

# Gender Based Misconduct for Employees

**Stacy DeRooy**

**Office of Compliance & Ethics**

**Director of Title IX and Clery Compliance**

**Jasmine Taylor**

**Title IX Investigator/Coordinator**

**August 2018**



# Objectives

- Inform about Title IX Program at RIT
- Awareness on what Title IX covers
- Identify reporting options
- Understand obligation as a Responsible Employee
- Identify active bystander strategies
- Identify resources available

# APPLICABLE LAWS AND POLICIES

# TITLE IX OF THE EDUCATION AMENDMENTS OF 1972



# 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 educational program or activity receiving Federal financial assistance.”

# Title IX includes:

- **Sex Discrimination**-the treatment of an individual based on that individual's gender
- **Sexual Misconduct**-unwanted sexual contact
- **Sexual Harassment**-unwelcomed conduct of a sexual nature
- **Sexual Violence**-including but not limited to sexual assault, sexual abuse, sexual battery, domestic and dating violence, stalking and sexual coercion.

# Gender Based Harassment

- Any person of any gender can sexually harass another person of any gender
- Any person of any gender can be sexually harassed by another person of any gender



# Title IX provides protection from **retaliation**

- Anyone can make a discrimination complaint without worrying about retaliation by the university or your supervisor
- As an employee, you may not retaliate against a co-worker who raises a complaint
- We all have the right to raise a complaint or report a concern, and this right must be respected by everyone





# Relevant RIT Policies

- Faculty, Staff, and Visitors:
  - **Harassment and Discrimination Policy (C06.0)**
  - **-Honor Code P.03.0**
- Students
  - **Student Conduct Policy (D18.0)**
  - **Alcohol and Drug Policy (D18.1)**
  - **Student Gender-Based and Sexual Misconduct Policy, Title IX (D19.0)**



# RIT Policy C.6.0

- **Prohibiting Discrimination and Harassment**
  - This policy applies to Faculty, Students and Guests
  - Any of these individuals can be the complainant or the accused
  - Understanding the laws and policies at RIT will help you
  - Ensure your own actions and behaviors are aligned with acceptable workplace behaviors
  - Provide accurate and helpful support to those who may experience harassing or discriminating behavior

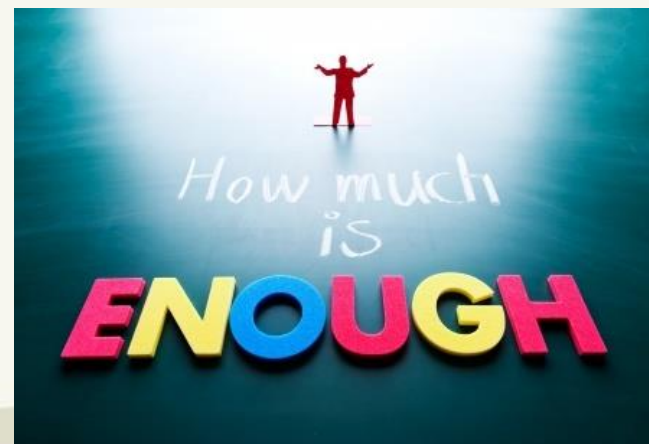
# IMPORTANT DEFINITIONS

# Harassment Definition at RIT

- Harassment means abuse, threats, intimidation, assault, coercion and/or unwelcomed conduct based on that individual's Gender by any means including but not limited to physical, verbal, or signed communication, written, photographic or electronic means which has the purpose or effect of unreasonably interfering with an employee or student's work, academic performance or activities, residential life at RIT or participation in RIT sponsored programs or events.

# Pervasiveness & Severity

- Not every minor incident (even if offensive) amounts to “harassment”
- Just because it’s lawful doesn’t mean it’s a good idea
- The university may impose discipline or training if conduct was poor judgment or inappropriate even if it was not harassment in the legal sense.



# REPORTING INCIDENTS

# Confidentiality

- If a person desires complete confidentiality, RIT offers the following resources:
    - [The Center for Women and Gender](#)\*
    - [The Student Health Center](#)
    - [Counseling and Psychological Services \(CAPS\)](#)
    - [The Ombuds Office](#)\*
    - [Center for Religious Life](#)\*
    - [The NTID Counseling and Academic Advising Services](#)
- \* services for Faculty, Staff and Students, others are for students only

# Confidentiality vs. Privacy

- Even RIT offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and or/seek resolution.
- If an individual discloses information through a public awareness event such as a vigil, protest or other public event RIT is not obligated to begin an investigation based on the information however RIT may use the information provided to inform the efforts for additional education and prevention initiatives



# Who Must Report?

- All “**Responsible Employees**” are required to report Title IX complaints. Includes all RIT employees (permanent, part-time, student, temporary, and adjunct) except confidential resources
- **Student Leaders must report Title IX complaints**



# Title IX Office

## Title IX Coordinator

- Oversees management of campus reports of sexual harassment, sexual assault, and sexual discrimination



**Stacy DeRooy**

August Center, room 2188

585-475-7158

[Stacy.Derooy@rit.edu](mailto:Stacy.Derooy@rit.edu)

## Title IX Investigator

- Investigates TIX complaints against employees and supports the TIX Coordinator



**Jasmine Taylor**

Eastman Building, room 6045

585-475-2297

[jetcae@rit.edu](mailto:jetcae@rit.edu)

# Deputy Title IX Coordinators



**Amy  
Stornello**

**NTID**

**Deputy  
Coordinator**



**James  
Macchiano**

**Diversity &  
Inclusion**

**Deputy  
Coordinator**

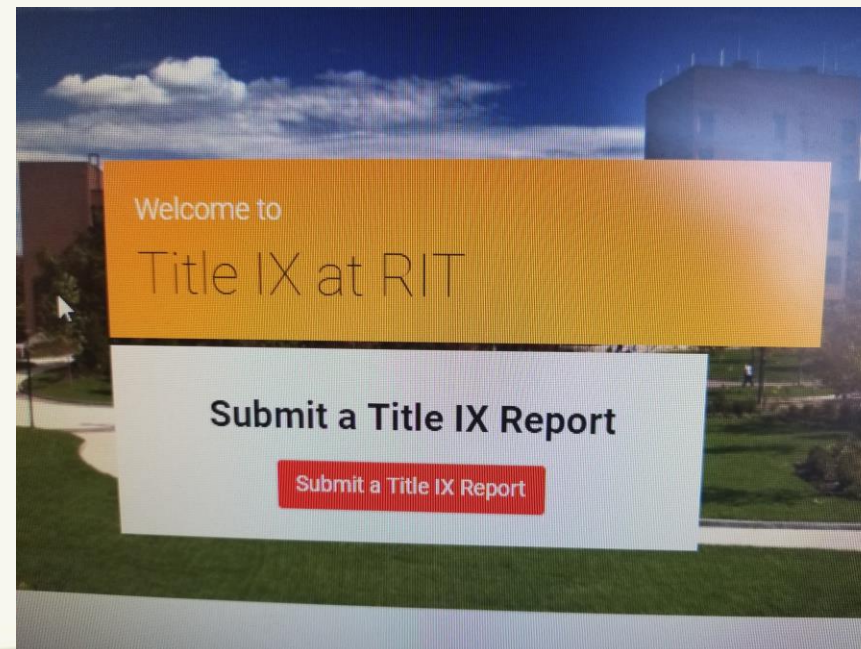
# Anonymous Reporting

- Individuals may use the Ethics & Compliance Hotline to anonymously report violations of Gender Based Misconduct
  - **To submit a report go to:**
    - <https://secure.ethicspoint.com>
    - Phone: (866) 294-9358



# Reporting Title IX Complaints

Although Title IX complaints can be reported to any responsible employee, people are encouraged to use the online reporting option at [www.rit.edu/titleix](http://www.rit.edu/titleix)



You may report complaints directly to:

- **Title IX Coordinator**
- **Title IX Investigator**
- **Deputy Coordinators**
- **RIT Public Safety**
- **Human Resources**



Complaints can be addressed regardless whether incident occurs **on campus or off campus**

# What this means for you:

- If anyone discloses an incident to you, you must report it to the Title IX Office
  - **What if the person doesn't want me to?**
    - Let them know you are required to report to TIX. If they choose not to participate further they are not going to be made to do anything they do not want to do.
    - You can report by e mail, phone or via the online report at [www.rit.edu/titleix](http://www.rit.edu/titleix)

# Off Campus Incidents

- A student shares that while on Co-op at a local business, their supervisor for the Co-op has engaged the student in sexually explicit conversations
- A group of coworkers got together at a local restaurant/bar. Your co-worker shares that they felt extremely uncomfortable when your manager made a sexual advance



# Q&A

Q- A student wrote an essay based on a significant life event. The essay contained a disclosure about an assault. Do I need to report this?

A- No, information disclosed in class as a part of an assignment or project does not have to be disclosed.



- Q- A student who otherwise has been in class and doing well stopped showing up and is now in danger of failing. I reached out to the student and they disclosed they are struggling because of something that has happened to them. Do I need to report?
- A-Yes, let the student know about available resources, provide support and let them know you will be contacting the TIX Office.

# ACTIVE BYSTANDER

# Take action- be an active bystander!

- There are many ways you can help if another person's actions are making you or someone else uncomfortable!

## For example:

- “I’m really not comfortable with you touching my arms and hugging me. I want you to stop doing that.” This is considered a **D**irect strategy
- “I know you like to laugh but it doesn’t look like Jo is finding your jokes funny”. This is also a **D**irect approach
- To the manager- “I know that Jo feels badly about a comment Kerry made. I heard what Kerry said but am not sure what to do.” This is a **D**elegate strategy. You are delegating the concern to someone better equipped to handle the situation.

# What shouldn't I do?

- Start your own investigation (talking to others to gather more information)
- Send communications out regarding the complaint to those not involved
- Tell the student or co-worker you don't believe them
- Discuss with other RIT employees not directly involved in the incident (Outside of the TIX Coordinator(s), HR or Public Safety)



# Common Mistakes or Misconceptions

- “I was just playing around”
- I did this at my last job”
- This is no worse than what is on TV”
- I wouldn’t care if someone said this to me”
- “I’m not going to stop until someone tells me to.”
- “If someone doesn't like it they don’t have to listen.”
- “Are you sure? I know Jo and they wouldn’t do something like that.”



# RESOURCES

# Campus Resources

- [Center for Women and Gender](#)
- [Public Safety](#)
- [Ombuds Office](#)
- [Counseling and Psychological Services](#)
- [Gender Diversity Guide](#)
- [Syllabus Language](#)



**COUNSELING &  
PSYCHOLOGICAL SERVICES**

# External Resources

- [IGNITE](#) (Formerly Advocacy Services for Abused Deaf Victims/ASADV)
- [Willow Center](#) (formerly Alternatives for Battered Women)
- NYS Police Hotline 1-844-845-7269
- [RESTORE](#) (formerly Rape Crisis Center)
- Monroe County Sheriff's Office (9-1-1)



[www.rit.edu/titleix](http://www.rit.edu/titleix)

RITTITLEIX



Thank you!

