

**Disability.** The California State University does not discriminate on the basis of disability in its programs and activities, including admission and access. Federal and state laws, including sections 504 and 508 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, prohibit such discrimination. Brittany Grice, Institutional Compliance Administrator, has been designated to coordinate the efforts of Fresno State to comply with all applicable federal and state laws prohibiting discrimination on the basis of disability. Inquiries concerning compliance may be presented to this person at 5150 N. Maple Avenue, M/SJA 41, Joyal Administration Building, Rm 245, Fresno, CA 93740, 559.278.5013. CSU Executive Order 1097 (<http://www.calstate.edu/EO/EO-1097.pdf>) is the systemwide procedure for all complaints of discrimination, harassment or retaliation made by students against the CSU, a CSU employee, other CSU students or a third party.

**Sex/Gender/Gender Identity/Gender Expression/Sexual Orientation.** The California State University does not discriminate on the basis of sex, gender, gender identity, gender expression, or sexual orientation in its programs and activities, including admission and access. Federal and state laws, including Title IX of the Education Amendments of 1972, prohibit such discrimination. Janice Parten, Associate Vice President for Human Resources, has been designated to coordinate the efforts of Fresno State to comply with all applicable federal and state laws prohibiting discrimination on these bases. Inquiries concerning compliance may be presented to this person at 5150 N. Maple Avenue, M/SJA 41, Fresno, CA 93740, by calling 559.278.2364. The California State University is committed to providing equal opportunities to male and female CSU students in all campus programs, including intercollegiate athletics.

Title IX of the Education Amendments of 1972 protects all people regardless of their gender or gender identity from sex discrimination, which includes sexual harassment and violence:

- **Sexual discrimination** means an adverse act of sexual discrimination (including sexual harassment, sexual violence, domestic violence, dating violence, and stalking) that is perpetrated against an individual on a basis prohibited by Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106 (Title IX); California Education Code §66250 et seq., and/or California Government Code §11135.
- **Sexual harassment**, a form of sex discrimination, is unwelcome conduct of a sexual nature that includes, but is not limited to, sexual violence, sexual advances, requests for sexual favors, indecent exposure and other verbal, nonverbal or physical unwelcome conduct of a sexual nature, where such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the individual, and is in fact considered by the individual, as limiting the individual's ability to participate in or benefit from the services, activities or opportunities offered by the university. Sexual harassment includes submission to, or rejection of, where the conduct is explicitly or implicitly used as the basis for any decision affecting an individual's academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University. Sexual harassment also includes gender-based harassment, which may include acts of verbal, nonverbal or physical aggression, intimidation or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.
- **Sexual violence** is a form of sexual harassment and means physical sexual acts, such as unwelcome sexual touching, sexual assault, sexual battery, rape, domestic violence, dating violence, and stalking (when based on gender or sex) perpetrated against an individual against his or her will and without consent or against an individual who is incapable of giving consent due to that individual's use of drugs or alcohol, status as a minor, or disability. Sexual violence may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication). Men as well as women can be victims of these forms of sexual violence. Unlawful sexual intercourse with a minor (statutory rape) occurs even if the intercourse is consensual when the victim is under 18 years old, because the victim is considered incapable of giving legal consent due to age.
- **Sexual Assault** is a form of sexual violence and is an attempt, coupled with the ability, to commit a violent injury on the person of another because of that person's gender or sex.
- **Sexual Battery** is a form of sexual violence and is any willful and unlawful use of force or violence upon the person of another because of that person's gender or sex.
- **Rape** is a form of sexual violence and is non-consensual sexual intercourse that may also involve the use of threat of force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute rape. Sexual acts including intercourse are considered non-consensual when a person is incapable of giving consent because s/he is incapacitated from alcohol and/or drugs, is under 18 years old, or if a mental disorder or developmental or physical disability renders the person incapable of giving consent. The accused's relationship to the person (such as family member, spouse, friend, acquaintance or stranger) is irrelevant. (See complete definition of consent below.)
- **Acquaintance Rape** is a form of sexual violence committed by an individual known to the victim. This includes a person the victim may have just met; i.e., at a party, introduced through a friend, or on a social networking website. (See above for definition of rape.)