Title IX and VPVA Overview

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What is Title IX?

- Federal law that **prohibits discrimination** in educational programs and activities that receive Federal financial assistance.
- **Protects students and employees** in connection with: all academic, educational, extracurricular, athletic, and other programs occurring on-campus, or during off-campus, school-related activities.
- Schools must process **all** complaints of sexual violence, regardless of where the conduct occurred, to determine:
  - whether the conduct occurred in the context of an education program; or
  - whether the conduct had continuing effects on campus or in an off-campus education program.
Violence Against Women Act (VAWA) Amendments

- Amendments to the Clery Act of 1990
  - Collection & reporting of crime statistics to include stalking, dating violence and domestic violence
- “Prompt, fair, and equitable” proceedings
  - Adviser of their choice
  - Simultaneous written notice of investigation outcome
- Training and education requirements
  - For all incoming students & staff
  - For those involved in investigation & adjudication processes
Forms of Sexual Misconduct:

- Sexual Harassment
- Sexual Violence
- Gender-Based Harassment
- Sexual Intimidation
- Sexual Exploitation
- Hostile Environment

By definition, NONE of these would be considered consensual activities.
Our Responsibility is Four-Fold

- Education/Prevention Programs
- Investigations
- Advocacy for Complainant and Respondent
- Appropriate Response to Violations
Bystander Intervention

- Very important when harmful/potentially harmful situations arise and a bystander can help the victim.

- Four-step process of intervention:
  - **Recognize** harmful situation;
  - **Overcome** possible intervention barrier(s);
  - **Find** careful yet easy available intervention option; and
  - **Intervene** immediately while focusing on assisting the victim.
<table>
<thead>
<tr>
<th><strong>Parties involved:</strong></th>
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<td><strong>Complainant:</strong> Person making the allegation(s)</td>
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<td><strong>Respondent:</strong> Person alleged to have committed the behavior</td>
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<td><strong>Witness:</strong> Person who observes prohibited behavior but is not a direct victim</td>
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<td><strong>Third Party:</strong> Person who becomes aware of prohibited behavior but is neither victim nor witness, e.g. faculty or administrator</td>
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Reporting Prohibited Behaviors

**Required Reporter**
- People OBLIGATED to report info about prohibited behaviors
- Ex: Faculty, administration, coaches, ombudsman, staff, etc.

**Confidential Resource**
- People NOT OBLIGATED to share any personally identifiable info about a report
- Ex: Office for Violence Prevention & Victim Assistance, clergy, Student Wellness or other mental health professionals, Health Services physicians

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How do I report an incident?

- Rutgers University Title IX Compliance & Reporting Form:
  http://compliance.rutgers.edu/title-ix/
  (can be anonymous)

- Tell someone whom you trust. Ask for help.
Is there a time limit for reporting an incident?

There is none.

Reports can be made anytime, regardless of how long ago the prohibited behavior occurred.
Will there be an investigation?

- An investigation depends on:
  1. the information shared by reporting party; and
  2. the preference of complainant/victim.

- We must balance confidentiality with the safety of other members of the University community from:
  - repeat offenders; and
  - imminent threat of danger.
Our Prevention Programs

**Bringing in the Bystander**
- Community approach to sexual assault prevention
- How to identify sexual assault and to respond appropriately as a bystander

**Not Anymore**
- Mandatory web-based program
- Topics include:
  - Consent
  - Sexual Assault
  - Gender Harassment
- Part of Title IX compliance

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Sexual Violence has an impact.

- Sexual violence can cause several changes in behavior, including:
  - Sleep
  - Eating
  - Social activity
  - Functioning in daily tasks/work
  - Mood (disbelief, fear, shame, anger, etc.)
  - Long-term changes & PTSD
Consent is...

- Freely given & informed
  - Requires clear and unambiguous communication
  - Exists when individuals willingly and knowingly engage
- Affirmative (YES!)
  - Cannot be given by someone who is incapacitated
  - Not a result of silence or the absence of resistance
- Specific
  - one activity/occasion/person does not imply consent to other activities/occasions/people
  - can be withdrawn at any time
What if we treated all consent this way?

Source: Everydayfeminism.com
What you can do

Listen and believe

Support their decisions

Connect to resources
Violence Prevention & Victim Assistance

- Support services
- Counseling
- Advocacy
- Information & referrals
- Awareness raising
- Education programming

973-972-4636
rbhs.rutgers.edu/uroweb/vpva
@rbhs_vpva
Your safety is our top priority.

Visit compliance.rutgers.edu:
- Report an incident
- Title IX resources and process

Visit weRhere.rutgers.edu:
- Connect to help
- On-campus & off-campus resources