



SPEAK UP
SPEAK OUT

The Problem...

- Sexual Assault & Sexual Harassment are underreported on college campuses.
- FBI statistics indicate that 1 out of 4 women and 1 out of 10 men will be a survivor of rape or attempted rape between the age of 14 and 25
- 9 out of 10 date rapes are **not** reported
- Women ages 20 to 24 are at greatest risk of experiencing relationship violence

The Problem...

- A recent national survey of 440 institutions of higher education found that 40% of US colleges and universities have not conducted a sexual assault investigation in five years.
- Besides being shocking, all of these statistics highlight a problem that the Office of Civil Rights has been drawing attention to – i.e. the prevalence of sexual violence on our college campuses; and the fear among victims that if they report an incident, they will not be treated with respect or taken seriously.

What Are We Doing?

- ❖ Wayne has always taken sexual assault and sexual harassment seriously.
- ❖ We continue to meet WSU's obligations under Title IX and under WSU's own policies, both of which are significant and important.
- ❖ We are introducing new measures to:
 - prevent sexual misconduct*
 - increase bystander awareness*
 - support a safe and non-discriminatory campus*

IT IS THE RIGHT THING TO DO!

WSU's Title IX Responsibilities

- To provide interim measures, such as a no contact order, a change in housing or classes or an administrative withdrawal
- To investigate and take appropriate action for all sexual misconduct incidents that occur on campus, as part of a University program, or at a University-sponsored event
- To provide information on available resources
- To inform faculty, staff and students about these responsibilities, about where to report and about preventative measures

Defining the Terms

Sexual Assault

- ❑ Sexual activity, including but not limited to rape, attempted rape or oral sex, that occurs when consent is not given or not freely given.
- ❑ Unwanted touching or fondling of someone's intimate body parts
- ❑. Most commonly occurs between people who know each other

Defining the Terms

Sexual Assault

- A traumatic experience, causing a mixture of emotions (fear, anxiety, anger, depression, guilt)
- Date rape, a form of sexual assault, is rape by someone the victim is dating.
- Acquaintance rape, a form of sexual assault, is rape by a non-stranger, such as a friend

Defining the Terms

Sexual Harassment

- Unwelcome sexual advances or other behavior of a sexual nature, when submission to such behavior is made a term or condition of a person's status:
 - as a student in a course or program
 - as a student-employee in the workplace

Defining the Terms

Sexual Harassment

- Unwelcome behavior of a sexual nature that creates a **hostile** or **abusive** work or educational **environment**
- Unwelcome behavior of a sexual nature that is **severe** or **pervasive** and **interferes** with an individual's work or performance in a course or program

Defining the Terms

Domestic/Relationship Violence

- These are different terms to describe the same experience
- Both refer to a pattern of behavior in which one person attempts to control another by threats or use of verbal, physical, sexual or psychological abuse

Defining the Terms

Domestic/Relationship Violence

- Can occur between people who are married, dating, divorced, living together or broken up
- Can occur between people of all races, ages, sexual orientations, religions, genders, income levels or educational levels

Defining The Terms

Stalking

- ❖ Repeated or continuing harassment of another person without consent - that would cause a reasonable person to feel terrorized, frightened, harassed, threatened or intimidated
- and*
- ❖ actually causes the person to feel any of those things

Defining the Terms

Stalking

- Requires at least 2 or more separate acts that have the same purpose
- Can be in person, over the phone, through email or text or on social media
- Can and frequently occurs between 2 people who know each other

Defining the Terms

Retaliation

- ❑ Retaliation is taking an adverse action against a person as a result of that person filing a complaint or participating in the investigation of a complaint
 - Retaliation can take the form of an adverse action against a student in a class, a clinic, such as a failing grade or poor grade
 - Retaliation can be by one student against another student because of a complaint
 - Retaliation is prohibited by University policy and by Title IX

Defining the Terms

Consent

- Is a Very Important and often complicated issue.
- If someone reports an incident to you, you are **not** responsible for assessing the issue of consent.
- Consent issues are the responsibility of the Title IX Coordinator or Deputy Coordinator.

Defining the Terms

Consent

- Under the University's policies, **consent shall not be deemed to have occurred** if given by a person who is unable to make a reasoned judgment concerning the nature or harmfulness of the activity because of his/her intoxication, incapacity, unconsciousness or mental deficiency **or** if the consent is the product of threat or coercion.

Defining the Terms

Consent

- **Is Not Silence.** If a person does not verbally say No, it does not mean that s/he means yes.
- **Only Yes Means Yes.**
- A person can change their mind at any time and say No.

Defining the Terms

Complainant and Respondent

- ❖ Victims of sexual harassment, sexual assault, domestic/relationship violence, stalking or retaliation are also sometimes referred to as survivors.
- ❖ For purposes of WSU's administrative processes, the victim or survivor will be called the Complainant and the accused or alleged offender will be called the Respondent.

Reporting Sexual Misconduct

- If you know or reasonably should know of a sexual misconduct incident (which covers all the areas previously defined) that occurred on campus, in a university program, or at a university-sponsored event,
- **YOU ARE EXPECTED** to promptly report it so that WSU can take necessary interim measures and can investigate and take appropriate action/discipline

“Responsible Employee”

- ❑ Certain “responsible employees” **MUST** report incidents of sexual misconduct to the Title IX coordinator. A “responsible employee” is:
 - ❖ An employee who has been given the duty of reporting incidents of sexual misconduct
 - ❖ An employee whom a student could reasonably believe has this authority/duty (coach)
 - ❖ An employee who has authority to take action to redress sexual misconduct

Where To Report

- If you are a victim, witness or become aware of any **sexual assault** on campus, in a university program, or at a university-sponsored event, you should immediately report the incident to the **Wayne State Police (577-2222)**.
- All other **sexual misconduct** should be immediately reported to the **Title IX Coordinator** or **Deputy Coordinator**
- If in doubt, contact the Title IX Coordinator or Deputy Coordinator.

Title IX Coordinators

- Christopher Jones, Director of Office of Equal Opportunity, is WSU's **Title IX Coordinator (577-2280)**
- Dean David Strauss, Dean of Students, is WSU's **Title IX Deputy Coordinator (577-1010)**

WSU's Investigating Responsibilities

- Under Title IX, and under WSU's own policies, WSU must promptly, reliably and fairly investigate and take appropriate action for all incidents of sexual misconduct.
- This responsibility is separate and independent of what may or may not be done by our police and the criminal justice system.
- Both the Complainant and the Respondent have a right to fair and equal treatment throughout the investigative and decision-making process.

Goals of Each Investigation

- To seek the truth
- To maintain a compassionate and sensitive approach to all
- To be fair, impartial, reliable and thorough
- To preserve the dignity of all parties
- To maintain professionalism and consistency in the process, procedures and communications

Confidentiality/Privacy

is VERY IMPORTANT

All parties, witnesses and persons reporting are requested to maintain the confidentiality of the Complainant and Respondent and are encouraged not to discuss an investigation with other witnesses or persons.

Confidentiality/Privacy (cont.)

- If a Complainant is unwilling or reluctant to participate in the investigation, or does not want his/her name mentioned to the Respondent, WSU is still obligated to investigate.
- WSU will proceed in a way that takes into account the concerns of the Complainant and WSU's responsibility to provide a safe and non-discriminatory environment to the entire campus community.

How To Help A Survivor

- ❖ The best way to help a survivor is to assist him/her in getting help in dealing with the trauma.
- ❖ Encourage the person to obtain assistance from the trained professionals at WSU's **Counseling & Psychological Services (CAPS) (577-3398)** (free to enrolled students)
- ❖ **CAPS is completely confidential**

Criminal Actions

Criminal proceedings are separate and independent of WSU's administrative process.

- A Complainant does not have to press criminal charges immediately, ever.
- A Complainant should still report the incident to the WSU police, who will gather evidence in case the Complainant changes his/her mind.
- WSU Police will assist a Complainant in the criminal process.
- Criminal charges do not relieve WSU of its administrative responsibilities.

Resources

- WSU has a comprehensive list of available, helpful resources. This list can be accessed at:

<http://provost.wayne.edu/resources>

**[http://doso.wayne.edu/
student-conduct-services.htm](http://doso.wayne.edu/student-conduct-services.htm)**

<http://ogc.wayne.edu>

University Policies

- WSU's Sexual Discrimination, Sexual Harassment and Sexual Assault policies apply to all faculty, staff and students. These policies are listed together at:

<http://oeo.wayne.edu/policies>

<http://provost.wayne.edu/resources>

**[http://www.doso.wayne.edu/
student-conduct- services.html](http://www.doso.wayne.edu/student-conduct-services.html)**

<http://ogc.wayne.edu>

Other Helpful Information

A copy of this Title IX Power Point is available on the following websites and can be downloaded and saved:

<http://oeo.wayne.edu/policies>

<http://provost.wayne.edu/resources>

<http://ogc.wayne.edu/>

What Are We Doing?

- At Wayne State University, we have recently implemented the following:
 - Online Training Module for Students called Understanding Sexual Harassment & Sexual Assault: <http://www.title9training.wayne.edu/>
 - introduced at all new student orientations
 - Title IX Power Point for Faculty
 - Title IX Power Point for Staff
 - Brochure/Resource Guide for Faculty & Staff
 - Bystander Intervention Training
 - Continuation of Rape Aggression Defense (RAD) Program (through the Wayne State Police)

Questions/Guidance

- If you have questions or concerns or need guidance regarding sexual misconduct matters or Title IX obligations, please contact:
 - Title IX Coordinator (**577-2280**)
 - Title IX Deputy Coordinator (**577-1010**)
 - Office of the General Counsel (**577-2268**)