Title IX at the University of Cincinnati
A Very Brief Title IX 101

- 1972 – Passed into law
- 2001 – Sexual assault officially identified as Title
- 2011 – Beginning of national focus on campus sexual assault, increased federal enforcement
- 2014 – DOE says gender identity & expression, sexual orientation covered under Title IX
- Covers all federally funded K–12 and higher education institutions
What does Title IX Cover?

Who
- Faculty
- Staff
- Students
- Visitors

What
- Discrimination on the basis of sex, gender, sexual orientation, gender identity, and gender expression
- Pregnant and parenting students
- Sex/Gender-Based Harassment
- Sex/Gender-Based Violence
- Stalking
- Dating and Domestic Violence

Where
- On and off campus
- At events sponsored by UC
- Electronically

When
When it impacts someone’s ability to access our programs

How
- In person
- Via third parties
- Electronically
- Directly or Indirectly
UC Policies Related to Title IX Issues

UC Policy on Non-Discrimination
UC Policy Statement on Sexual Harassment
UC Policy on Discriminatory Harassment
UC Policy Statement on Sex Offenses
UC Title IX Grievance Procedure for Students and Third Parties
Collective Bargaining Agreement Between UC and AAUP

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Retaliation

The University does not tolerate intimidation, retaliation, or retaliatory harassment against individuals because they filed a complaint, participated in a Title IX investigation, or otherwise asserted rights protected by Title IX. Individuals found responsible for retaliation in violation of Title IX will be held accountable under the Student Code of Conduct. Remedies may be available to complainants, witnesses, and participants in the Title IX process who experience retaliation.
Consent

Informed, freely given, mutual, and can be withdrawn at any time

Consent to one act does not mean consent to anything else

Prior consent does not imply future consent

Silence or the absence of resistance does not necessarily imply consent.

A person cannot consent if they are mentally or physically incapacitated

A person cannot give consent if force, expressed or implied, duress, intimidation, threats or deception are used on the complainant.

Whether an individual has taken advantage of a position of influence or authority over an alleged victim may be a factor in determining consent.
# Quick Assessment: What is a Title IX Issue

<table>
<thead>
<tr>
<th>What you need to assess</th>
<th>What we assess</th>
</tr>
</thead>
<tbody>
<tr>
<td>Is the behavior possibly:</td>
<td>Is the alleged behavior sex or gender-based?</td>
</tr>
<tr>
<td>*Sexual?</td>
<td>Is the alleged behavior unwanted?</td>
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<tr>
<td>*Based on someone’s actual or perceived sex, gender, sexual</td>
<td>Does the alleged behavior have the purpose or effect of keeping someone from</td>
</tr>
<tr>
<td>orientation, gender identity, or gender expression?</td>
<td>accessing UC programs and services equitably?</td>
</tr>
<tr>
<td>*In the context of people in a current or former romantic or</td>
<td></td>
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<tr>
<td>sexual relationship?</td>
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Duty to Report

All employees* are required to report any known or suspected incident of sex or gender-based harassment, discrimination, or violence.

If the issue is a felony, you still need to report to law enforcement.

- Even if you hear it 2nd hand
- Even if you don’t know the names of the people involved
- Even if the person telling you asks you to keep it a secret
- Even if you think the story is incomplete
- Even if it happened off campus
- Even if the person telling you doesn’t think it’s misconduct or discrimination
- Even if the person telling you is the alleged victim, the third party, or someone who has been accused

* Other than CAPS, Health Services, and limited reporting for RECLAIM

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Required Reporting Exemptions

- Staff of CAPS
- Contracted mental health service providers (Clermont & Blue Ash)
- Staff of Health Services
- RECLAIM (de-identified reporting)

*If you have a professional license or status that provides confidentiality, you must be hired at UC in that capacity to be exempt. When in doubt, call the Title IX Office*
UC’s Duty Under Title IX

• Once we know or reasonably should know of a possible Title IX Violation UC must take reasonable steps to:

<table>
<thead>
<tr>
<th>Thorough</th>
<th>Reliable</th>
<th>Impartial</th>
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<tbody>
<tr>
<td>Prompt</td>
<td>Effective</td>
<td>Equitable</td>
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<tr>
<td>End the Discrimination</td>
<td>Prevent its Recurrence</td>
<td>Remedy the effects upon the victim &amp; community</td>
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Your Role as a Required Reporter

Things You Should Do
• Listen
• Support
• Report

Things You Don’t Have to Do
• Be a counselor
• Be an advocate
• Be an expert
• Be an investigator
Disclosing You’re Not Confidential

- Disclose as soon as possible
- Explain you’re here to help
- Offer to connect them with a confidential resource if they prefer (counselor, Health Services, RECLAIM)
- Avoid making the person feel like you don’t want to talk with them
Question 1: Are you physically hurting?

- If they are hurt or in pain, that is the top priority
- Questions about what happened can be asked later
- Call UCPD or 911 if they need emergency care
- If it’s not an emergency, encourage them to seek follow up care, such as at Health Services or their doctor
Question 2: Do You Feel Safe?

- Your definition of “unsafe” may not be the same as theirs- Their version is the one that matters.
- If the person has immediate concerns, UCPD and/or the Title IX Office can help
- Title IX Office, UCPD, and others can help the person create a more in depth safety plan
Question 3: What Can I Do For You?

- You don’t need the details to offer support
- Be patient- avoiding filling the silence while they think
  - How can you help them?
- Do they want to talk with the police?
- It’s OK if you don’t have next steps
How to Make a Report

Notify the Title IX Coordinator within 24 hours of receiving the report:

- Call while you have the person with you
- Call without the reporter
- Send an e-mail with the information*
- Make a report through Maxient (on-line)*
- Walk over to talk (with or without the person)
- Ask us to come to you
Contacting Law Enforcement
(Other than state law required felony reporting)

• Does the person want to file a police report?

• Is the person disclosing that they or the campus are in immediate harm?

  *If yes, call UCPD for assistance*

• Let the person know you are calling the police for help

*If you call UCPD you still need to report the incident to the Title IX Office*
Resources at UC

- Confidential Counseling
  CAPS (serves all UC students)
  (513) 556-0648
  http://www.uc.edu/counseling.html
  Blue Ash Counseling Services (UCBA students)
  (513) 745-5670
  http://www.ucblueash.edu/students/services/counseling-services.html
  Compass Counseling Center (UCC students)
  (513) 732-5263
  http://www.ucclermont.edu/students/compass.html
  EAP-Impact Solutions (UC employees)
  (800) 227-6007
  http://www.uc.edu/hr/benefits/choice_benefits/eap.html

- Confidential Medical Care (students)
  University Health Services
  Lindner Center 3rd Floor (513) 556-2564

- Non-Confidential Law Enforcement
  UCPD
  Clifton: Edwards 3, (523) 556-1111 or 911
  Blue Ash: Muntz 134, (513) 745-5707
  Clermont: Snyder S-170, (513) 732-5200
  Victim Service Coordinator: (513) 556-4905

- Advocacy
  RECLAIM (UC-based, limited confidentiality)
  (513) 556-4328
  Women Helping Women (non-UC, confidential)
  (513) 381-5610
Contacting the Title IX Office

Title IX Office: Edwards I, Suite 3115

Jyl Shaffer
Title IX Coordinator
Office: (513) 556-3349
jyl.shaffer@uc.edu

UC Title IX website: http://www.uc.edu/titleix.html