



# TITLE IX TRAINING

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**Northwestern Oklahoma State University**

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Sexual Harassment and Sexual Violence  
Awareness, Reporting, and Prevention

# Northwestern Oklahoma State University Commitment

- NWOSU is committed to providing you with the tools needed to report and prevent sexual harassment.
- NWOSU is committed to ensuring you know what to do if you have been harassed or if you become aware of an act of sexual harassment or sexual violence.
- NWOSU is committed to taking measures to protect members of the campus community who have been unlawfully harassed.

# The Law

- **Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities.**
- **The law specifically states “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.”**

# Title IX

- **The Department of Education's Office of Civil Rights (OCR) is charged with administrative enforcement of Title IX in schools receiving financial assistance from the Department.**
- **OCR may initiate an investigation either proactively or in response to a formal complaint.**
- **If OCR finds a Title IX violation, the school risks losing federal funds (financial aid).**
- **The Department of Justice (DOJ) is responsible for coordinating enforcement of Title IX.**

# Once a college is aware of harassment (broadly defined) a school must:

- **Stop the harassment**
- **Prevent recurrence (make sure it doesn't happen again)**
- **Remedy the effects (interim modifications to housing, work schedule, classes, extra help with school, etc.)**
- **Prevent retaliation**

# What faculty and staff should do---

- Faculty and staff should:
  - Intervene if someone is being harassed
  - Be careful not to inadvertently or purposely participate in any form of harassment or sexual violence
  - Listen if someone comes to you with a complaint or concern and get them help
  - Report the incident to the campus Title IX Coordinator immediately

# What faculty and staff should not do:

- Consider themselves investigators, hearing officers, or police officers
- Most faculty and staff are not professional, licensed counselors or medical personnel and should not act as such.
- Be deliberately indifferent
- Do nothing



# TITLE IX

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## Important Definitions

# Sex Discrimination

- Sex discrimination is an umbrella term that Title IX uses to encompass multiple actions involving the unfavorable treatment of a group or individual based upon his or her sex.
- Title IX prohibits sexual misconduct, sexual harassment, sexual violence, domestic violence, dating violence, and stalking.

# Sexual Misconduct

- A broad term encompassing any nonconsensual conduct of a sexual nature.
- May vary in its severity and consists of a range of behaviors or attempted behaviors including:
  - Unwelcome sexual touching/exposure
  - Non-consensual sexual assault
  - Forced sexual assault
- Sexual misconduct can be committed by a man or woman and it can occur between people of the same or different sex.

# The Issue of Consent

- **Effective Consent is:**
  - **Informed**
  - **Freely and actively given**
  - **Mutually understandable words or actions**
  - **Indicates a willingness to participate in mutually agreed upon sexual activity**

# Sexual Harassment

- Unwelcome sexual advances, requests for sexual favors, verbal or physical conduct, and communication of a sexual nature.
- It also includes engaging in indecent exposure, voyeurism, or other invasions of personal privacy.

# 2 Types of Sexual Harassment

- **Sexual Harassing Behavior:**
  - **Quid Pro Quo** - Latin for “this for that” is the exchange of sexual favors in the workplace or education environment
  - **Hostile Environment** - could occur when a faculty, staff, or student is subjected to comments of a sexual nature, offensive sexual materials, or unwelcome sexual conduct, as a regular part of the work or education environment

# What Sexual Harassment Might Look Like

- Direct or indirect threats or bribes for unwanted sexual activity
- Rating a person's sexual attractiveness
- Unwelcome patting, hugging or touching of a person's body, hair or clothing
- Offensive or suggestive sexual comments
- Sexually explicit/graphic pictures
- Asking a person about their sexual fantasies, sexual preferences, or sexual activities

# What Sexual Harassment Might Look Like

- Repeatedly asking for a date after the person has implicitly or explicitly expressed disinterest
- Making sexual gestures with hands or through body movements
- Spreading rumors about a person's sexuality
- Frequent jokes about sex or gender stereotypes
- Unwanted letters, notes, phone calls, emails, or material of a sexual nature
- Attempted or actual sexual assault



# Sexual Violence

- **Title IX- sexual harassment, sexual violence**
- **Violence Against Women Act and the Campus SaVE Act added:**
  - **Domestic violence**
  - **Dating violence and**
  - **Stalking**

# Sexual Assault on Campus

- **1 in 5 women is sexually assaulted in college**
- **93.9% of victims are women**
- **6.1% of victims are men**
- **Most often it is by someone he/she knows**
- **Title IX applies to same sex incidents**
- **Many survivors are left feeling isolated, ashamed, or feel that they are to blame**

# Domestic Violence

- **A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner.**
  - **Physical**
  - **Sexual**
  - **Emotional**
  - **Economic**
  - **Psychological actions or threats of actions that influence another person**

# Dating Violence

- Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person.
- The existence of such a relationship shall be determined based on a consideration of the following factors:
  - Length of relationship
  - Type of relationship
  - Frequency of interaction between the persons involved in the relationship

# Stalking

- Repetitive conduct directed at a specific person that is subjectively and objectively unwelcome.
- Must be persistent, severe or pervasive conduct from another person in a manner that would cause a reasonable person to feel frightened, intimidated, threatened, or harassed.
- Stalking may include:
  - Contacting another person
  - Following another person
  - Having others contact another person on your behalf

# Sexual Violence

- Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent
  - Age, use of drugs or alcohol, intellectual or other disability that prevents a person from having the capacity to give consent
- Examples include:
  - Rape
  - Sexual violence
  - Sexual abuse
  - Sexual coercion
- Sexual violence can be carried out by school employees, other students, or third parties

# REPORTING

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# Reporting

- The U.S. Department of Education expects all institutions of higher education that receive federal funds to address all acts of sex discrimination about which the institution knew or should have known.
- As a faculty or staff member, if you become aware of an act of sexual harassment, sexual assault, domestic violence, dating or partner violence or stalking affecting a faculty, staff, or student at NWOSU, **you must report this immediately to the Title IX Coordinator (Caleb Mosburg)**
- If the issue involves a student and/or employee, it should be reported to Caleb Mosburg (Title IX Coordinator) immediately.



# Reporting Structure

- 1. Title IX Coordinator: Calleb Mosburg**
- 2. Campus Police**

# 1. Caleb Mosburg

- Report **ALL** incidents.
  - Sexual harassment
  - Sexual assault
  - Domestic violence
  - Dating or partner violence
  - Stalking
  
- You will report **All** known information

## 2. Campus Police

- Report incidents of:
  - Forcible rape
  - Forcible sodomy
  - Sexual assault with an object
  - Forcible fondling
  - Incest
  - Statutory Rape
- Only report the information and no demographics (identifiable information)
- Encourage Sexual Violence survivors to report but do not force them to report.

# Counseling Services

- NWOSU offers confidential and non-confidential reporting options.
- NWOSU encourages victims of sex discrimination to talk to someone about what happened in order to receive support and so that we can respond appropriately.
- Faculty and staff need to be aware that only select individuals have absolute confidentiality (licensed medical personnel, licensed counselors, trained sexual assault advocates).

# Confidential Resources

- **Confidential Reporting Options Include:**
  - Licensed Professional Counselors: NWOSU Counseling Center
  - Victim Advocate: Karmen Thomas
  - College health care providers
- **Non-Confidential Reporting Options:**
  - All university employees except those who are confidential reporters are expected to report any instance of sexual harassment or sexual violence

# Inform the Individual You Have to Report and Offer the Individual Resources

- Inform:
  - “I need to let you know that I am required to report what you have shared with me to the campus police department for the purpose of crime statistics. I will not report your name. However, NWOSU policy requires that I report what you have shared with me to the appropriate university officials.”

# Interim Measures

- **Interim measures are available for students, staff and faculty survivors of sexual harassment, including sexual violence.**
- **A formal complaint does not need to be submitted to have interim measures put in place.**
- **If students, faculty, or staff, need accommodations they can speak with the Title IX Coordinator who will facilitate this process and ensure that all appropriate interim measure are arranged.**
- **As a faculty or staff member, if a student requests accommodations from you directly, please notify the Title IX Coordinator.**

# Examples of Interim Measures

- Assistance in Reporting
- No Contact Order
- Emergency Protective Order
- Safety Measures
- Living Arrangements
- Academic Arrangements



# Prevention/Resources

## **Victim Advocate: Karmen Andrews**

**580-327-6648**

**1-888-256-1215**

**nwdcs@cneconnect.com**

## **Counseling Services**

**580-327-8547**

**brtrammell@nwosu.edu**

**Fine Arts Building, Room 125**

## **Title IX Coordinator: Calleb Mosburg**

**580-327-8415**

**cnmosburg@nwosu.edu**

**Fine Arts Building, Room 126**

## **Campus Police**

**580-327-8511**

**Student Center Building**

# Quiz

- The definition of quid pro quo involves:
  - A. A supervisor, or faculty member, promising an employee a promotion, or a student a grade, in return for sexual favors
  - B. A supervisor, or faculty member, threatening to fire an employee if sexual favors aren't granted
  - C. Placing suggestive pictures on a wall
  - D. Both A and B

# Quiz

- An intimidating atmosphere, questions, or jokes related to sexuality, sexually oriented pictures, leering, or touching are related to:
  - A. A pleasant workplace
  - B. A quid pro quo situation
  - C. Increased productivity
  - D. A hostile environment

# Quiz

- **If a student victim refused to cooperate with a city/county police investigation of his/her alleged assault, the University should take no further action and there is no need to investigate the claims under Title IX.**
  - True
  - False

# Quiz

- **If a victim of sexual harassment asks a manager, professor, or his/her resident assistant (RA) not to tell anyone about a sexual harassment incident, the manager, professor, or his/her RA shouldn't take further action.**
  - True
  - False

# Quiz

- **Mary Sue shares an office with you. When she uses the phone for personal calls she uses profanity, graphic descriptions of her sexual activities, and an abusive tone. It really bothers you, but she didn't change even after you mentioned the problem to her. You may be a victim of:**
  - A. Hostile environment sexual harassment**
  - B. Quid pro quo sexual harassment**
  - C. Distracting behavior**
  - D. Circumstances**

# Quiz

- **If you become aware of sexual misconduct, including assault, you should ask the complainant to inform Campus Police and continue to encourage them to report.**
  - True
  - False

# Quiz

- **Examples of sexual harassment include, but are not limited to:**
  - A. Rating a person's sexual attractiveness**
  - B. Unwelcome patting, hugging or touching of a person's body, hair or clothing**
  - C. Offensive or suggestive sexual comments**
  - D. Pervasive displays of pictures, calendars, cartoons, or other material with sexually explicit or graphic content**
  - E. Repeatedly asking for a date after the person has implicitly or explicitly expressed disinterest**
  - F. All of the above**



# Quiz

- The legal standard for determining offensive behavior is based upon the beliefs of \_\_\_\_\_
  - A. The Regents
  - B. A reasonable person
  - C. The supervisor in the workplace
  - D. The person accused of sexual harassment

**QUESTIONS?**

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