



Sexual Misconduct Training

ASMS Faculty & Staff

Dr. Krista Harrell
Assistant Vice President for Student Affairs &
Title IX Coordinator



UNIVERSITY OF SOUTH ALABAMA
VIOLENCE PREVENTION
& TITLE IX



Title IX

9 THINGS TO KNOW ABOUT TITLE IX

1 Title IX is a civil right that prohibits sex discrimination in education.

2 Title IX applies to all students regardless of gender identity.

3 All schools receiving federal funding, including public K-12 schools and the majority of colleges, are subject to Title IX.

4 Schools cannot discourage you from continuing your education.

5 Schools can issue no-contact directives to prevent accused students from approaching or interacting with you.

6 Schools must have an established procedure for handling complaints sexual of discrimination, harassment, and violence.

7 Schools should ensure that no student has to share campus spaces (such as dorms, classes, and workplaces) with their abuser.

8 Schools may not retaliate against someone filing a complaint and must keep complainants safe from other retaliatory harassment.

9 Schools must be proactive in ensuring that your campus is free from sex discrimination.



University of South Alabama

For more information about Title IX please contact:

Krista Harrell, Ph.D.

Associate Dean of Students & Title IX Coordinator

kristaharrell@southalabama.edu | 251-460-6452 | southalabama.edu/departments/studentaffairs/titeline

"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."

--Legal Citation: Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX)

Title IX

Sex discrimination includes sexual misconduct.

While it is often thought of as a law that applies only to athletics programs, Title IX is much broader than Athletics and applies to all programs at the University of South Alabama.

While compliance with the law is everyone's responsibility, all staff members have primary responsibility and are mandatory reporters for Title IX compliance.

Know Your IX

TITLE IX IS FOR EVERYONE

Title IX goes beyond athletics, and includes sexual harassment and sexual violence. It's quite literally for everyone. If you or someone you know needs help navigating the system, **we are here for you.**



UNIVERSITY OF SOUTH ALABAMA
DIVISION OF
STUDENT AFFAIRS

Title IX Department
(251) 460-6452
titleix@southalabama.edu

SouthAlabama.edu/departments/studentaffairs/titleix/



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Who to know: USA Title IX Coordinator

Dr. Krista Harrell

Asst. Vice President, Student Affairs & Title IX Coordinator

The University has designated Dr. Harrell as the Title IX Coordinator who coordinates University compliance with Title IX and who receives inquiries regarding Title IX, including complaints of sexual misconduct. Dr. Harrell is able to provide interim measure to community members experiencing sexual misconduct.

kristaharrell@southalabama.edu
titleix@southalabama.edu



Who to know: USA Title IX Office

FeAunte Preyear

Title IX Specialist & Investigator & soon to be TIX Coordinator

The Title IX Specialist examines allegations of sexual misconduct that are filed within the Title IX Office, and processes requests for pregnancy and parenting accommodations.



Ansley Romero

Title IX Prevention Education Graduate Assistant

The Title IX Graduate Assistant facilitates presentations, trainings, events and activities to educate community members regarding sexual violence, domestic violence, intimate partner violence, stalking and Title IX services.



Who to know: USA Deputy Title IX Coordinators

The University has also designated the following individuals as Deputy Title IX Coordinators. Deputy Title IX Coordinators are available to receive inquiries regarding Title IX, including complaints of sexual misconduct, when the Title IX Coordinator is unavailable, if a person is more comfortable engaging with one of the Deputies, or if the Title IX Coordinator has a conflict of interest. The names and contact information for the Deputy Title IX Coordinators are as follows:

Deputy Title IX Coordinator for Students

Dr. Michael Mitchell
Vice President of Student Affairs & Dean of Students

Deputy Title IX Coordinator for Faculty

Dr. Andre Greene
Associate Vice President, Academic Affairs

Deputy Title IX Coordinator for Administrators, Non-Faculty Employees, Contractors, and Third-Parties/Others

Yamayra Betler
Manager EEO

Deputy Title IX Coordinator for the College of Medicine Students

Dr. Franklin Trimm
Assistant Vice-President for Medical Affairs and Diversity & Inclusion

Deputy Title IX Coordinator for the College of Nursing

Dr. Rebecca J. Graves, Assistant Professor
Director of Special Projects and Evaluations

Deputy Title IX Coordinator for Athletics

Jinni Frisbey
Senior Associate Athletic Director



Finding Title IX Resources - ASMS

Policies and Procedures

The ASMS policies and procedures found in the Community Standards Handbook include the following:

- Anti-Bullying Policy
- Anti-Harassment Policy
- Grievance Procedures
- Non-discrimination policy
- Reporting Responsibilities
- DHR/ Mandatory Reporting Policy
- Family Educational Rights and Privacy Act (FERPA)
- Concussion Policy
- Technology Policy
- Parent and Guardian Support

Sexual Misconduct Response

Prevention Handbook

View the ASMS Sexual Misconduct Response Prevention handbook and Title IX presentation for training ASMS employees here:

[View Handbook](#)



Know Your (Title) IX

Who to Know

- Title IX Contacts
- Resources

What to Know

- Reporting
 - Where can I find I find the policy?
 - Who does the policy apply to?
 - How does someone make a report?
 - What happens after someone makes a report?
 - How long does the process take?
 - How often are incidents reported?



Know Your (Title) IX

What to Know

- Reporting
 - What type of interim measures are available?
 - What is non-retaliation?
 - What are the benefits of reporting?
 - Why don't people report sometimes?
 - I am a student employee, do I have to report?



Definitions

Sexual Misconduct

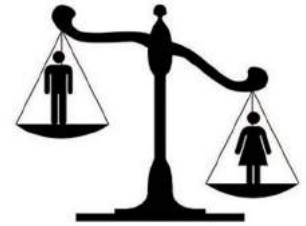


Umbrella term utilized in our Sexual Misconduct policy

This policy prohibits sexual misconduct.

- “Sexual misconduct” is an umbrella term that includes sex discrimination, sexual harassment, sexual violence, domestic violence, dating violence, stalking, and retaliation.
- Sexual misconduct does not depend on the gender, gender identity, or sexual orientation of the alleged victim and alleged perpetrator. Thus, sexual misconduct can occur between persons who consider themselves to be of the same gender, the opposite gender, or to otherwise have differing gender identities.

Sex Discrimination



Legal/Policy term that is the central focus of Title IX

Sexual misconduct is inclusive of “sexual assault”

Sex discrimination occurs when persons are excluded from participation in, or denied the benefits of, any University program or activity on the basis of their sex. Sex discrimination includes materially adverse treatment or action based on a person’s:

- biological sex
- pregnancy status
- gender, gender expression, or sexual identity
- and/or failure to conform to stereotypical notions of masculinity and femininity (so called “gender stereotyping”).

Examples of Sex Discrimination

- Giving unequal pay, promotions, or other job benefits on the basis of sex.
- Allowing a person's sex to influence the grade conferred in a class.
- Denying persons access to a given degree or major because of their sex.
- Requiring a pregnant student to verify pregnancy-related absences with a doctor's note when such verification is not required of students with other medical conditions.
- Excluding a person from a University sponsored group because the person has a gender identity different than the gender assigned to the person at birth



Domestic Violence



- **Domestic Violence:**

Domestic violence includes acts of violence committed by a current or former spouse or intimate partner of a complainant, by a person with whom the complainant shares a child, by a person who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.



Dating Violence

***Sometimes used interchangeable with domestic violence**

Dating Violence:

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on circumstances, such as the statements of the alleged complainant or alleged perpetrator, and with consideration of the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship.

Sexual Harassment

Under the Title IX Final Rule, **Sexual harassment** is defined:

Unwelcome conduct on the basis of sex that a reasonable person would find to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity. Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment consists of quid pro quo harassment, sexual assault, dating violence, domestic violence and stalking.

Examples of Sexual Harassment



- Unreasonable pressure for a dating, romantic, or intimate relationship or sexual activity.
- Kissing, hugging, rubbing, or massaging.
- Sexual innuendos, jokes, humor, or gestures.
- Displaying sexual graffiti, pictures, videos or posters.
- Using sexually explicit profanity.
- Asking, or telling, about sexual fantasies, sexual preferences, or sexual activities.
- Leering or staring at someone in a sexual way, such as staring at a person's breasts or groin.
- Calling a person derogatory names based on stereotypical notions of how a person of a given sex or sexual identity should look, speak, or act.
- Sending sexually explicit emails, text messages, or social media posts.

Sexual Violence

Sexual violence:

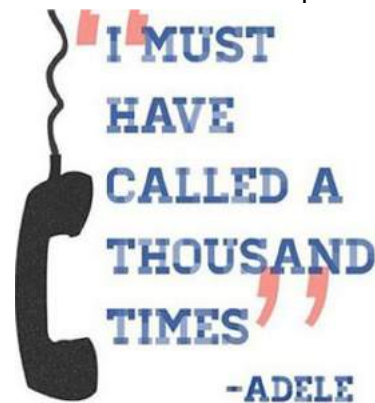
A particularly severe form of sexual harassment that, by its very nature, is likely to create a hostile environment. Sexual violence includes physical sexual acts perpetrated without consent or where a person is incapable of giving consent because of physical, mental, or legal incapacity.

Stalking

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (A) fear for his or her safety or the safety of others; or (B) suffer substantial emotional distress.

For purposes of the definition of stalking in this policy:

- A course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or other means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with a person's property.
- "Reasonable person" for purposes of the definition of stalking means a reasonable person under similar circumstances.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.



Consent

- Permission for something to happen or agreement to do something.
- Consent is an agreement between participants to engage in sexual activity. There are many ways to give consent, and some of those are discussed below. Consent doesn't have to be verbal, but verbally agreeing to different sexual activities can help both you and your partner respect each other's boundaries.

Ongoing
Anyone can change their mind about what they're interested in doing, anytime.

Freely given
Saying yes without pressure or manipulation.

Specific
Saying yes to one act (i.e. kissing) doesn't mean you've said yes to others (i.e. oral sex).

con • sent

Informed
Not deceiving or lying. For example, if someone says they'll use a condom and then they don't, there isn't full consent.

Enthusiastic
It's about wanting to do something, not feeling like you have to or should do something.

Planned Parenthood



Consent

- If coercion, intimidation, threats, and/or physical force are used, there is no consent.
- If a person is incapacitated by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent even if the person self-administered the alcohol or drugs.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Consent can be withdrawn by verbal or physical conduct that a reasonable person would understand to indicate a desire to stop or not engage in the sexual conduct at issue.
- While consent can be withdrawn, a withdrawal of consent operates going-forward. It does not change the consensual nature of sexual activity that has already occurred.
- Being in a romantic relationship with someone does not imply consent to any form of sexual activity.
- Effective consent may not exist when there is a disparity in power between the parties and one is in a supervisory or evaluative role over the other, such as a faculty member who is teaching a student or a director who supervises an employee

Retaliation

Retaliation consists of materially adverse action taken against a person because the person made a good faith report of sexual misconduct or participated in the investigation of a report of sexual misconduct, such as by serving as a witness or support person.

Examples of retaliation

Specific examples of retaliation include:

- Terminating a person's employment, demoting them, denying them a promotion, reducing their pay, or "writing them up" because they made a report of sexual misconduct.
- Sending threatening text messages or social media messages to someone because they made a report of sexual misconduct or gave a statement as a witness.
- Causing physical damage to a person's personal belongings because they made a report of sexual misconduct or gave a statement as a witness.
- Suspending a person from an activity or limiting their involvement because they made a report of sexual misconduct.
- Publishing knowingly false information about a person because they made a report of sexual misconduct.

Rights of Parents & Guardians

Rights of Parents & Guardians Section 106.6(g) was added to acknowledge the legal rights of parents and guardians to act on behalf of a complainant, respondent, or other individual with respect to exercise of rights under Title IX, including but not limited to the filing of a formal complaint.

ASMS Reporting

- Any employee who learns of situations involving student discrimination, harassment, sexual harassment, stalking, hazing, bullying, or sexual violence has an obligation to report those circumstances to the Title IX Coordinator.
- Any employee who learns of situations involving allegations of sexual harassment involving students must promptly report such allegations to the Title IX Coordinator.
- ASMS will grant any student's request to report harassment to a member of the same sex/gender.
- Any student who knows of situations involving sexual harassment, stalking, or sexual violence can and should report the incident to any adult member of the ASMS community.
- ASMS Sexual Misconduct [Handbook](#)

Let's test your knowledge!

True/False: Domestic/Dating violence can include controlling who your partner speaks to, what they wear, and where they go.

True/False: A perpetrator of sexual assault is typically a stranger to the victim.

True/False: Sexual harassment includes both physical and verbal forms of harassment.

What ages do you think are most at risk for sexual assault and rape?

Ages 25-35, Ages 12-34, Ages 35- 60, or Ages 10-17,

Reacting to a disclosure



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Research shows, most respondents do disclose their assault to someone- typically a friend, family member, etc.

How do you respond if you receive a disclosure of sexual violence from another student?

Response is critical

- Impacts emotional, psychological, physical health¹ and whether victim seeks services²
- Negative social reactions:
 - Leads to enhanced trauma, self-blame³
 - Increased risk of silencing²
 - PTSD, depression, physical symptoms¹
- Positive/supportive may promote healing, provide comfort (findings are inconclusive)



¹Ahrens, Stansell, & Jennings, 2010

²Ahrens 2006

³Ahrens, Campbell, Ternier-Thames, Wasco, & Sefl, 2007



POTENTIALLY DAMAGING REACTIONS



- Victim blaming
- Taking Control from the survivor
- Immediately start telling them your story.
- Press for details.
- Ask about it in front of the group.
- Asking survivors to raise their hands.

THAT'S A LOT OF PRESSURE!

Your reaction to a disclosure of sexual assault is very important and can deeply impact the person who is sharing with you

Does it sound overwhelming? Always feel free to ask for help, to reflect and to know you don't have to be perfect to support someone!



Avoid why questions.

Even with the best of intentions, "why" questions can sound accusatory and make survivors blame themselves.

Be Supportive.

"YOU CAN TELL ME AS MUCH, OR AS LITTLE AS YOU WANT."

"IT'S NOT YOUR FAULT."

"I'M GLAD YOU TOLD ME. I'M SO PROUD OF YOU."

START BY BELIEVING

Ask how you can help.

"WHAT CAN I DO TO SUPPORT YOU?"

"I CAN STAY WITH YOU TONIGHT. WOULD THAT HELP?"

"DO YOU WANT ME TO GO WITH YOU TO THE HOSPITAL OR POLICE STATION?"



"I BELIEVE YOU."

"I'M SORRY THIS HAPPENED."

"I AM HERE FOR YOU."

Community Resources



- ASMS Security
- Local Police Department
- Title IX Coordinator/Title IX
- Counseling Services
- Mobile Rape Crisis Center
- Penelope House
- Pastoral Counselors
- Sexual Assault Nurse Examiner at USA Children's & Women's Hospital

Prevention Resources

***Penelope House:**

(251) 342-8994

***Lifeline's Counseling Services:**

(251) 473-7273

***National Domestic Violence**

Hotline:

1-800-799-7233

***National Sexual Assault Hotline**

800-656-4673



USA Prevention as Examples

We utilize a comprehensive prevention strategy that draws from social norming, bystander intervention, empathy and consensus building, survivor support and healthy sexuality education.

Due to COVID-19 many of our prevention programs have transitioned to online learning. To request a presentation contact titleix@southalabama.edu. Follow our social media to participate in our events, and stay up to date.

Upcoming Campaigns & Events

Cracking the Code

- Inclusive event that focuses on bystander intervention, consent, and interpersonal violence.

Consent Series Campaign

- Month long social media campaign that focuses on understanding consent. A virtual Exploring Consent workshop will be offered during this campaign.

Domestic Violence Awareness Month

- October is Domestic Violence Awareness month. In addition to a DVAM social media campaign, we will be hosting various events focusing on DV. Follow our social media for more information.

