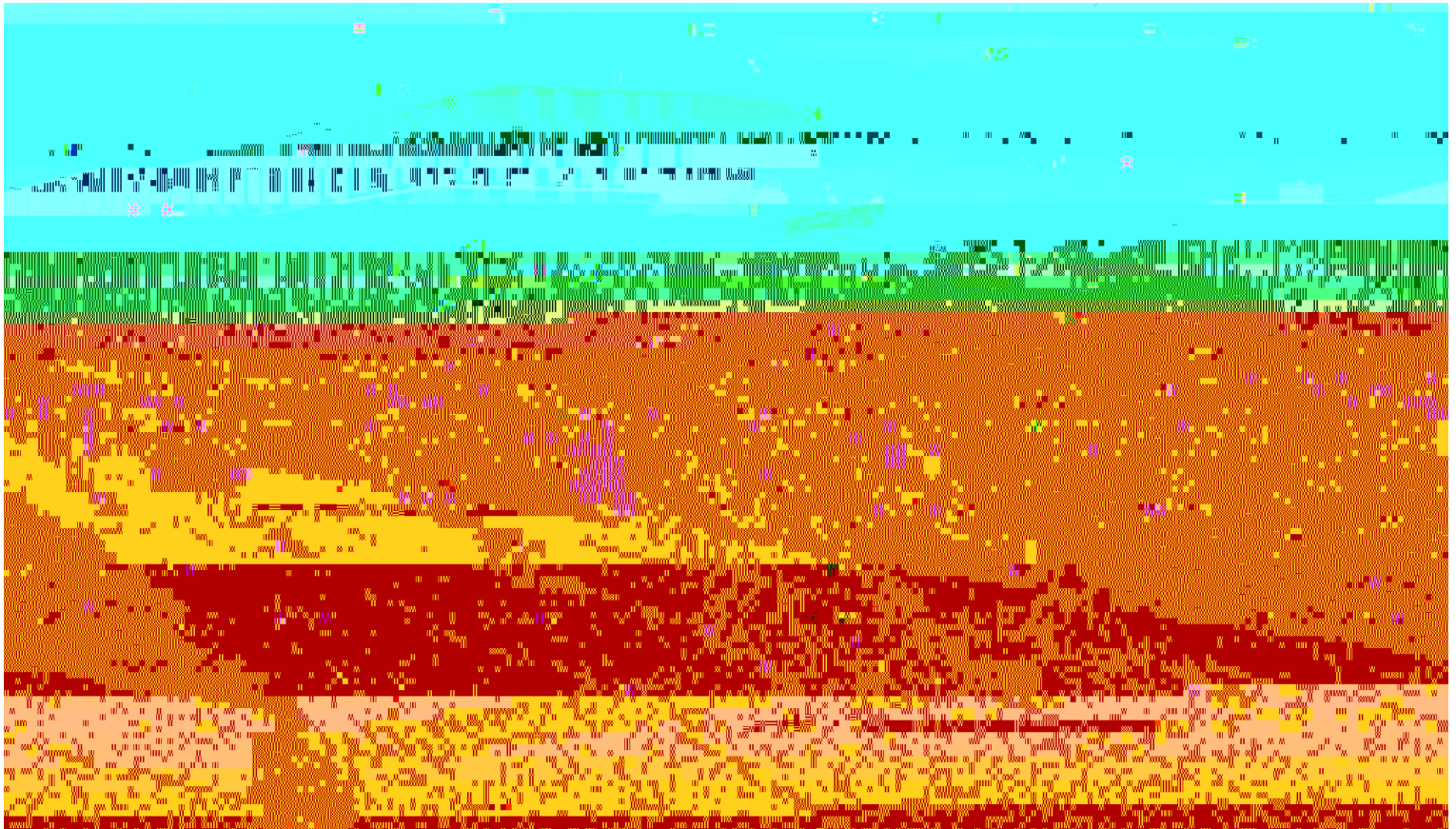


Title IX



Guide for **Student Complainants** in Sexual Assault, Sexual Harassment, Dating and Domestic Violence, Sexual Exploitation, and Stalking matter.

Informational Support Packet

Being accused of sexual assault, dating and domestic violence, sexual exploitation, and stalking can be confusing and unsettling. This guide provides information on the

We are committed to creating an environment that is safe and free of forms of violence. The university prohibits the conduct defined below.

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.

Sexual misconduct includes, but is not limited to, the following conduct:

- an attempt, coupled with the ability, to commit a violent injury to the person of another because of that person's Gender or Sex,
- the intentional touching of another person's intimate body parts without Affirmative Consent, intentionally causing a person to touch the intimate body parts of another without Affirmative Consent,
- using a person's own intimate body part to intentionally touch another person's body without affirmative consent,
- any unwelcome physical sexual acts, such as unwelcome sexual touching,
- using physical force, violence, threat, or intimidation to engage in sexual activity,
- ignoring the objections of the other person to engage in sexual activity,
- causing the other person's incapacitation through the use of drugs or alcohol to engage in sexual activity,
- taking advantage of the other person's incapacitation to engage in sexual activity.

Intimate body part means the sexual organ, anus, groin, buttocks, or breasts of any person.

Sexual activity between a Minor (a person younger than 18 years old) and a person who is at least 18 and two years older than the Minor always constitutes Sexual Misconduct, even if there is affirmative consent to all sexual activity. The existence of affirmative consent and/or the type of sexual activity may be relevant to the determination of an appropriate sanction.

Persons of all genders, gender identities, gender expressions, and sexual orientations can be victims of these forms of sexual misconduct. Sexual misconduct can be committed by an individual known to the victim including a person the Complainant may have just met, i.e., at a party, introduced through a friend, or on a social networking website.

Affirmative Consent means an agreement to engage in sexual activity that is:

- Informed,
- Affirmative,
- Conscious,
- Voluntary, and
- Mutual.

- Lack of protest or resistance does not mean there is Affirmative Consent.
- Silence does not mean there is Affirmative Consent.

The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent.

A request for someone to use a condom or birth

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Sexual Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization or in exchange for a raise or promotion; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a work environment, or in a classroom where the images are unrelated to the coursework. Claiming that the conduct was not motivated by sexual desire is not a defense to a complaint of Sexual Harassment. Sexual and/or romantic relationships between members of the campus community may begin as consensual and may develop into situations that lead to Discrimination, Harassment, Retaliation, Sexual Misconduct, Dating or Domestic Violence, or Stalking subject to this Nondiscrimination Policy.

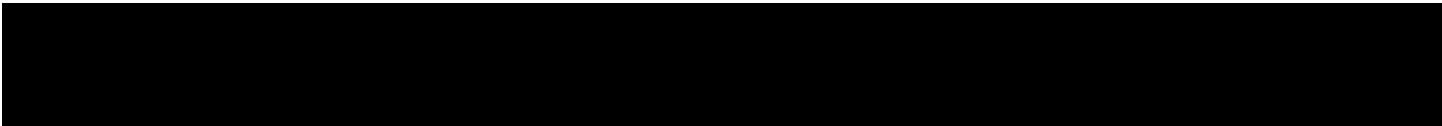
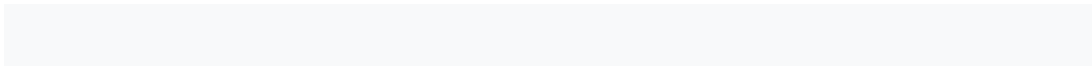
3. means a person taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent, including, but not limited to, any of the following acts:

- The prostituting of another person
- The trafficking of another person, defined as the inducement

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All individuals are encouraged to talk to someone in one or more of these groups. Refer to the chart below so you can make an informed decision.

Confidential

Responsible Employees

[Counseling and Ps](#)

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Michelle Luqueno-Diaz
Student Health and Counseling Services 1152
Telephone: 510-885-3700
Email: Michelle.luquenodiazs@csueastbay.edu, advocate@csueastbay.edu
Website: <https://www.csueastbay.edu/advocacy-services/confidential-campus-advocate/>

Student Health and Counseling Services 1209
Telephone: (510) 885- 3735
After-hours Crisis Counselors: (510) 885- 3735, option 2
Email: shcscounseling@csueastbay.edu
Website: <https://www.csueastbay.edu/shcs/>

Special Victims Unit
300 W. Winton Ave., Hayward, CA 94544
Emergency:
Telephone: (510) 293-7034
Non-emergency Line: (510) 293-7000
Website: <https://www.hayward-ca.gov/police-department>

1350 Galindo St., Concord, CA 94520
Emergency:
Non-emergency Line: (925) 671-3333
Website: <https://cityofconcord.org/183/Police>

455 7th St., Oakland, CA 94607
Emergency:
Telephone: (510) 238-3455
Non-emergency Line: (510) 777-3333
Website: <https://www.oaklandca.gov/departments/police>

Emergency:
Telephone (to report a crime): (510) 464-7000
Non-emergency Line: (510) 200-0992
Website: <https://www.bart.gov/about/police>

1401 Lakeside Dr., 12th Floor, Oakland, CA 94612
Emergency:
Telephone: (510) 272-6878
Website: <https://www.alamedacountysheriff.org/>

2950 Peralta Oaks Court, Oakland, CA 94605
Emergency: 911 or (510) 881-1121 from cell phone

Non-emergency, 24-hour line: (510) 881-1833
Website: <https://www.ebparks.org/about/police/>

470 27th Street, Oakland, CA 94612
Telephone: 24-hour hotline: 510-845-7273
Email: bawar@bawar.org
Website: www.bawar.org

470 27th Street Oakland, Ca 94612
Telephone: (510)267-8800
Email: info@acfjc.org
Website: <http://www.f->

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