

TITLE IX & SEXUAL MISCONDUCT

Roosevelt University
Office of Title IX Compliance



What is Title IX?

- Title IX, 1972: “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational programs or activity receiving federal financial assistance.”
- Federal funding is tied to equality of access to opportunities.
- This means two things:
 - 1. Educational environments must be equitable based on sex.
 - 2. Universities must respond to incidents of sexual misconduct alleged to have occurred.

ROOSEVELT UNIVERSITY

Sexual Misconduct Policy

Roosevelt University is committed to creating and maintaining a campus culture that upholds respect, civility, honor, and nonviolence. The University recognizes that each member of the community shares responsibility for ensuring that the learning and working environment is free from all forms of sexual harassment, including sexual assault, stalking, and intimate-partner violence.

To review the entire policy: [Roosevelt.edu/title-ix](https://www.roosevelt.edu/title-ix)

RU Sexual Misconduct Policy...

- ▶ It is a violation of University policy to engage in any form of Sexual Harassment against any Employee or Student, regardless of that person's gender, gender identity, or sexual orientation.
- ▶ The following are examples of Sexual Misconduct that are prohibited by this Policy:
 - ▶ sexual harassment
 - ▶ sexual assault
 - ▶ sexual exploitation
 - ▶ stalking
 - ▶ domestic violence
 - ▶ dating and relationship violence

Sexual Misconduct will be addressed by Title IX procedures if the following apply:

1. On or within buildings owned or substantially controlled by the University
 2. At University-sponsored activities
 3. Within the United States
 4. That takes place online via social media and any other technological mechanisms
 5. That has an adverse impact on the education or employment of a member of the University community
 6. Otherwise threatens the health and/or safety of a member of the University community
- ▶ **Any other forms of sexual misconduct will be investigated via the Student Misconduct Process**

SEXUAL MISCONDUCT DEFINITIONS

DEFINITIONS

Sexual misconduct covers many types of discriminatory, cruel, or dangerous actions.

Any person of any gender can violate the policy. Any person of any gender can be a victim of misconduct.

DEFINITIONS

- Sexual Harassment
- Sexual Assault
- Sexual Exploitation
- Stalking
- Domestic Violence
- Dating and Relationship Violence
- Retaliation

Sexual Harassment

- “Conduct on the basis of sex” that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school’s education program or activity;
- an employee of the school conditioning the provision of an aid, benefit, or service of the school on an individual’s participation in unwelcome sexual conduct;
- or sexual assault, dating violence, domestic violence, or stalking as those terms are defined in VAWA.

Sexual Assault

Sexual Assault is any type of sexual contact or behavior that occurs without the explicit consent of the recipient. Such contact falls within two primary categories:

- **Non-consensual sexual contact:** Any intentional sexual touching, however slight, with any object, by a person(s) upon a person(s) without effective consent.
- **Non-consensual sexual intercourse:** Any sexual intercourse (anal, oral, or vaginal), however slight, with any object, by a person(s) upon a person(s), without effective consent.

Sexual Exploitation

Sexual Exploitation occurs when an individual takes, or attempts to take, non-consensual or abusive sexual advantage of another for their own advantage or benefit, or for the benefit or advantage of anyone other than the one being exploited.

Stalking

Stalking occurs when a person is harassed or threatened in such a way that causes the individual to fear for their safety or the safety of their family. Stalking can occur in various forms including, but not limited to, in person, through third parties, and electronically (e.g., by phone, internet, or text message).

Domestic Violence

Domestic Violence is a pattern of abusive behavior that is used by an intimate partner to gain or maintain power and control over the other intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Dating and Relationship Violence

Dating and Relationship Violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. These acts may be directed toward a spouse, an ex-spouse, or a current or former boyfriend/girlfriend/romantic partner/dating partner.

Retaliation

It is prohibited for any person or group to retaliate against, interfere with, coerce or take any other adverse action against a person or group (be it student, faculty member, staff member, visitor, applicant, contractor or other third party) that:

- 1) reports sexual misconduct;
- 2) seeks advice concerning sexual misconduct;
- 3) assists or supports another individual or group that reports sexual misconduct; or
- 4) participates as a witness or in the investigation of a sexual misconduct report.

Retaliation includes threats, intimidation, and reprisals.



RISE ABOVE

Respect. Intervene. Support. Empower.

Sexual Misconduct
Prevention

CONSENT AT ROOSEVELT



Roosevelt uses “Affirmative Consent” standard:

- Freely, willingly, and explicitly agreeing to engage in sexual activity.
- Only “Yes” means yes.
 - Consent can be given by *words* or *actions*, as long as they create mutually understandable and clear permission
 - If you are unsure, ALWAYS ASK



WHY DOES CONSENT MATTER?

- Eliminates the entitlement that one partner might feel over another.
- Shows that you have respect for your partners and yourself
- Enhances communication, respect, and honesty, which make can improve sexual relationships.
- Helps to protect you and your partners against STIs and pregnancy.
- Builds confidence and self-esteem.
- Prevents anyone from committing sexual assault.

LIMITS TO CONSENT

- Consent can be withdrawn at any time by any person.
- Past consent does not imply future consent. In a relationship? Ask every time.
- Silence or an absence of resistance does not imply consent.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.
- Consent to engage in one type of sexual activity does not imply consent to engage in other sexual activities. Ask every time.
- Coercion, force, or threat of either invalidates consent.



LIMITS TO CONSENT



Consent cannot be given if....

- The person can't understand the situation or the request due to
 - Mental illness
 - Language or cultural barriers
 - Developmental disabilities
- There are age and power differences (minors can't consent to sexual contact with adults)
- The person is incapacitated
 - Asleep, blacked out, unconscious, unaware of their surroundings or the situation because of drug or alcohol use

Bystander Intervention

DIRECT

Intervene in the moment to prevent a problem from happening

DISTRACT

Interrupt the situation without directly confronting anybody

DELEGATE

Get help from someone who is better equipped to handle the situation

Bystander Intervention



Do:

- Do make yourself known
- Do take cues from the person being harassed
- Do keep both of yourselves safe

Don't:

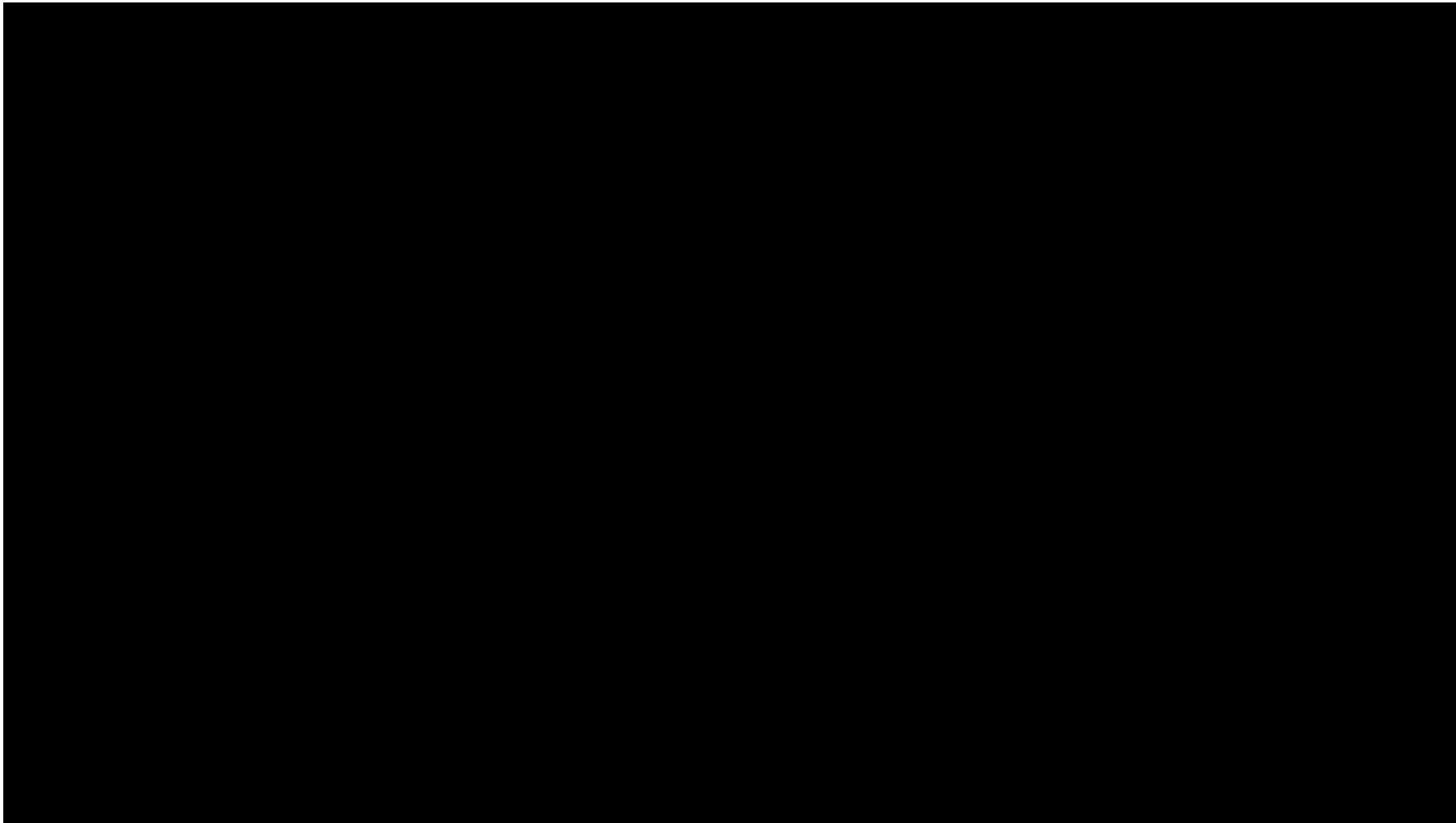
- Don't escalate the situation
- Don't call the police (unless the person involves asks you to)
- Don't do nothing



Responsible Employee Reporting Obligations

- ▶ ALL employees of the University are “Responsible Employees” and therefore must report to the Office of Title IX Compliance if they hear of a potential violation of the sexual misconduct policy.
- ▶ It is a violation of University policy for a Responsible Employee to fail to promptly report information about an instance of alleged, witnessed, or reported Sexual Misconduct to the Title IX Coordinator.
- ▶ Reporting: Make a report online at Roosevelt.edu/title-ix
- ▶ Email: TitleIX@Roosevelt.edu
- ▶ Call: 312-341-2045

How To Support A Survivor





How To Support A Survivor

- Survivors of sexual violence often experience feelings of powerlessness, shame, self-blame, anxiety, and more.
- **Affirm that you believe their experience**
 - “I believe you.”
- **Actively listen and express empathy**
 - “I’m sorry you experienced this.”
 - “I can understand why you would feel [insert emotion]”.
 - “What happened is not your fault.”
- **Share that you want to support them and that you will be reporting the incident.**
 - “I want to connect you with some resources so that you can receive support.”

WHAT WE CAN DO

- Respect, Intervene, Support, and Empower each other.
- Report sexual misconduct whenever we encounter it.
- Investigate reports of misconduct that involve our students, faculty, or staff members.
- Provide many forms of support to people who have experienced sexual misconduct.
- Step in to stop misconduct from happening.



TITLE IX COMPLAINT PROCESS



TERMINOLOGY

- **Complainant:** individual who has experienced sexual misconduct and is reporting the incident
- **Respondent:** individual who has allegedly violated the Sexual Misconduct Policy

RESPONDING TO A TITLE IX REPORT

Once a report is received by the TIX Coordinator, they will:

- Meet with the complainant to discuss the situation and procedural options.
- Provide supportive measures and resources on- and off-campus to all parties involved.
- Oversee the investigation and resolution of all reports of sexual misconduct to ensure a prompt and equitable process.
- Empower the reporting party to determine how they would like to move forward.

TITLE IX FORMAL COMPLAINT

- ▶ A “Formal Complaint” must be filed in order to move forward with the Title IX Sexual Misconduct Process.
 - ▶ A “Formal Complaint” is a physical or electronic document signed by an alleged victim (or complainant) of sexual misconduct or the TIX Coordinator specifically requesting an investigation.
- ▶ At the time of the filing of a formal complaint, the complainant must be participating in or attempting to participate in the school’s education program or activity.

THE PROCESS FOR A TITLE IX COMPLAINT

After a Formal Complaint is filed, there are two methods for resolving the complaint:

1. **Formal Title IX Investigation** - Roosevelt's formal obligation to investigate a report of sexual harassment under this grievance procedure is triggered by the filing of a "formal complaint".
 2. **Informal Resolution Process** - Only after a formal complaint is filed, can the voluntary use of an informal resolution process be initiated. Informal Resolution can be used at any time prior to a final determination. The parties must provide their voluntary consent in writing to participate in such a process.
- ▶ The respondent is presumed not responsible, and a determination will not be made until the conclusion of the Title IX process.

TITLE IX FORMAL INVESTIGATION

- ▶ The Title IX Formal Investigation Grievance Process has three key phases:
 - ▶ Investigation
 - ▶ Formal Title IX Hearing
 - ▶ Appeal
- ▶ A Title IX Investigator & a Title IX Hearing Adjudicator will be assigned to the case.
- ▶ Both parties are required to have a “Title IX Advisor” who assists during investigations and live hearings
 - ▶ Title IX Advisor will ask questions during the cross examination of the live hearing.
 - ▶ Title IX Advisor’s are available for either party, if that party is unable to secure an advisor on their own.
- ▶ The timeline to complete the entire process is 180 University business days.
- ▶ Our goal is to ensure an equitable process and to complete the process as thoroughly and promptly as possible, without unreasonable delay.

INFORMAL RESOLUTION PROCESS

- ▶ The purpose of an informal resolution is to address disagreements, arguments, or disputes about Title IX issues or low-level alleged forms of Sexual Misconduct.
- ▶ Informal Resolution can be used at any time prior to a final determination.
- ▶ The parties must provide their voluntary consent in writing to participate in such a process.
- ▶ All students may request an informal resolution for low-level alleged forms of Sexual Misconduct; however, the Office of Title IX Compliance will have the final say on which cases are eligible for this as an option instead of the formal investigative process.



CAMPUS RESOURCES

Office of Title IX Compliance Resources

- ▶ Offering protective measures in coordination with Campus Safety
- ▶ Navigating City of Chicago protective measures, reports, and policies
- ▶ Coordinating with Academic Departments and Learning Commons to provide academic support

- ▶ Contact info:
 - ▶ TitleIX@roosevelt.edu, or call 312-341-2045.

CONFIDENTIAL RESOURCES

CONFIDENTIAL RESOURCES

- ▶ There ARE some employees that are able to maintain confidentiality and are not required to report incidents of sexual misconduct.
- ▶ These confidential options are:
 - ▶ Counseling Center
 - ▶ Confidential Advisor, Jacqueline Butzen

PEOPLE WHO CAN HELP

Interim Title IX Coordinator:

Michael Pfeifer TitleIX@roosevelt.edu

312-341-2045

Title IX Appeals Officer:

Jamar Orr jorr05@roosevelt.edu

312-341-2016

Confidential Advisor:

Jacqueline Butzen jbutzen@roosevelt.edu

(312)244-0577

Counseling Center:

www.roosevelt.edu/counseling

312-341-3548



HOTLINES

Chicago Rape Crisis Hotline	888-293-2080
National Domestic Violence	800-799-7233
Rape, Abuse and Incest National Network (RAINN)	800-656-4673
National Sexual Assault Hotline	800-656-4673
National Suicide Prevention Lifeline	800-273-8255
LGBTQ+ National Hotline	888-843-4564





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