Your Title IX Office

We are Here to Support You!
Welcome to GW

Thank you for joining us today and welcome to George Washington University!

IT'S A GOOD DAY TO TAKE CARE OF YOURSELF (SO IS EVERY OTHER DAY).
Your Title IX Staff

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“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.”
Scope and Jurisdiction of Title IX

➢ **WHO**
  ○ Students, Faculty, Staff, others affiliated with the University

➢ **WHAT**
  ○ Any sex discrimination (sexual harassment, sexual assault, domestic and dating violence, and stalking)

➢ **WHERE**
  ○ On and off campus, and online

➢ **WHY**
  ○ Protects equal access to educational opportunities
What are the responsibilities of GW under Title IX?

Think **PEPPA:**

- Promptly Investigate
- Eliminate sexual harassment
- Provide supportive measures
- Prevent its recurrence, and
- Address its effects
**Title IX Terms to Note**

**Complainant:** an individual who is alleged to have experienced sexual harassment, sexual assault, dating or domestic violence or stalking.

**Respondent:** an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, sexual assault, dating or domestic violence or stalking.
What is Sexual Harassment?

Sexual Harassment encompasses:

- Sexual Harassment - Quid Pro Quo
- Sexual Harassment - Hostile Environment
- Sexual Assault
- Dating and Domestic Violence
- Stalking
Sexual Harassment:
Quid Pro Quo = “This for That”

A university employee conditions the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct.

Example:
➢ Faculty member tells a student that they will give the student a good recommendation if the student engages in a sexual relationship with them.
Sexual Harassment: Hostile Environment

Unwelcome conduct on the basis of sex determined by a reasonable person to be so severe, pervasive **AND** objectively offensive that it effectively denies a person equal access to the university’s programs or activities.

**Examples:**

➢ **Repeated inappropriate behavior or language:**
  ○ Making obscene gestures or crude jokes
  ○ Asking inappropriately intimate questions
  ○ Playing offensive or lewd music/ringtones.

➢ **An individual who has been subjected to sexual harassment and must repeatedly interact with the person who caused them harm may experience a hostile environment.**
  ○ Attends the same class, lives in the same dorm building, or participates in the same sports team or student organization.

Can occur in any educational or employment setting, including online / group-chats
Encountering Sexual Harassment as a Student Employee

- Title IX policy and procedures still apply in the Student-Employee context.
- If you choose to report to your supervisor, please note that they are likely designated reporters who will need to report to the Title IX Office.
- You may also report directly to the Title IX Office.

Examples:
- Discussing one’s sexual activities at work; joking about sexual preferences of co-workers
- Supervisor asks an employee out for drinks or dinner. When rejected, the supervisor threatens to fire the employee.
- Discussing the attractiveness or body features of colleagues within the office.
- Having an inappropriate ringtone that can be heard by other staff members at work.
- Having inappropriate content on your screen that others can see or be offended by.
Dating and Domestic Violence

➢ **Dating Violence:** Any act of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

➢ **Domestic Violence:** A felony or misdemeanor crime of violence committed by:
  - A current or former spouse/intimate partner;
  - A person whom the victim shares a child in common;
  - A person who is cohabitating with or has cohabitated with the victim as a spouse/intimate partner;
  - A person similarly situated to a spouse; or
  - Any other person as indicated by the domestic/family violence laws of the jurisdiction.
Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

*Examples:*
- Following or spying on someone
- Sending unwanted texts, direct messages, emails or letters
- Repeatedly calling
- Showing up uninvited at someone's residence, class or work
- Leaving unwanted gifts
- Damaging a person's property
Sexual Assault

Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent (such as incapacitation, age, family relation to the other party, or intellectual or other disability).

Examples:

➢ Touching of a private body part without consent
➢ Sexual intercourse without consent
➢ Sexual contact with a minor
This is Your Reminder to Check-In with Yourself
Let’s Talk About Consent
What is Consent @ GW?

**con•sent**
/kənˈsent/

*noun*

1. A voluntary and freely given agreement

➢ In evaluating whether consent has been freely sought and given:
  ● the university will consider the presence of any force, threat of force, or coercion;
  ● whether the Complainant had the capacity to give consent;
  ● and whether the communication between the parties would be interpreted as a willingness to engage in a particular sexual act.

**PLEASE NOTE:**
The age is consent in Washington, D.C. is 16 years old.
Consent 101

Consent is ongoing. Consent once, does not constitute consent every time.

Mutually agreed upon

Consent cannot be inferred from the lack of a “no”

Real time

Can be withdrawn at anytime

Consent cannot be inferred from silence, passivity, or lack of verbal or physical resistance.
Coercion means overcoming resistance or unwillingness by actual or threatened violence or undue pressure.

The totality of the circumstances are considered when determining if conduct is coercive. Some factors include:

- **Frequency**: repeatedly asking despite indications of discomfort
- **Intensity**: increasing the intensity of each request and/or any related behavior
- **Duration**: length of continued actual or threatened violence or undue pressuring over time
- **Isolation**: removal of comfort (via taking away methods of communication or potential escape)
What is Intoxication?

The condition of having physical or mental control markedly diminished by the effects of alcohol or drugs

(Merriam-Webster, 2021)
What is Incapacitation?

Incapacitation is:

➢ an extreme form of intoxication when one is unable to:
  ○ consent;
  ○ Make sound-minded decisions;
  ○ Understand the 5 W’s (who, what, when, where, and why) of a situation

Incapacitation doesn’t always have to involve drug or alcohol use.

➢ For example, if someone is sleeping, they lack the capacity to consent.

A minor (a person under the age of 16) does not have the capacity to consent.
Recognizing Incapacitation
What does it look like?

The Incapacitation Umbrella

- INTOXICATION
- ASLEEP/UNCONSCIOUS
- MENTAL AND/OR PHYSICAL DISABILITY

Signs to look out for

➢ Slurred speech; inability to participate and/or follow in conversation
➢ Bloodshot eyes
➢ Shakiness of movement (i.e. stumbling, unsteadiness)
➢ Decreased consciousness
➢ Unusual behavior
➢ Vomiting

If one is displaying symptoms of incapacitation, assume that they cannot give sexual consent.
Effective Practices

➢ **BE** vigilant and **DON’T** be fooled.
  ○ Some incapacitated individuals can walk and talk.
  ○ **Always acknowledge other signs of incapacitation.**

➢ **DON’T** engage in sexual activity with one who is incapacitated.

**Incapacitation ≠ Consent**

➢ **DO** be a friend.
  ○ Offer water and sanctuary from potential dangers.
  ○ Check-in to make sure the individual is okay or in need of assistance.
This is Your Reminder to Check-In with Yourself
How to Report an Incident

➢ Report to the Title IX Office.
  ○ Complete an online report form at titleix.gwu.edu
  ○ Call 202-994-7434
  ○ Email titleix@gwu.edu
  ○ Visit the Title IX Office at Building YY, 812 20th St NW
  ○ Call SARC at 202-994-7222
  ○ Complete a CARE report*

➢ Report to GWPD or MPD.
  ○ GW Police Department (GWPD): 202-994-6110
  ○ Metropolitan Police Department (MPD): 202-727-9099

➢ Speak to a confidential resource.
  ○ Counseling & Psychological Services (CAPS): 202-994-5300
  ○ Office of Advocacy & Support (OAS): 202-994-5300
“Designated Reporters” are university community members who are required by the Title IX Policy to report any information they learn about suspected or alleged sexual harassment, sexual assault, dating or domestic violence or stalking to the university’s Title IX Coordinator.

Unless identified and acting as a Confidential Resource, Designated Reporters could include:

- University leadership
- Program heads
- Faculty
- Athletic coaches
- Resident Advisors
- Academic Advisors
- GWPD and Campus Security Authorities
Anonymous Reporting

You are welcome and encouraged to share information about an incident even if you:

➢ were not directly involved in the situation
➢ would like to remain anonymous

REMEMBER: You have the option to remain anonymous when you report online, call SARC or call GWPD.

Please understand that if you remain anonymous, the Title IX Office will not be able to conduct outreach to you to connect you with resources and it may significantly impact our ability to respond to the report.
### Private vs. Confidential Resources

What resources on campus are private vs. confidential and what’s the difference?

**Private:**
- Title IX Office
- Equal Employment Opportunity and Access (EEOA)
- Office of Student Rights and Responsibilities (SRR)
- Faculty Affairs

**Confidential:**
- The Office of Advocacy and Support (OAS)
- Counseling and Psychological Support Services (CAPS) through Colonial Health Center (CHC)
What is the Office of Advocacy and Support (OAS)?

The Office of Advocacy and Support offers assistance to any member of the GW community who have experienced indirect or direct trauma or violence, on or off campus. **OAS is a confidential resource.**

OAS specializes in:
- The **impact of trauma** on functioning
- **Reducing the burden** on the person who has experienced harm as they navigate their recovery.
- OAS does not tell those who have been impacted by harm on what they should do. They provide **information to help those who have been impacted by trauma to make fully informed decisions**. They are considered the **experts** of their experience.

You can **contact** OAS by:
- **Email**
  - oas@gwu.edu
- **Phone**
  - (202) 994-0443
- **Web**
  - safety.gwu.edu/oas

**Hours of Operation:**
Monday - Friday, 9am-5pm

The OAS provides year-round prevention programs and tips. You will learn more about the OAS in their presentation.
What Happens When a Title IX Report is Made?

Supportive Measures Offered Throughout Process

**STEP 01**
OUTREACH EMAIL FROM TIX OFFICE
The Complainant does not have to respond.

**STEP 02**
INTAKE MEETING
To discuss reporting options, supportive measures, process for filing a formal complaint, and additional resources

**STEP 03**
SUPPORTIVE MEASURES
Offered and available to Complainant regardless of whether they choose to file a formal complaint.
- Counseling and medical services
- Change in campus housing
- Academic support
- Safety planning

**STEP 04**
FORMAL COMPLAINT
Signed by Complainant or Title IX Coordinator

**ALTERNATIVE RESOLUTION**
A voluntary remedies-based resolution

**STEP 05**
FORMAL RESOLUTION
Formal investigation/hearing process

OR
Report v. Formal Complaint: What is the difference?

**Report:** the initial communication between the complainant, or another party acting on behalf of the complainant and the Title IX office.

**Formal Complaint:** a written document stating the allegations forming the basis of the complaint and can be signed by the Complainant or by the Title IX Coordinator.

- Triggers alternative resolution process or the formal resolution process.
Supportive Measures

- **Supportive measures** are offered throughout any interaction with the Title IX office.
- **Equally available** to Complainants, Respondents, and occasionally to third parties for free regardless of whether you choose to file a formal complaint or seek a formal resolution of your complaint.
- Designed to **maintain access** to the university’s education programs and activities and to protect the safety of all parties.

- Consists of **non-disciplinary, non-punitive individualized services, accommodations**, and other assistance, such as:
  - Counseling
  - Assistance with extensions, excused absences & other academic support
  - Change in class or work schedule
  - Establishing a Mutual No Contact Order
The Alternative Resolution Process

➢ Voluntary

➢ Remedies Based (Examples)
  ○ Required training
  ○ Required counseling
  ○ Mutual No Contact Order
  ○ Agreement not to enter certain buildings on campus
  ○ Agreement not to participate in certain university activities
  ○ Impact statement & response

➢ Title IX Office acts as an intermediary between the parties to come to an agreement that both parties feel would appropriately resolve the matter.
The Formal Resolution Process

Supportive Measures Offered Throughout Process

**STEP 01**
NOTICE OF ALLEGATIONS SENT

**STEP 02**
INVESTIGATION
- CONDUCT INTERVIEWS
- GATHER EVIDENCE
- PRELIMINARY REPORT
- FINAL REPORT

**STEP 03**
HEARING
- NOT RESPONSIBLE
- RESPONSIBLE
Disciplinary authority determines sanctions/remedies

NOTICE OF OUTCOMES
APPEALS
Retaliation

Words or acts against an individual or group that is involved in a protected activity.

- Fear of retaliation is a huge barrier to reporting.
- GW strictly prohibits retaliation.

Protected activity can include:
- Making a Title IX report
- Participating or refusing to participate in the Title IX process
- Defending against an allegation in a reasonable manner
- Filing an external complaint

Retaliation can take many forms:
- Adverse action or violence
- Discrimination
- Threats, coercion, and intimidation that would discourage a reasonable person from engaging in protected activity.
On-Campus Resources

Asha Reynolds
Director and Title IX Coordinator
812 20th Street NW
Washington DC 20052
202-994-7434
titleix@gwu.edu

Office of Advocacy & Support (OAS)
520 22nd Street, NW
Washington, DC 20052
(202) 994-0443
oas@gwu.edu

GW Counseling and Psychological Services (CAPS)
Colonial Health Center
Marvin Center Ground Floor
800 21st Street, NW
Washington, DC 20052
202-994-5300 (24/7)
chcadmin@gwu.edu

GW Police Department & EMeRG
Emergency: (202) 994-6111
Non-Emergency: (202) 994-6110

SARC
Sexual Assault Response Consultative Team
202-994-7222 (24/7)

gwsasa@email.gwu.edu
To obtain a SANE forensic exam (also referred to as a Rape Kit), go to:

MedStar Washington Hospital Center
Emergency Department
110 Irving St NW
Washington, DC 20010

OR call the DC Victim Hotline at 1-844-443-5732
Additional Resources

allied@gwu.edu
24 hr. crisis line:
651-772-1611
www.casadeesperanza.org

Asian/Pacific Islander Domestic Violence Resource Project
202-833-2232
Hotline: 202-833-2233

LGBTQIA+ Resource Center Located in the Multicultural Student Services Center (MSSC)
Rooms 207 - 208,
2127 G Street, NW
202-994-4568
lgbt@gwu.edu.

7530 Georgia Avenue NW
Washington, DC 20012
202-355-5155
info@casaruby.com

347-533-9102

Sexual Health and Violence Awareness for Muslim American Women
www.heartwomenandgirls.org

https://ujimacommunity.org/
Thank you for your attention and participation.

OR

Fill out the form here: https://bit.ly/2TEcfYT