

Summary of Reports and Complaints

FISCAL YEAR 2020-21

Title IX Office

OCCIDENTAL COLLEGE | 1600 CAMPUS ROAD, LOS ANGELES, CA 90041

SUMMARY OF REPORTS AND COMPLAINTS

Preventing incidents of sexual and gender-based harassment and sexual violence remains a priority for Occidental College. The impacts of the Covid-19 pandemic affected the ability of community members to report incidents of sexual misconduct to the Title IX Office. Project S.A.F.E. and the Title IX Office both experienced a decrease in reports during the 2020-21 fiscal year. The College strongly encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual violence. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. The College also strongly encourages all individuals to make a report to the College and to local law enforcement, although neither is required. These reporting options are not mutually exclusive. Both internal and criminal reports may be made simultaneously. The College has a strong interest in supporting those who have experienced sexual harassment, sexual violence, stalking, and intimate partner violence and strongly encourages all individuals or third-party witnesses to report any incident to the College.

Making a report means telling a Responsible Employee what happened - in person, by telephone, in writing, or by text message or email. At the time a report is made, a complainant does not have to request any particular course of action, nor does a complainant need to know how to label what happened. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. The College provides support that can assist each individual in making these decisions and will respect an individual's autonomy in deciding how to proceed to the extent possible. In this process, the College balances the individual's interest with its obligation to provide a safe and non-discriminatory environment for all members of the College community. The College responds to all reports of Prohibited Conduct in a fair and impartial manner. A complainant, a respondent, and all individuals involved are treated with dignity and respect. In response to all reports of Prohibited Conduct, the College makes an immediate assessment of a risk of harm to the complainant, respondent, or to the broader campus community and will take steps to address those risks. These steps may include interim supportive or protective measures to provide for the safety of the individual and the campus community.

It is important to note that the data for reports found in the charts on the following pages does not align with those found in the Annual Fire Safety and Security Report issued in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act"). The data contained in this Annual Report reflect allegations of conduct prohibited by Oxy's Interim Sexual Misconduct Policy. This report includes conduct reported to have occurred on- or off-campus, including during College-sanctioned activities or programs abroad. As such, some but not all data are embedded within the College's Annual Fire Safety and Security Report, which has a different scope.

INCIDENTS REPORTED TO THE TITLE IX OFFICE

The Title IX Office received 38 reports between July 1, 2020, and June 30, 2021. The 38 reports involved 50 allegations of prohibited conduct or inappropriate behavior. The incidents reported represent conduct alleged to have occurred between 2014 and 2021, but were first reported to Occidental College between July 2020 and June 2021. The information came from self-reports (7), responsible employees (25), anonymous reporters (3), and third-party students (3). Responsible Employees are non-confidential employees of the College who are required to share information directly with the Title IX Office regarding alleged incidents of prohibited conduct.

These reports are categorized using the language of the reporting party. The Title IX Office aligned the reported information to the prohibited conduct within the Policy. In certain circumstances, the office did not receive enough information to determine whether an incident constituted prohibited conduct as defined in the Policy. Table 1 represents allegations reported to the Title IX Office. Allegations reported to the Title IX Office were not resolved through the disciplinary or adaptable resolution process unless a complaint resolution procedure was requested or the office identified a pattern of prohibited conduct involving the same respondent. The total number of prohibited conduct reported does not equal 38 as a single report may include more than one type of prohibited conduct.

Table 1. Incidents Reported to the Title IX Office from July 2020 to June 2021

Prohibited Conduct Reported	2020-21
Sexual Harassment	7
Gender-Based Harassment or Discrimination	3
Sexual Assault (including non-consensual contact, fondling, rape, and undefined “sexual assault”)	21
Sexual Exploitation	3
Dating and Domestic Violence	2
Stalking	5
Prohibited Relationship by Person in Authority	1
Unable to Categorize	3
Conduct Outside of the Scope of the Interim Sexual Misconduct Policy	5
Total	50

RESOLUTION PROCESS

Five complaints (three disciplinary resolution complaints and two disciplinary resolutions complaints that were ultimately referred to adaptable resolution by parties’ requests) were processed through the College’s resolution procedures. Table 2 displays the allegations contained within the complaints submitted. The total number of allegations does not equal five as a single complaint may include more than one type of prohibited conduct.

Table 2. Overview of Allegations Associated with the Complaints from July 2020 to June 2021

Prohibited Conduct	2020-21
Sexual Harassment	4
Sexual Assault (as defined in Table 1)	6
Sexual Exploitation	1
Dating and Domestic Violence	1
Stalking	2
Prohibited Relationship by Person in Authority	1
Total	15

DISCIPLINARY RESOLUTION

Table 3 provides an overview of the outcomes of the formal complaints. The total number of outcomes does not equal five as a single investigation may include more than one allegation of prohibited conduct.

Table 3. Disciplinary Resolution Outcomes from July 2020 to June 2021

Disciplinary Resolution Outcome	2020-21
Not Responsible	1
Responsible	2 ¹
Investigation Pending	3
Referred to Adaptable Resolution by Parties' Request	9
Total	15

APPEALS

The Policy allows complainants and respondents to appeal an outcome based on the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, Investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; and/or
- The decision of the decision-maker was arbitrary or capricious.

One appeal was submitted in the 2020-21 fiscal year.

ADAPTABLE RESOLUTION

Adaptable resolution is a voluntary, remedies-based, structured interaction between or among affected parties that balances support and accountability without taking formal disciplinary action against the respondent. Adaptable resolution is generally designed to allow the respondent to acknowledge harm and accept responsibility for repairing harm (to the extent possible) experienced by the complainant and/or the College community. Adaptable resolution is designed to eliminate the Prohibited Conduct, prevent its recurrence, and remedy its effects in a manner that meets the needs of the complainant while maintaining the safety of the campus community. Adaptable resolution is a process that allows parties to propose their own resolution or terms as an appropriate outcome to a complaint. In two cases, the parties agreed to resolve their complaints through an adaptable resolution agreement. Case outcomes from adaptable resolutions are varied and can include resolutions such as: training on the concepts of implicit bias, consent, and alcohol education; reflective conversations or clinical assessments to reduce repeated behavior; permanent extension of a no contact directive; letters of acknowledgement sent to the complainant; and/or restrictions on participation in specific clubs and/or organizations.

¹ The two findings of "responsible" applied to a single individual who left Occidental College before sanctions could be imposed.

CONCLUSION

An equitable and unbiased approach to preventing and responding to instances of sexual and gender-based harassment and sexual violence remains a priority for Occidental College. This Annual Outcome Report is not an exhaustive account of the full work of the Title IX Office, but rather a reflection of the College's efforts to address sexual and gender-based harassment and misconduct within the community. The Title IX Office continues to increase awareness and reporting of sexual violence and sexual and gender-based harassment. Oxy remains committed to our fundamental goal of eliminating sexual misconduct in the Oxy Community and maintaining a safe, welcoming, and respectful environment for all.