Background: What is Title IX?

What behaviors fall under Title IX?

- Sexual Harassment/Discrimination
- Gender-based Harassment/Discrimination
- Sexual Assault
- Sexual Exploitation
- Stalking
- Dating Violence
- Domestic Violence
- Retaliation

What is 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."

— Title IX, Education Amendments of 1972
Background: Why does it Matter?

- Not just Athletics!
- Not just students/student athletes
- Sexual misconduct is a longstanding problem on campuses nationwide
  - 1 in 5 women
  - What about males?
  - Impact on individual
University’s Responsibility Under Title IX

- Eliminate the harassment
- Prevent its recurrence
- Address its effects

University must address issue if knows or reasonably should know of sexual violence, it must take immediate action and appropriate steps to investigate or otherwise determine what occurred. (Title IX = “EPA: Environmental Protective Agency” for the University)
Overview of **AD 85**

- Reflects the University’s commitment to addressing incidents involving members of the Penn State community and to comply with Title IX.
- Prohibits all forms of sexual and gender-based harassment and violence, intimate partner violence and stalking.
- Contains specific definitions, but in general, the University prohibits all conduct of a sexual nature that occurs without consent.
Overview of AD 85

• Sets forth reporting options
• Provides information regarding the resources that may be available
• Refers to procedures for handling reports
Consensual Relationships

While not expressly prohibited, romantic and/or sexual relationships between faculty and students, staff and students or supervisors and subordinate employees are strongly discouraged.

Accordingly, the person in the position of supervision or academic responsibility must promptly report the relationship to his or her immediate supervisor. Once the consensual relationship is reported, the immediate supervisor is responsible for eliminating or mitigating the conflict of interest to the fullest feasible extent and ensuring that fair and objective processes are in place for decisions relative to grading, thesis advice, evaluations, recommendations, promotions, salary increases, or performance evaluations. The new supervisory or academic arrangement should be documented.
How to Handle Disclosure of an Incident
Confidential vs Responsible Employees

**Confidential employees** are exempt from reporting to the Title IX Coordinator. This includes *professional and pastoral counselors* and *non-professional counselors or advocates*.

- CAPS (Counseling and Psychological Services)
  814-863-0395
- Gender Equity Center
  814-863-2027
- UHS (University Health Services)
  814-863-0774 (Appointments)
  814-863-4463 (Advice nurse, 24/7)
Confidential vs Responsible Employees

Responsible employees are most faculty and staff at Penn State who are required to report all incidents of sexual misconduct they have knowledge.
Penn State is committed to fostering an environment free from sexual or gender-based harassment or misconduct. The Office of Sexual Misconduct Prevention and Response ensures compliance with Title IX, a federal law that prohibits discrimination based on the sex or gender of employees and students. Behaviors including sexual harassment, sexual misconduct, dating violence, domestic violence, and stalking, as well as retaliation for reporting any of these acts violate Title IX and are not tolerated. The University is also committed to providing support to those who may have been impacted by incidents of sexual or gender-based harassment or misconduct and may provide various resources and support services to individuals who have experienced one of these incidents. This website provides information on what to do if you or someone you know may have been impacted by any of these behaviors.
Resources for Students Who Have Experienced Sexual Misconduct

Medical Care
Medical care is important, even if you feel no injury was sustained. Medical providers can assess your overall health needs, treat physical injuries, test for sexually transmitted infections and pregnancy, and collect evidence for legal proceedings. Staff are specifically trained and sensitive to your concerns.

Emotional Support
Talking to someone can be an important part of your healing process. Confidential support services are available to assist you on and off campus. No personal information is shared without your permission.

Reporting
You have options if you choose to report an incident of sexual misconduct: 1) file a complaint with the Office of Sexual Misconduct Prevention & Response and/or 2) file a complaint with law enforcement.

Office of Sexual Misconduct Prevention & Response
Title IX Coordinator
224 Boucke Building
814.863.2009
911
titleIX@psu.edu

Confidential Counseling
Gender Equity Center
204 Boucke
814.863.2007
Services include emotional support, counseling, consultation, academic advocacy, reporting options, and connection to other services.

Gender Equity Center
Mount Nittany Medical Center
1800 E. Park Ave
854.234.6110
Emergency: 911
Provides treatment for injuries and sexually transmitted infections and rape kit assessments with a sexual assault nurse examiner. Advocates for survivors are available on call. Open 24/7.

Confidential Counseling
University Health Services
435 Student Health Center
814.863.4463
Provides emergency contraceptive services and treatment for injuries and sexually transmitted infections. 24-hour confidential counseling.

For more information regarding available resources, support services, and procedural options please visit:
Title IX psu.edu
# Potential Sexual or Gender-Based Harassment or Violence Online Report Form

Title IX of the Education Amendments of 1972 requires Penn State University to provide a prompt and equitable resolution for all complaints of gender-based and sexual harassment, which includes complaints of sexual violence. The University must end such harassment, remedy its effects, and prevent its recurrence.

As a member of the University community, you have a responsibility to report behaviors that potentially constitute sexual or gender-based harassment or violence. When you become aware of an incident in which the victim or the offender is a Penn State student, faculty, or staff, you should complete this report. This document will be sent to Paul Apsisello, the University’s Title IX Coordinator, Kenneth Lehman, Vice Provost for Affirmative Action and to Danny Shaha, Senior Director of Student Conduct.

If you are unsure if a specific behavior constitutes a violation, or even whether alleged offender is a University student, faculty, or staff, complete the form and submit it anyway.

The information you receive may be from personal observation, a verbal or written report from a victim, or a verbal or written report through a third party who either observed or became aware of the incident. Your report will assist the University in ensuring that University personnel are appropriately addressing such incidents and are properly supporting victims. In addition, it will assist in complying with federal mandates to track and address these incidents.

Please note that your responsibilities here are limited to reporting information that is provided to you, either directly by the alleged victim (referred here as the “complainant”), or by a third party.

For purposes of this form, the “complainant” is the individual accused of having impropriety engaged in the conduct (i.e., the alleged offender).

## Complainant (Alleged Victim) Information

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
</table>

## Third Party Reporter Information

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
</table>

## Respondent (Alleged Offender) Information

<table>
<thead>
<tr>
<th>First Name</th>
<th>Last Name</th>
<th>Email</th>
<th>Phone</th>
</tr>
</thead>
</table>

## Source of the Report is

- The Complainant
- Third Party

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**Information About the Incident**

**Date:**

**Time:**

**Location:**

**Campus(es) of Involved Parties (e.g., Behrend, University Park, etc.):**

**Please Check All Behaviors Alleged to Have Occurred**

- Sexual Harassment
- Dating/Domestic Violence
- Bullying
- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another
- Sexual Exploitation (include Voyeurism)
- Non-consensual Sexual Intercourse
- Stalking
- Harassment
- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities

**Brief Description of Incident or Conduct Reported**

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*Office of Sexual Misconduct Prevention & Response*
How Reports are Addressed
When a Report is made

- Report submitted (online, phone, e-mail)
- Report viewed by T9 Coordinator
- OSMPR Intake person meets with individual and discusses options/resources

- Code of Conduct
- Law Enforcement
- Accommodations (*Protection from retaliation*)
- Resources

*Student may bring an “adviser of choice”*
Office of Sexual Misconduct
Prevention & Response

202 Boucke Building
titleix.psu.edu
Titleix@psu.edu
814-867-0099