

OFF CAMPUS **PROGRAMS:** **UNDERSTANDING** **TITLE IX**

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WHAT IS SEXUAL HARASSMENT?

Unwanted/Unwelcome behavior of a sexual nature, such as sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that interferes unreasonably with:

- a student's ability to learn,
- study,
- work,
- achieve,
- participate in school activities, or
- educational opportunities.

WHAT ARE THE FEDERAL STATUTES PROHIBITING SEXUAL HARASSMENT?

**Title VI,
Title VII,
and Title
IX**

TITLE IX

Title IX of the Education Amendments of 1972:

- Comprehensive federal law that prohibits gender discrimination against students of educational institutions that receive federal funding.
- Sexual harassment is a form of sex/gender discrimination, and schools are legally responsible for preventing it.
- Prohibits discrimination, exclusion, denial, limitation, or separation based on gender.

TITLE IX (CONT.)

- According to the Supreme Court, schools have an obligation to prevent and address harassment against students, regardless of whether the harassment is perpetrated by peers, teachers, or other school officials.
- Schools must also prevent harassment based on your sex, even if it is not sexual in nature.

Video: Do you know your IX? Here are 9 things to know about Title IX in 89 seconds!

- Published by Amy Poehler's Smart Girls & Know Your IX (October 14, 2013)

TWO TYPES OF SEXUAL HARASSMENT:

1. Quid Pro Quo
2. Hostile Work Environment

TWO TYPES OF SEXUAL HARASSMENT

1. Quid Pro Quo

- Being asked to respond sexually with the direct or indirect implication that a person's academic or work situation would be improved if he/she complied or hurt if he/she did not.
- Most well-defined and least common form

2. Hostile Work Environment

- Behaviors that create an environment so offensive, intimidating, or hostile (severe or pervasive) that it interferes with a person's ability to work or a student's ability to learn or participate in the campus environment.

EXAMPLES

■ Quid Pro Quo:

- A professor suggests that sexual involvement with him/her would improve the students' chance for a good grade.

■ Hostile Work Environment:

- Repeated derogatory comments of a sexual nature in a classroom or work environment.
- Repeated undesired physical contact.
- Repeated comments by a professor/student about the professor's/student's own sex life and desires.

OTHER KEY POINTS...VICTIM'S PERCEPTION DETERMINES HARASSMENT

- Consent: It's harassment if the recipient didn't solicit, invite, or condone.
- Reasonable person standard: Courts make a decision based on perception of recipient and not the intention of the harasser.
- 3rd Party Witness harassment: Co-worker/other student who is disturbed by conduct directed towards another may also make a claim.
- Burden of Proof: Preponderance of the evidence

WHAT TYPE OF SEXUAL HARASSMENT IS THIS?

<http://www.youtube.com/watch?v=NTRFyAObyzQ>

FORMS OF SEXUAL HARASSMENT

Physical	Verbal	Other
Touching	Jokes	Pictures, Cartoons, Posters
Grabbing	Dates	Tee Shirts
Kissing	Propositions	Coffee Mugs
Hugging	Obscene Language	Calendars
Rubbing	Sexual Remarks	Sexual Gestures

ECU SEXUAL HARASSMENT POLICY

- Sexual harassment and discrimination are illegal and endanger the environment of tolerance, civility, and mutual respect that must prevail if the University is to fulfill its mission. (Sexual Harassment, Discrimination, and Conflicts of Interest Policy)
- ECU is committed to eliminating sexual misconduct in all forms to include but not limit to domestic violence, relationship violence, sexual assault, sexual harassment, and stalking. The university will take appropriate remedial action against any individual found responsible for an act or acts in violation of this regulation. (REG06.40.01 Policy)

PROTECTION OF THESE LAWS APPLIES TO ALL ENVIRONMENTS AFFILIATED WITH ECU:

- Any area where a ECU student is assigned for placement/internship during his/her term at ECU.
- Students
- Faculty
- All levels of staff
- Research personnel
- Visitors

STEPS TO REPORT

If something happens that you would like to report, you have a few options based on who you are more comfortable talking to:

1. Report the incident to your program director
2. Report the incident to Jennifer Baysden
(baysdenj@ecu.edu)

Upon initially reporting, the Title IX Investigator or Deputy Title IX Coordinator of ECU will be notified and will reach out to you.

WHERE DO YOU REPORT SEXUAL HARASSMENT?

- **Dean of Students Office**

(For complaints against a student)

360 Wright Building

Greenville, NC 27834

(252)328-9297

<http://www.ecu.edu/dos/>

- **Office for Equity and Diversity**

(For complaints involving an employee)

Old Cafeteria Complex, Suite G 406,

Greenville, NC 27858

(252)328-6804

<http://www.ecu.edu/oed>