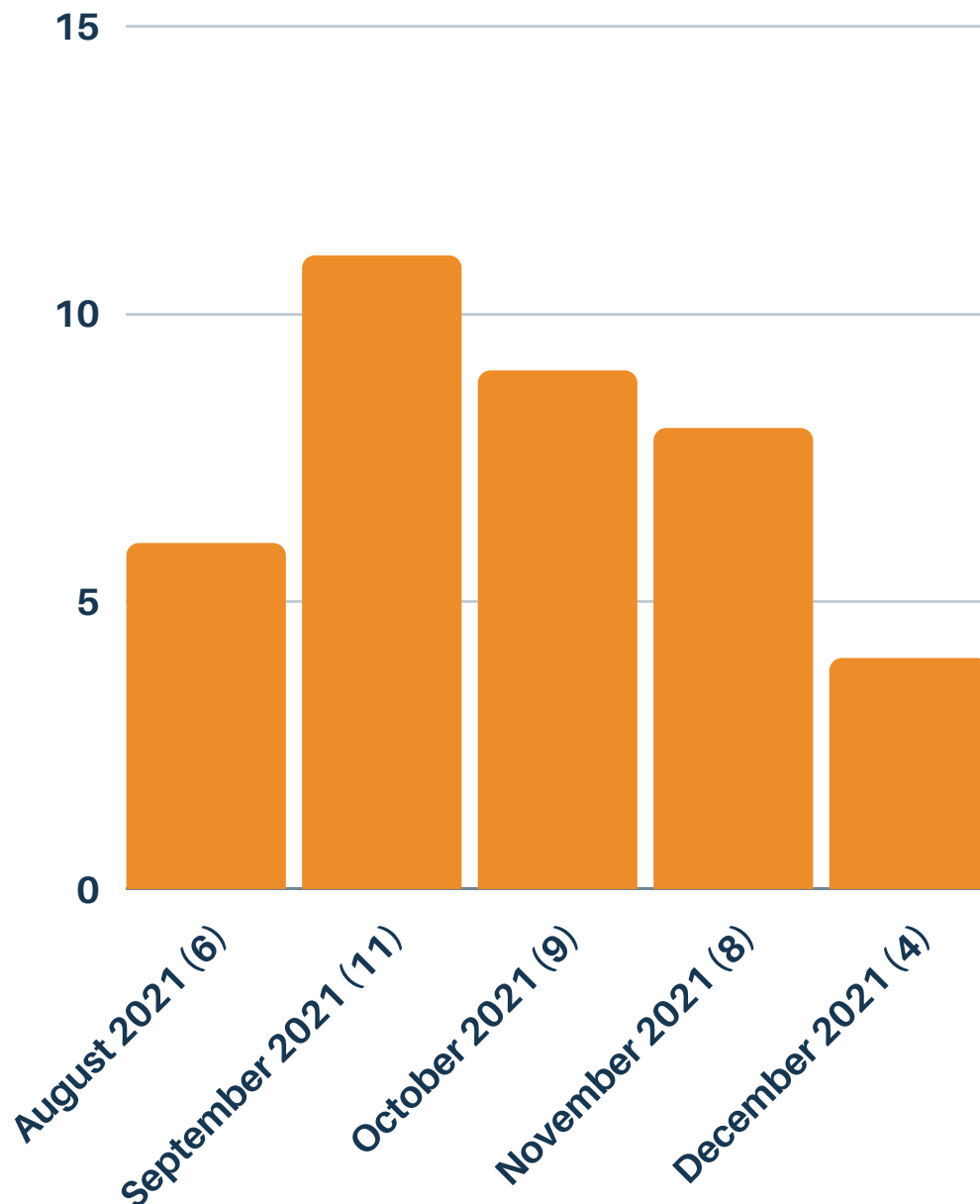
*This chart provides the incident dates (when the alleged conduct occurred) of the 38 reports received that alleged a violation of the Interim Sexual Misconduct Policy.*



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

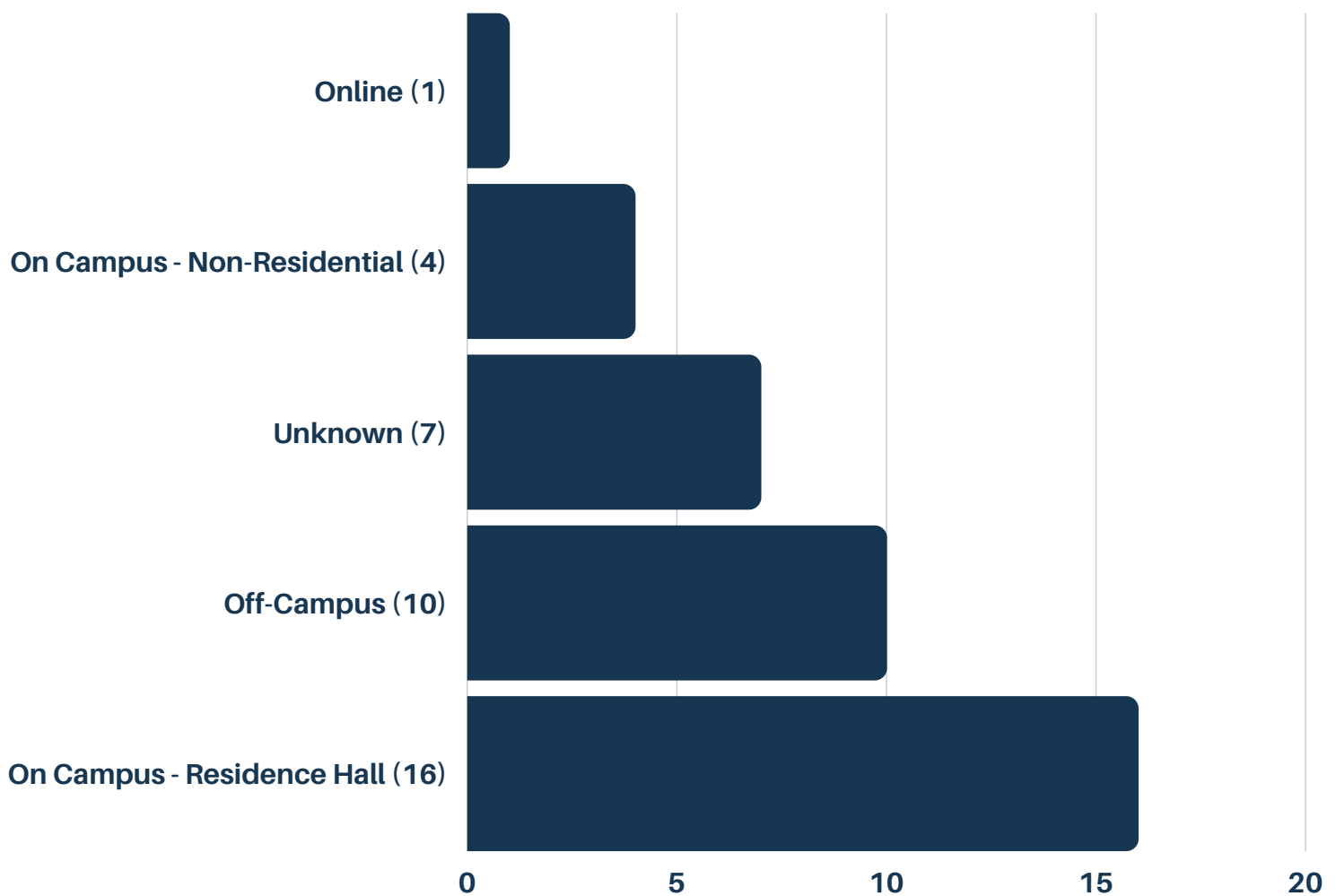
*This chart provides the dates when the Title IX Office received the 38 reports that alleged violations of the Interim Sexual Misconduct Policy.*



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

# Incident Location

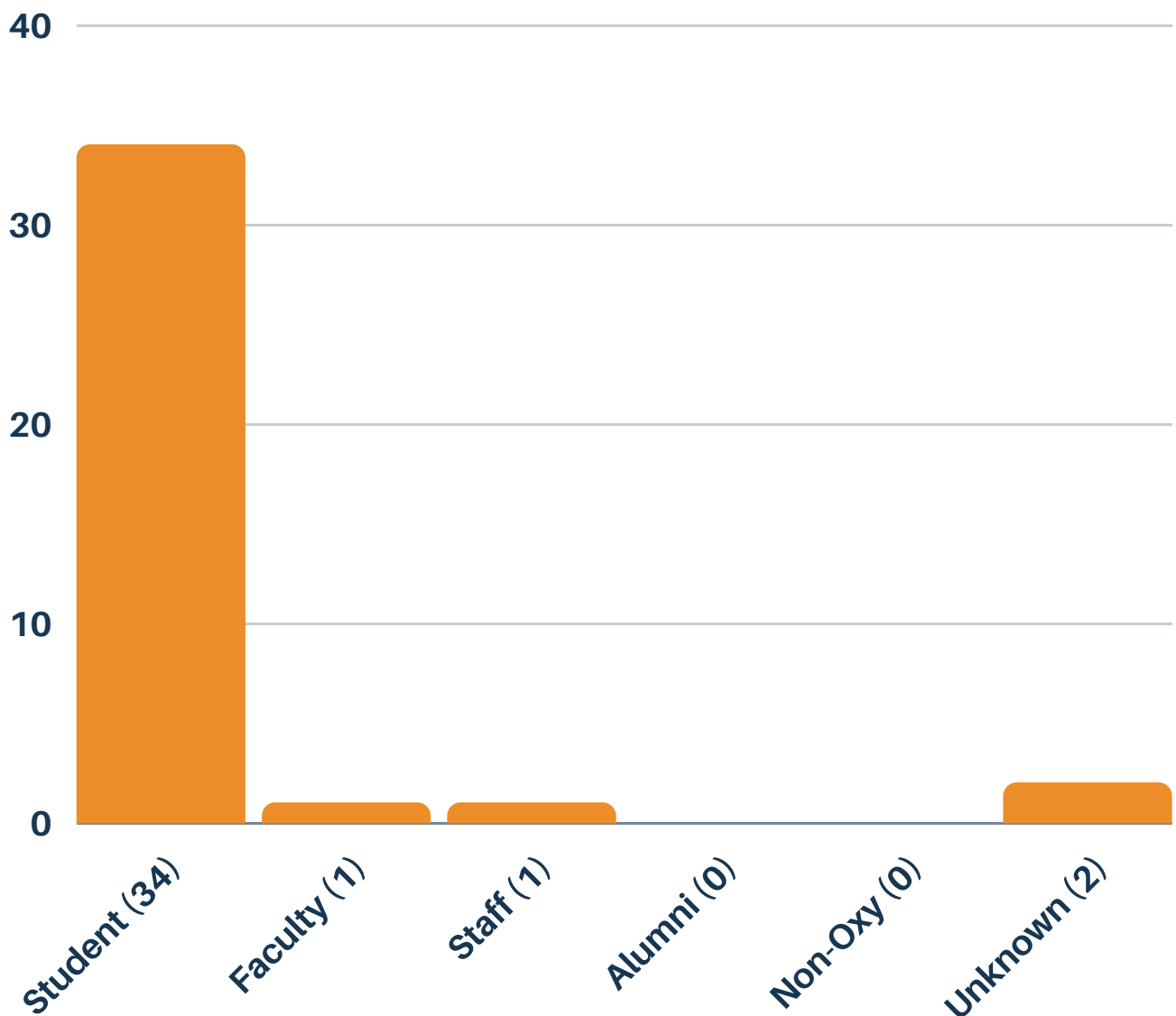
*This chart provides the incident location of the 38 reports received that alleged a violation of the Interim Sexual Misconduct Policy.*



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 38 reports received that alleged a violation of the Interim Sexual Misconduct Policy.*

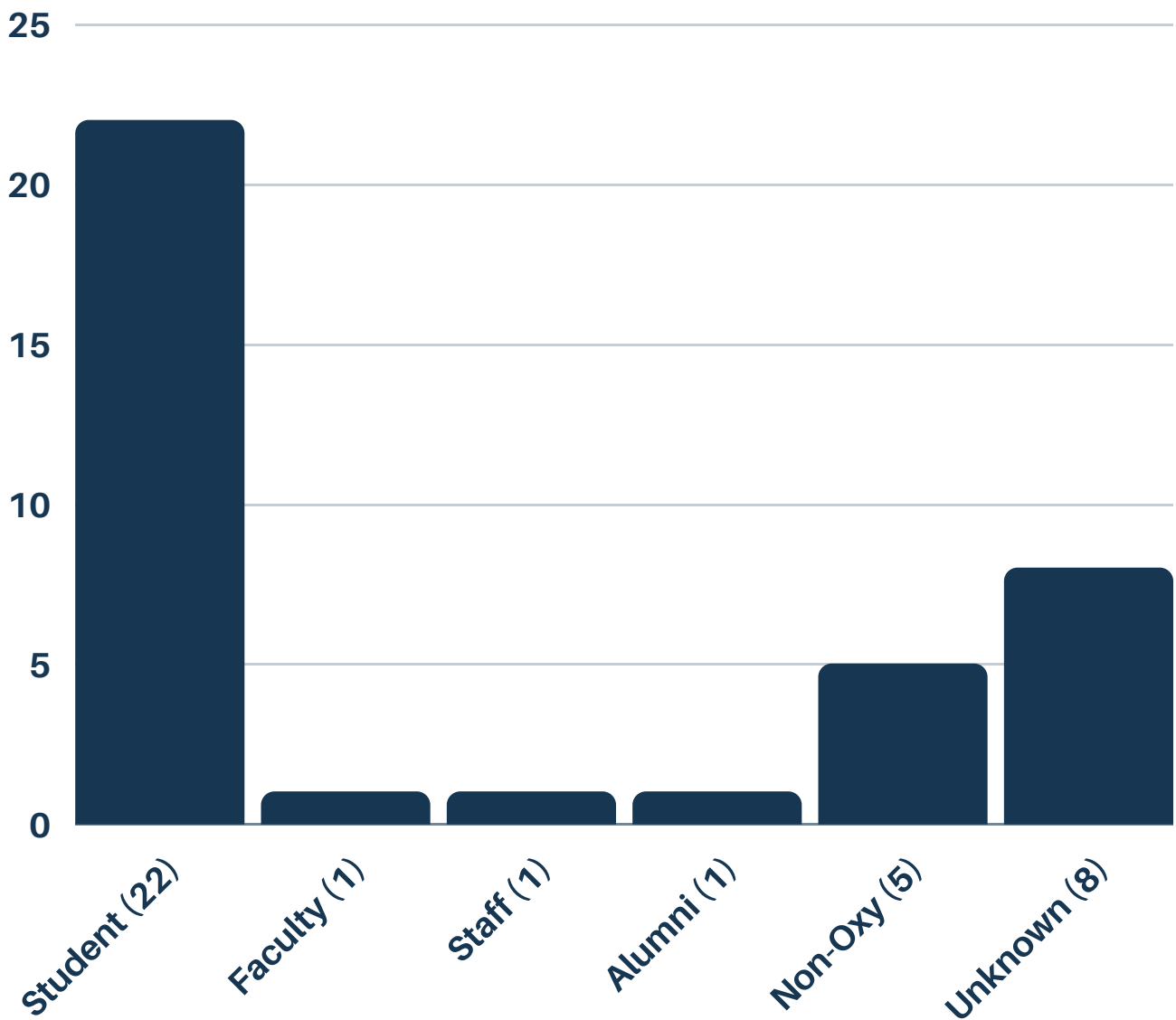


This chart does not include complainant status for reports categorized as "Outside Scope of Policy" or "Unable to Categorize" on page 4.



# Respondent Status

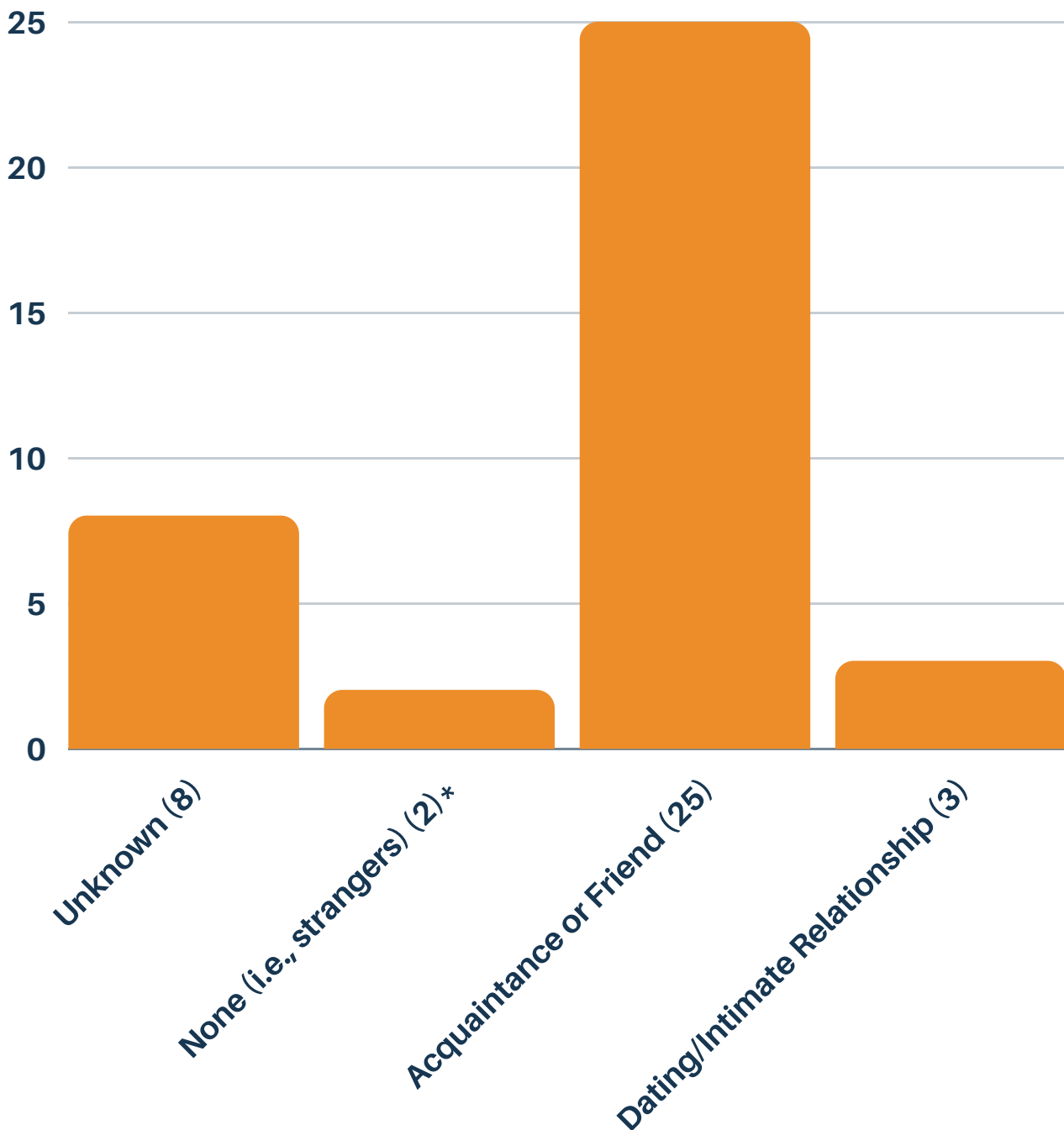
*This chart provides the status of the Respondent for the 38 reports received that alleged a violation of the Interim Sexual Misconduct Policy.*



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 38 reports received that alleged a violation of the Interim Sexual Misconduct Policy.*



\*Both incidents where there was no relationship between the parties involved unidentified persons watching others undressing through windows.

# Resolution Options

The resolutions for the the 38 reports that alleged a violation of the Interim Sexual Misconduct Policy detailed on the next page include:

- **Pending - Open Cases** - These are recent reports where the complainant has not met with the Title IX Office or has not decided how to proceed.
- **None - Complainant Did Not Respond** - There is never any obligation for a complainant to respond to outreach or to meet with the Title IX Office. When this happens, 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 (law enforcement, other colleges/universities, professional licensing boards) 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 with the Title IX Office may be appropriate.
- **Formal Complaint (Disciplinary or Adaptable Resolution)** - 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. A disciplinary or adaptable resolution is initiated through a formal complaint. Disciplinary and adaptable resolution are detailed more thoroughly on the next page.

# 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.

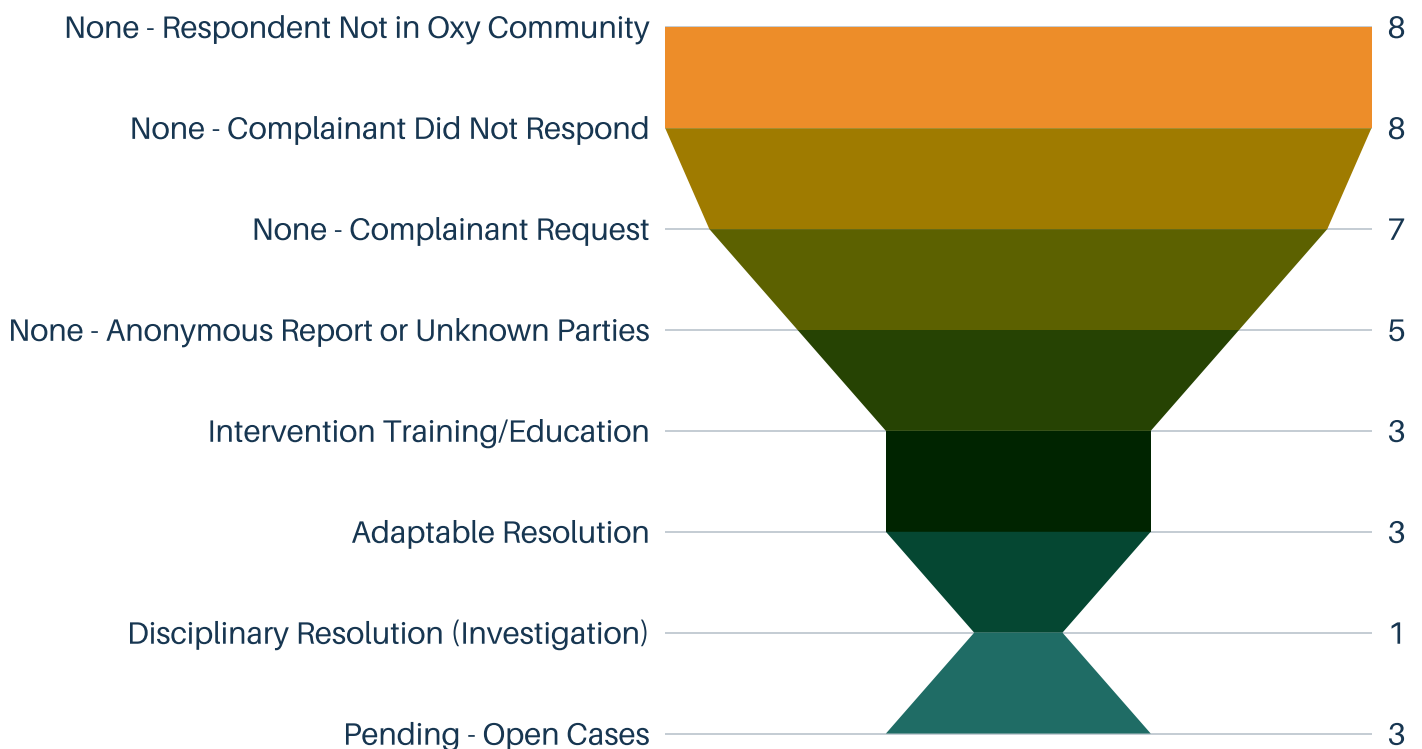
Adaptable resolution is a process that allows parties to propose their own resolution or terms as an appropriate outcome to a complaint. This process does not require the parties to communicate directly with each other, nor does it involve an investigation, hearing or finding. In three cases, the complainants and respondents agreed to resolve their complaint through an adaptable resolution 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. One report received in fall 2021 is proceeding through the investigation process. At the time of this report, the investigation is ongoing and therefore the outcome for that case is not yet available.

# Report Resolution

*This chart details the resolution (what happened) for the the 38 reports received that alleged a violation of the Interim Sexual 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



\*Does not equal 27 as a single report may include more than one type of prohibited conduct.

# Prohibited Conduct Definitions

*These are the relevant definitions from the Interim Sexual Misconduct Policy. (A new Sexual and Interpersonal Misconduct Policy became 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.

**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** - any act where one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another.

# 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.