



# Understanding Your Role - Title IX

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## Under Title VII

- If an staff or faculty member is being harassed by another staff or faculty member, the individual and the University could be held liable.
- If an employee is being harassed, the University can be liable if the University **knew or should have known** of the matter and did not take **immediate action** to ensure the matter is investigated and, if problematic behavior is occurring) corrected.

## Under Title IX

- If a student is harassed by another student, the University can be liable if the University has notice of the hostile environment and fails to take **immediate and effective** corrective action.
- The University has “notice” if a **“responsible employee”** knew or should have known about the harassment.

# Understanding Your Role - Title IX (Cont.)

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## Your Duty to Report Information

Members of the campus community, without legal “privilege”, including faculty and staff, are designated as “responsible employees.”

- **Must-** discuss information shared by students that implicates our policies with the Title IX Coordinator
- **Goal-** to ensure that:
  - student/reporter’s needs are met,
  - that the accused/respondent is treated fairly, and
  - campus safety needs are met.

## Why are you considered a Responsible Employee:

- Have the authority to take action to redress the harassment
- Have the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees or
- **A student could reasonably believe you have the authority or responsibility to take action**

## Why this is important

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For the safety and well being of our community and...

### Federal Law

- Civil Rights Act – Title VII
- Education Amendments – Title IX
- Violence Against Women Act

### State Law

- NYS Human Rights Law
- NYS Enough is Enough

Legal and financial responsibility and liability

# Promoting a Culture of Caring & Respect

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Sexual Harassment, Abuse, and Assault Prevention  
Anti-Harassment Policy  
Non-Discrimination and Anti-Harassment in Employment  
Faculty Manual; Section 4.1; Section 4.11



**SYRACUSE UNIVERSITY**  
**POLICIES**  
[supolicies.syr.edu](http://supolicies.syr.edu)

# Promoting a Culture of Caring & Respect (Cont.)

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## Syracuse University's Core Principles

The **Code of Ethical Conduct** is a statement of principles guiding the activities of all faculty, staff, and students. It provides, in part:

We **respect the rights and dignity** of all persons and recognize that discrimination or harassment in any form undermines the fundamental principles of the University.

We support a respectful environment

**through our own actions,**

**By encouraging respectful behavior in others,  
and speaking out against hatred and bias.**

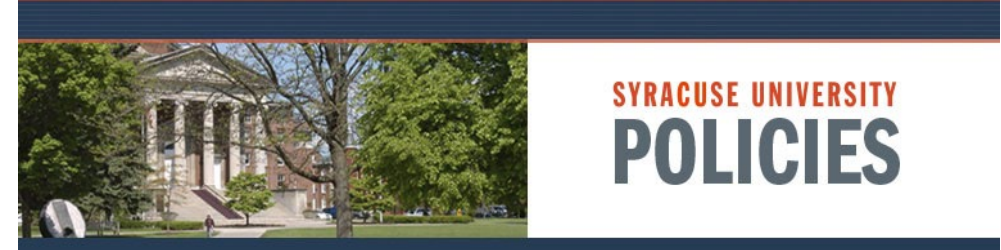
## Syracuse University's Core Principles\*

Inherent to fulfilling the University's mission:

is the recognition by all who serve the institution that there is a human obligation to provide safety for all persons of all ages who participate in its programs. All members of the University community are stewards of these relationships and must recognize the differences of power that often exist in them.

**As members of the community, we all have the responsibility to protect those who are in a position of vulnerability.**

This is fulfilled when all individuals share in accountability for this obligation. In this way, members of the University community accept and endorse the basic principle of safety that supports our institutional commitment to access, opportunity, and cross institutional collaboration all of which exists to serve the core mission.



## Title IX – SU Policy

Syracuse University is committed to the maintenance of an environment which is supportive of its primary educational mission and free from all exploitation and intimidation.

### The University does not tolerate:

- **Harassment** (including sexual harassment)
- **Sexual assault** (including rape)
- **Domestic or dating violence**
- **Stalking**
- **Sexual coercion and non-contact sexual abuse such as voyeurism**
- **Sexual exploitation or other forms of sexual violence or non-consensual sexual activity.**

Students found to be responsible for violations of this policy are **at risk for expulsion** from the university.

Students found to be responsible for violence related violations as defined by the Clery Act who are suspended or expelled will have their University **transcripts issued with a notation** of a code of conduct violation.

# What is Sexual Harassment?

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Under the new Title IX regulations the definition of “Title IX Sexual harassment” has been separated from “other sexual harassment” under the Syracuse University policy.

## Title IX Sexual Harassment

- Actions by a University faculty or staff member conditioning the provision of an aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct  
Unwelcome sexual advances
- Unwelcome conduct 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 education program or activity; or
- Sexual Assault, Dating Violence, Domestic Violence, and Stalking



In USA  
only



# What is Sexual Harassment? (Cont.)

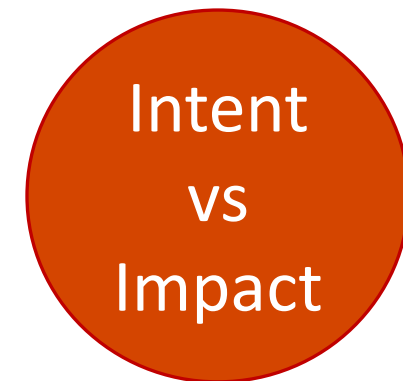
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## Other Sexual Harassment

- Syracuse University also defines Sexual Harassment to include any sexual advance, request for sexual favors, or other unwelcome conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, electronic, or otherwise; or, any act of intimidation or hostility, whether verbal or non-verbal, graphic, physical, or otherwise based on sex or gender, sexual orientation, gender identity, or gender expression, even if the acts do not involve conduct of a sexual nature if there is: **Quid Pro Quo** or **Hostile Environment**

Note that “sexual harassment”:

- Can be reported by third parties.



## Barriers to reporting interpersonal violence

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- Fear of retaliation
- Fear of other sanctions for breaking policies
- Lack of a support network
- Lack of financial resources
- High academic pressures
- Language
- Cultural barriers

## Amnesty Policy

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Syracuse University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time of the violence may be hesitant to report such incidents due to fear of potential consequences of their own conduct.

**A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to SU's officials or law enforcement will not be subject to SU's Code of Student Conduct for violations of alcohol and/or drug use policies occurring at or near the time the commission of [the incident]**

# Retaliation Policy

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**Retaliation** against a complainant or anyone involved in the process is prohibited.

Retaliation may include:

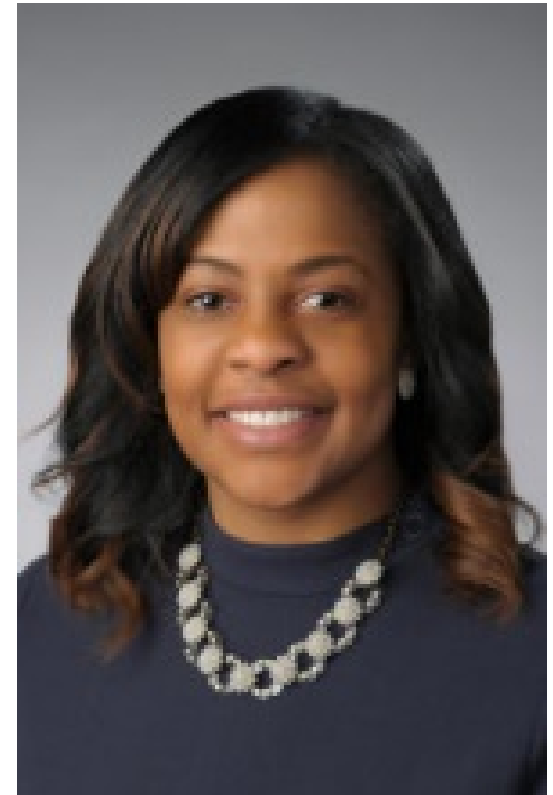
- Intimidating or threatening a person because such person filed a complaint, furnished information, assisted or participated in any manner in an investigation, review, hearing or other activity related to the administration of university policies.
- Contacting or threatening other parties and witnesses for the purpose of interfering with the investigation, and encouraging others to contact or threaten parties and witnesses for the purpose of interfering.

# The Title IX Coordinator

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The Title IX Coordinator has primary responsibility for coordinating the efforts of Syracuse University to comply with and carry out its responsibilities under Title IX:

- Oversees the University's response to reports and complaints
- Ensures a fair, equitable and prompt process for all involved
- Oversees investigations involving sex discrimination



Sheila Johnson-Willis  
Associate Vice-President  
Chief Equal Opportunity & Title IX Officer

## How to Respond: IX Things to Keep in Mind

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- Before obtaining all of the detail, **explain** your role / duty to report.
- If concerned about **safety** contact the police. **911, 711, 315-443-2224**
- Remember to keep our community goals in mind, so seek to connect the student to the **SRVR Team**... and provide the student with the necessary information. **315-443-8000**
- **Listen** without judgment or defensiveness and avoid asking questions that begin with “why.”
- **Remember** that the student chose you to talk to and you are now their primary resource to get help.
- Understand that in matters involving students, the **student/survivor often drives the process**. Therefore, the student reporting can determine the extent to which they would like intervention by the University.
- Keep the matter **private**. Refrain from sharing information with individuals that do not need to know.
- Understand that you should not investigate the matter further or contact or confront the alleged offender
- **Inform** the Title IX Coordinator within **24 hrs. 315-443-0211, titleIX@syr.edu**

# Title IX – What to report

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## Informing the Title IX Coordinator

Within 24 hours by telephone (315-443-0211) and/or email (titleIX@syr.edu), inform Title IX Coordinator:

- **who** reported it, to whom, about whom, and who else has been notified;
- **what** was reported (focus on facts not on conclusions);
- **when** did it happen (without regard as to when) and when was it reported;
- **where** did it occur (such as specific address, name of residence hall, etc.)

(and if you know that many people know—make sure at least someone reports to the Coordinator):

# Role of the Title IX Coordinator

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When informed, works with others by doing an **initial assessment** which includes:

- a pattern check,
- who is point person with reporter/victim,
- what does the reporter/victim want,
- what is necessary for campus safety,
- who else (if anyone) needs to be notified.

Working with others:

Ensures that **supportive measures**, if requested and available, are provided and that follow-up is done with complainant.

Ensures that the necessary steps are taken to ensure a **fair and appropriate resolution**.

Ensures that steps are taken to **remedy the effects of any misconduct**.

Ensures that steps are taken to **prevent recurrence**.



# Supportive Measures

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**Supportive Measures are non-disciplinary non-punitive measures such as:**

- No contact orders.
- Allowing complainant to change academic, living or employment situations.
  - Changing class course sections
  - Extended deadlines
  - Changing exam dates
  - Taking an incomplete for a class
  - Finishing a semester from home
- Safety escorts.

**Supportive Measures can be sought without regard to whether the reporting party chooses to file a formal complaint with the University or with local law enforcement.**

## Informal Resolution

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- The process through which after a **formal complaint** is submitted, the reporting party expresses a desire for resolution other than through the University's formal process or through criminal processes.
- May include mediation or mandatory education
- May include discipline
- Must be agreed upon by both parties

# Formal Resolution

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- The process through which a **formal complaint is filed** with the Syracuse University Title IX Coordinator requesting investigation and formal resolution.
  - Written Complaint
  - Initial meeting
  - Investigation
  - Hearing Process – new requirements for attendance, advisors, cross examination
  - Determination of Responsibility – by external hearing officer based on preponderance of evidence
  - Appeal Process – specific grounds
  - Determination of discipline/sanction – appropriate University official
- In these cases, the matter is evaluated using a **preponderance of evidence standard** (more likely than not) as to whether the respondent violated the **Code of Student Conduct**.

Seeking support for  
sexual assault,  
harassment,  
relationship violence,  
or stalking?

# University Resources

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## Confidential (Privileged):

- The Barnes Center at The Arch: **315.443.8000**
  - Sexual & Relationship Violence Response Team in Counseling (Accessible 24/7)
  - Healthcare Providers
- Hendricks Chapel Chaplains: **315.443.2901**

## Reporting

- Title IX Coordinator in Equal Opportunity, Inclusion and Resolution Services (EOIRS): **315.443.4018**

# External Resources

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- **Vera House: 315-468-3260**
  - An off-campus agency providing confidential and privileged resources to those affected by domestic and sexual violence (24 hour crisis and support line)
- **New York State Domestic and Sexual Violence Hotline 1-800-942-6906**
- **Syracuse Police Department Abused Persons Unit (315-435-3016)**
  
- **New York State Division of Human Rights (<http://www.dhr.ny.gov/>)**
- **U.S. Equal Employment Opportunity Commission (<http://www.eeoc.gov/>)**
- **U.S. Department of Education, Office for Civil Rights (<http://www2.ed.gov/about/offices/list/ocr/know.html>)**

For students:  
**Counseling  
Center**  
315-443-8000

**Dean of  
Students**  
315-443-4357

**EOIRS**  
315-443-0211

**DPS**  
315-443-2224

**University  
Ombuds**  
315-443-1087

For faculty/staff:  
**Carebridge**  
800-437-0911

**HR**  
315-443-4042

# CAMPUS RESOURCES (cont.)



Disability Cultural Center  
sudcc.syr.edu  
548 Bird Library  
315-443-4486



Stop Bias Portal

[reportbias.syr.edu](http://reportbias.syr.edu)

**SYRACUSE UNIVERSITY**  
OFFICE OF MULTICULTURAL AFFAIRS

OMA  
multicultural.syr.edu  
548 Bird Library  
315-443-9676



LGBT Resource Center  
Lgbt.syr.edu  
548 Bird Library  
315-443-3983



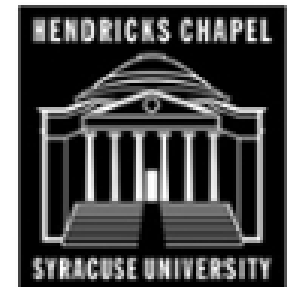
Slutzker Center for  
International Svcs.  
international.syr.edu  
310 Walnut Place  
315-443-2457

**SYRACUSE UNIVERSITY**  
THE OFFICE OF DISABILITY SERVICES

ODS  
disabilityservices.syr.edu  
804 University Ave, Suite 303  
315-443-4498  
TDD: 315-443-1371

**SYRACUSE UNIVERSITY**  
EQUAL OPPORTUNITY, INCLUSION, AND RESOLUTION SERVICES

EOIRS  
inclusion.syr.edu  
005 Steele Hall  
315-443-4018



Hendricks Chapel  
hendricks.syr.edu  
315-443-2901

# EOIRS Team

Equal Opportunity, Inclusion & Resolution Services  
[inclusion.syr.edu](http://inclusion.syr.edu)



Sheila Johnson,  
Associate Vice President,  
Chief Equal Opportunity Officer,  
Title IX Officer



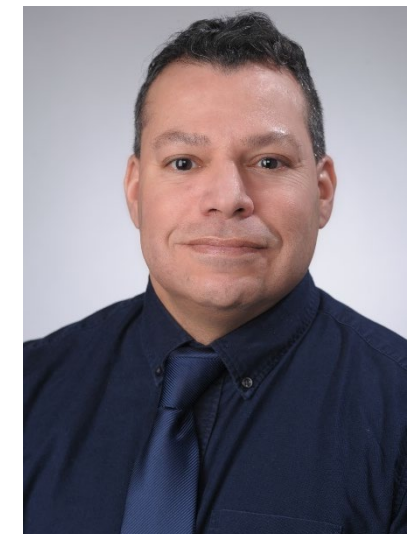
Alyssa Campbell,  
Director,  
Equal Opportunity & Inclusion



Bernie Jacobson,  
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& Title IX Investigator



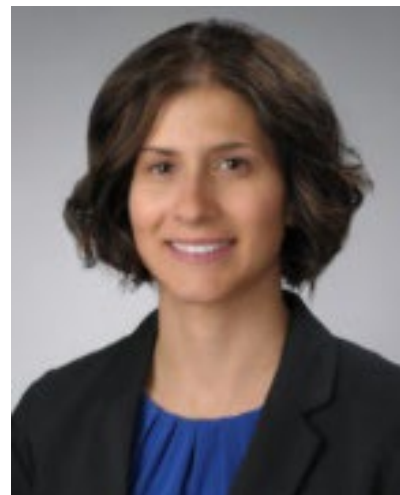
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Pat Jimenez,  
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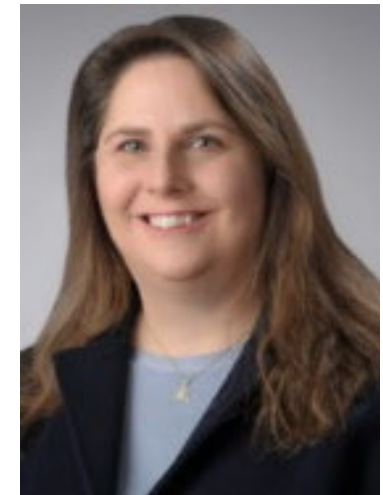
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Accommodations Specialist



Gina Kelepurovski,  
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Title IX Case Coordinator



Chris Percoski,  
Training & Development



# Questions

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Chris Percoski

Training & Development  
Specialist

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[crpercos@syr.edu](mailto:crpercos@syr.edu)

Office of Equal Opportunity,  
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005 Steele Hall

315-443-4018

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[equalopp@syr.edu](mailto:equalopp@syr.edu)

[inclusion.syr.edu](http://inclusion.syr.edu)

Questions?