Title IX & You: Understanding, Preventing, and Responding to Sexual Misconduct at Carnegie Mellon University

INCOMING MASTERS STUDENTS – FALL 2016
INTRODUCTIONS

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Relationships in Graduate School

Is it possible there may be some overlap? When might overlap be appropriate? When might overlap be problematic?

**Professional**
- Advisor
- Faculty
- Instructor
- Colleague
- Collaborator
- Research Assistant
- Teaching Assistant
- Student

**Personal**
- Spouse or Partner
- Family Member
- Friend
- Acquaintance
- Neighbor
OVERVIEW

We’d like to take this opportunity to review:

- Title IX and CMU’s Policy;
- The role of the Office of Title IX Initiatives;
- The definitions and prevalence of sexual misconduct;
- Ways you can support prevention;
- How the University responds to reports; and
- On and off campus resources
Title IX and Carnegie Mellon
Why Are Universities in the Business of Responding to Sexual Misconduct?

- Maintaining, upholding and enforcing standards of conduct
  - Applicable to community members through student handbook and/or employment contract
- Protecting the health and safety of the campus community
- Wrap-around support
  - Recognizing trauma and minimizing impact in living, learning and working environment
- Legal obligations
WHAT IS TITLE IX?

The term "Title IX" is used as shorthand for a body of federal statutes, regulations and guidance governing educational institutions with respect to gender equity and sexual misconduct which requires:

- Schools to make efforts to prevent sexual misconduct, including the provision of trainings and educational programming; and
- To respond to as well as take action to stop sexual misconduct of which it is aware or should be aware.

“No person in the United States 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…”

20 U.S.C. §§ 1681 et seq.
High-Profile Push for Bystander Intervention

At a Senate education committee hearing, witnesses call for colleges to implement prevention programs and adopt antiharassment policies.

July 14, 2016
by Maxine Joselow

Senator Patty Murray, a Washington Democrat, commended the two Stanford University graduate students who held down convicted rapist Brock Turner until police arrived. “I admire the two students -- strangers and responsible bystanders -- who did step up and take action, which highlights the critical importance of bystander intervention,” she said, adding that bystander intervention can also help foster campus cultures that discourage harassment and bullying.
CMU POLICY AGAINST SEXUAL HARASSMENT AND SEXUAL ASSAULT

- Carnegie Mellon University strictly prohibits all forms of sexual misconduct.
  - Sexual assault;
  - Sexual harassment;
  - Dating and domestic violence; and
  - Stalking

- Retaliation (or taking negative actions) against a person for reporting sexual misconduct is also specifically prohibited.

OFFICE OF TITLE IX INITIATIVES “TIX”

WHAT WE DO: Promote gender equity on campus

- Ensure equal access to programs, resources, benefits on campus including athletics
- Coordinate University efforts to prevent and effectively respond to all forms of sexual misconduct
  - Education (curriculum development) and role specific training
  - Provision of information and resources
  - Central coordination of all reports of sexual misconduct affecting or involving community members or occurring on campus, from intake through investigation and resolution, including working directly with affected parties
- Serve students, staff and faculty
Sexual Misconduct: Definitions & Prevalence
SEXUAL HARASSMENT

**Defined** to include:
- unwelcome sexual advances;
- requests for sexual favors; OR
- other visual verbal or physical conduct of a sexual nature

**when:**
- the conduct is tied to individual’s employment or education status
  - examples: sexual favors for a good grade; denial of research position for refusal to date
- the conduct interferes with the individual’s ability to receive education/employment and/or creates a hostile environment
  - examples: obscene pictures posted in hallway; continually asking someone out socially after they’ve refused)
Sexual Harassment: Range of Behaviors

- Making inappropriate sexual jokes and comments (general or targeted)
- Posting/sending offensive sexual images, physically or electronically
- Repeatedly asking out a colleague/peer/student after being rejected
- Sexually propositioning a colleague/subordinate/peer/student
- Offering a employment/educational benefit in exchange for going on a date or performing a sex act
  - Promotion or pay raise
  - Good grade
  - Positive recommendation
- Taking or threatening to take a negative employment/educational action for declining date/performing sex act
  - Demotion or transfer
  - Negative evaluation or reference
  - Cut in compensation or benefits
- Inappropriate physical contact (massaging shoulders, touching knee, et cetera)
- Sexual violence (groping, fondling, sexual assault and/or rape)
SEXUAL HARASSMENT STATS:

- Nationally, more than 60% of college-aged students (male and female) report experiencing sexual harassment in college.
  - Students who identify as GLBT experience higher levels of harassment than their peers who identify as heterosexual.

- Nationally, 1 in 4 adult women and 1 in 10 adult men report experiencing sexual harassment in the workplace.

STALKING:

Defined as:

- Engaging in a course of conduct and/or repeatedly communicating with another person with an intent to
  - place a person in fear of bodily injury, or
  - to cause substantial emotional distress
- Includes following a person, as well as sending unwanted and threatening or distressing messages

Policy Against Sexual Harassment and Sexual Assault
Stalking: Range of Behaviors

- Repeatedly contacting the person via email, text, social media messages, phone calls, etc.
- Sending unwanted gifts
- Posting information or spreading rumors about the person on the internet
- Driving, walking past, &/or lingering at school, workplace, home
- Following the person/showing up where the person is
- Damaging the person's property
- Using technology such as cameras and GPS to track the person
- Using technology to monitor phone and computer use
- Threatening to hurt the person, their loved ones, their pets

STALKING STATS:

Nationally,

- 1 in 4 women and 1 in 13 men experience stalking in their lifetime.
- The majority of victims know their stalker.
- 78% of stalkers use more than one means to stalk their victims.

DATING & DOMESTIC VIOLENCE:

**DATING VIOLENCE:** Abuse in the context of a romantic or intimate partner relationship

**DOMESTIC VIOLENCE:** Abuse by an intimate partner, family or household member

**ABUSE:**

- **Physical:** hitting, pushing/shoving, punching, kicking, etc.
- **Sexual:** unwanted sexual contact and sexual assault
- **Verbal:** threats, name-calling, screaming, humiliating
- **Emotional:** isolation, withholding affection, threats (including suicide), stalking behaviors, controlling what someone does or whom they talk to
- **Electronic:** stealing passwords, monitoring social media and messages (text, email, etc.) without permission, “checking up” on someone by texting/messaging them multiple times, using social media to “check up” or “stalk” someone

Source: Everfi, Haven: Understanding Sexual Assault (June 2015)
DATING VIOLENCE STATS:

- Nationally, 29% of college-aged women and 17% of college-aged men reported having been in an abusive dating relationship.

- At Carnegie Mellon, SARV Study shows that:
  - 21% of students reported unhealthy relationship experiences indicative of relationship abuse since enrolling at CMU
  - 59% of those reported multiple types of experiences
  - Remarkably consistent across gender lines and level (graduate versus undergraduate)

KNOW THE SIGNS:

Does your partner...

- check your cell phone or email without your permission?
- criticize you or put you down?
- tell you who you can/should hang out with or talk to?
- pressure you to have sex or do sexual things that you are not comfortable doing?
- destroyed or threatened to destroy your belongings?
- make you feel afraid?
- have extreme mood swings?
- threaten to hurt you or themselves if you break up with them?
If you recognize these signs in your own or a loved one’s relationship...

- **Seek help**
  - Title IX Initiatives
  - Women’s Center & Shelter
  - Loveisrespect.org
  - National Coalition Against Domestic Violence

- Controlling behavior and emotional or verbal abuse tend to get worse over time, and may escalate to physical or sexual violence
SEXUAL ASSAULT:

Engaging in a sexual act:

- Against the person’s will
- Where the person does not give clear, voluntary consent
- Where the person cannot give consent due to drug or alcohol use ("incapacitated")

Sexual assault may include, but is not limited to: unwanted touching, fondling, groping, or forcing someone to have sex.

Policy Against Sexual Harassment and Sexual Assault
WHAT IS CONSENT:

A voluntary agreement to engage in sexual activity

- Someone who is incapacitated cannot consent.
- Past consent does not mean future consent.
- Silence or absence of resistance does not mean consent.
- Consent to engage in sexual activity with one person does not mean consent with another.
- Consent can be withdrawn at any time.
- Coercion, force or threats invalidate consent.

Policy Against Sexual Harassment and Sexual Assault
WHAT IS INCAPACITATION:

A person is unable to make informed, rational decisions due to:

- Influence of drugs or alcohol
- The person is asleep or unconscious
- Intellectual or other disability

A person who is incapacitated cannot give consent.

Policy Against Sexual Harassment and Sexual Assault
CONSENT

IT'S SIMPLE AS TEA
SEXUAL ASSAULT STATS:

Nationally:

- 90% of sexual assaults are committed by someone known to the victim (a friend, acquaintance or dating partner).
- Up to 78% of reported sexual assaults in college occur in a “hook up” context.
- 75% or more of reported sexual assaults in college involve alcohol.

At Carnegie Mellon (since enrolling):

- 26% of UG women; 8% of GR women; 9.2% of UG men; and 2.5% of male GR men have experienced attempted or completed sexual assault

PREVENTING SEXUAL MISCONDUCT

**DO**

- Respect a person’s wishes related to contact with them.
- Say “that wasn’t funny” if you hear someone telling an offensive joke.
- Talk with a resource person if you see or hear of someone exhibiting behavior that is making you uncomfortable.
- Take a minute to consider the implications of comments, jokes, or stories before sharing them with others.

**DON’T**

- Don’t post sexually explicit material on social media or in public spaces.
- Don’t send people pictures of yours or others’ genitalia.
- Don’t touch someone without their permission.
- Don’t continue to ask someone out if they have already declined.
- Don’t share your password(s) with someone even someone you are dating.
How the University Responds to Reports of Sexual Misconduct
1. **REPORT**
   - Receive and review the information
   - Input and track data

2. **RESPONSE**
   - Provide support and resources to reporting party
   - Consider community impact and possible intervention
   - Engage with responding party
   - Investigation

3. **RESOLUTION**
   - Informal
   - Formal

**NOTE:** We will almost always be able to honor reporting party’s wishes regarding confidentiality, investigation and resolution.
The Office of Title IX Initiatives will provide safety and support measures to the reporting party. Examples may include:

- academic accommodations and enrollment assistance;
- workplace accommodations;
- housing accommodations;
- no contact agreements;
- connection to medical and mental health resources and counseling; and
- connection to medical, legal and victim advocacy.

Safety and support measures will be provided regardless of whether the reporting party wishes to pursue investigation or resolution. They will also be provided even if the responding party is not a member of the campus community.
POSSIBLE RESOLUTION

If responding party is a member of the campus community, the options for resolution include:

- No resolution
- Informal resolution
- Formal resolution/hearing

If responding party is not a member of the campus community, options for resolution will depend on the circumstances.
OUTCOMES FOR VIOLATIONS OF POLICY

Any faculty member, student, staff employee, vendor or visitor found to have violated this Policy by engaging in sexual harassment or sexual assault is subject to appropriate disciplinary or corrective action, which may include:

- Dismissal;
- Expulsion;
- Termination of employment;
- Termination of contract;
- Removal from campus; or
- Other revocation of privileges on campus.
The process described above is Carnegie Mellon’s **internal process** for handling reports of sexual misconduct.

The reporting party may also choose to engage the **external legal process** (the two are not mutually exclusive)

- **Criminal:** UPD will cooperate with Pittsburgh Police and DA
- **Civil:**
  - Protection from Abuse/Protection from Sexual Violence Order
  - Civil litigation
WHAT DOES ALL OF THIS HAVE TO DO WITH YOU?

▸ First, as members of the Carnegie Mellon Community, you are expected to comply with the Policy.

▸ Secondly, you are protected against sexual misconduct (including sexual harassment).
 ▸ TIX can support you and help you to navigate on and off campus resources if you are impacted by sexual misconduct.
Reporting Expectations

The US Department of Education’s Office for Civil Rights requires:

- The university to provide resources and intervention when we “know or should have known” of instances of sexual misconduct; and
- That all “responsible employees” report instances of sexual misconduct.

OCR defines a "responsible employee" as "any employee:

- [1] who has the authority to take action to redress sexual violence;
- [2] who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or
- [3] whom a student could reasonably believe has this authority or duty."

OCR, Questions and Answers about Title IX and Sexual Violence (April 29, 2014).
HOW TO REPORT

- **Simply call or email the Office of Title IX Initiatives** – tix@cmu.edu or 412-268-7125

- We’d encourage you to discuss your role openly with students –
  - I will have to share information with those who need to know and can help you.
  - I will respect your privacy but I cannot promise to keep this a secret.

- We’d also encourage you to encourage your students to speak with us directly – offer to call with them
SUPPORTING SOMEONE IMPACTED

- **Listen** to the person and **believe** them, avoid asking questions about what happened
- Tell the survivor that what happened is **not his or her fault**
- **Ask how you can help to support them** (examples: offer to connect to TIX, PAAR, Women’s Center & Shelter)
- Understand that the survivor **may be experiencing trauma manifesting as:**
  - Jumbled memories
  - Depression/anxiety
  - Disengagement from relationships, family, and friendships
  - Loss of or increase in appetite
  - Inability to sleep/sleeping too much
  - Dropping classes/poor grades
  - Changes in overall behavior
  - Suicidal thoughts or actions
RESOURCES

On Campus
- University Police - 412-268-2323
- Title IX Office - tix@cmu.edu
- Office of Community Standards & Integrity
- University Health Services – confidential resource
- Counseling and Psychological Services – confidential resource

Off Campus
- Pittsburgh Advocates Against Rape
- Magee Women’s Hospital
- Women’s Center and Shelter of Greater Pittsburgh
- Center for Victims
Questions?
Ideas?
Suggestions?
TIX@CMU.EDU
WWW.CMU.EDU/TITLE-IX
412-268-7125