

Title IX/Sexual Misconduct

Recognizing and Reporting Sexual Misconduct

Roanoke College

August 2018

Our Commitment

- Sexual misconduct violates the rights, respect, and dignity of our community members—students, faculty, and staff
- All types of sexual misconduct are unacceptable and will not be tolerated
- Sexual misconduct is grounds for disciplinary action, which may include suspension, expulsion or termination.
- Roanoke College will educate all community members so that they understand what constitutes sexual misconduct and how to report it...

The College's Responsibilities

- Issue policy against misconduct and grievance procedures.
- Train employees to identify and report possible instances of sexual misconduct.
- Once aware of possible instances of sexual misconduct, the school must take prompt, equitable, effective action to determine whether harassment has taken place and if so:
 - to end the harassment
 - to prevent its recurrence
 - to remedy its effect

Employee Responsibilities:

Consider: Know what sexual misconduct is.

- unwelcome action or words of a sexual nature
- no consent given or victim incapable of giving consent

Care: Offer services to victims & inform of rights

Contact: Report incident to a Title IX coordinator

Care: compassionate and professional

- Encourage medical attention
- Offer RC confidential services
- Offer care & support through appropriate Title IX coordinator
- Inform of rights
 - to file criminal charges with SPD and/or to file a complaint on campus
 - confidentiality



Tracy happens to run into you in the coffee shop one evening. He seems upset, so you ask if he is ok. It turns out Tracy is concerned about a friend who is a student athlete. Tracy has noticed that his friend's coach always seems to be hugging her and it is creeping Tracy out. His friend insisted that there was no problem, but Tracy suspects she is staying silent in order to keep her starting spot on the team.

Kerry stops by your office and asks if she can talk with you. Kerry suddenly blurts out that she thinks she was raped the night before at an off-campus party. Early on she wasn't feeling well, so she found a quiet room and put her head down. She was horrified when she woke half-naked with a drunk, naked student on top of her. She didn't recognize him—apparently he was a visiting athlete. A group of others were watching and one was taking pictures. When she told them she was going to report them, they said no one would take her seriously since she had been drinking too. Kerry breaks down sobbing and you begin hunting for your box of Kleenex.

After sifting through a mountain of applications for your May Term course to Timbuktu, you have finally chosen the 15 lucky ones who will get to travel with you. Raye's application exuded enthusiasm for the culture and history of Mali, but after the first meeting Raye informs you that they are going to withdraw from the course. When you ask why, they let you know that three other students on the trip have been spreading rumors around campus about Raye's gender identity. They just can't face a three-week trip with that kind of atmosphere, so they want to drop the course.



A male colleague in your department confides in you that a female student has been harassing him. He has received calls, e-mails, Facebook messages, and texts all describing how she wants to be with him romantically. A paper submitted for the class talks extensively about her sexual desires. He has told her to stop, but nothing seems to deter her. He is embarrassed and is hoping you can give him some advice on how to handle the situation.



As a new faculty member, you ask your colleagues in the department if you could sit in on a few classes to observe their teaching styles. During one visit, you hear Dr. Y repeatedly make jokes about LGBTQ+ people. Because you feel uncomfortable about this, you speak to your department chair, who responds, “Well, you know, Dr. Y is just a dinosaur.”

Consider:

Victims of sexual misconduct may:

- be of any gender or sexual orientation
- Respond by fight, flight, or freezing
- suffer from low self-esteem and find it difficult to trust others
- exhibit a variety of emotions, ranging from anger to suicidal depression

There may be no overt warning signs that a person is a perpetrator of sexual misconduct.

Don't prejudge whether or not misconduct occurred based on a person's outward appearance or prior actions.

Confidentiality?

You are a “responsible employee.”

- You must report information to a Title IX coordinator
- Reporting doesn't force someone to file a complaint or even talk with anyone else
- Person can request heightened confidentiality from Title IX Coordinator (extent of investigation/response may be limited by this)

How do you communicate this to someone in an unexpected situation?

- Interrupt student and warn about confidentiality
- Explain responsibility to report and its result
- Point to more confidential resources
- Assure the student that you will only share information with administrators who are designated to address sexual harassment incidents so that student can receive support; harassment and harm to the student will not continue; other students will not be at risk.

Employee Responsibilities:

NOT responsible for:

- Providing counseling
- Contacting victims
- Responding to parents and lawyers
- Investigating/judging claims
- Assigning penalties

Employee Responsibilities:

Consider: Know what sexual misconduct is.

Care: Offer services to victims & inform of rights

Contact: Report incident to a Title IX coordinator

- Kathy Martin—Staff issues
- Gail Steehler—Faculty issues
- Amy Perkins—Student issues



Questions?

Title IX: Evolution

- 1972: Title IX
“No person ...shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...”
- 1997 and 2001: Revised sexual harassment guidance
- 2011: Dear Colleague Letter: Sexual Violence
- 2013: Dear Colleague Letter: Pregnant Students
- 2014: “Not Alone” (Task force on Sexual Assault)

Sexual Assault:

College students who are victims of attempted or actual sexual assault:

- 20% of women
- 6% of men

(DCL—Background, Summary, and Fast Facts)

Sexual misconduct @ RC today?

Sexually touched without consent: 7.4% F; 1.3% M

Sexually penetrated without consent: 2.2% F; 0% M

1% F = 11 women; 1% M = 8 men

Data based on ACHS-National College health Assessment (2012)

Consider: What is sexual misconduct?

“**unwelcome** action or words of a sexual nature”

No consent given or victim incapable of giving consent

“conduct is unwelcome if the student did not request or invite it and ‘regarded the conduct as undesirable or offensive.’” (2001, 8).

Consider: What is sexual misconduct?

“unwelcome action or words of a sexual nature”

- Sexually harassing behavior
- Sexual coercion
- Stalking/cyber stalking
- Sexual exploitation
- Non-consensual sexual contact
- Sexual assault