

FRESNO STATE.

Civil Rights Report

2023-2024

1. INTRODUCTION

This report provides a concise overview of the cases reported to our office over the past year, offering insights into key trends, case outcomes, and the measures we've taken to address concerns and support our community. By sharing this information, we aim to foster transparency and accountability, demonstrating our commitment to creating a safer, more inclusive campus environment. It is important for our community to understand the challenges we face, the progress we've made, and the steps we are taking to continuously improve our response to discrimination, harassment, and retaliation. Through this report, we hope to encourage ongoing dialogue, build trust, and reaffirm our dedication to equity and fairness for all members of our campus.

2. ABOUT FRESNO STATE

Our campus community is made up of a diverse population, with a total of **23,832 students** and an **employee population of 3,024**. As a commuter campus, the majority of our students live off-campus, with only **6% of the student population residing on campus**. We are proud to be a **Division I member** of the National Collegiate Athletic Association (NCAA) and the Mountain West (MW) Conference. This demographic overview provides important context for understanding the data in this report and underscores the unique needs of our vibrant and dynamic community.

3. DEFINITIONS

-Title IX Conduct refers to behaviors that fall under sexual harassment and discrimination based on sex, gender, gender identity, gender expression, or sexual orientation. It also includes concerns about prohibited consensual relationships as outlined in the Nondiscrimination Policy. Examples of **Sexual Harassment** under this policy include sexual misconduct, sexual assault (such as rape, fondling, statutory rape, and incest), dating violence, domestic violence, stalking, and sexual exploitation. These behaviors are prohibited regardless of the status of the individuals involved—whether they are students, staff, faculty, or third parties. The Nondiscrimination Policy provides detailed definitions for each of these terms to help clarify what constitutes a violation.

-DHR Conduct refers to discrimination or harassment based on any **Protected Status**, excluding conduct related to sex, gender, gender identity, gender expression, or sexual orientation, which falls under Title IX. Protected Statuses include characteristics such as **age, disability (physical or mental), genetic information, marital status, medical condition, nationality, race or ethnicity (including color, caste, or ancestry), religion (or religious creed), and veteran or military status**. DHR Conduct also includes **retaliation** against someone for exercising their rights under the Nondiscrimination Policy, opposing discrimination or harassment in good faith, or participating in any investigation or proceeding related to such concerns. For the purposes of this report, all cases of retaliation are considered DHR Conduct, even if related to Title IX rights. Detailed definitions for each Protected Status and type of conduct are available in the Nondiscrimination Policy.

-Incident refers to any report or information brought to our office, regardless of whether it falls under our jurisdiction or is ultimately handled by another office. Incidents can include concerns related to discrimination, harassment, retaliation, or other behaviors, but they may also involve issues outside the scope of our office. Each incident is documented, reviewed, and assessed to ensure it is directed to the appropriate resource or addressed in line with the Nondiscrimination Policy. This broad definition allows for accurate tracking of all matters reported to us throughout the year.

-Concerns refer to matters received by the Title IX/DHR Office that, after review, do not fall under Title IX or DHR jurisdiction during the reporting period. All reports received by the office are initially categorized as incidents and undergo a thorough review to determine if they fall within the scope of the Nondiscrimination Policy. If the reported conduct does not meet the criteria for Title IX or DHR jurisdiction, the incident is reclassified as a concern. Concerns include issues that are either referred to other university units or personnel for resolution or cases where insufficient information is provided to assess whether the alleged conduct, if true, would constitute a policy violation. As part of the office's procedure, outreach is conducted to the complainant or reporter for clarification before finalizing the classification. This process ensures that all reports are reviewed, documented, and appropriately addressed, even if they fall outside the office's jurisdiction.

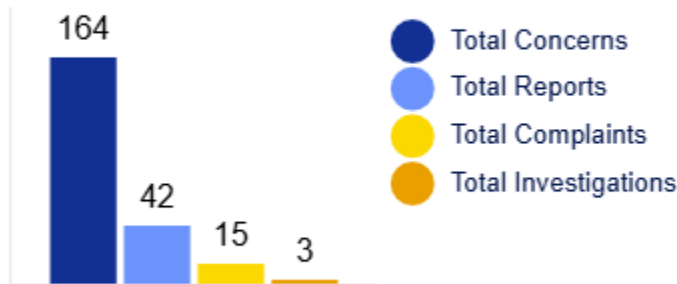
-Reports refer to all matters related to the Nondiscrimination Policy that have been brought to the attention of the campus Title IX/DHR Office during the reporting period and are classified as falling within the office's jurisdiction. After an initial review of all received incidents, cases that do not fall under the Nondiscrimination Policy are classified as **Concerns** and excluded from this category. What remains are **Reports**, which include cases where the conduct, if true, potentially violates the Nondiscrimination Policy. This category encompasses cases that are open, pending, or closed, ensuring that only jurisdictional matters are tracked and managed under this designation. This process ensures clarity in distinguishing between cases that require further action under the policy.

-Complaints include all **Reports** where an investigation or informal resolution has been initiated, either at the request of the impacted party or by the decision of the Title IX/DHR Office.

-Investigations refer to the formal process of gathering facts after a **Notice of Investigation** has been issued. This involves collecting relevant evidence, interviewing involved parties, and reviewing information to determine whether a violation of the Nondiscrimination Policy has occurred.

4. 2023-2024 CIVIL RIGHTS SURVEY

Yearly Totals



In the **2023-2024 Civil Rights Survey**, our office received a total of **206 incidents**. Each incident represents information brought to our attention for review. These incidents include a wide range of issues, from potential violations of the Nondiscrimination Policy to matters outside our jurisdiction. Every incident was carefully assessed to determine whether it fell under the scope of Title IX or DHR.

a) *concerns*



Out of the **206 incidents** reported during the **2023-2024 Civil Rights Survey**, **164 were classified as Concerns**, meaning they either did not meet the criteria for jurisdiction under the Nondiscrimination Policy (NDP) or lacked sufficient information to proceed further. These cases represent a significant portion of the incidents our office reviewed and reflect the wide range of

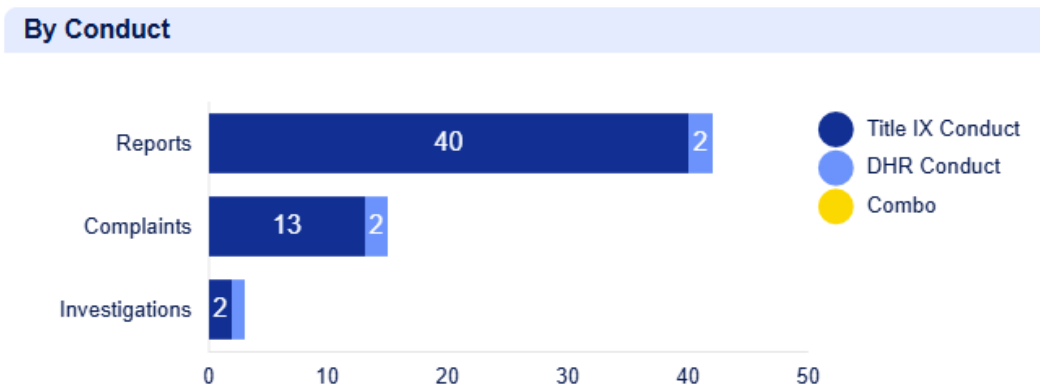
information brought to our attention, much of which falls outside the scope of Title IX or DHR jurisdiction.

Among the **164 Concerns**, **58 cases** lacked sufficient information to assess whether the alleged conduct, if true, would constitute a policy violation. In these instances, the reports included only minimal details or vague references to a protected class, making it impossible to evaluate the conduct under the NDP. Despite our office's efforts to reach out for clarification, the complainants or reporters did not respond, preventing any further assessment or action on these cases. These situations emphasize the importance of detailed reporting and responsive communication to enable the office to address concerns effectively.

Additionally, **100 of the 164 Concerns** were determined to be outside the jurisdiction of the NDP. These cases involved matters that, while important, did not meet the criteria for discrimination, harassment, or retaliation under the policy. In such instances, the cases were referred to other appropriate university departments or resources for resolution.

Finally, **4 cases within the Concerns category** were newly reported at the time of review and had not yet been assessed or classified.

b) Reports by conduct

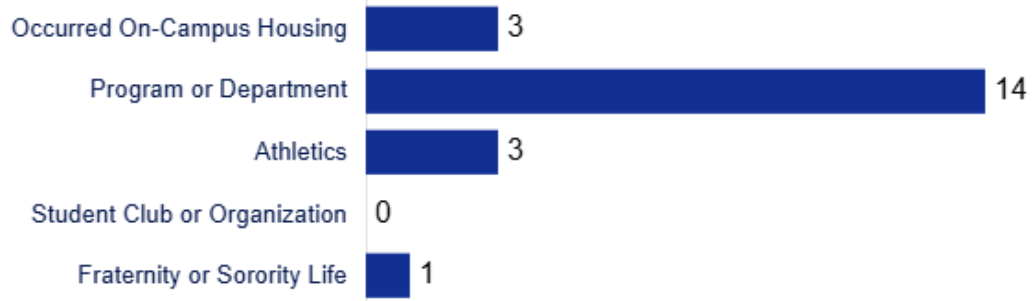


Out of the **206 incidents** reported during the **2023-2024 Civil Rights Survey**, **42 reports** were determined to fall under the jurisdiction of the Nondiscrimination Policy. Of these **42 reports**, 40 were classified as Title IX Conduct and 2 as DHR Conduct.

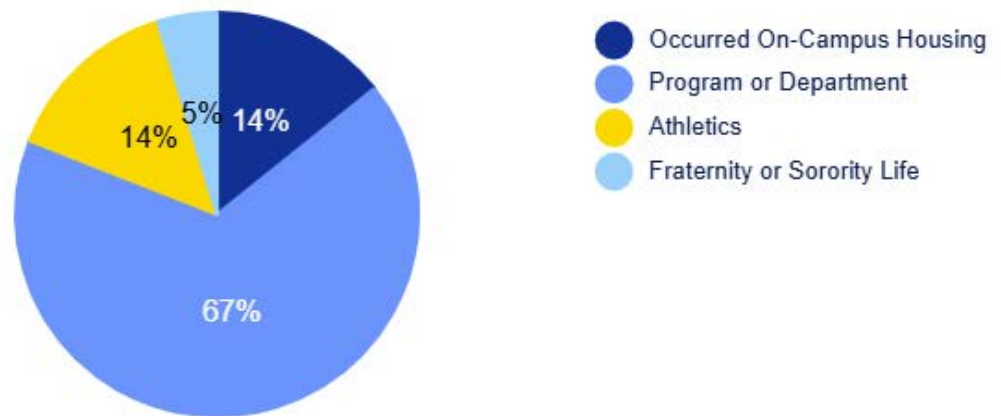
Of the **42 reports** determined to fall under the jurisdiction of the Nondiscrimination Policy, **15 progressed to complaints**. Among these **15 complaints**, **2 proceeded to formal investigation**. The remainder involved situations where complainants requested supportive measures only, opted for informal resolution prior to the continuation of an investigation, or where the report had been recently received and was still pending resolution status.

c) *Reports -Complainants or Respondents Affiliated*

Reports - Complainants or Respondents Affiliated



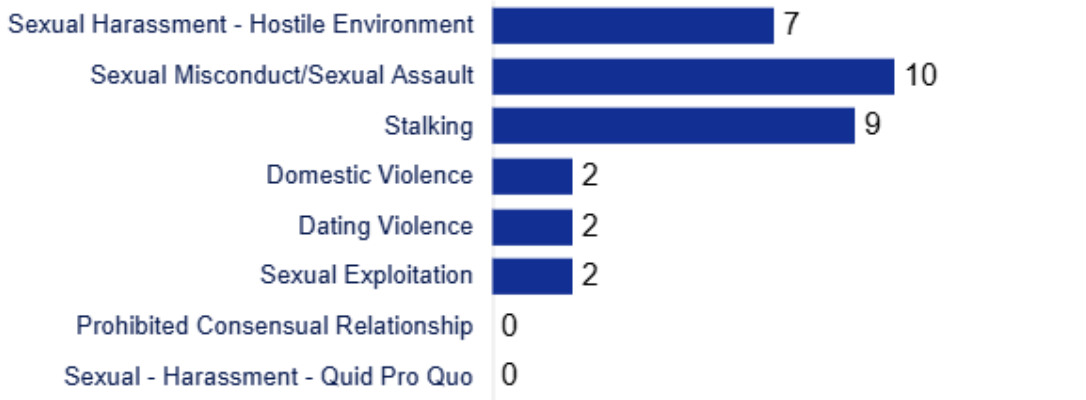
Reports - Complainants or Respondents Affiliated



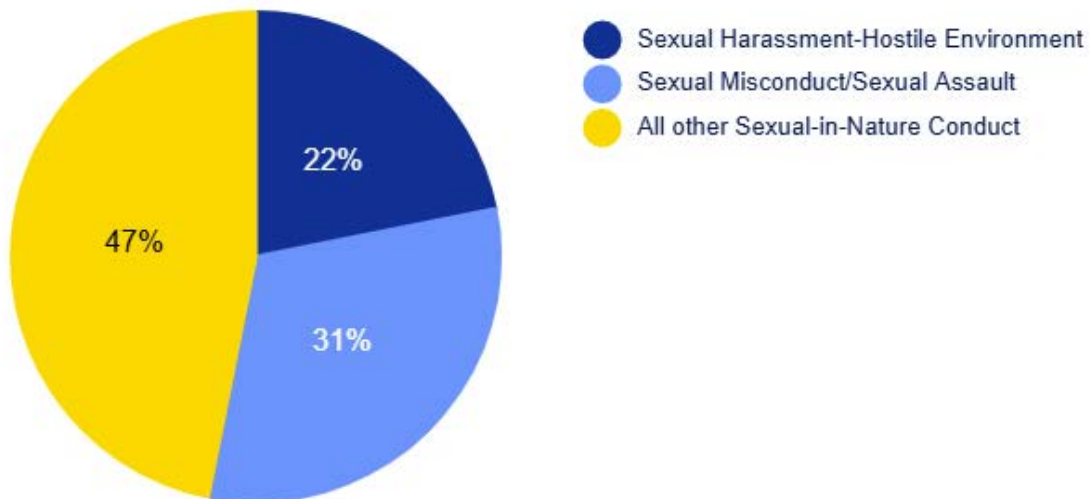
Of the reports submitted during the **2023-2024 Civil Rights Survey**, **3 involved incidents within on-campus housing**, while **14 reports** originated from a specific program or department. Additionally, **3 reports** involved cases where both the complainant or respondent were affiliated with athletics, and **1 report** involved a case where either the complainant or the respondent had a connection to Fraternity or Sorority Life.

d) *Reports by Sexual-in-Nature Conduct*

Reports by Sexual-in-Nature Conduct



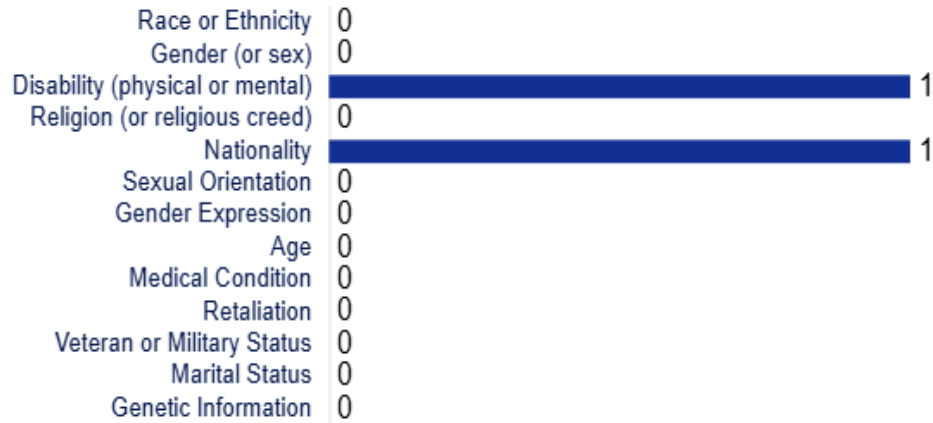
Sexual Harassment - Sexual Misconduct



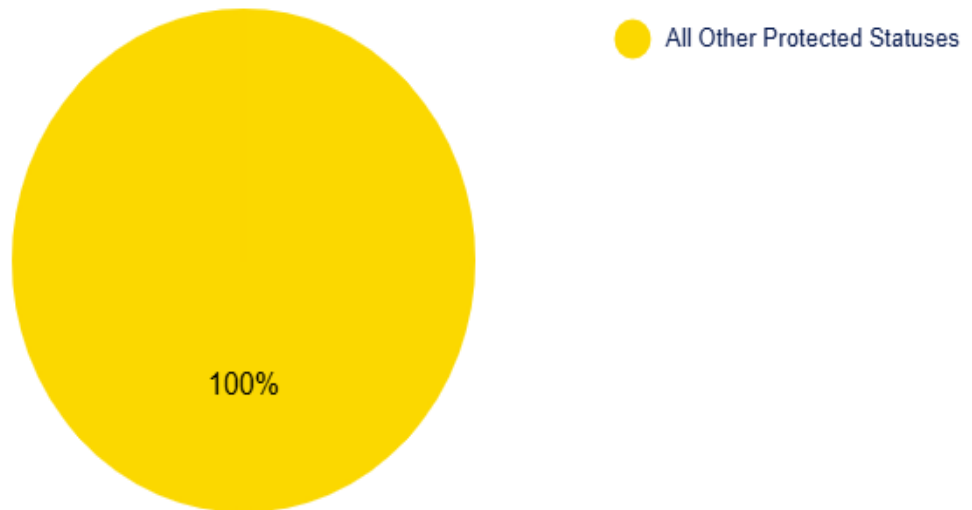
Out of the **40 reports** classified as Title IX Conduct, **32** were sexual in nature. These included **7** reports of sexual harassment in the form of a hostile environment, **10 reports** of sexual misconduct or sexual assault, **9 reports** of stalking, **2 reports** of domestic violence, **2 reports** of dating violence, and **2 reports** of sexual exploitation. Of the **32 sexual in nature reports**, **3** involved respondents who were either unknown, unaffiliated with the university, or identified as third parties.

e) Reports of Harassment and Discrimination

Reports of Harassment and Discrimination based on



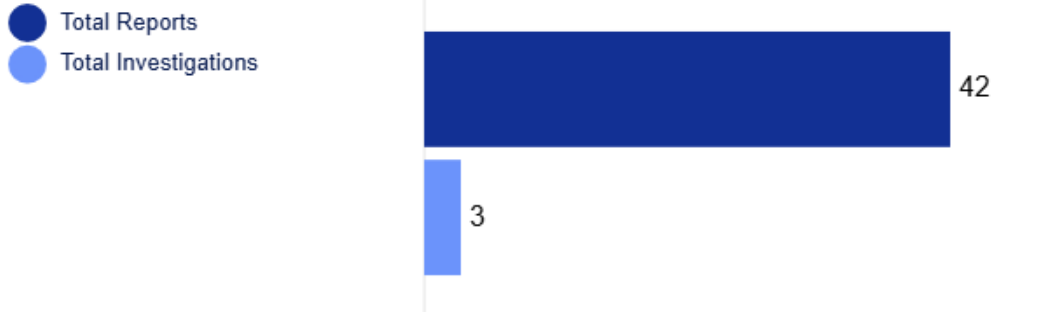
Reports based on Race or Ethnicity, Gender(or sex)



Of the **42 reports** received, **2 were classified as DHR Conduct**. One of these reports involved allegations of discrimination based on **disability status**, while the other involved discrimination based on **national origin status**.

f) Reports vs. Investigations

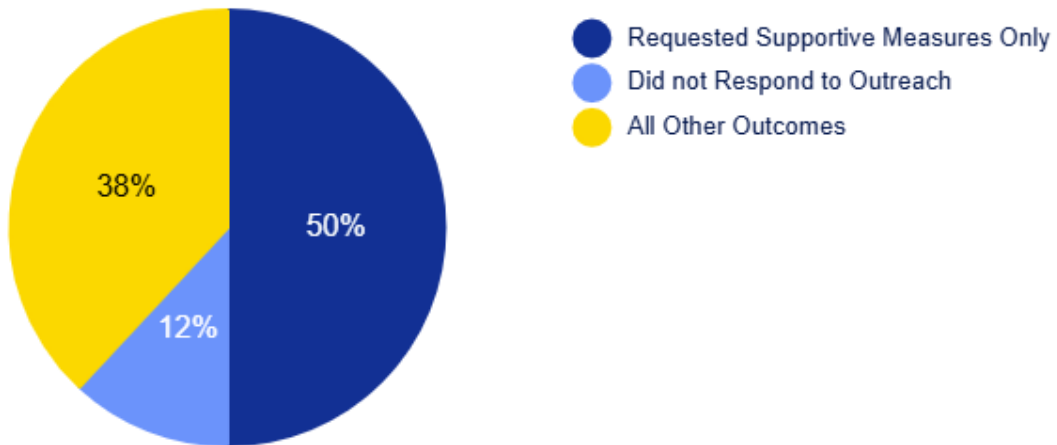
Reports vs Investigations



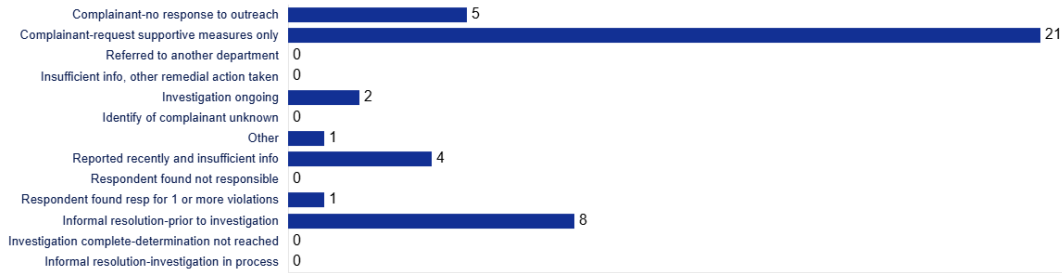
Of the **15 complaints** received during the reporting period, **3 progressed to formal investigations**. At the time of submitting the annual report, **2 of these investigations were still ongoing**, while **1 investigation had been completed**.

g) Percentages of Reports + Pending Reports where Complainant Requested Supportive Measures or Did not Respond to Outreach

Percentage of Reports + Pending Reports where Complainant Requested Supportive Measures or Did not respond to outreach



Outcomes of Reports received + Pending Reports



Of the **42 reports** received during the reporting period, **50% of complainants requested supportive measures only**, prioritizing assistance without pursuing further action. **12% of complainants did not respond to outreach efforts**, leaving the office unable to proceed with additional steps. The remaining **38%** of reports resulted in various other outcomes, including **informal resolutions, investigations, and other appropriate actions.**

h) Resolved Complaints -Sanctions/Discipline

Resolved Complaints - Sanctions/Discipline



Of the **3 investigations** initiated during the reporting period, **2 were ongoing** at the time of this report, and **1 investigation was completed.** In the completed case, the respondent was found responsible for the alleged conduct and received sanctions or disciplinary measures. It is important to note that the Office of Compliance and Civil Rights (OCCR) does not impose sanctions directly. Sanctions are determined and implemented in accordance with the **Student Code of Conduct, Employee and Faculty Code of Conduct**, and the provisions outlined by the respective **collective bargaining units.**

i) Total Appeals Received

Total Appeals Received: 6

Appeal Outcomes



There were a total of **6 appeals** pending during the reporting period, all of which were ultimately denied. It is important to note that the appeals data is not based on the **206 incidents** received during this reporting period but rather represents cases carried over from investigations initiated in the previous year. This reflects the ongoing nature of some cases and the extended timelines associated with the appeals process.