

Scripps College

Title IX Responsible Employee Training:
Responding to Sexual Assault, Dating
Violence, Stalking & Sexual Harassment

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Why We're Here: Problem in Brief

- Interpersonal Violence Prevalent on College Campuses
 - Sexual assault:
 - 1 in 5 (women); 1 in 16 (men) (estimated)
 - Recent study by U. of Pittsburgh (March '17) found higher rates among African American women and men, and transgender people.
 - Dating violence (from current partner): 1 in 5; highest rates among girls/young women between 16-24
 - Stalking: highest among 18-24 year olds and higher among college students than general public
- Unique dynamics of college sexual assaults
- Traumatic, life-changing experience
- Survivors recover if they receive care, support, resources
- Survivor seeking help may never again come forward

Your role is critically important

Why We're Here: Title IX

“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 program or activity receiving Federal financial assistance.” -*Title IX of the Education Amendments of 1972*

Why We're Here: Title IX

Under Title IX:

- **Discriminatory conduct** includes, sexual assault, domestic/dating violence & stalking
- Such conduct interferes with right to education free from gender-based discrimination
- Institutions must take action to redress misconduct and prevent recurrence, including by establishing:
 - Title IX Coordinator
 - Prompt and equitable grievance procedures
 - Educational programs

What Is Sexual Assault?

Any physical contact of a sexual nature that is directed against another person *where that person has not given consent*

May involve:

- Force or threat; or

- Incapacitation -- person can't give **consent**

(from alcohol/drugs, semi-conscious, unconscious)

70% of Rapes are Committed by Someone Known to the Survivor

Clear

Mutually understandable

Never implied

No guessing involved

Not silent

Knowing

Fully conscious

Not incapacitated from
drugs/alcohol

**GOT
CONSENT?**

Voluntary

Provided free of
violence/threat/manipulation

Ongoing

Required at each step
May be withdrawn at any time

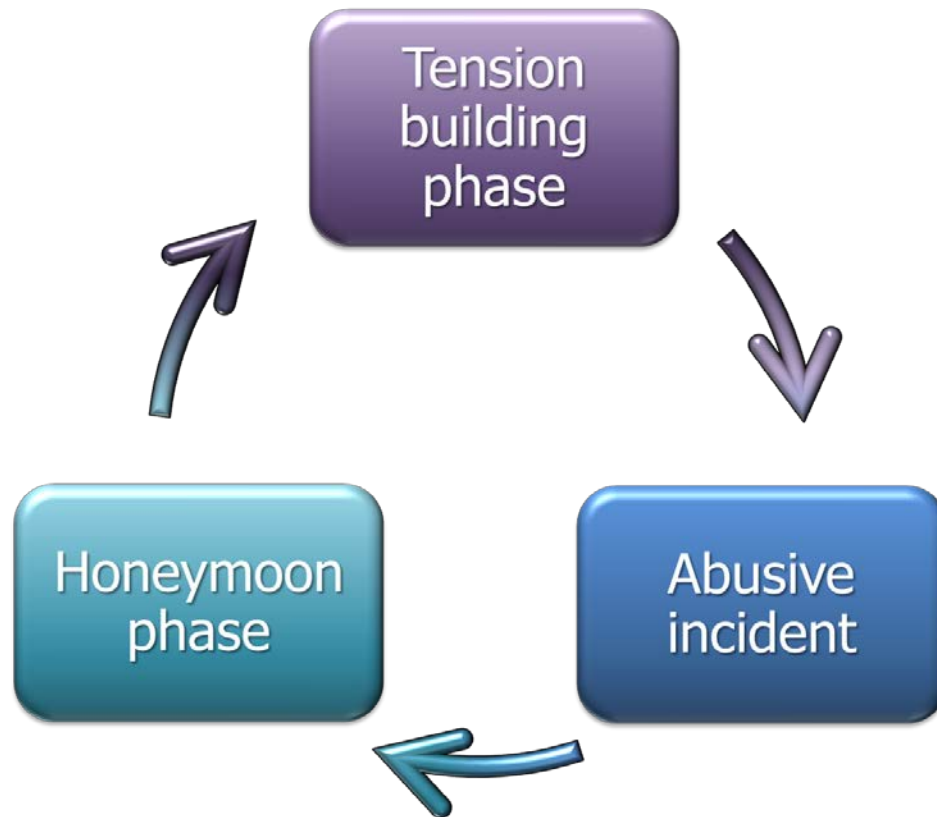
Reciprocal

What Is Dating/Domestic Violence?

- AKA intimate partner violence or relationship violence
- Behaviors used by one person in a relationship to control the other (physical, emotional, sexual, economic, etc.)
- Students have difficulty identifying dating abuse
- Friends have difficulty helping someone who is going through it

Cycle Of Violence

Abusive relationships are rarely abusive 100% of the time



What Is Stalking?

- Pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear
- Can be carried out in person or via electronic means (phone, fax, GPS, cameras, computer spyware, or the internet)

Stalking Information

- Most victims stalked by someone they know
- Often combined with other forms of violence (e.g., sexual or physical)
- Rates highest among 18-24 year olds
- *1 in 6 women and 1 in 19 men have been stalked during their lifetime.***

**CDC's National Intimate Partner and Sexual Violence Survey

What Is Sexual Harassment?

- Unwelcome conduct that is sexual in nature
- Quid Pro Quo: Academic (or employment) benefits conditioned on submission to or rejection of conduct
- Hostile Environment
 - Severe and pervasive
 - ✓ Subjectively and objectively offensive
 - ✓ Creates a sufficiently intimidating or hostile environment that individual is denied access to education

The College's Core Responsibility

Stop, Prevent, and Remedy Prohibited
Conduct in Our Community

The College's Responsibilities: Identify and Train Title IX Responsible Employees

Responsible Employee (RE) = Any employee who has a duty to report incidents of sexual assault, dating violence, stalking, or sexual harassment to the Title IX Coordinator

Scripps/Consortium Responsible Employees

Include:

- Faculty (across Consortium)
- Student Affairs Staff (across Consortium)
- Title IX Office (across Consortium)
- Campus Safety
- RAs (across Consortium)
- Peer Mentor Team Leaders (*but not peer mentors*)

Your Role: REs are Private Resource

Private: Information communicated shared only with individuals who need to know information in order to address the situation

vs.

Confidential: School/consortium support provider prohibited from disclosing survivor's identity or substance of survivor's conversation to school except under limited circumstances

Anonymous (sub-set of confidential):

Survivor identity unknown to support provider

Coming Forward Can Be So Difficult...

- Embarrassment and shame
- Self-blame; minimization
- Can't remember details; no witnesses
- No one will believe them
- Fear of being socially ostracized
- Scared for safety
- Might be forced to report/reporting might make it worse
- May anger accused/accused may not be held accountable
- Family might find out
- Impact of trauma

Your Responsibilities: Overview

- Report/Disclosure of a covered incident to RE by any member of the Consortium community (student, staff, faculty) = Notice to College
- Covered incident = Sexual assault/dating violence/stalking/sexual harassment WITH ANY nexus to College or Consortium, academic or co-curricular experience
 - E.g., high school incidents or incidents at a transfer student's prior school NOT reportable
 - ✓ BUT can still offer support
- Once on notice, college must respond
- If in doubt about whether an incident is reportable, contact Title IX Coordinator

Your Responsibilities: Overview

Overarching Goal When Disclosure Occurs: Help individual retain *control* over next steps and feel supported; empower decision making.

- Explain your role
- Listen, don't lead
- Connect to resources
- Inform Title IX Coordinator

(Reference: RE "At a Glance Card")

****In an emergency call Campus Safety or 911****

Your Responsibilities: Explain Your Role

Responsible Employee “Disclaimer”: Let person know you will have to share what you learn with Title IX Coordinator

- Before disclosure made, if possible, or right after
- Student tries to retract: Still reportable
- Disclosures in the context of classroom discussion or academic work: Not automatically reportable. Call Title IX Coordinator if possible before talking to student.
- Disclosures from other Consortium students: Reportable

Your Responsibilities: Listen, Don't Lead

Listen, Don't Lead = Survivor Support

Demonstrate Sensitivity

- Body language, tone, and mannerisms reveal care and support
- Express empathy: *"I am so sorry," "I'm here for you"*
- Survivors may display contrasting, unexpected and counter-intuitive emotions

Collect information survivor willingly provides

- Listen attentively
- Don't investigate or interrogate, e.g., don't ask "How much did you drink that night?"
- Limit questions to those needed to ensure accurate reporting

Avoid

- Making assumptions about gender of people involved, what happened, needs
- Saying you'll do anything survivor needs
- Using labels such as rape, especially if reporting person not using those words
- Appearing to pass judgment on reporting person's response, for example, asking "Why didn't you go to Campus Safety?"

Your Responsibilities: Connect to Resources

**Share information about the various resources available.
Empower survivors to make decisions for themselves.**

Categories of Support –

- Psychological/emotional (Confidential)
- Medical (Confidential)
- Academic (Private)
- Reporting (Private)

Your Responsibilities: Connect to Resources

Psychological/Emotional (Confidential) –

- EmPOWER Center (counseling available to students only during semester; director available to meet with students, faculty and staff)
- Monsour Counseling (same-day crisis appointments available) (Student Resource)
- McAlister Center chaplains (Student Resource)
- Scripps Advocates for Survivors of Sexual Assault (Student Resource)
- 24/7 Project Sister Hotline (Local Resource available to students, faculty and staff)
- 24/7 House of Ruth Hotline (Dating and domestic violence) (Local Resource available to students, faculty and staff)

Your Responsibilities: Connect to Resources

Medical (Confidential) –

- CUC Student Health Services
 - Plan B (72 hours) (Also available at Pomona, Walker Lounge, Wellness Center)
 - Pregnancy Testing
 - STI Testing

Support Resources: Connect to Resources

Academic (Private)

- Academic work often suffers
- Problems worsen over time
- Early intervention helpful
- Available even if survivor does not want to:
 - Disclose details of situation
 - Pursue a grievance process
- Access via faculty or Primary Contact Dean (and sometimes Title IX Coordinator)

Your Responsibilities: Connect to Resources

•Reporting –

➤ Title IX Coordinator

- ✓ College process only moves forward if reporting party wants it to, unless ongoing risk of harm

➤ Campus Safety (Notifies reporting person's college and, if revealed, accused's school)

➤ CPD and Evidence Preservation Exam

- ✓ Recommended first step--Connect reporting person to Project Sister

Your Responsibilities: Connect to Resources

Sources of Information—You Don't Have to Be Expert

- At A Glance card
- Scripps Title IX Wallet Card
- Scripps Title IX website
- Scripps Title IX Flow Chart
- Scripps LiveSafe Ap
- 7C support and prevention site

Your Responsibilities: Inform TIX Coordinator

- **Email** or call Title IX Coordinator no more than 24 hours of receiving report with:
 - Name of student/reporting party
 - ✓ If student/reporting party at another school, inform Scripps or that school's Title IX Coordinator
 - Incident information, including name/institutional affiliation of accused, if provided
 - Summary of discussion regarding support resources
 - Reaction to being told TIX Coordinator would be in touch
 - Any other information you learned
 - **Ask TIX Coordinator if not sure whether you need to report**

Steps after TIX Coordinator Informed

- **Following report, TIX Coordinator:**
 - Invites student/reporting party to meeting via email
 - Explains in email:
 - ✓ Reporting student/party not obligated to disclose any further details, including name of accused
 - ✓ Option to talk hypothetically
 - ✓ At student/reporting party's option, can discuss support and/or reporting options
- **Initial Meeting**
 - Reporting party in control of topics discussed
 - Topics may include support resources, report options
- If student/reporting party elects not to meet, TIX C will let them know available at any time if change mind

In a Nutshell: Title IX Process at Consortium

- 7 Title IX Coordinators
- 7 policies, but similar misconduct definitions
- Cross-campus cases (complainant at one school and respondent at another) common
 - Policy of respondent's college applies
 - ✓ Scripps Harassment and Discrimination Policy – Scripps TIX website
 - ✓ Other schools' policies – 7C Support and Prevention site
 - Support person of choosing
 - Usually use outside investigator
 - Interviews at home college of party or witnesses
 - Title IX Coordinators collaborate

Questions

Call or email Sally Steffen,
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