



# Student Sexual Misconduct Quick Reference Guide

Survivor Advocate  
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The reporting of all forms of student sexual misconduct is governed by [Executive Order 1097](#). Sexual Misconduct is engaging in any sexual activity without first obtaining AFFIRMATIVE CONSENT for that specific activity. It is never too late to report sexual misconduct to the University and/or Campus Police. Reporting what happened is as easy as texting, emailing, calling, writing or speaking directly to someone in authority. For More Details [Contact Law Enforcement](#).

What to Report:

- Harassment
- Stalking (including Cyber Stalking)
- Dating/Relationship Violence
- Retaliation (including Cyber Retaliation)
- Sexual Misconduct (regardless of gender expression)

Emergency reporting options – [Contact Law Enforcement](#)

**Note:** Please keep in mind that this doesn't mean that a disciplinary proceeding will start immediately, or that the person accused will be contacted without your knowledge.

## WHAT & WHEN TO REPORT

## WHAT ABOUT CONFIDENTIALITY?

**Not Confidential** – what you tell them must be reported to the Title IX Coordinator

- Faculty
- Staff
- Administrators
- Residence Hall Staff
- Title IX Coordinator
- Campus Police
- PRIDE Center Staff
- Gender Equity Center Staff
- Wellness & Health Promotion Staff

**Confidential** – what you tell them does not have to be reported to anyone

- Sexual Assault Victim Advocate
- Counseling and Psychological Center Practitioners and Staff
- Student Health Center Practitioners and Staff

**Reporting does not mean:**

- Having to know how you want to proceed or the support you need
- Knowing how to label the misconduct

**Reporting does give you a right to:**

- An advocate to support and remain by your side throughout the process.
- If you are unsure, consider contacting a confidential resource. [Seek Confidential Medical Attention or Services](#).

### ALWAYS REMEMBER

Sexual misconduct is a form of sexual harassment and may create a sexually hostile environment that affects access to or participation in CSU programs and activities. CSU prohibits all such conduct. The only consent is affirmative consent, and sexual misconduct enforcement applies campus wide to students, faculty, staff, administrators and campus visitors. Get to know your Title IX Officer, Diana Harris Epps [TitleIX@sjsu.edu](mailto:TitleIX@sjsu.edu) or 408 924 7290.

## WHAT HAPPENS ONCE A REPORT IS RECEIVED & WHAT ABOUT OUTCOMES?

The Title IX Coordinator provides:

### Complainant

- Explanation of process
- Explanation of Rights and Responsibilities
- Written information on CSU Policies
- Available Resources (including Sexual Assault Victim Advocate)
- Right to Advisor

### Respondent

- Explanation of process
- Explanation of Rights and Responsibilities
- Written information of CSU Policies
- Available Resources (including Respondent Consultant)
- Right to Advisor

Information shared with the Title IX Coordinator can be kept private but not confidential.

Many factors go into determining final **OUTCOMES**, but all parties will be informed of all decisions. The Title IX investigation is independent from potential criminal outcomes.

**ALWAYS REMEMBER: FOR EMERGENCY / URGENT MATTERS CALL 911, 408-924-2222, OR 4-2222 from a campus phone**