Title IX and Campus SaVE Act
DSL
Deans and Directors Meeting
February 2014

Barbara Baker
Senior Associate Dean, DSL
Title IX Coordinator

Sarah Rankin
Title IX Investigator
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 education program or activity receiving Federal financial assistance....”

—JUNE 23, 1972
We deserve a rape-free campus.
I PROTESTED BECAUSE MY SCHOOL REFUSED TO INVESTIGATE REPORTS OF HARASSMENT, WHICH IT’S REQUIRED TO DO BY LAW.
—Jasmine, Arizona State University
Breaking silence
An account of sexual assault
By Anonymous
January 29, 2014

Author's foreword
I am writing this not because I know exactly what words are the most right to say, but because I know it is important: I know it is important, and I know that I am not alone.

I graduated from MIT nearly two years ago, with a relatively normal, MIT life. I lived in a dorm, double majored, was involved in various student groups, and spent most of my spare time doing research. In the spring of my junior year, I was raped by an older colleague within my research group, losing my virginity.

I viewed the man as a mentor and close friend, and I felt a great deal of respect and trust for him, as a mentor. A dinner that I thought was going to be about discussing science turned into something extremely wrong.

For over a year—a year of confusion and deep depression — I remained primarily silent. My grades and focus suffered tremendously, but I was too embarrassed to tell any of my professors or teachers, or even most of my friends and family, what I was going through.
Research informing OCR Enforcement Efforts

• 20% of women will experience an attempted or completed rape by graduation
• 90% involve someone they know
• 85% involve alcohol
• 0% are inevitable
April ’11

Dear Colleague Letter (DCL)

1. The requirement of a Campus Title IX Coordinator

2. The required elements of a nondiscrimination policy and dissemination requirements

3. When a college or university has or should have notice of “Title IX” incident

4. The obligations of a college or university upon notice of incident

5. The requirements for investigation and grievance procedures

6. The training requirements and other prevention recommendations
Forms of Misconduct

- Sexual Harassment
  - *Quid Pro Quo* Sexual Harassment
  - Hostile Environment Sexual Harassment
- Sexual Violence: Sexual Assault/Rape
- IPV: Intimate Partner Violence
- Stalking
- Other gender based misconduct
MIT could violate Title IX if

• MIT has notice and;
  
  • Fails to take immediate effective action to eliminate the harassment;
  
  • Fails to prevent its recurrence;
  
  • Fails to address its effects; or
  
  • Fails to prevent retaliation.

MIT acts through its employees
Campus Resources

Confidential Resources

“I want to think through my situation with someone who can keep my information as confidential as possible.”

Violence Prevention and Response (VPR)
617-253-2300
24-hr support & information line

Mental Health and Counseling
617-253-2916

MIT Chaplaincy

MIT Medical
617-253-4481

These offices adhere to strict standards of confidentiality.

Private Resources

“I need to confide in someone and it is okay if that person needs to tell the Title IX Coordinator.”

Everybody else

Title IX Coordinator/Investigator

Dean of Student Life | Student Life Staff | Residential Life Staff

Academic Adviser | Faculty | Coaches

Student Support Services, S3

ODGE

These offices will keep your information as private as possible, but will need to disclose what you tell them to designated administrators who are responsible for community safety.
Preventing and Addressing Sexual Misconduct at MIT

- Home
- Title IX Coordinators
- Resources
- Sexual Misconduct Policy
- Options For Students
- Institute Procedures For Responding To A Report Of Student Sexual Misconduct
- Options For Employees
- Institute Procedures For Responding To A Report Of Employee And Faculty Sexual Misconduct
- General Provisions

MIT is committed to creating and providing a learning, living and working environment free from discrimination including sexual harassment and sexual violence. This website describes MIT’s resources for preventing and addressing sexual misconduct and MIT’s policies and procedures for reporting and investigating complaints of sexual harassment, sexual violence and sexual misconduct.

MIT complies with applicable state and federal statutes, including Title IX of the federal Higher Education Amendment of 1972, which prohibits discrimination on the basis of sex under any education program or activity receiving federal financial aid. Sexual assault and sexual harassment is a form of sex discrimination prohibited by Title IX.

Gender based discrimination, including sexual misconduct and sexual harassment, committed by MIT students, staff or faculty will not be tolerated. This applies to academic, educational, athletic, residential and other Institute operated programs. MIT encourages individuals who believe they have been sexually harassed, assaulted or subjected to sexual misconduct by an MIT student or employee to seek assistance. MIT provides a variety of options available to an individual, so that each person may choose a path for response best suited to his or her particular situation. MIT procedures are intended to protect the rights of the complaining party ("the complainant"), the accused ("the respondent") and other participants in investigations of complaints.

Any allegation of sexual misconduct brought against a MIT student or employee, regardless of where the alleged sexual misconduct occurred, will be taken seriously. Sexual misconduct alleged to have occurred off the MIT campus may be more difficult to investigate. If a person who is not a member of the MIT community notifies MIT of alleged sexual misconduct by an MIT student or employee, MIT will determine whether the conduct described is a sufficient risk to the safety of the MIT community to review further.

Vice President for Human Resources Alison Alden and Senior Associate Dean for Student Life Barbara Baker serve as Co-Title IX Coordinators. Title IX coordinators are responsible for tracking and monitoring incidents of gender based discrimination, including sexual misconduct, to ensure that MIT responds effectively to each complaint, and, where necessary, to conduct an investigation of a particular situation. MIT has also designated Title IX deputy coordinators who have been trained to assist individuals with concerns of this nature.

https://sexualmisconduct.mit.edu/
Investigations

• “Remedies-based” investigations
  – Complainant does not want to make a formal complaint
  – Minimal information is known

• Adjudicative Investigations
  – Concern for community safety
  – Committee on Discipline
Fact-finding Process

- Transparent
- Timely
- Impartial and equitable
- Interviews
  - Complainant
  - Respondent
  - Witnesses
  - Collect any other material info (texts, emails, etc.)
- Compile report to aid the COD in determining a finding
Current Outreach

- Housemasters
- GRTs, RAs
- DAPER Coaches and Staff
- Student groups:
- Formed *Title IX Student Working Group*
Campus SaVE Act
March 2014

1. Reporting
2. Prevention
3. Procedures
Reporting

• **Must report crimes of:** Sexual Assault, Domestic Violence, Dating Violence and Stalking in Annual Security Report.
Prevention

• primary prevention and awareness programs for all incoming students and new employees (staff and faculty)
• Bystander Focus
• ongoing prevention and awareness programs for students, staff, and faculty.
Procedures

- Obligation to notify students of reporting options (campus, law enforcement) and the reporting process.
- A prompt, fair and impartial investigation and resolution carried out by officials who receive annual training on:
  - the issues related to the offenses, and
  - how to conduct a hearing process that protects victim safety and promotes accountability.
Federal Task Force to address campus sexual assault