



Title IX for Mandatory Reporters

David McMahan, Dean of Students & Title IX Coordinator





Sensitive Topic Advisory

Sexual Harassment and Sexual Violence



What is Title IX?



1. Title IX compliance “reduces and eliminates barriers” to educational opportunities that are caused by sex discrimination
2. Promotes safe, inclusive, non-discriminatory learning and working environments for students and employees
 - Includes: Women, Men, Non-binary, Students, Faculty, Staff
3. 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 activities receiving Federal financial assistance...”



How is Sexual Harassment a Barrier to Educational Opportunities?

Sexual harassment can cause:

- PTSD
- Anxiety/Depression
- Missed Classes
- Lower Grades
- Social Withdrawal
- Drug and Alcohol Abuse



Title IX provides protection against discrimination:

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



**Quid pro
quo**



**Severe,
pervasive
unwelcome
conduct**



Sexual assault

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.



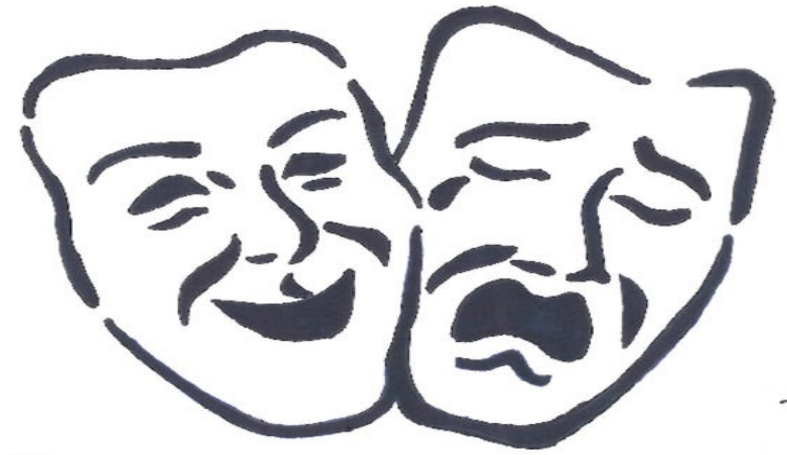
Dating violence



Domestic violence



You don't need



Bruises to be
ABUSED

*My heart
Belongs*



Stalking

- Engaging in a course of conduct directed at a specific person that would was a reasonable person to fear for their safety or suffer substantial emotional distress. Includes patterns of repeated and unwanted attention, harassment, contact, etc.



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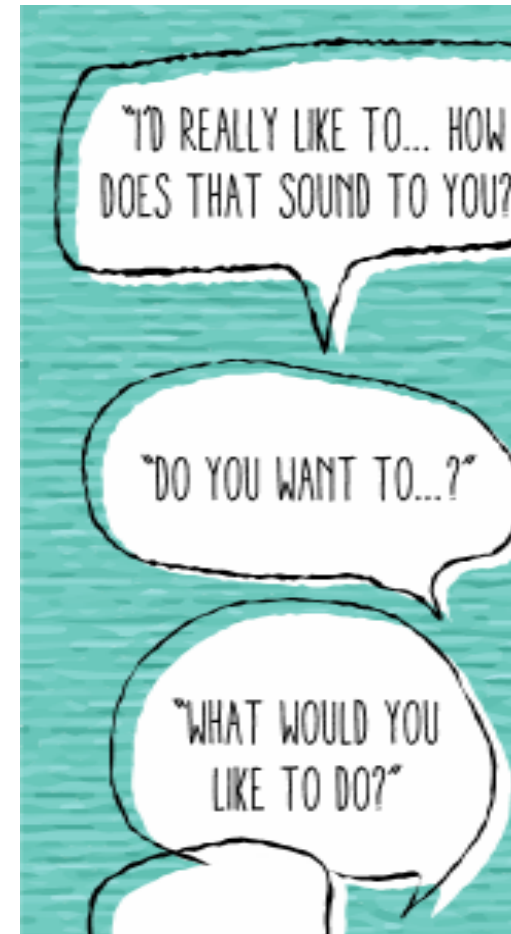
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Consent is ongoing...



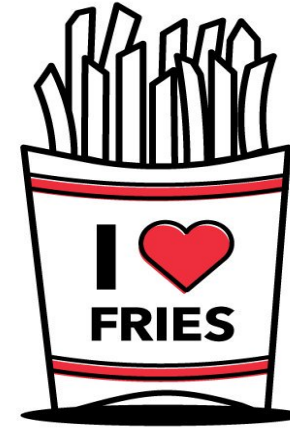
Consent is ...

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.



CONSENT



Freely Given
Reversible
Informed
Enthusiastic
Specific



What isn't 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

**I'm a mandatory reporter.
What's my role?**





Your Responsibilities



Listen



- Listen to the individual and to their information
- Refrain from...
 - Making decisions for the individual
 - Defining or labeling what happened
 - Blaming the individual for what has happened to them



Tips for Responding

- Clearly state “I am required to share this information with the Title IX Coordinator”
- Listen without judging
- Remember you are not their therapist
- Connect the individual with resources
- Don’t promise an outcome
- Remember, this is their experience, not yours
- Don’t engage in victim-blaming



Check Your Assumptions at the Door

- The story makes no sense
- I know this person, he/she is no rapist
- I could tell they were making up the whole story just by the way they were acting
- You are a guy so you can't be assaulted



Make the Report



Call or email the Title IX Coordinator as soon as possible, but no later than 24 hours after you receive the information -
No Exceptions!





WSC's Title IX Coordinator

David McMahan

Dean of Students & Title IX Coordinator

Kanter Student Center, Room 201D

Phone:(402) 375-7153

Emergency/Cell: (423) 470-2919

Email: damcmah1@wsc.edu

compliance@wsc.edu



Mandatory Reporter or Confidential Resource: What is the Difference?



Mandatory Reporter

- ✓ President
- ✓ Vice Presidents
- ✓ Deans
- ✓ Title IX Coordinator
- ✓ Housing/Residence Life Staff
- ✓ Coaches and Assistant Coaches
- ✓ Campus Security Officers

**Report information will be communicated to the Title IX Coordinator*

Faculty are in neither category!

Confidential Resource

- ✓ Licensed Student Counselors
- ✓ Athletic Trainers

**Can keep information they receive confidential and are not required to report information to the Title IX Coordinator (in most cases).*



College Response to Report of Sexual Harassment



1. Respond
2. Take action to end the discrimination
3. Remedy its effects (for an impacted individual and/or for the campus community)
4. Prevent its reoccurrence



College Response to Reports and Formal Complaints



Supportive Measures

- No Contact Order
- Changes to on campus living or working situations
- Referral to a Licensed Student Counselor
- Connect with other campus resources and services

Academic Accommodations

- Accommodations, resources, and services are available to both the Complainant and the Respondent



Resources and Support

On Campus Resources

- Alicia Dorcey, 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?

Are there other things you would like to see covered?

