

# **Title IX Coordinators: An introductory training to institutional responsibilities regarding sexual harassment**

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I.  
Sexual  
Harassment

II.  
Institutional  
Responsibilities

III.  
Reporting

# NINE THINGS YOU SHOULD KNOW ABOUT TITLE IX

Amy Poehler's Smart Girls & KNOW YOUR IX



# What is Title IX?

Terms &  
Definitions

# TITLE IX

**“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.”**

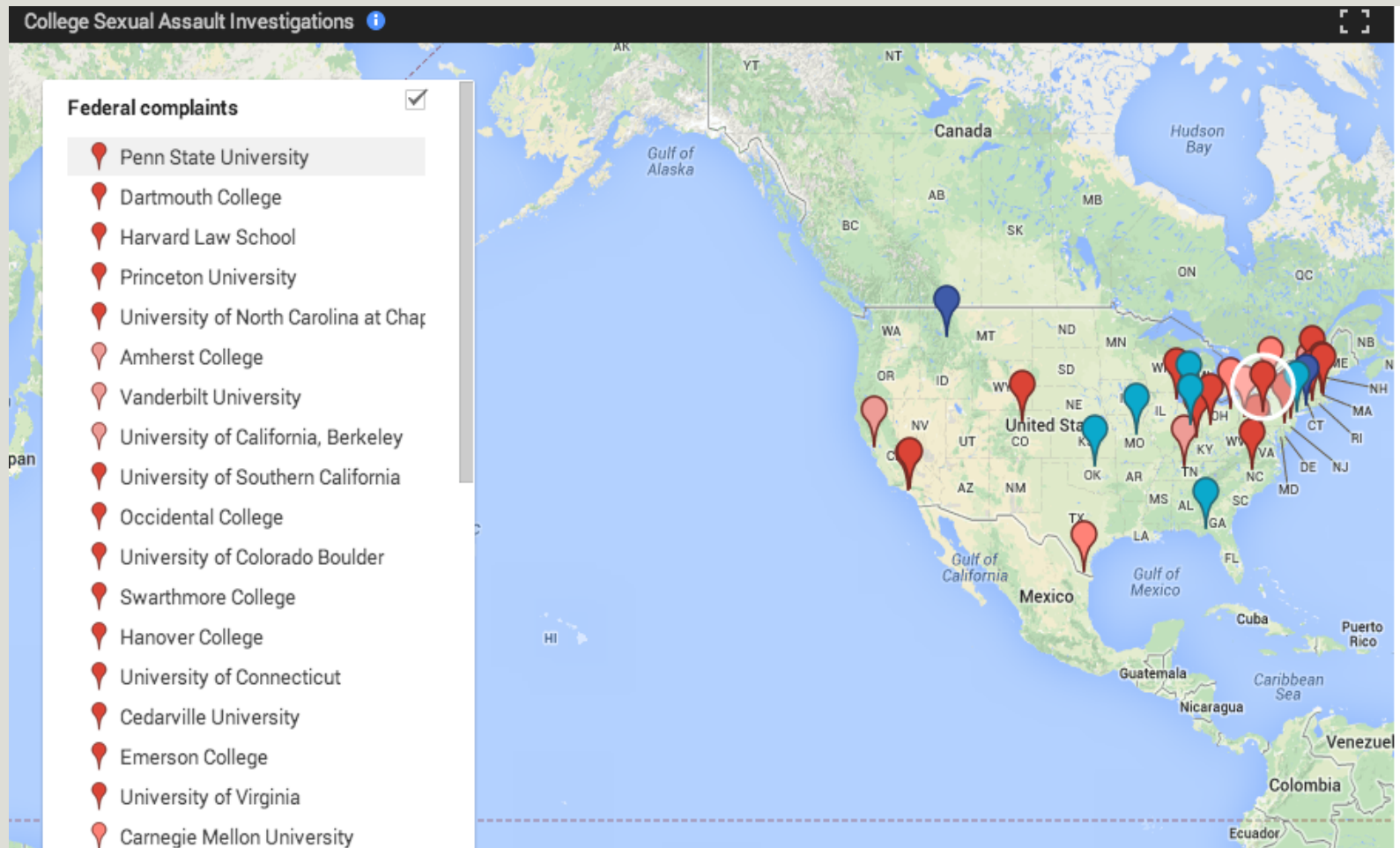
**20 U.S.C. § 1681(a)**



# NATIONAL CONTEXT AND FEDERAL REGULATORY SCHEME

- June 23, 1972: Title IX of the Education Amendments Act
- 1972-present: Extensive litigation in federal courts on sexual violence & sexual harassment under Title IX
- 1990: Jeannie Clery Act
- January 2001: Office for Civil Rights publishes Revised Sexual Harassment Guidance of Students
- April 4, 2011: Office for Civil Rights issued Dear Colleague Letter providing federal guidance on addressing sexual violence in universities
- March 7, 2013: President Obama signs VAWA 2013 into law, which includes significant amendments to the CLERY ACT
- March 7, 2014: VAWA is implemented
- April 2014: OCR issued “Q and A” regarding DCL

# OCR IS CONDUCTING INVESTIGATIONS THROUGHOUT THE NATION



# TITLE IX SCOPE

**“Title IX protects students from sexual harassment in a school’s education programs and activities. This means that Title IX protects students in connection with all the academic, educational, extracurricular, athletic, and other programs of the school, whether those programs take place in a school’s facilities, on a school bus, at a class or training program sponsored by the school at another location, or elsewhere. For example, Title IX protects a student who is sexually assaulted by a fellow student during a school-sponsored field trip.”**

**Dear Colleague, U.S. Dept. of Education, Office for Civil Rights (April 4, 2011)**

# WHO IS COVERED BY TITLE IX?

## \* STUDENTS:

Title IX protects all students at recipient institutions from sex discrimination, including sexual violence

### ■ This includes:

- straight, gay, lesbian, bisexual and transgendered students
- international and immigrant and undocumented students;
- Students with disabilities
- Part-time students

- EVEN if the sexual violence was perpetrated by a non-student against a student, a recipient institution must protect its student

\*EMPLOYEES: staff, lecturers, faculty, student employees

\* GUESTS of the Institution



# EXAMPLES OF SEX DISCRIMINATION

- **Pay inequity:** Male and female employee do exactly the same work but male employee is paid more
- **Women are steered towards certain duties and/or positions, e.g., secretarial work**
- **You work at a large company with several different job classifications. You notice that most of the lower paying jobs with little chance of promotion are held by women and the better paying office jobs are held by men.**

# SEXUAL HARASSMENT

Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. There are two forms of sexual harassment:

- **QUID PRO QUO:** occurs when a professor or other employee conditions an educational decision or benefit on the student's submission to unwelcome sexual conduct
- **HOSTILE ENVIRONMENT:** hostile environment created if the harassment is sufficiently serious to deny or limit a student's ability to participate in or benefit from the program or activity

# SARAH

Sarah is a student in your class. She is energetic, friendly, and smart. You noticed that your colleague, who is a professor, is unusually friendly with Sarah. Outside of class one day, you overheard him flirting with Sarah, who politely refused his advances by talking about her boyfriend.

Sarah and her professor go to a conference in California together. During the conference, if Sarah wanted to meet with her professor he made her come to his room, even late at night. He sat close to her on the couch but never inappropriately touched her. The professor gave her alcohol. He talked about the lack of sex with his wife & a married student who is having an affair. He kept telling Sarah she was his best student and that he trusted her.

- **QUESTIONS: Is this sexual harassment? Does Sarah need to tell the professor to stop? Or say that she's uncomfortable?**

# FORMS OF SEXUAL VIOLENCE

- Rape
- Sexual Assault
- Sexual Coercion
- Sexual Exploitation
- Stalking
- Unwelcome touching, kissing, hugging, and/or massaging

*Non-contact forms of sexual violence* are those unwanted experiences that do not involve any touching or penetration, including:

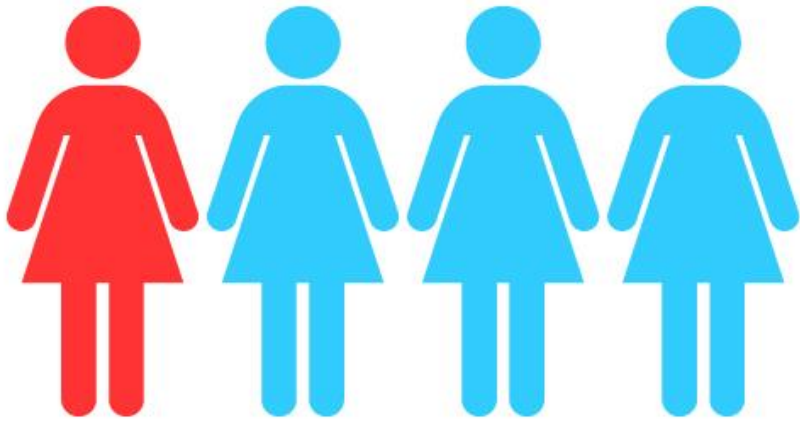
- someone exposing their sexual body parts, flashing, or masturbating in front of the victim,
- someone making a victim show his or her body parts,
- someone making a victim look at or participate in sexual photos or movies, or
- someone harassing the victim in a public place in a way that made the victim feel unsafe

# SEXUAL VIOLENCE = SEXUAL HARASSMENT

- “Sexual violence ... refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.
- “A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion.
- “All such acts of sexual violence are forms of sexual harassment covered under Title IX.”

Dear Colleague, U.S. Dept. of Education, Office for Civil Rights (April 4, 2011)

# PREVALENCE OF SEXUAL VIOLENCE

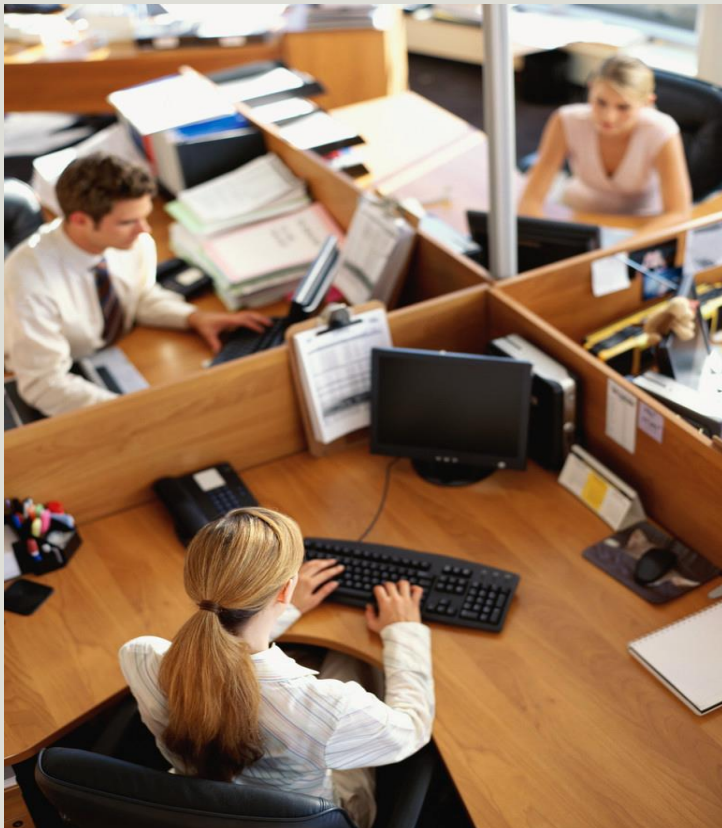


**One in four women will survive a rape or attempted rape by the time she graduates college.**

National crime and health statistics reveal that women between the ages of 18 and 24 are at the highest risk of sexual assault, domestic violence, dating violence, and stalking.

# SEXUAL HARASSMENT AND SEXUAL MISCONDUCT IN HIGHER EDUCATION

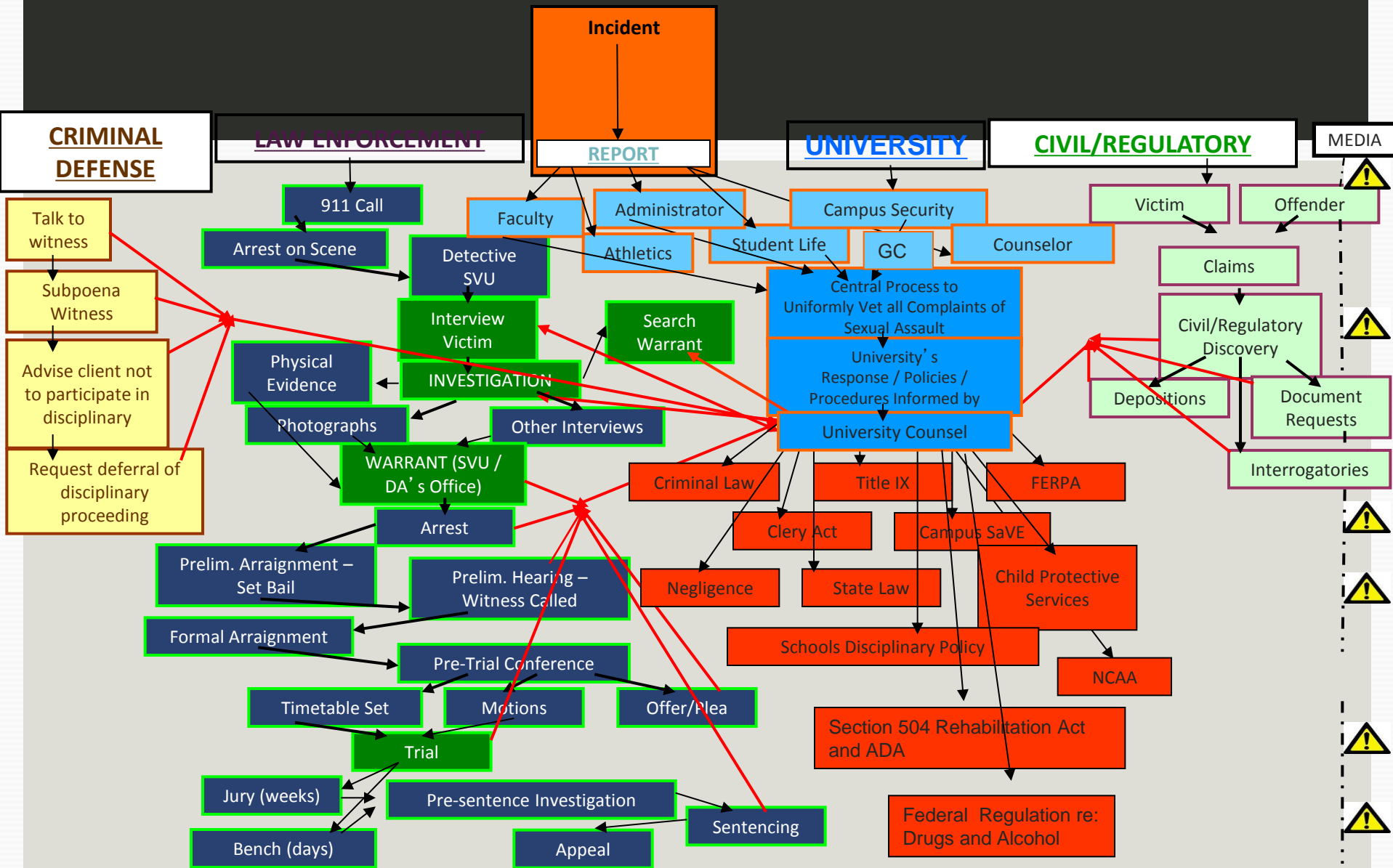
Workplace setting and sexual harassment under Title VII



Campus setting and sexual misconduct under Title IX



# THE CHALLENGE OF THE CONTEXT





# OVERARCHING INSTITUTIONAL RESPONSIBILITIES

Title IX

# THE “MUSTS” OF TITLE IX COMPLIANCE

Acc. to the Office for Civil Rights, every campus **must**:

- **Designate an employee to serve as the Title IX Coordinator**
  - Oversee compliance under Title IX (reports, interim measures, investigations, athletics, etc.)
  - Cannot have other job responsibilities that have a conflict of interest, e.g., general counsel, members on disciplinary board or appeals board
  - Be adequately trained on sexual harassment & sexual violence
  - Available to meet with students and employees & explain grievance procedures
  
- **Develop grievance procedures**
  - Prompt & equitable
  - Apply to students filing complaints against employees, students, and third parties
  - Use preponderance of evidence standard
  - Trained investigators
  - Provide interim measures / informal resolutions
  - Notice of outcome to both complainant and accused
  
- **Notify campus community of Title IX, Title IX Coordinator & grievance procedures**

# KEY RESPONSIBILITIES

- Institute fair and impartial policies and procedures.
- Conduct prompt & equitable investigations.
- Take immediate steps to end the proscribed conduct & prevent its reoccurrence.
- Provide immediate relief to the victim, regardless of whether or not a formal complaint is filed.
- Timely notify both the complainant and accused student, in writing, of the complaint and any findings and/or sanctions.

# NOTICE AND INSTITUTIONAL RESPONSE

“Once a school has notice of possible sexual harassment of students – whether carried out by employees, other students, or third parties – it should take immediate and appropriate steps to investigate or otherwise determine what occurred and take prompt and effective steps reasonably calculated to end any harassment, eliminate a hostile environment if one has been created, and prevent harassment from occurring again. These steps are the school’s responsibility whether or not the student who was harassed makes a complaint or otherwise asks the school to take action.”

Revised Sexual Harassment Guidance, U.S. Dept. of Education, Office for Civil Rights (2001)

# SARAH: PART TWO

- Sarah is too afraid to say anything because her professor is a preeminent scholar in his field and well-connected. Another student had a falling out with the professor, and the professor removed himself as the chair from the student's dissertation committee. The student had to transfer to another university.

## QUESTIONS:

- Can Sarah remain anonymous?
- What are your responsibilities at this point?
- What can your department do to prevent retaliation?

**WHEN WE ARE ON  
NOTICE....  
REPORTING!!**

Disclosures,  
Mandatory  
reporting, and  
confidentiality

# MANDATORY REPORTING RE: STUDENTS

**All responsible employees MUST  
REPORT sexual harassment &  
sexual violence involving students  
to the Title IX Coordinator.**

# AM I A RESPONSIBLE EMPLOYEE?

A responsible employee includes any employee ...

- who has the authority to take action to redress the harassment,
- who has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees, or
- an individual who a student could reasonably believe has this authority or responsibility.



# REASONABLY SHOULD HAVE KNOWN

For the purposes of compliance with the Title IX regulations, a school has a duty to respond to harassment about which it *reasonably should have known*, i.e., if it would have learned of the harassment if it had exercised reasonable care or made a "reasonably diligent inquiry."

Office of Civil Rights, Revised Sexual Harassment Guidelines, 13 (2001)

# EXAMPLES OF NOTICE

A school can receive notice of harassment in many different ways beyond receiving a formal, written grievance:

- A student verbally complains to another employee or the Title IX Coordinator about fellow students harassing him or her.
- A student, parent, or other individual may have contacted other appropriate personnel, such as a principal, campus security, bus driver, teacher, affirmative action officer, or staff in the office of student affairs.
- A teacher or other responsible employee of the school may have witnessed the harassment.
- The school may receive notice about harassment in an indirect manner, from sources such as a member of the school staff, a member of the educational or local community, or the media.

## **WHAT DO I REPORT?**

**Report any observed, experienced, or disclosed sexual harassment or sexual violence involving a student.**

# WHERE DO I REPORT?

- **YOU MUST REPORT ANY ALLEGATIONS OR DISCLOSURES MADE TO A RESPONSIBLE EMPLOYEE TO THE TITLE IX COORDINATOR OR AN OTHERWISE DESIGNATED OFFICE OF NOTICE (WITHIN THE FIRST 24 HOURS OF RECEIVING NOTICE**

# WHAT DO I REPORT? (CONT'D)

“Reports can come from a variety of sources and need not originate with the one who experienced the alleged behavior in order to require institutional response. [...] Today, an institution’s obligation to investigate can originate from **rumors, online postings, tweets, in-person stories, texts (and sometimes sexts), anonymous reports, blogs, newspaper stories, tip lines, course evaluations, exit interviews, or casual in-passing comments.** [...] The obligation to pass on complaints to Title IX coordinators is **non-discretionary.**”

# HOW DO I REPORT?

- **Document, document, document!**
- **As soon as possible, contact the Title IX Coordinator.**
- **If you email the Title IX Coordinator, follow up with a telephone call.**
- **Let the student, or employee, know that you are reporting the matter to the Title IX Coordinator, who will follow up directly with the student or employee.**

# CONFIDENTIALITY AND PRIVACY

Balancing  
Act

# CAN I PROMISE CONFIDENTIALITY TO THE VICTIM?

- No, you cannot promise confidentiality.
- BUT you can promise PRIVACY. The university must protect privacy to the extent possible under the law. Like student or employee records, information is shared on a need-to-know basis.
- If the victim(s) want to remain anonymous, the Title IX Coordinator has to balance a request for confidentiality with the safety of other members of the university community, e.g. launch a formal complaint against a serial rapist.



# RACHEL SCENARIO

- On Friday, August 15, 2014, Rachel attended a penthouse suite hotel party in Waikiki with her two roommates who are also students. Saturday morning, Rachel told her two roommates that she was sexually assaulted by a group of students who took turns raping her in one of the suite's rooms. Rachel told her roommates that some of the students who raped her looked familiar and was able to identify two of the students through the Student Government website. Sunday night, Rachel's mother flew in from California, came to campus, and reported the situation to Campus Security without any of the respondents' names.

# WHAT SHOULD BE THE TITLE IX RESPONSE TO RACHEL'S CASE?

- Monday morning, Rachel's two roommates reported the incident and the two students' names to the Vice Chancellor for Students (VCS). The VCS outreached to the Rachel, however, Rachel did not want to participate in the process and was now back home in California. Additionally, the VCS also heard from other administrators that the two respondents have been rumored to have been involved in other sexual misconduct incidents.

# WHAT NOW?

- Victim/complainant wanting no more action
- Complainant requesting confidentiality or identity not be disclosed
- Must determine whether or not the request can be honored
  - Explain to student that the request **LIMITS** ability to act and to protect the student
  - Discuss Retaliation
  - Still must assess merits of allegations/disclosure
  - Still must evaluate request for confidentiality or anonymity
  - Must inform the complainant of decision

# CONFIDENTIAL OFFICES AND EMPLOYEES CLAIMING PRIVILEGED COMMUNICATIONS

- **OCR STRONGLY** encourages schools to designate confidential offices and notify/educate students and employees as to which employees and offices are confidential- OCR interprets Title IX to give schools latitude not to require these individuals to report incidents without the student's consent
- Some professionals who counsel, are clergy, or otherwise service victims can claim privileged communications based on state law and licensure – not required to report

# WHAT IF A STUDENT DOES NOT SPECIFICALLY REQUEST CONFIDENTIALITY OR ANONYMITY?

**ONLY** disclose information regarding alleged incidents to individuals who are responsible for handling the institutional response

**TO IMPROVE TRUST**, notify students of the information that will be disclosed, to whom it will be disclosed, and why

Take steps to protect the complainant/alleged survivor regardless of requests for confidentiality - **SAFETY IS KEY!**

**DON'T WANT TO CREATE CHILLING EFFECT**

# VICTIM/SURVIVOR CONSIDERATIONS

Training!  
Training!  
Training!

# SURVIVOR PERSPECTIVES

- GUILT
- Trauma
- Shame
- Delay or ambivalence regarding reporting
- Understanding a disclosure
- Wavering level of cooperation

## UNIQUE ISSUES:

- ◆ LGBTQ Students
- ◆ Immigrant, international and undocumented students
- ◆ Students with Disabilities

# **INSTITUTIONAL RESPONSE TO ALLEGATIONS**

Rachel



# INSTITUTIONAL RESPONSE TO AN ALLEGATION OR REPORT

- PROMPT RESPONSE TO ALL ALLEGATIONS
- MUST ASSESS/EVALUATE MERITS OF A THIRD PARTY REPORT
- MUST PROMPTLY meet with the student to explain:
  - Investigation process, including the importance of treating both parties equitably
  - The school's formal and informal resolution procedures, making clear that students are not required to work out issues directly with each other and that mediation is not used in sexual assault cases
  - Counseling and other services available both on or off campus
  - Possible academic accommodations
  - The school's retaliation policy and that the school has a duty to protect complainants from confidentiality

# INSTITUTIONAL RESPONSES TO SEXUAL ASSAULT ALLEGATIONS

- **IF SEXUAL ASSAULT, ADDITIONAL CONSIDERATIONS/PROTOCOLS:**
  - encourage students to seek medical attention
  - Advise student of right to file criminal charges as well as the right to use the university grievance procedures
  - Explain legal requirement of university to notify policy of alleged sexual assault

# RETALIATION

- Title IX mandates that universities not only strictly prohibit retaliation but also take strong responsive action if it occurs.
- Retaliation by the alleged respondent and /or friends or family of respondent is prohibited.
- Both E1.203 (Sexual Harassment) and UHM's Sexual Harassment Procedures prohibit **RETALIATION.**

# IMMEDIATE RELIEF AND INTERIM MEASURES

- Campuses must assist victims with changing academic, living, transportation, and working situations, if requested & reasonable, regardless of whether the victim chooses file a formal complaint or to report to police.
- Campuses must assist victims with accessing on and off-campus resources, like counseling, legal, healthcare, etc.
- Campuses must help the victim with safety measures, including issuing no contact orders & campus security escorts, or referring to help off campus to obtain temporary restraining orders, orders for protection, or similar lawful orders.

# **SUMMARY: HOW THE TITLE IX COORDINATOR ASSISTS COMPLAINANTS**

- Provides information about available remedies: filing a formal complaint on campus as well as filing a police report.
- Notifies & helps the victim access on- and off-campus resources, like university health services, counseling, other confidential resources, academic support, housing
- Offers reasonable interim measures, which may include a change in housing, work schedule, academic schedule, and a no-contact order between the victim and the accused.
- Receives formal complaints & ensures that the investigation is prompt and equitable.
- Notifies complainant of the outcome of a formal complaint

# RELEVANT UNIVERSITY POLICIES

- **E1.202 NON-DISCRIMINATION and AFFIRMATIVE ACTION POLICY**
- **E1.203 SEXUAL HARASSMENT POLICY**
- **E1.204 SEXUAL ASSAULT POLICY**
- **E1.210 USE AND MANAGEMENT OF INFORMATION TECHNOLOGY RESOURCES POLICY**
- **E9.210 WORKPLACE NON-VIOLENCE POLICY**
- **STUDENT CONDUCT CODE**

# WHY CAN'T THE DEPARTMENT HANDLE THIS?

- A culture of **SILENCE**: professors, coaches, or administrators may know of long-time sexual misconduct and fail to report it and remedy it, e.g., Penn State
- Retaliation
- Complicated cases involving intersecting federal and state laws
- The dean, director, chair, or authority may be the perpetrator

# **TITLE IX COORDINATOR : RESPONSIBILITIES AND COMPETENCIES**

**SELECTING A  
TITLE IX  
COORDINATOR**



# DESIGNATING A (LEAD/SENIOR) TITLE IX COORDINATOR

- Recipients “Shall designate at least one employee to coordinate efforts to comply with and carry out responsibilities” under the law...”
- A school “shall notify all students and employees of the name, office address and telephone number of the employee or employees appointed...”
- **TITLE IX COORDINATOR SHOULD HAVE DIRECT LINE TO TOP ADMINISTRATOR(S) AND SHOULD HAVE AUTHORITY AND INDEPENDENCE TO ACT**

# TITLE IX COORDINATOR COMPETENCIES

## **SUBSTANTIVE:**

- **In depth knowledge of Title IX and the administrative guidance**
- **General knowledge of other federal and state non discrimination laws**
- **Understanding of FERPA and confidentiality protections**
- **Knowledge of internal Title IX policies and procedures**
- **Access to Title IX updates and developments**

# TITLE IX COORDINATOR COMPETENCIES

## ■ INTERPERSONAL/SKILL-SETS:

- Ability to translate legal principles into information that is accessible to staff and students
- Ability to design and implement training programs and curricula
- Ability to communicate orally and in writing
- Ability to diagnose, clarify and mediate differences of opinion
- Ability to maintain neutral and non threatening behavior in situations of conflict
- Ability to state a position clearly and assertively in situations of opposition
- Ability to establish a positive climate for Title IX efforts
- Ability to lead cultural change efforts toward prevention of sexual harassment and sexual violence
- Ability to interact with and provide guidance to campus security
- Ability to negotiate relationships with community partners and criminal justice partners

# TITLE IX COORDINATOR COMPETENCIES

## ■ ADMINISTRATIVE:

- Thorough knowledge of grievance processes and procedures
- Ability to design, implement and monitor compliance activities
- Ability to prepare reports on Title IX compliance and make recommendations for action by administrators
- Ability to collect data and respond to inquiries of non-compliance

# WHO SHOULD AND SHOULD NOT SERVE AS TITLE IX COORDINATOR?

- Conflicts of interest with other responsibilities
- Should not be general counsel
- Should not be someone who would be involved in investigations of the underlying matter

# **SAMPLE COORDINATOR TASKS AND RESPONSIBILITIES**

- **Provide consultation and information regarding Title IX requirements to potential complainants, third parties, first responders and administrators**
- **Provide on-going training and technical assistance to employees regarding Title IX institutional responsibilities, policies, grievance procedures and compliance programs**
- **Monitor compliance of all requirements and timelines specified in policies and procedures**
- **Prepare and disseminate educational materials**
- **Coordinate or lead interdisciplinary team**
- **Oversee investigation process and receipt of complaints**

# TRAINING REQUIREMENTS

TITLE IX AND  
VAWA

# COMMON CONCERNS OF STUDENTS

- Lack of clarity in policy
- Not being informed of all available options
- Not being treated fairly
- Feeling judged or isolated
- Lack of or inadequate support during and after the process
- Lack of transparency
- Failure to warn/report
- Complainants discouraged from reporting
- Formal reporting process too cumbersome
- Parties not informed of rights in process
- Inadequate training of implementers
- Inadequate training of hearing panels
- Complaint process not prompt
- Inadequate sanctions
- Rape myths perpetuated by administrators
- Inadequate education and prevention programs
- Lack of communication and coordination that compound the impact on the student



# TRAINING ISSUES

- **Must train on the dynamics!**
- **In addition to understanding the regulatory framework, all training must be informed by a robust understanding of the dynamics of sexual assault, sexual violence, domestic violence and stalking**
- **Training for implementers should include:**
  - **Understanding the nature of sexual violence and other gender based violence**
  - **The nature of trauma response**
  - **Counter-intuitive behaviors**
  - **Delays in reporting**
  - **Understanding disclosures**
  - **Evaluating consent**
  - **The role of alcohol and drugs**
  - **Force and incapacitation**
  - **The proper use of statistics and prevalence data**
  - **Repeat offenders and pattern evidence**
  - **Predatory behaviors**
  - **Forensic evidence**
  - **Evaluating credibility**

# TRAINING OF ENTIRE COMMUNITY

- Administrators and executives
- Training for Title IX coordinator, team and implementers - ongoing
- Training for responsible employees
- Training and education programs for students to include prevention programs
  - Training on procedures, sanctions, options, etc.
- Engaging the broader community to change campus culture

# What is the Campus SaVE Act?

Changes &  
Compliance  
Deadlines

# VAWA 2013

- In 2013 Congress reauthorized the Violence Against Women Act, which **SIGNIFICANTLY** amended the Clery Act.
- Since 1990 Clery required campuses to report crime statistics, including sexual assault, & issue campus-wide warnings, like the messages we receive from UHM about sexual assaults and burglaries on campus.

# VAWA 2013: NEW MANDATES

VAWA 2013 significantly expands the scope of the Clery Act in three important ways:

- 1) Universities must report domestic violence, dating violence, and stalking incidents in addition to other crime categories already included in annual security reports;
- 1) Universities must adopt policies and procedures addressing domestic violence, dating violence, sexual assault, and stalking; and
- 1) Universities must create primary prevention and awareness programs for all incoming students and new employees.

# VAWA DEADLINES

- VAWA 2013 is effective **MARCH 7, 2014.**
- By **October 2014** institution's ANNUAL SECURITY REPORTS must make a good faith effort to be in compliance.
- Federal regulations are pending.

# TITLE IX AND VAWA COMPLIANCE DEADLINES

## Title IX

Deadline to be in compliance:  
**NOW**

## VAWA

Deadline to be in compliance:  
**October 2014\***

**\*Clery report issued; interim guidance from USD OE states all institutions must make good faith effort to comply pending regulations**

# TITLE IX AND VAWA COMPLIANCE

## Title IX

- UH System campuses **MUST** have ***a single Title IX Coordinator***

## VAWA

- UH System campuses **MUST report** domestic violence, dating violence, and stalking, in addition to sexual assault, in Annual Security Reports and in Emergency Alerts



# TITLE IX & VAWA: POLICIES

## Title IX

- **REVISE** policies and procedures that comply with Revised SH Guidance (2001) and Dear Colleague Letter (2011)\*

\*emphasis is on ending harassment, preventing recurrence, and remedy any effects of harassment

## VAWA

- **CREATE** policies and procedures addressing sexual assault, dating violence, domestic violence, and stalking

# TITLE IX AND VAWA: INTERIM MEASURES

## Title IX

- Universities **MUST** provide **interim measures** to complainants, regardless if they file a formal complaint and/or press criminal charges

## VAWA

- Universities **MUST** provide **interim measures** to complainants, regardless if they file a formal complaint and/or press criminal charges

*\* Codifies DCL*

# TITLE IX AND VAWA: TRAINING

## Title IX

- Universities **MUST** provide periodic training for personnel
- Categories of personnel **MUST** receive special training



- Universities **SHOULD** mandate training for employees

## VAWA

- Universities **MUST** mandate training on domestic violence, dating violence, sexual assault, and stalking for all incoming students and new employees
- Universities **MUST** provide ongoing prevention and awareness programs to students and faculty throughout the year

# HIGH LEVEL SUMMARY OF COMPLIANCE REQUIREMENTS

Institutions need to comply with Title IX DCL and VAWA (while awaiting regulations):

- 1) Policies must be updated to address all required elements, including grievance procedures
- 1) Specific roles and responsibilities must be staffed
- 1) Procedures and protocols must be compliant and clear on incident handling and reporting
- 2) Training training training and more training - for key positions including administrators, faculty, coaches, staff and students

# KEKOA SCENARIO

You are a UHM employee who knows a student named Kekoa. A fellow student and friend of Kekoa's approaches you, sharing the following: Several nights ago, Kekoa had been out drinking with friends and a male student named Mark. Kekoa fell asleep with Mark watching television on his bed. Kekoa didn't want Mark to stick around but he felt uncomfortable asking him to leave. Kekoa woke up in his bed with his pants and boxers pulled down to his ankles. Mark was having sex with him. Kekoa said he froze in fear. When Mark finished, Kekoa pretended he was sleeping. Mark left. Kekoa is now avoiding Mark even though they share two classes together. Kekoa doesn't want to report it to campus authorities or law enforcement for fear that people might think he's gay.

# KEKOA: PROBLEM SOLVE

## QUESTIONS:

- (1) Do you report this to the Title IX Coordinator?**
- (2) Should you reach out to Kekoa?**
- (3) Should you talk to Mark?**
- (4) What can you do to help Kekoa?**
- (5) What if the rape happened last year?**

# CRITICAL ROLE OF LEADERSHIP

- **DEVELOP BOR POLICIES THAT SEND A MESSAGE TO PERSONNEL, STUDENTS, COMMUNITY, etc. that sexual violence and other forms of gender violence will not be tolerate**
  - **Shoring up compliance and risk management infrastructure**
  - **CENTRALIZING compliance protocols and practices**
  - **Developing best practices for early intervention, risk reduction of sexual violence, domestic violence and stalking**
  - **Providing resources for proper and consistent training of personnel, especially those who handle complaints and who conduct investigations**

# LEADERSHIP: KEY CONCEPTS FOR MESSAGING

- Engage the community
- Embrace the tension
- Create fertile ground through education and conversation
  - Plant the seeds to cultivate change
  - HAVE A CONSISTENT MESSAGE
- Message must come from top down
  - Involve the highest level of administration
  - Open and transparent engagement
- Prioritize use of resources
  - Invest in technology, marketing, & communications
- Message must resonate at the grass roots level
  - Students need to be engaged



# RESOURCES

- NOT ALONE: [www.notalone.gov](http://www.notalone.gov)
- UHM Gender Equity Website:  
<http://manoa.hawaii.edu/genderequity/>
- Skydrive will be emailed with all relevant materials including:
  - DCL, FAQs, VAWA Summary

# CONTACT INFORMATION

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**QUESTIONS?**

**Thank you!**