

GOLDEN OBLIGATION
GOLDEN OPPORTUNITY
Chief Business Officers
Anita J. Jenious, EAD Director
Presenter



Sexual Misconduct & Power-Based Personal Violence

Chief Business Officers
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Sexual Misconduct & Power-Based Personal Violence

What is Title IX?

Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs or activities that receive federal financial assistance. Discrimination based on sex includes sexual harassment and all types of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion.

Who is our Title IX Coordinator?

★ **Anita Jenious, J.D.**

Title IX Coordinator and Director

**Equal Opportunity, Affirmative Action, and Disability
Services (EAD)**

615-322-4705

Baker Building, Suite 808



Sexual Misconduct & Power-Based Personal Violence

- **Faculty are considered *responsible employees* under Title IX.**
- What does this mean for you? How do you fulfill this responsibility?
 - ★ You have the duty to report incidents of sexual misconduct or power-based personal violence to the Title IX Coordinator, whether you receive the information from a faculty member, staff, housestaff, or student.
 - ★ Do not investigate – leave that to the Title IX Coordinator/EAD.
 - ★ Do not pre-judge – report all incidents/allegations.



Sexual Misconduct & Power-Based Personal Violence

- Sexual Assault – It has been reported that:
 - ★ 1 in 5 women are likely to experience sexual assault. Only 1 in 8 are likely to report it. (*The National Intimate Partner & Sexual Violence Survey*)
 - ★ 6.1% of males were victims of completed or attempted sexual assault during college. (*National Institute of Justice*)
 - ★ The rate of intimate partner violence and sexual violence among lesbian women and gay men is equal to or higher than that of heterosexuals. (*The National Intimate Partner & Sexual Violence Survey*)
 - ★ Only 5% of victims come forward on college campuses. However, in 2/3 of the incidents, the victim told someone about the event. (*US Department of Justice*)



Sexual Misconduct & Power-Based Personal Violence

- Vanderbilt policy prohibits the following conduct:
 - ★ Non-Consensual Sexual Intercourse
 - ★ Non-Consensual Sexual Contact
 - ★ Sexual Harassment
 - ★ Stalking
 - ★ Sexual Exploitation
 - ★ Other forms of sexual misconduct, such as invasion of privacy of a sexual nature and trying to commit, or helping another person commit, sexual misconduct.
 - ★ Other forms of power-based personal violence, such as dating violence, domestic violence, and sexual assault.
 - ★ Retaliation
- Sexual activity without consent is sexual misconduct.



Sexual Misconduct & Power-Based Personal Violence

- Vanderbilt policy requires **effective consent** before engaging in sexual activity.
- **Effective Consent** is consent that is informed and freely and actively given. Effective consent requires mutually understandable words or actions indicating a willingness to engage in mutually agreed-upon sexual activity.



Sexual Misconduct & Power-Based Personal Violence

How to respond to a report of sexual misconduct

- Remain calm and before getting into detail....
- Explain that you are not a confidential resource, but offer confidential resources
- Don't assign blame - avoid re-victimization
- Realize that different people respond differently to trauma
- Offer campus resources
 - ★ Explain and identify the confidential resources
 - ★ Explain and identify the other resources on campus



Sexual Misconduct & Power-Based Personal Violence

- You are **not** a confidential resource – don't promise confidentiality.
- Confidential Resources
 - ★ Psychological & Counseling Center
 - ★ Clergy or pastoral counselor, acting in that capacity
 - ★ Physician acting in a patient care role
 - ★ Student Health Center
 - ★ Employee Assistance Program
 - ★ Faculty and Physician Wellness Program
 - ★ Nurse Wellness Program



Sexual Misconduct & Power-Based Personal Violence

Sample response language:

“I can listen and help guide you to resources, but I am obligated to report any allegations of sexual misconduct to the Title IX Coordinator. If you would like to report this to a confidential resource, I can help you to identify those resources. When you report an incident to a non-confidential resource, Vanderbilt has an obligation to investigate and take measures to ensure the safety of the individual, the campus and the Vanderbilt community. We have resources to help when these types of things happen.”



Sexual Misconduct & Power-Based Personal Violence

- *"I can explain and identify the confidential resources on campus: Psychological Counseling Center, Student Health, Employee Assistance Program, the Emergency Department, Clergy and Medical Providers acting in that role.*
- *Interim accommodations are available and can be requested through the EAD. These may include housing changes, academic accommodations, schedule changes, work relocation, a safety plan or others depending on the specific situation."*



Sexual Misconduct & Power-Based Personal Violence

- Whom do I call? What are the resources?
 - ★ If the person is injured, direct to Student Health, Vanderbilt ED, or other medical providers.
 - ★ Give a list of resources (or pull up the Project Safe website which has them listed).
 - ★ Inform of right to file a complaint with the EAD.
 - ★ Inform of right to report a crime to VUPD or Metro if the person chooses to do so.
 - ★ Contact the EAD to share the information so that we can follow up.



Sexual Misconduct & Power-Based Personal Violence

- What to Avoid
 - ★ Do not panic
 - ★ Do not judge
 - ★ Do not share the information with students, staff, or faculty unless it is someone with a need to know, which may be, depending on the facts and circumstances of the incident, your department chair or dean
 - ★ Do not fail to report to EAD
 - ★ Do not investigate yourself
 - ★ Do not ask others about the complainant



Sexual Misconduct & Power-Based Personal Violence

- Warning Signs of Distress – when should I be concerned?
 - ★ Academic performance concerns, uncharacteristic changes
 - ★ Increased absenteeism or tardiness
 - ★ Disruptive classroom behavior
 - ★ Chronic fatigue, falling asleep in class
 - ★ Nervousness or tearfulness
 - ★ Marked changes in regular habits or activities
 - ★ Poor or declining physical appearance, hygiene, and grooming
 - ★ Comments by others about alcohol or drug use
 - ★ Withdrawal from other or loss of pleasure in everyday activities
 - ★ Talk of suicide or harm to self or others



Sexual Misconduct & Power-Based Personal Violence

- If you decide to express your concern:
 - ★ Remain open
 - ★ Be honest and focus on the specific signs that alerted you to a possible problem
 - ★ Remain calm, compassionate, and willing to listen
- Be aware that people may not know about their rights or about the services available. Have information on hand in order to provide the individual with appropriate referrals to: Confidential Resources, Other Campus Resources, and Reporting Obligations.



Sexual Misconduct & Power-Based Personal Violence

- If a student is involved, the Sexual Misconduct Policy can be found at
- http://www.vanderbilt.edu/student_handbook/sexual-misconduct/
- http://www.vanderbilt.edu/ead/rel_pol.html



Sexual Misconduct & Power-Based Personal Violence

- **ADDITIONAL RESOURCES**
 - ★ Resources handout/attachment
 - ★ EAD website
 - ★ Project Safe Center website
 - ★ Students in Distress website

