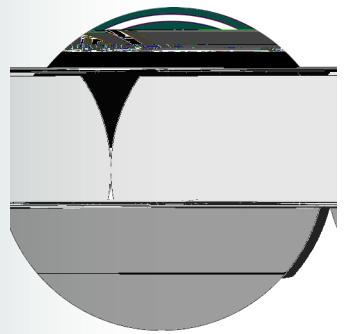


TIIX AND SEXUAL HARASSMENT

Rights, Responsibilities and Responses



Understanding Title IX

When you hear about the federal legislation known as Title IX, it's easy to think about "the law that made school sports more equitable for girls and women." Yet, there's also a lot more to it.

Sexual harassment — which includes quid pro quo and hostile environment harassment — is unlawful sex discrimination prohibited by Title IX. It also prohibits more dangerous forms of sexual harassment, such as sexual assault, dating violence, domestic violence and stalking (see page 6 for more information).

We take these violations very seriously, as we work to keep you safe. We'll respond effectively and immediately when there's trouble, and ensure a fair process for all involved. Sex discrimination has no place on our campus. You and your well-being are our top priority.

Title IX Coordinator

At Jacksonville University the Title IX Coordinator is available to all students and responsible for...

- Ensuring that our institution carries out its Title IX responsibilities
- Accepting any report of sex discrimination, at any time, from a complainant or someone else speaking on that person's behalf
- Giving students full information so they can make informed choices about whether or when to report incidents of sex discrimination
- Contacting complainants confidentially and promptly to discuss supportive measures that can be put in place, whether or not they file a formal complaint
- Explaining the process for filing a complaint (if a student chooses to do so)
- Acting without bias and conflicts of interest, and serving impartially

You can talk with the Title IX Coordinator or a Deputy Coordinator if you or someone you know is experiencing sexual harassment or the distress of being accused. We'll provide support and guidance, and put you in touch with necessary resources right away!

We're here to deter sex discrimination and make our campus a safer, more welcoming place to be.

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefit of, or be subjected to discrimination under any education program or activity receiving federal financial assistance."

– Title IX of the Education Amendments of 1972

Note: This brochure doesn't serve as a substitute for our institution's full policies and procedures, and is solely meant to offer an informational summary.

We don't tolerate discrimination and here's what that means within the context of Title IX...

- Our institution doesn't discriminate on the basis of sex within educational programs and activities, in accordance with Title IX requirements
- Inquiries about the application of Title IX may be referred to our Title IX Coordinator or to the Department of Education's Office for Civil Rights at ocr@ed.gov or 800-421-3481
- Prohibited sex discrimination covers sexual harassment, including sexual assault, dating violence, domestic violence and stalking

Our Pledge to You

Here's what you can expect from us when it comes to handling Title IX incidents...

- We will investigate Title IX complaints brought to our attention in a prompt, fair and impartial manner
- We'll listen to both complainants and respondents
- We'll take steps to stop the act of sex discrimination, prevent its recurrence and address its effects
- We're responsible for responding to incidents that occur within our school's educational programs or activities, whether they are on- or off-campus
- We're responsible for responding to sexual harassment at buildings owned or under the control of school-sanctioned student organizations
- School officials will serve impartially without bias for or against any party
- You'll be protected from retaliation for reporting sexual harassment or participating/refusing to participate in a Title IX grievance process
- We will make referrals and provide information about campus and community resources

How Campus Title IX Investigations Differ from Law Enforcement Investigations

If our school receives a report of sexual harassment occurring in an educational program or activity, we will promptly and equitably investigate as required by Title IX to determine what occurred. We'll also take appropriate steps to resolve the situation in a fair manner.

A campus Title IX investigation is different from any law enforcement investigation.

You can tell someone on campus about a Title IX complaint and use the campus grievance process, if you choose to. You can also choose to file a police report. It's *completely* up to you.

Our Title IX Coordinator and other resource people can provide the information that you need to choose the best course of action.

It will include describing our grievance procedures and the rights and opportunities available to both complainants and respondents. Please ask!

Helpful Information for Complainants

Respondent = Individual Who Has Been Reported to Allegedly be the Perpetrator of Conduct That Could Constitute Sexual Harassment

Title IX respondents are treated equitably with a presumption of innocence. We're here to help.

Here's what you can expect...

- You'll be treated fairly.
- You'll have your identity kept confidential as required by law, except when necessary to ensure the safety of any person or as necessary to carry out a Title IX proceeding.
- You'll receive written notice of allegations upon receipt of a formal complaint.
- You'll be contacted confidentially by the Title IX Coordinator and offered supportive measures to restore or preserve equal access to education and protect your safety.
- You'll be treated equitably and not have any disciplinary sanctions imposed without the campus grievance process being followed. An emergency removal would be an exception to this.
- You'll be provided with a fair and impartial grievance process administered by trained and impartial school officials.
- You'll be protected from being coerced or threatened into participating in a grievance process.
- You won't be required to come face-to-face with the complainant during a hearing. In a formal live hearing, you may come face-to-face with the complainant on Zoom.
- You'll have the right to be accompanied by an advisor of your choosing, who may or may not be an attorney. If you do not have an advisor, one will be appointed to assist you in the live hearing.
- You will have the right to present your own evidence and witnesses.
- You will have the opportunity to review and respond to all available evidence in advance of the hearing.
- You'll have all relevant evidence objectively evaluated.
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Sexual Harassment 101

Sexual harassment is defined as being “Severe, pervasive, and objectively offensive conduct that effectively denies a person equal educational access.” Therefore, it is a form of sex discrimination prohibited by Title IX.

Three types of misconduct, on the basis of sex, that encompass the sexual harassment definition include:

Quid Pro Quo Harassment occurs when a campus employee causes a student to believe they must submit to unwelcome sexual conduct to participate in a school program or activity, or causes a student to believe that the employee will make an educational decision based on whether the student submits to unwelcome sexual conduct. It doesn't matter whether the student resists and suffers the threatened harm or submits to it and avoids the threatened harm for it to be considered sexual harassment.

For example: A faculty member threatens to fail a student unless the student agrees to a date.

Hostile Environment Harassment occurs when unwelcome conduct of a sexual nature that a reasonable person would find so severe, pervasive and objectively offensive denies someone equal educational access, or creates an intimidating, threatening or abusive educational environment.

For example: Someone repeatedly targets another person with crude, sexually suggestive comments.

An Instance of Sexual Assault, Dating Violence, Domestic Violence or Stalking, as defined by the institution's policy.

All these forms of sexual harassment jeopardize the equal access to education that Title IX is designed to protect.

Key Points

- Sexual harassment can take different forms depending on the harasser and the nature of the harassment.
- College or university employees, other students and non-employee third parties, such as a visiting speaker, may carry out this conduct.
- The conduct can be verbal, nonverbal or physical.
- People of all genders can be victims of sexual harassment, and complainants and respondents may be of the same or different sexes.
- Sexual harassment can occur in any school program or activity and can take place in institutional facilities or at off-campus locations, such as a school-sponsored retreat or training program at another location.

Recognizing Instances of Sexual Harassment

Verbal or Written Sexual Harassment

- Making comments about your clothing, body, behavior or romantic relationships
- Making sexual jokes or comments
- Repeatedly asking you out on a date after you have said no
- Asking you to engage in sexual acts, such as kissing, touching, watching a sexual act or having sex
- Requesting sexual photos or videos of you
- Threatening you for saying no to a sexual request
- Spreading rumors about your personal or sexual life
- Whistling or catcalling
- Sending online links or photos with explicit or graphic sexual content

Physical Sexual Harassment

- Being uncomfortably close to you
- Blocking you from moving or walking away
- Inappropriate touching
- Coercing you into sexual activity by threatening to hurt your career, grades, home, or reputation (this is a type of sexual assault) if you do not engage in sexual activity
- Physically forcing you into sexual activity without your consent (rape and sexual assault)

Visual Sexual Harassment

- Displaying or sharing sexual pictures, texts (sexting), computer wallpaper or emails
- Showing you private body parts (flashing)
- Masturbating in front of you

Sometimes you may experience other types of harassment that may be difficult to document or prove but that can still be threatening. These can include someone staring at your body in a sexual way or making offensive sexual gestures or facial expressions.

How to Help a Friend

Do you have a friend who has experienced sexual harassment of some type?

To help in the best ways possible, you can...

- Listen with compassion
- Direct them to available resources
- Not take everything on your shoulders

Getting the appropriate, trained professionals involved is the best thing you can do to help a friend get the necessary support and assistance.

Sexual Assault

Sexual assault is a form of sexual harassment, prohibited by Title IX, that may also be criminal in nature. All our Title IX resources and beyond are available if this is something you or someone else has experienced. There is never any reason to be embarrassed, ashamed or to think you won't be believed. Please let a trusted person know so you can get the assistance you need.

Sexual assault offenses include...

- Forcible rape
- Forcible sodomy
- Sexual assault with an object
- Forcible fondling
- Incest
- Statutory rape

Anyone can experience sexual assault, no matter their gender. People who commit sexual assaults and those who experience them may be of the same or different genders.

If You are Sexually Assaulted...

- Get to a place where you feel safe
- Seek a friend you can trust
- Don't shower, bathe any part of your body, douche, urinate, defecate, use medications or brush your teeth, if possible
- Stay in the clothes you are wearing or, if you've already changed, bring clothes, sheets and anything that was in contact with you during the assault in a paper bag (not plastic!) or wrapped in a clean sheet — don't clean or straighten the area
- Don't touch anything the respondent may have touched or left behind — this physical evidence can help in a subsequent investigation
- Get medical help to check for internal injuries you might not be aware of, treat external injuries, be treated for certain STDs, and get information about HIV/AIDS and pregnancy prevention
- Consider having a rape kit exam by a specially trained Sexual Assault Nurse Examiner done at the hospital — even if you don't think you want to press charges, having this exam done allows you to have evidence collected should you change your mind later
- Seek counseling support
- Consider your legal options and ask questions for clarification
- Preserve any electronic evidence, such as text messages, pictures, videos, social media posts or conversations related to the assault that may have taken place before, during or after the incident

The Role Alcohol Plays

Many campus sexual assaults involve alcohol.

- It may impair a person's judgment, making it difficult to take heed of risk cues or indications that a person doesn't want to engage in sexual activity.
- It may make it difficult for a person to recall important information about the events after the fact.
- It may increase the expectations of what will happen when we drink.
- It may be used as an excuse (*not* a valid one) by people who commit these types of offenses.

Sources: Wake Forest University, Sexual Assault Support; Southwestern University, Medical Issues and Immediate Safety; UCSC Title IX/Sexual Harassment Office

Your Role

Proactive and Reactive Bystander Strategies

Here are some ways you can be an engaged, helpful bystander who addresses sexual violence issues safely and with care.

Proactive Bystander Strategies

- Work to create an environment where sexual violence is unacceptable
- Treat people with respect
- Speak up when you hear people making statements that blame survivors
- Talk openly with friends about the issues and how to confront them
- Encourage friends to trust their instincts to stay safe
- Be a knowledgeable resource for survivors
- Don't laugh at sexist jokes or comments
- Look out for friends at parties, bars and other gatherings
- Educate yourself and your friends
- Use campus resources
- Attend an awareness event
- Empower survivors to tell their stories

Confidentiality Concerns

When it comes to confidentiality, we'll be up front with you.

- We'll take all reasonable steps to investigate and respond in a manner consistent with a student's confidentiality request. We cannot investigate anonymous reports.
- If the safety of others in the community could be at risk, however, the good of the whole may need to outweigh one student's confidentiality request.
- If a student requests confidentiality and decides not to proceed in a sexual violence case, the Title IX office might still need to submit a report of the incident to certain campus officials or law enforcement to comply with campus crime reporting laws.
- On-campus counselors and advocates — like those working in the Student Health Center, Student Counseling Center, and Campus Ministry — can typically talk with a survivor in confidence, unless a potential risk to health and safety becomes apparent.

In compliance with Title IX, Jacksonville University prohibits sex discrimination in the forms of sexual harassment, sexual assault, dating violence, domestic violence and stalking. These behaviors have *no* place at our institution.

For additional information on your rights under Title IX, visit www.ju.edu/TitleIX.

How to File a Title IX Complaint

- Contact the Office of Student Affairs at Davis Student Commons
- Fill out the online compliant form: www.ju.edu/campuslife/forms/index.php
- Fill in person with the Title IX Coordinator or deputy Title IX Coordinators
- Call the 24-hour Campus Safety and Security Department at (904) 256-7585

Confidential Support Services on Campus

- Student Health Center
Phone: (904) 256-8080
www.ju.edu/healthcenter
shc@ju.edu
- Student Counseling Center
Phone: (904) 256-7180
www.ju.edu/counseling
scc@ju.edu

Title IX Coordinator

Kristie Gover, Ed.D.

Senior Vice President of Student Affairs and Dean of Students

Phone: (904) 256-7067

Email: kgover1@ju.edu

Deputy Title IX Coordinators

DaVina Hamilton

Associate Dean of Students

Phone: (904) 256-7067

Email: dhamilt3@ju.edu

Kevin Bennett

Director of Campus Security

Phone: (904) 256-7585

Email: kbennet1@ju.edu

Hannah Gleichenhaus

Senior Associate Athletic Director, Senior Woman Administrator (SWA)

Phone: (904) 256-7425

Email: hwilcox@ju.edu

Allana Fort

Senior Vice President, Chief

People & Culture Officer, Chief

Compliance Officer & Legal Counsel

Phone: (904) 256-7549

Email: aforte@ju.edu

Fonnie Baarman

Vice President of Office of People & Culture, Director of Compliance

Phone: (904) 256-7035

Email: fbarma@ju.edu

Supportive Measures

What supportive measures might be implemented to restore or preserve equal access to education, protect your safety and deter further sexual harassment? On our campus, they could include:

- Academic accommodations
- Counseling
- Leaves of absence
- Residence hall/apartment moves
- No-contact orders
- Class schedule changes

The Title IX Coordinator and Deputy Coordinators are available to discuss these with you anytime.

