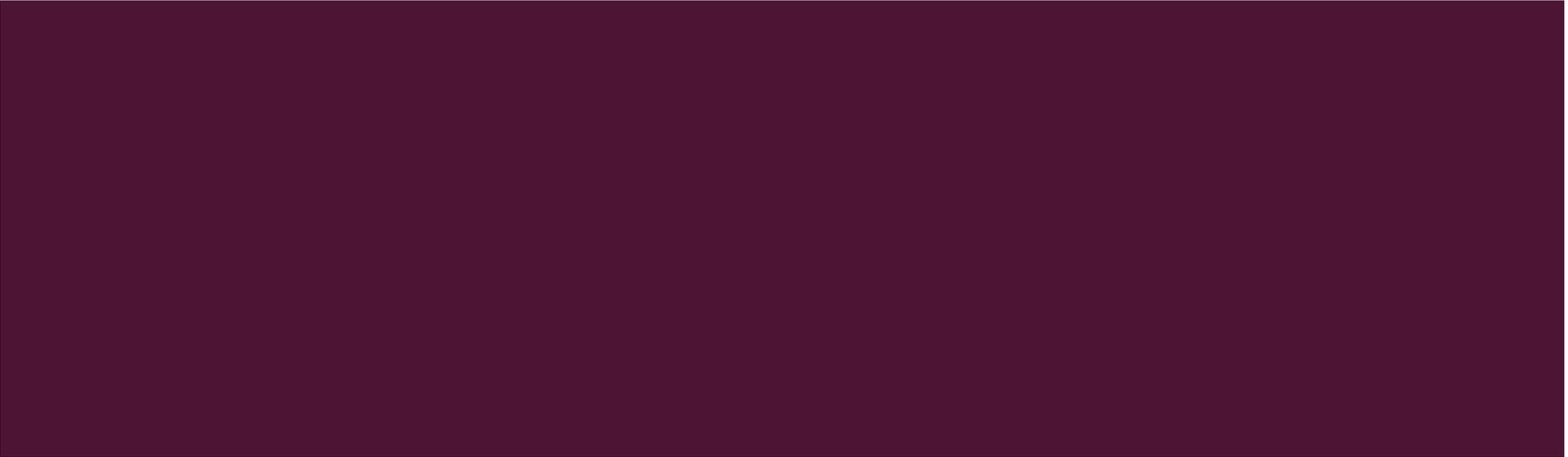




TITLE IX

TIFFANY DEARSTONE

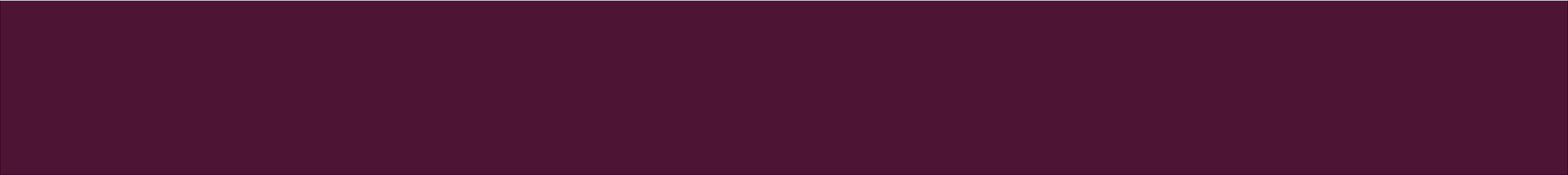
DIRECTOR OF STUDENT ACTIVITIES AND TITLE IX DESIGNEE





SENSITIVE TOPIC ADVISORY

SEXUAL HARASSMENT AND SEXUAL VIOLENCE



WHAT IS TITLE IX?

- Title IX compliance “reduces and eliminates barriers” to educational opportunities that are caused by sex discrimination
- Promote safe, inclusive, non-discriminatory learning and working environments for students and employees
 - Includes: Women, Men, Non-binary, Students, Faculty, Staff
- It is a federal law that prohibits sex discrimination in federally funded educational programs and activities.
 - “No person in the United States shall, on the basis of sex, be excluded from participation in ,or be denied the benefits of, or subjected to discrimination under any educational program or activity receiving Federal financial assistance...”

WHAT IS COVERED UNDER TITLE IX?

- Title IX provides protection against discrimination:
 - Inequitable offerings in educational programs and activities
 - Sexual Violence and Non-Consent
 - Sexual Assault – Acquaintance, Date, or Stranger Assault
 - Stalking
 - Dating or Domestic Violence
 - Sexual Harassment
 - Quid Pro Quo
 - Hostile Environment
 - Bullying and Cyber Harassment

WHAT IS SEX DISCRIMINATION?

Sexual Violence

- Sexual Assault – Acquaintance, Date, or Stranger Assault
 - Sexual Assault: contact or sexual penetration that occurs without the consent of the recipient
 - Sexual Contact: intentional touching of a person's clothing covering intimate parts or when someone is forced to touch another person's intimate parts for sexual gratification.
- Stalking
 - Engaging in a course of conduct directed at a specific person that would be a reasonable person to fear for their safety or suffer substantial emotional distress. Includes patterns of repeated and unwanted attention, harassment, contact, etc.

WHAT IS SEX DISCRIMINATION?

Sexual Violence

- Dating or Domestic Violence
 - When a person purposely hurts or scares someone they are dating – Dating Violence can be physical, emotional, and/or sexual abuse that is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
 - Domestic Violence includes patterns of abusive behaviors in relationships used by one partner to gain or maintain power and control over another intimate partner.
 - Spouses, family relationship, or persons living in the same home

WHAT IS SEX DISCRIMINATION?

Sexual Harassment

- Hostile Environment
 - Severe, pervasive, or persistent action that it interferes with or limits the ability to participate in or benefit from College services, activities, or opportunities because of their sex or gender



IT'S ALL ABOUT CONSENT!

- What is consent?
 - Sexual consent is an agreement to participate in a sexual activity. Before being sexual with someone, you need to know if they want to be sexual with you too. It's also important to be honest with your partner about what you want
 - Consenting and asking for consent are all about setting your personal boundaries and respecting those of your partner — and checking in if things aren't clear. Both people must agree to sex — every single time — for it to be consensual and don't want.

CONSENT



Freely Given
Reversible
Informed
Enthusiastic
Specific

IT'S ALL ABOUT CONSENT!

- What is Lack of Consent?
 - You get the final say over what happens with your body. It doesn't matter if you've hooked up before or even if you said yes earlier and then changed your mind. You're allowed to say "stop" at any time, and your partner needs to respect that.
 - Consent is never implied by things like your past behavior, what you wear, or where you go. Sexual consent is always **clearly** communicated — there should be no question or mystery. Silence is not consent. And it's not just important the first time you're with someone. Couples who've had sex before or even ones who've been together for a long time also need to consent before sex — every time
 - A person need not resist verbally or physically where it would be useless or futile to do so.
 - The fact that the alleged victim was under the influence of drugs or alcohol may be considered in determining had the capacity to consent to the act in question.

IF IT'S NOT
CLEAR
IT'S NOT CONSENT

-
- Jennifer and Nina are always the first two people in their chemistry class.
 - They pass the time before class starts by chatting about upcoming homework assignments and quizzes.
 - As the semester progresses, their interactions become more flirtatious. One day, as Jennifer is passing Nina on her way to her desk, Nina pats Jennifer on the butt.
 - Jennifer explains to Nina that she doesn't feel comfortable with that kind of physical contact, but Nina does it again the next day.
 - Explain what behavior is being exhibited.

HYPOTHETICAL #1: JENNIFER AND NINA

-
- Mallory and Nick have been dating for four months.
 - One night, Nick admits that he has developed feelings for someone else and wants to break off their relationship.
 - Mallory feels betrayed and is determined to find out who Nick's new crush is.
 - Mallory starts hanging around outside of Nick's dorm room, showing up outside of his classes, and following him to the cafeteria. She also keeps tabs on him by sending him texts and calling his cell phone. Nick tells Mallory that she needs to stop contacting him, but she continues anyway.
 - Eventually, Nick's roommate's begin to complain about Mallory's random drop-ins, noting that she refuses to leave when they tell her Nick isn't home. Given this behavior, Nick begins to fear for his safety. He's not sure when he'll run into Mallory or what state of mind she'll be in.
 - Explain.

HYPOTHETICAL #2: MALLORY AND NICK

-
- Savannah and Michael are freshmen in college and they are dating. They have engaged in sexual activity, but have not had sexual intercourse.
 - Michael wants to have sexual intercourse, but Savannah isn't so sure.
 - One night, Michael stays over at Savannah's dorm room. Savannah falls asleep. Michael starts having sexual intercourse with Savannah while she is still asleep. She wakes up, and doesn't say anything to Michael. Michael continues to have sex with her and then goes to sleep.
 - Was this consensual sex?
 - Why or why not?

HYPOTHETICAL #3: SAVANNAH AND MICHAEL

-
- Robert and John have several classes together.
 - One Saturday, they go to John's apartments and watch a movie. During the movie they have several alcoholic drinks.
 - Afterwards, they go to a party at a friends house. Robert drinks heavily all evening at the party and is very intoxicated. John doesn't have any drinks.
 - Afterwards, Robert and John go back to John's apartment. On the walk home, Robert is slurring his words, having trouble walking, and doesn't seem to understand John when he talks to him. When they arrive at John's apartment, they have sex.
 - Did Robert give consent?
 - Explain.

HYPOTHETICAL #4: ROBERT AND JOHN

-
- Kris is at a party with friends.
 - When he notices, Jamie, an acquaintance from their Social Sciences Class.
 - Jamie seems to be slurring her words, loud, and having some issues standing.
 - You see that Jamie's friend keeps pushing her to drink more and starts urging her to go home with him.
 - Should Kris do anything?

HYPOTHETICAL #5: KRIS AND JAMIE

-
- Joe and Allie recently started dating.
 - After watching basketball game on campus, they go back to Joe's dorm room. They have a discussion about having a sexual relationship.
 - Allie tells Joe that she will consent to having sexual intercourse with him, but that he must wear a condom. Joe agrees.
 - Later that night they have sex, and Joe wears a condom. However, in the middle of the sexual activity, Joe secretly takes off the condom and continues having sex with Allie. Allie does not realize that Joe has removed the condom until later.
 - Was there sexual activity without consent?
 - Explain.

HYPOTHETICAL #6: JOE AND ALLIE

REPORTING TITLE IX

- What is the College's role?
 - If a school knows or reasonably should know about... harassment... the school (must) take immediate action to:
 - End and/or eliminate the harassment;
 - Prevent its recurrence;
 - Address and/or remedy its effects.





Report of
Sexual
Harassment

- Report made to Mandatory Reporters or Title IX Coordinator by phone, email, in writing, or in person

Interim
Measures &
Support

- No Contact Order, Change of Living Situation, Campus Work Assignment
- Academic Support/Accommodation and Counseling Services

3020
Investigation &
Disciplinary
Action

- Reporting party wants to pursue investigation
 - Police may ask College to delay investigation
- Reporting party request confidentiality
 - College responsibility to provide a safe and nondiscretionary environment

TITLE IX REPORTING PROCEDURES

REPORTING TITLE IX

Mandatory Reporters

- President
- Vice President
- Deans
- College Title IX Coordinator
- Campus Safety Officers
- Housing-Residence Life Staff
 - Director or Assistant Directors
 - Hall Coordinators or Resident Assistants
 - Coaches and Assistant Coaches

Confidential Resources

- Licensed Student Counselors
- Athletic Trainers

RESOURCES AND SUPPORT

On Campus Resources

- Lin Brummels, Director of Counseling
- Regina Korth, Campus Nurse
- Muffin Morris, Head Athletic Trainer

Off Campus Resources

- Haven House 402-375-4633
- Wayne Police Department 402-375-2626
- Providence Medical Center 402-375-3800
- Bright Horizons 402-379-3798

QUESTIONS?



HAVE
QUESTIONS

Wonder



EXPERIENCE
IT

LEARN IT



HEAR IT

SEE IT



Contact the Title IX Coordinator

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