



Yale

# Title IX at Yale

**Preventing and Responding to Sexual Misconduct:**

*Building a Climate of Safety and Respect at Yale*



# Title IX Coordinator

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# Title IX, Education Amendments 1972

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 *et seq.*



Why is this important?

Yale is maintaining and strengthening educational, working, and living environments founded on civility and mutual respect in which students, faculty, and staff are connected by strong bonds of intellectual dependence and trust.

# Today's outline

- Title IX and Yale
- Sexual misconduct definitions and policies
- On-Campus Resources
- Responsible Employees and Reporting
- Get Involved
- Group discussion of scenarios



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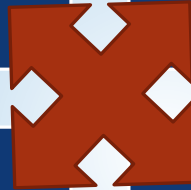
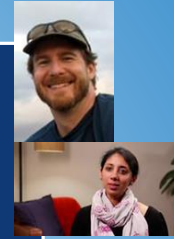
# Title IX, Education Amendments 1972

- Requires the University to:
  - Eliminate sexual misconduct and gender discrimination
  - Prevent its recurrence
  - Address “hostile environment”
  - Remedy effects
- We do this through:
  - Support resources
  - Education and prevention programs
  - Investigation and disciplinary procedures



Title IX  
Coordinators

University-  
Wide  
Committee



Yale Police  
Department



SHARE Center



# Sexual misconduct includes:

- Sexual assault
- Sexual harassment
- Intimate partner violence
- Stalking
- Voyeurism
- Violations of Teacher-Student Consensual Relations Policy

*The full version of Yale's sexual misconduct policies and definitions is available at <http://smr.yale.edu>*

# Yale's definition of sexual misconduct:

...any conduct of a sexual nature that is nonconsensual or has the purpose or effect of threatening, intimidating, or coercing a person.

# Consent

Positive, unambiguous, and voluntary agreement to engage in specific sexual activity throughout a sexual encounter.

- Cannot be inferred from the absence of a “no”
- A clear “yes,” verbal or otherwise, is necessary
- Past consent to a given act does not constitute present or future consent
- Must be ongoing throughout an encounter
- Can be revoked at any time

## Types of sexual misconduct:

- Sexual assault: any kind of nonconsensual sexual contact, including rape, groping, or sexual touching
- Intimate partner violence: occurs when a current or former intimate partner uses or threatens physical or sexual violence
- Stalking: repeated or obsessive unwanted attention directed toward an individual or group that is likely to cause alarm, fear, or substantial emotional distress

# Sexual harassment

...consists of nonconsensual sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, on or off campus, when:

- Submission to such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing
- Submission to or rejection of such conduct is used as the basis for employment decisions or for academic evaluation, grades, or advancement
- Such conduct has the purpose of unreasonably interfering with an individual's work or academic performance or creating an intimidating or hostile academic or work environment


# Examples of sexual harassment

- Jokes, comments, gestures, or pictures of a sexual nature
- Leering, ogling, and other unwanted or uninvited visual scrutiny
- Inappropriate terms of endearment
  - ▶ e.g. “honey,” “sweetie,” “baby”
- Feeling threatened if you don’t go along, i.e. something bad will happen; only way to reach goal or get job
- Disparaging remarks to a person about his/her/their gender, body, or gender identity

# Yale Policy on Teacher-Student Consensual Relations

- Due to the integrity and unequal power of the teacher-student relationship, whenever a teacher is or in future might reasonably become responsible for teaching, advising, or directly supervising a student or postdoctoral trainee, a sexual relationship between them is inappropriate and must be avoided.
- “Teachers” includes all faculty (ladder and non-ladder).
  - Graduate and professional students and postdoctoral fellows and associates are also included only when they are serving as part-time teaching instructors, teaching fellows, or in similar institutional roles.

# YDS Policy on Teacher-Student Consensual Relations



“The Yale Divinity School is a community in which members of the faculty mentor students to help them achieve their full academic, professional, and personal potential. Students rely on the other-centered character of faculty concern for them and approach the relationship in a spirit of trust. For these reasons, members of the YDS faculty shall not have amorous or sexual relations with a YDS student, defined as anyone taking a course at YDS, even when they are ostensibly consensual.”

# We are here to help

You should expect to feel safe and respected at all times at Yale.

If for any reason you do not, we provide resources to support you and help you take action.



# Our campus resources

- SHARE - Sexual Harassment and Assault Response & Education Center
- Title IX Coordinators
- UWC - University-Wide Committee on Sexual Misconduct
- YPD - Yale Police Department



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# SHARE

- Provides counseling via appointment or drop-in at Yale Health, 55 Lock St
- Operates 24/7 hotline: 203.432.2000
- Assists with contacting police and/or initiating a formal or informal complaint
- Coordinates medical treatment and evidence collection
- Has no reporting obligations, and is anonymous if desired



# Title IX Coordinators

- Oversee all programs to address and prevent sexual misconduct within the Yale community
- Explain options and seek remedies and resolutions
- May investigate sexual misconduct complaints to ensure Yale provides a safe and nondiscriminatory environment
- Coordinate interim measures, accommodations and remedies

# True or False?

Lisa is obligated to report “up” through the Divinity School structure (e.g. Academic Dean, Dean).

False

- Deputy Title IX Coordinators report to the University Title IX Coordinator

Talking to a Title IX Coordinator necessarily triggers “a process.”

Mostly false

- Coordinators are available for information and support as well as informal remedies
- Coordinators investigate to the degree possible consistent with your wishes, except in situations of an acute threat to individual or community safety.

It's a small community. If I make a report everyone will know.

Mostly False

- “Mostly confidential”: Coordinators have an obligation to protect campus safety; other administrators may learn limited information only on a need to know basis
- A report can be made to any Title IX Coordinator

# UWC - University-Wide Committee on Sexual Misconduct

- Conducts formal hearings as Yale's internal disciplinary board for complaints of sexual misconduct
- Explains options and seeks remedies and resolutions, with possible disciplinary action
- Arranges interim measures upon filing of complaint

# YPD - Yale

## Police Department

- Holds full powers of law enforcement, with an officer dedicated to sensitive crimes response
- Explains options and seeks remedies and resolutions
- Offers assistance and services, including contacting New Haven Police Department or other law enforcement agencies
- Sends out timely warnings of crimes on campus



Image Copyright Yale University

# Responsible employees & reporting

- Certain employees are required by Yale to report incidents of sexual misconduct to a Title IX Coordinator
- Examples include but are not limited to:
  - ▀ faculty, deans, certain administrators, teaching assistants, teaching fellows

# Important considerations/decisions

- How safe is the current situation?
- Is medical attention needed?
- Ongoing advocacy, counseling, and support



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# Detailed, updated information

Welcome | Sexual Misconduct | smr.yale.edu

Yale University

Search this site

Sexual Misconduct Response

SHARE CENTERTITLE IXUWCYALE POLICEPOLICIES & DEFINITIONS



Yale strives to be a community free of sexual misconduct, by promoting the essential values of respect and responsibility, providing education, and working with students, faculty, and staff to create a community that is safe and supportive for all. Yale takes all complaints and accusations of sexual misconduct seriously.

Sexual assault, harassment, and other forms of sexual misconduct can have a profound impact on one's personal and academic life. The university strongly encourages those affected by sexual misconduct to seek help and support from any of the resources below and to take action, including pursuing a criminal or disciplinary complaint. If you are uncertain of your options or simply need help, call the Sexual Harassment and Assault Response & Education (SHARE) Center at 203.432.2000.

Students

Faculty, Staff & Postdocs

Yale provides a range of services, resources, and mechanisms for victims of sexual misconduct. The options for undergraduate, graduate and professional school students are described below.

Primary Resources

	Seeking Info & Support	Obtaining Counseling	Seeking Informal Remedies	Bringing a Complaint
SHARE Center Hotline: 203.432.2000 website	X	X	X Provides advice & assistance	X Provides advice & assistance
University-Wide Committee on Sexual Misconduct 203.432.4449 website	X		X	X
Yale Police 203.432.4400 website	X			X
Title IX Coordinators 203.432.4446 website	X		X	X

Need help now?

**In an emergency:**  
If you are in immediate danger, call 911 or Yale Police at 203.432.4400

**Contact the SHARE Center:**  
Call the hotline anytime at 203.432.2000 for information, advocacy and support

Preventing and Responding to Sexual Misconduct:  
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**Download:** Preventing and Responding to Sexual Misconduct

**Latest Updates**

January 2015 Report of Complaints of Sexual Misconduct

Campus Sexual Climate Survey: Learn more about Yale's latest climate assessment

# How can you help?

- Join advisory boards, UWC, student interest groups
- Organize events and workshops
- Be a role model in your everyday actions
  - Create opportunities for dialogue
  - Foster open and honest communication
  - Learn to be an effective bystander



# Our Campus Our Community



# Scenario #1

Alex is taking Professor Jones's celebrated course. A respected senior faculty member in the department, Professor Jones has made certain comments to Alex and other students (e.g., "Hi gorgeous" or "You look wonderful today"). In addition, Professor Jones often squeezes or pats students' shoulders or backs when they speak. These behaviors make many students feel uncomfortable. Alex has spoken to some of the other students about Professor Jones's behavior, but none of the other students want to come forward. Alex is concerned about potential repercussions and therefore has not discussed any concerns with Professor Jones directly or with any other faculty in the department. Alex does not want to file a formal complaint and does not want to be named in an investigation. Alex is, however, feeling very distressed and wants the behavior to stop.

## Scenario #2

Hayden is a second-year M.Div. enrolled in Supervised Ministry at a local site. Hayden's supervisor, Jamie, maintains a strong relationship with the school. Successful completion of Supervised Ministry is required for Hayden's degree, and the supervisor's evaluation is one of the factors in determining access to desirable post-graduation placements. Over the past few weeks, Jamie has made advances towards Hayden, causing Hayden to feel more and more uncomfortable. After some shifts, Jamie has suggested that they go out for a drink to discuss Hayden's progress. Hayden has declined Jamie's offers, brushing off the advances. But Jamie has continued to ask Hayden to get together and, just this week, sent Hayden a text message asking if Hayden might reconsider. Hayden is nearing the end of the program and is concerned about Jamie's evaluation if Hayden raises any concerns.

## Scenario #3

Riley, a first year student, met Jessie, a third year, at a GPSCY party. They enjoyed talking with each other, so Jessie decided to invite Riley over for dinner. Before dinner, Jessie served Riley wine. They sat and talked but before Riley noticed, they had both had a substantial amount to drink. Jessie started to kiss Riley. At first, Riley felt really good and liked it. Jessie began taking off Riley's clothes, and then tried pulling down Riley's pants. Riley really wanted Jessie to stop, and said so, but Jessie continued anyway, saying, "I know you really like me and you wouldn't have come here tonight if you didn't want more."

## Scenario #4

Sam and Casey met as students and have been dating on and off for a while. Casey recently broke off the relationship. Sam dropped by to pick up some belongings and tried to reconcile. Casey asked Sam to leave, but Sam insisted that they talk. Sam seemed intoxicated and Casey felt threatened and intimidated by Sam's behavior. Casey pleaded with Sam to leave and promised they could speak the next day, just to get Sam out. Sam agreed, promising to return. Casey is fearful to see Sam again, and is concerned to be alone in the apartment. Casey is worried about seeing Sam at school since they are in many of the same courses and activities. They also have mutual friends and tend to hang out at the same places.



Time for discussion in small groups

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## Things you might do/say:

Frame it from your own experience (what it is like for you). Thinking out loud in front of the other person is often a useful approach: “I’d like to talk to you about something. I’m not sure how to approach this. I’m afraid it won’t make sense. I’m afraid I won’t be as articulate as I would like, (etc.) but when you do (whatever it is you want to address), I find it really upsetting (confusing, distressing) or I feel anxious, so I’m wondering if it would be acceptable if we keep a physical space between us.”.

Don’t speak for anyone else. This is about you and your reaction. “This is really hard for me to say.” Or “I don’t know how to say this but...” This (and thinking out loud in front of the other person) usually invites the other person to help you with whatever difficulty you’re having in expressing yourself.

Focus on what it's like for you: How you feel cannot be disputed and you don't need to know why you have certain responses or feelings, and you don't need to explain when you may know the origins of your feelings. Sometimes offering a context can help. "I've been raised in a setting where it is unacceptable for people to touch each other (have physical contact) without permission. For that reason, I find it uncomfortable when others touch me spontaneously (without permission). Do you think it would be possible for us to talk (engage in a conversation, meet, get together) without making physical contact? It may sound like a small thing, but I find it very distracting and it gets in the way of listening or forming my responses."

Include something positive: "My work with you is very important and I don't want anything to get in the way of (to interfere with) getting the most out of this wonderful academic experience." "For some reason (you don't have to explain), I have a really strong, negative reaction to being touched in a professional setting. Would it sound obnoxious (off putting) if I asked for us not to make physical contact while we talk? It is so distracting that I have a hard time focusing on anything else and I really don't want to miss anything." Close with something positive – "I have looked forward to your class for a long time now. I am really excited to be one of your students."

If you do not want to confront the situation directly, talk over your concerns and options with Lisa Huck, your Title IX Coordinator. Note: If, for any reason, you do not want to contact the Title IX Coordinator from the Divinity School, you can contact any of the other Title IX Coordinators at Yale. A complete list is on the Provost website.

Make an appointment with someone for SHARE. SHARE, in offering information, advocacy and support, may be a good place to start.

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### Things you might do/say:

Focus on your own, strict policies around professional boundaries. When you frame it from what it is like for you, it keeps you from making assumptions or accusations that may backfire, or become embarrassing. Don't assume you know what the motives of the other person are. Even if you are right, they may deny it.

### Once again, focus on what you are experiencing.

"It is really important to me to be sure that I conduct myself in a professional manner at all times. For that reason I am not comfortable meeting in a casual setting or in a person way. Would it be possible for us to talk in your office (or some other place on campus)? I can't tell you how important this is for me." Finish with something positive. "Working with you has been a remarkable experience and I have gained a better understanding of so many things. I am very grateful for that. Your assessment of my work is very valuable to me. Let me know what time I could come to your office so you could let me know what I need to do before my time here is completed."

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Things you might do/say:

Acknowledging that you did come because you liked the other person would make sense. Wanting the time to get to know the other person also makes sense. Stating what your boundaries (expectations) are is always important. “You are way ahead of me. I’m not there yet. That might be terrific at some point but I need to take things slow. That’s really important to me. Can we stop and talk about what we’re both hoping for? If this is going to be a mutually respectful relationship I think we need to make these decisions together. I’d like that to happen, what about you?”

If you would like to address this experience further (no matter the outcome), talk over your concerns and options with Lisa Huck, the Title IX Coordinator for the Divinity School. Note: If, for any reason, you do not want to contact the Title IX Coordinator from the Divinity School, you can contact any of the other Title IX Coordinators at Yale. A complete list is on the Provost website.

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### Things you might do/say:

Trust your instincts. If you feel afraid that is important information. Even in cases where you may not know why you're afraid.

Meeting in a public place that you choose and having someone else with you is always a good idea if you want to meet.

Setting limits through email or text is also acceptable and copy a third person if you decide to do so. Let the other person know this isn't an ongoing conversation. Once the message is acknowledged let the other person know that no further contact will be responded to.

State clearly what you expect and what your boundaries are. "I'm hoping we can resolve things amicably but if necessary there are other resources that can help support my wishes (Title IX, University Wide Committee, YPD) in keeping them firm."

Administrative support: Your Title IX Coordinator, Lisa Huck, can also help in altering class schedules and limiting contact on campus. She can also address a “no contact agreement” informally, or recommend filing a formal complaint and going through a hearing with the UWC. The UWC has punitive powers that can reach result in the form of a formal “no contact order” or more severe punishments. Note: If, for any reason, you do not want to contact the Title IX Coordinator from the Divinity School, you can contact any of the other Title IX Coordinators at Yale. A complete list is on the Provost website.

Make an appointment with someone from SHARE. SHARE, in offering information, advocacy and support, may be a good place to start.

# Thank you!

**SHARE – 432-2000**

Campus Police – 432-4400

[smr.yale.edu](http://smr.yale.edu)

Lisa Huck – 432-5312; N115