

# Title IX Annual Report 2021-2022



Cal Poly Pomona  
Office of Equity and Compliance  
3801 West Temple Avenue  
Building 121-West-2726  
Pomona, CA 91768

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## A Message from Cal Poly Pomona's Title IX Coordinator

Dear Broncos,

After more than two years of reimagining the way we learn, work, and socialize, we have emerged amid the shadows of the unprecedented COVID-19 pandemic stronger than ever as a campus community. The resiliency shown by our students, faculty, and staff during this time truly underscores the vision of Cal Poly Pomona to be the model for an inclusive polytechnic university that inspires creativity and innovation, embraces local and global challenges, and transforms lives.

On behalf of the Office of Equity and Compliance (OEC), I am pleased to share with you the 2021-2022 Annual Title IX Report. This annual report demonstrates OEC's continued commitment to keeping our campus safe during these challenging times and serves as a reminder of the tireless work conducted by the OEC staff to ensure that all reports are addressed with the utmost diligence and efficiency.

This is the seventh annual Title IX report produced by OEC in accordance with CSU Policy provide greater transparency of the myriad of sexual misconduct matters handled by our office. To protect the privacy of the parties involved, the report does not fully convey the complexity and details of circumstances associated with cases and may appear brief in narrative descriptions. Similarly, the report assigns complaints to general categories such as "sexual misconduct," "dating violence," "domestic violence," "stalking," "sexual exploitation," and "sexual harassment" that encompass broad ranges of behavior. It is important to note that the report does not include complaints of discrimination based on gender sex, or sexual harassment, where sexual misconduct, dating violence, domestic violence or stalking were not also alleged.

I would like to take this opportunity to thank our campus partners for their efforts and collaboration to this critically important work. I look forward to building our partnership as we work together to maintain a safe and welcoming campus environment.

Sincerely,  
Dawnita Franklin  
Assistant Vice President/Title IX Coordinator  
Office of Equity and Compliance



# ABOUT OUR OFFICE



The Office of Equity and Compliance (OEC) is the office designated by Cal Poly Pomona (CPP) to respond to reports of sexual misconduct and Discrimination, Harassment and Retaliation (DHR) based on a protected status (*i.e., race, gender, disability, etc.*). All matters reported to the OEC are taken seriously and are diligently assessed by trained Title IX and DHR professionals to ensure that the appropriate steps are taken to address prohibited conduct and prevent its reoccurrence.

The OEC is also responsible for ensuring the University' compliance with federal and state laws and University policies and procedures regarding DHR, sexual harassment and sexual violence. OEC works to promote an integrate the core principals on non-discrimination and inclusive excellence.

The OEC remains steadfast and vigilant to continue the hard work necessitated to create a campus free of sexual harassment and nondiscrimination through education, prevention, and processes that are fair, transparent, and compassionate to all parties. We remain committed to stewarding policy implementation that are compliant and consistent with the core values and the educational mission of the CSU.

## OEC MISSION STATEMENT

OEC is committed to cultivating a campus environment where members of our community can learn and work free of sexual misconduct, discrimination, harassment, and retaliation. The OEC team endeavors to support this commitment through the following efforts:

- *Maintaining high visibility and transparency,*
- *Promoting accountability*
- *Education and Programmatic Initiatives*
- *Encouraging and Empowering individuals to Report*

## OEC VISION

OEC strives to foster an inclusive campus culture where all students, faculty, staff, and visitors are treated with respect and dignity.

# MEET THE OEC STAFF

**Dawnita Franklin** currently serves as the Assistant Vice President for OEC as well as the Title IX Coordinator and Discrimination, Harassment and Retaliation (DHR) Administrator for Cal Poly Pomona (CPP). Dawnita is CPP's second Title IX Coordinator.

Prior to commencing employment with the CSU, Dawnita was previously employed by the University of California system where she held Title IX positions at both the University of California, Irvine and the University of California, Riverside.

As CPP's Title IX Coordinator and DHR Administrator, Dawnita is responsible for ensuring that the University responds promptly and meaningful to all reports or sexual misconduct, discrimination, harassment, and retaliation. Additionally, Dawnita is also tasked to ensure the University's compliance with Federal and State laws as well as CSU Systemwide policies relating to all Title IX and DHR matter.

Dawnita has served on numerous on and-off campus sexual violence Task Force and committees throughout her eight-year tenure as a Title IX professional including being appointed by the California Commission on Women and Girls as a member of the Department of Emergency Services Sexual Assault Committee.

Dawnita is deeply committed to Title IX and DHR work and is dedicated to fostering a campus culture where everyone is valued, respected, and included.



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**Amy Largarticha** is the Associate Director and Sr. Deputy Title IX Coordinator at Cal Poly Pomona's OEC. Amy joined the CSU system in 2012 and has served in various leadership roles advancing equity, diversity, and inclusion. Her experience includes reviewing and investigating matters related to discrimination, harassment, and retaliation (DHR), as well as Title IX matters, including sexual misconduct, dating/domestic violence, and stalking involving students and employees.

**Terri Robles** is a Complaint Resolution Manager. Prior to joining OEC, Terrie worked as a manager for CPP's Employee and Labor Relations Department. In her current role, Terrie reviews and investigates complaints from faculty, staff and students alleging sexual misconduct, and discrimination/harassment based on a protected status.

**Tania Calvillo** is a Complaint Resolution Manager at CPP's Office of Equity and Compliance. Tania has served in various roles that help drive the university's commitment to equity, diversity, and inclusion. In her current role, Tania reviews and investigates concerns raised by students, faculty and staff related to discrimination, harassment and retaliation based on a protected status, as well as Title IX related matters, including sexual misconduct, dating/domestic violence, stalking and sexual exploitation.



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**Victoria Avalos** joined Cal Poly Pomona’s Office of Equity and Compliance (OEC) team and serves as the Operations and Program Coordinator. Prior to joining the team, Victoria worked at UC Riverside in the Office of Title IX/EOAA and Graduate Division. Victoria manages highly sensitive, confidential information, directs calls and requests to the appropriate OEC staff members and coordinates tasks with our campus community. Victoria enjoys her time at OEC, especially when conducting tasks that involve research, procurement, case managing and interacting with the campus community.

**Candy Alvarado** recently joined Cal Poly Pomona and serves as administrative support for OEC. Prior to joining the CSU system, Candy was an educator and served as Grade Level Chair. She later became an instructional coach, and site director and program coordinator for science programs. Candy will be supporting the OEC team with all administrative tasks and trainings.



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# Introduction

Cal Poly Pomona (CPP) is committed to creating and sustaining a positive learning and working environment, free from discrimination, including sexual misconduct, dating and domestic violence, stalking, sexual exploitation, and sexual harassment. This report presents information about complaints of sexual misconduct, dating and domestic violence, stalking, sexual exploitation, and sexual harassment reported to the Office of Equity and Compliance (OEC) and the actions taken to address those allegations for the reporting period of July 1, 2021 to June 30, 2022.

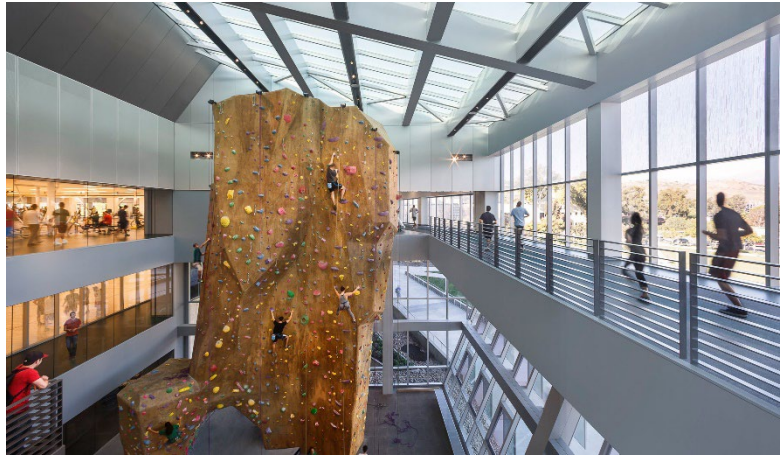
On January 2, 2022, the CSU revised the policy prohibiting discrimination, harassment, sexual misconduct, sexual exploitation, dating and domestic violence, stalking, sexual harassment, and retaliation. The policy is now one policy with three tracks. Tracks 1 and 2 include live hearing for sexual misconduct matters and is primarily for students. Track 3 is a single investigator model for employee matters, and includes discrimination, harassment, and retaliation complaints. Track 3 does not require a hearing. Definitions were updated and new terms were added. They are Caste, Sexual Exploitation, Gender Identity, and Sexual Orientation. No Contact Directives are now unilateral or mutual, and UPD is required to disclosed Title IX reports to the Title IX Coordinator. For more information, please visit the CSU Policy webpage [here](#).





# Resolution Processes

**To initiate the Informal Resolution Process.** The Complainant should contact the Campus DHR Administrator (Discrimination, Harassment, or Retaliation) or Title IX Coordinator (Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence, Stalking and Sexual Exploitation) who shall promptly meet with the Complainant to discuss his or her concern and possible resolutions as appropriate.



Comments, and concerns are always welcome. You may contact the OEC by calling (909) 869-4646.

Complainants shall be informed about the range of possible outcomes, including Supportive Measures or disciplinary actions that might be taken against the Respondent, and information about the procedures leading to such outcomes.

**Participation in the Informal Resolution Process.** Participation is voluntary. It may include an inquiry into the facts, but does not include an investigation. Means for resolution shall be flexible. Resolution options include but are not limited to discussions with the Parties, a resolution facilitated by the DHR Administrator or Title IX Coordinator, separating the Parties, referring one or both of the Parties to counseling programs, an agreement between Campus and the Respondent regarding disciplinary action, conducting targeted preventive educational and training programs or providing Remedies to persons harmed by violations of this policy.

**This report presents information regarding one hundred forty-two (142) reports of sexual misconduct, dating and domestic violence, stalking, sexual exploitation, and sexual harassment.** It remains challenging to identify meaningful statistical trends from the information in the reports. Additionally, the report captures information regarding known allegations; without additional information about unreported incidents of sexual misconduct on our campus, it is challenging to draw conclusions about patterns and trends.

The ongoing engagement of the CPP community is essential to our efforts to prevent sexual misconduct in our community and to maintain a safe and respectful campus.

# Policies

The following CSU policies were in effect during the reporting period:

- [CSU Executive Order 1095](#), the Systemwide Sex Discrimination, Sexual Harassment, Sexual Misconduct, Dating and Domestic Violence and Stalking Policy.
- [CSU Executive Order 1096](#), the 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
- [CSU Executive Order 1097](#), the 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 Student.
- [CSU Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation](#)
- [Procedures for Complaints of Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation Made Against a Student](#)
- [Procedures for Complaints of Discrimination, Harassment, Sexual Misconduct, Sexual Exploitation, Dating Violence, Domestic Violence, Stalking, and Retaliation Made Against an Employee or Third-Party](#)



## Definitions

For purposes of this report and in accordance with [CSU Policy 2022](#), the following definitions were applied:

**Sexual Misconduct/Sexual Assault** is 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.

Sexual activity includes, but is not limited to:

- kissing,
- touching intimate body parts
- fondling,
- intercourse,
- penetration, no matter how slight, of the vagina or anus with any part or object,
- oral copulation of a sex organ by another person

**Dating Violence** means physical violence or threat of physical violence committed by a person—

- a. who is or has been in a social relationship of a romantic or intimate nature with the Complainant; **and**
- b. where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - I. The length of the relationship.
  - II. The type of relationship.
  - III. The frequency of interaction between the persons involved in the relationship.



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## Definitions

**Domestic Violence** means physical violence or threat of physical 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, or by a person similarly situated to a spouse of the Complainant.

**Physical violence** means physical conduct that intentionally or recklessly threatens the health and safety of the recipient of the behavior, including assault.

**Stalking** means engaging in a Course of Conduct directed at a specific person that would cause a reasonable person to fear for the safety of self or others' safety or to suffer Substantial Emotional Distress. For purposes of this definition:

**Course of Conduct** means two or more acts, including but not limited to, acts in which one party directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about the other party, or interferes with the other party's property.

**Substantial Emotional Distress** means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

**Sexual Exploitation** means a person taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent, including, but not limited to, any of the following acts:

- a. The prostituting of another person.
- b. The trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor of services, through force, fraud, or coercion.
- c. The recording of images, including video or photograph, or audio of another person's sexual activity or intimate parts, without that person's consent.
- d. The distribution of images, including video or photographs, or audio of another person's sexual activity or intimate parts, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to the disclosure.
- e. The viewing of another person's sexual activity or intimate parts, in a place where that other person would have a reasonable expectation of privacy, without that person's consent, for the purpose of arousing or gratifying sexual desire

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## Definitions

**Sexual Harassment** means unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes, but is not limited to, sexual advances, requests for sexual favors, offering employment benefits or giving preferential treatment in exchange for sexual favors, or indecent exposure, and any other conduct of a sexual nature.

Whether certain behaviors constitute sexual misconduct, dating and domestic violence, and stalking depends greatly upon the circumstances surrounding the behavior. This report accounts for incidents of sexual misconduct, dating and domestic violence, stalking, sexual exploitation, and sexual harassment concerns reported to the OEC during the reporting period of July 1, 2021 to June 30, 2022.

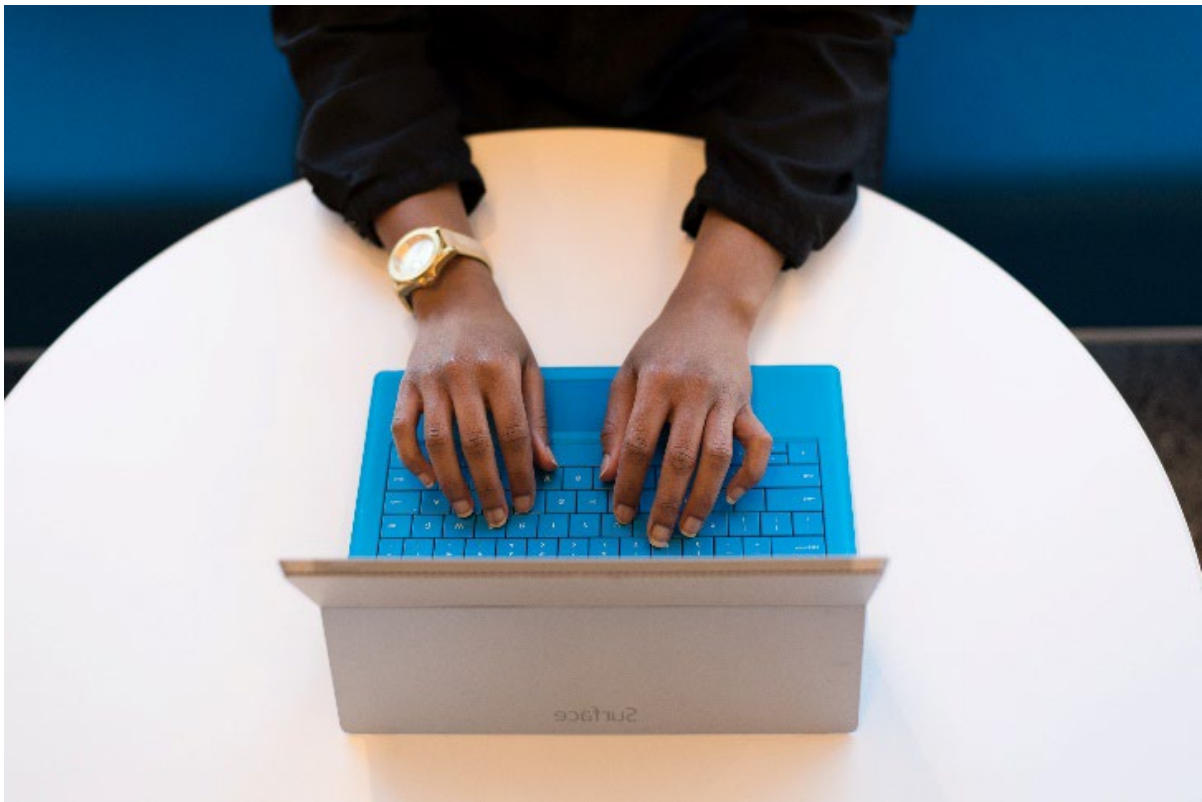
To read more about the CSU policy and definitions discussed above, please see the CSU policies <https://www.calstate.edu/eo/>.



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# Statistical Summary of Complaints

The University encourages a culture of reporting and hopes that every member of the CPP campus will report the occurrence of sexual misconduct, dating and domestic violence, stalking, sexual exploitation, and sexual harassment. A report can be by a person who experienced it, who witnessed it, who has heard about it, or who otherwise has knowledge of a possible incident. We encourage reporting because it helps to ensure the safety and well-being of the entire CPP community.



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## 2021-2022 Title IX Annual Report Survey

Please provide the following information for the reporting period July 1, 2021 to June 30, 2022 without disclosing any information that would reveal the identities of the parties involved. Submission of this survey by October 3, 2022 fulfills the requirement to provide your Annual Report to the Chancellor's Office.

### Title IX Annual Report Publication

Your Title IX Annual Report should be posted to your campus website in accordance with the [Non-Discrimination Policy](#). Once we receive your survey submission, we will send you a PDF document with your individual campus responses that you may use to publish your Annual Report on your website. If you intend to use the CO-provided PDF to publish your Annual Report, to ensure that this can be sent to you by October 3, 2022, we ask that you **please submit your survey response by no later than September 24, 2022.**

Please contact Sarah Clegg at [sclegg@calstate.edu](mailto:sclegg@calstate.edu) or Ruben Perez at [rperez@calstate.edu](mailto:rperez@calstate.edu) with any questions about the Title IX Annual Report Survey.

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\* 1. Campus

Pomona



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\* 2. Title IX Coordinator's Name

Dawnita H. Franklin

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\* 3. Title IX Coordinator's Email

dhfranklin@cpp.edu

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\* 4. Title IX Coordinator's Contact Number

(909) 869-4646



- \* 5. The total number **open reported matters** as of July, 2021. Please include all cases of: Discrimination and Non-Sexual Harassment (hereafter abbreviated to NSH) based on Sex, Gender (including sex, gender, gender identity, gender expression) and Sexual Orientation; Sexual Harassment; Sexual Exploitation; Stalking; Dating and Domestic Violence; and Sexual Misconduct/Sexual Assault.

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- \* 6. The number of reports received during the reporting period in which a **Student, Employee, Third Party, Unknown, or Unidentified** is the Respondent.

	<u>Student Respondent</u>	<u>Employee Respondent</u>	<u>Third Party Respondent</u>	<u>Unknown Respondent</u>	<u>Unidentified Respondent</u>
<b>Total</b>	53	7	41	34	
Sexual Misconduct/Sexual Assault	14	1	11	14	
Dating/Domestic Violence	11	0	11	11	
Stalking	19	0	8	3	
Sexual Exploitation	1	0	3	1	
Sexual Harassment	8	6	8	5	

Discrimination/NSH - Sex or Gender

Discrimination/NSH - Sexual Orientation

- \* 7. The number of allegations **investigated with a finding of Violation or No Violation** during July 1, 2021 to June 30, 2022.

	<b>Finding</b>	
	<u>Violation</u>	<u>No Violation</u>
Sexual Misconduct/Sexual Assault	0	0
Dating/Domestic Violence	0	0
Stalking	0	0
Sexual Exploitation	0	0
Sexual Harassment	0	0

Discrimination/NSH - Sex or Gender

Discrimination/NSH - Sexual Orientation

- \* 8. Indicate the total number of reports during July 1, 2021 to June 30, 2022 that were resolved without investigation and/or a finding; and how many reports were resolved in each of the following ways:

**Type of Outcome**

Number of Reports Resolved By:

Informal Resolution prior to investigation commencing	3
Informal Resolution while investigation in process (prior to a finding)	2
Complainant requested resources and/or supportive measures only	38
Complainant did not respond to outreach and insufficient information to move forward	40
Identity of Complainant is unknown so unable to send outreach	5
Insufficient information to move forward with investigation but sufficient to take other remedial action	53
Other Outcome (please specify)	1 - Complainant requested investigation, but failed to
<b>Total</b>	142

- \* 9. The number of allegations received during the reporting period resolved without an investigation and/or a finding for each type of misconduct.

**Type of Misconduct**

Total Number of Allegations Resolved (not to include investigations with findings)

Sexual Misconduct/Sexual Assault	46
Dating and Domestic Violence	34
Stalking	30
Sexual Exploitation	5
Sexual Harassment	27

Discrimination/NSH - Sex or Gender

Discrimination/NSH - Sexual Orientation

- \* 10. **Looking only at Informal Resolution** where sanctions were imposed - For each type of misconduct, please indicate the number of times each sanction/discipline was imposed.

**Sanction/Discipline Imposed**

Type of Misconduct

	Sexual Misconduct/Sexual Assault		IPV	Stalking	Sexual Exploitation	Sexual Harassment	Discrimination - Sex or Gender	Discrimination - Sexual Orientation
Expulsion (Students)	0	0	0	0	0	0	0	0
Suspension of one year or more (students)	1	0	0	0	0	0	0	0
Suspension of less than one year (students)	0	0	0	0	0	0	0	0
Disciplinary probation (students)	0	0	0	0	0	0	0	0
Termination of employment (employees)	0	0	0	0	0	0	0	0
Suspension without pay (employees)	0	0	0	0	0	0	0	0
Letter of reprimand (employees)	0	0	0	0	0	0	0	0
Education/Training (students/employees)	2	0	0	0	0	0	0	0
Other (Please specify)	0	0	0	0	0	0	0	0

\* 11. **Looking only at allegations of misconduct** that were investigated AND the respondent was found responsible for some/all of the alleged misconduct, please indicate the number of times each sanction/type of discipline was imposed for each category of misconduct.

Sanction/Discipline Imposed	Type of Misconduct Found Responsible For						
	Sexual Misconduct/Sexual Assault	Dating and Domestic Violence	Stalking	Sexual Exploitation	Sexual Harassment	Discrimination - Sex or Gender	Discrimination - Sexual Orientation
Expulsion (students)	0	0	0	0	0	0	0
Suspension of one year or more (students)	0	0	0	0	0	0	0
Suspension of less than one year (students)	0	0	0	0	0	0	0
Disciplinary probation (students)	0	0	0	0	0	0	0
Termination of employment (employees)	0	0	0	0	0	0	0
Suspension without pay (employees)	0	0	0	0	0	0	0
Letter of reprimand (employees)	0	0	0	0	0	0	0
Education/Training (students/employees)	0	0	0	0	0	0	0
Other (please specify)	0	0	0	0	0	0	0

12. The total number of **open reported matters** as of June 30, 2022. Please include all cases of: Discrimination and Non-Sexual Harassment (abbreviated to NSH) based on Sex, Gender (including sex, gender, gender identity, gender expression) and Sexual Orientation; **Sexual Harassment**; Sexual Exploitation; Stalking; Dating and Domestic Violence; and Sexual Misconduct/Sexual Assault.

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Done