



Mandatory Reporting: What do I do now?

Title IX Training

What do I do now?

- You've been told of an incident on campus involving sexual violence. You aren't sure if it's true, and you don't think you should react to something you have only heard about.

What do I do now?

- A student asks for your advice about a situation with her ex-boyfriend involving stalking and threats of violence.
- Do you report what you have learned to anyone, or wait to see if his threats are real?

Duty to Report

- There are many different laws and regulations that have to do with student and employee harassment and discrimination, reporting and counting crimes on campus.
- Your responsibility is to report what you have witnessed, been a victim of, or been told even if only by gossip or social media. Investigators will take it from there in deciding what to do.

Title IX of 1972 Education Amendment

Originally, this law came about to make sure that all schools who receive federal dollars for any reason are responsible for maintaining gender equity in athletics and scholarships.

It prohibits discrimination based on pregnancy of students or employees, and prohibits sexual harassment.

Jeanne Clery Act

- Then, in 1986, Jeanne Clery was strangled, raped and robbed in her Lehigh University dorm room by an intruder who came into her room through a propped open outer door. Her parents made sure, by passing the Jeanne Clery Act, that all universities are required to count and report crimes so that everyone knows their prevalence.

Additional Recent Laws

- More recently, President Obama signed the Violence Against Women Reauthorization Act, which added categories of crimes that must be reported to include additional sexual and interpersonal violence issues.
- It added “national origin” and “gender identity” to the hate crime categories that must be reported.
- It also mandated on-going training for awareness and prevention.
- And it called for increased information on victim’s rights.

Why?

- Increasing number of Title IX violations in colleges and universities across the nation.
- 1 in 5 college age women are survivors of sexual assault or attempted sexual assault.
- 6.1% of males are survivors of completed or attempted sexual assault during college.
- We want to be safe, protected, and well-acquainted with our available resources.

Harassment

- Harassment is illegal when it is so frequent or severe that it creates a hostile or offensive work environment or when it results in an adverse employment decision (such as the victim being fired or demoted).

Your Rights if you Feel Harassed

All members of the USC Upstate community have rights and responsibilities with respect to the institution's harassment complaint process and resolution. Seek guidance from an appropriate campus resource about the options available to you.

Rights

- To work and/or learn in a harassment-free and discrimination-free environment.
- To have your concerns treated in a prompt and confidential manner.
- To seek assistance from someone other than your direct supervisor.

Responsibilities

- To understand and comply with the USC System Equal Opportunity Policies.
- To know whom to contact for assistance in resolving your concerns.

Steps to Take

- Visit www.uscupstate.edu to review equal opportunity policies and procedures.
- Document dates, times, places and witnesses of incidents.
- Report harassing behavior to management before it becomes pervasive or severe. Be informed about your options for resolution. While it is not required, it may be helpful to inform the harasser that the conduct is unwelcome, offensive and must stop.

Types of Discrimination

- Age (over 40)
- Disability
- Equal pay
- Genetic information
- National origin
- Pregnancy
- Race/color
- Religion
- Retaliation
- Sex
- Sexual orientation
- Veteran's status

Retaliation

- It is also illegal to discriminate against a person because they:
 - Complained about discrimination,
 - Filed a charge of discrimination, or
 - Participated in an employment discrimination investigation or lawsuit.

Equal Opportunity

This office ensures that applicants for employment, employees, and prospective and enrolled students of the University of South Carolina are protected against discrimination. Qualified individuals are provided with equal opportunity in both employment and academic instruction, free of harassment, discrimination, and sexual violence.

Equal Opportunity

- This is the office you would contact if you feel you are being harassed or discriminated against because of your age (over 40), disability, pay, genetic information, national origin, pregnancy, race/color, religion, or sex, or if you feel you are being retaliated against for prior complaints.
- Contact Alphonso Atkins, Chief Diversity Officer, EO and Title IX Coordinator, at 503-5959, 225 Stockwell Administration Building, or at sexualassault@uscupstate.edu.

Sexual Assault/Violence

- Sexual Assault/Violence is a crime. It is a violation of:
 - Title IX Regulations
 - Campus Policy
 - Federal and State Law

Sexual Violence

Sexual Violence is any physical sexual act or acts committed against a person's will or where a person is incapable of giving consent, including incapacitation due to the victim's use of drugs or alcohol.

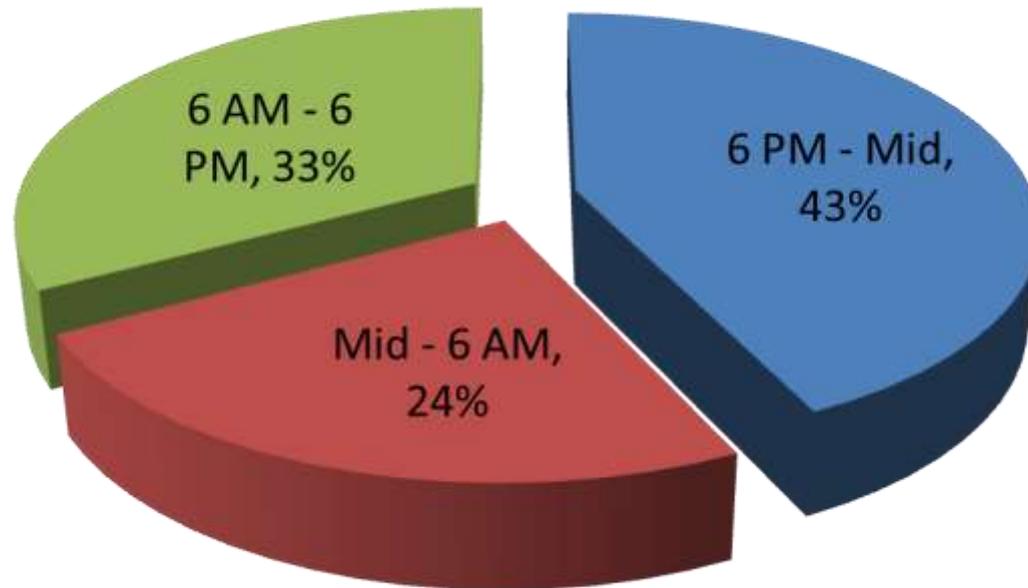
Included Under Sexual Violence

- Sexual Assault
- Domestic Violence
- Dating Violence
- Stalking
- Forcible & Non-Forcible Sex Offenses

Intimate Partner

- Sexual Assault can be committed by someone you know.
- Any physical, sexual, or psychological harm against an individual by a current or former partner or spouse of the individual could be sexual violence.
- These can include stalking, dating violence, sexual violence or domestic violence.

When Sexual Assaults Occur



Statistics

2/3 of all rapes are committed by someone known by the victim.

73% of all sexual assaults are committed by a non-stranger.

38% of rapists are a friend or acquaintance.

28% of rapists are an intimate partner.

7 % are a relative.

Statistics

4 in 10 take place at the victim's home

2 in 10 take place at the residence of a friend,
acquaintance, or relative

1 in 12 occur in a parking garage

Dating Violence

- Dating Violence is a pattern of abusive behaviors-usually a series of abusive behaviors over a course of time-used to exert power and control over a dating partner.
- Power and control are gained and maintained by violent words and actions.
- Can happen to anyone in a relationship, whether it is casual and short-term or serious and monogamous.

What does Dating Violence Look Like?

- **Physical Abuse:** Any intentional use of physical force with the intent to cause fear or injury, like hitting, shoving, biting, strangling, kicking or using a weapon.
- **Verbal or Emotional Abuse:** Non-physical behaviors such as threats, insults, constant monitoring, humiliation, intimidation, isolation or stalking.

- **Sexual Abuse:** Any action that impacts a person's ability to control their sexual activity or the circumstances in which sexual activity occurs, including rape, coercion or restricting access to birth control.
- **Digital Abuse:** Use of technologies and/or social media networking to intimidate, harass or threaten a current or ex-dating partner such as demanding passwords, checking cell phones, cyberbullying, non-consensual sexting, excessive or threatening texts or stalking on social media.

Consent

With those statistics in mind, it's important to know exactly what **consent** means:

- Both people are fully conscious.
- Both are equally free to act.
- Both are positive and sincere in their desires.
 - This means there is no blackmail, coercion, nagging, convincing, etc.
- Both are clear about their intentions.

Domestic Violence

- Includes violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Warning Signs of Abuse

- People who are being abused may:
 - Have very low self-esteem, even if they used to be confident
 - Show major personality changes (e.g. an outgoing person becomes withdrawn)
 - Be depressed, anxious, or suicidal

Medical Attention

- Will determine:
 - Presence of Physical Injury
 - Sexually Transmitted Infections/Diseases
 - Pregnancy
- Should be done within 72 hours whether or not victim intends to press charges, because if they change their mind later there won't be any evidence.

Stalking

- Stalking is a pattern of **repeated** and **unwanted** attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Stalking can include:

- Repeated, unwanted, intrusive, and frightening communications by phone, mail, and/or email.
- Repeatedly leaving or sending unwanted items, presents, or flowers
- Following or laying in wait for the victim at home, school, work, or recreational place
- Making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets.

- Damaging or threatening to damage the victim's property
- Harassing victim through the internet
- Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth
- Obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, contacting friends, family, work, or neighbors, etc.

Confidential Reporting

- Health Services and Counseling Services are confidential reporting areas. If you feel your report should be kept confidential, go to these areas.
- The survivor's wishes will be respected unless the offender is a repeat offender, or if the offense is extremely serious and poses a threat to campus.

How can you help?

1. Be an **active bystander**. When you see something, do something about it.

- Assess the situation, and determine whether to intervene, create a diversion, or get help.
- Ask:
 - Do you need some help?
 - Is everything alright?
 - Should I call the police?

How can you help?

- 2. Report** the incident if you are aware of, a witness to, or a survivor of sexual assault.
- 3. Research** – become an expert on our resources so you can be helpful in an emergency

How can you help?

4. Support the survivor:

- I believe you.
- This is not your fault.
- You are not alone.

5. Encourage the survivor to seek counseling.
Our Counseling Services is available at 864-503-5195.

Who Can File?

*Student

*Faculty

*Staff

...who has witnessed or been informed or has personally experienced a sexual assault or illegal discrimination on the basis of the protected classes of race, color, national origin, sex, sexual orientation, religion, disability, genetics, veteran status, or age may file a complaint.

Where to file?

- Remember, filing a report does not equal pressing charges.
- Students can use the RU OK? button to file, <http://www.uscupstate.edu/ruok>
- Or the Student Affairs Incident Reporting Form:
<https://publicdocs.maxient.com/incidentreport.php?UnivofSCUpstate>

Where to file?

- Faculty/staff can refer to the Title IX web page at <https://www.uscupstate.edu/faculty-staff/personal-and-professional/unlawful-discrimination//>.
- This page gives a checklist of procedures to follow as well as reporting links for incidents of sexual misconduct.
- You can also use the forms available to students mentioned on the previous slide.
- Or you can call either of the campus officials listed on the Resources slide.

Where to file?

- Harassment/discrimination based on the protected classes-race, color, national origin, sex, sexual orientation, religion, disability, genetics, veteran status, or age (over 40) may file a complaint with the office of EO.

When to file?

- **Discrimination** complaints must be filed within 180 days of the date the incident occurred.
- There is no statute of limitations to **sexual assault** cases, but be aware that the sooner the investigation the more preserved the evidence will be.

University Police

- Non-Emergency 864-503-7777, Emergency 911
 - *Victim's Advocate Available*

1. Do not shower, bathe, douche, eat, drink or brush teeth before reporting an assault to preserve as much evidence as possible.
2. Also, save any clothing involved in the assault in a paper bag.
3. Do not disturb the area of the assault.

Safety on Campus

Walk with a friend after dark.

Be aware of emergency call stations around campus.

If you need assistance, call 503-7777.

Resources

University Police 864-503-7777

Emergency 911

Health Services 864-503-5191

Counseling Services 864-503-5195

Title IX Coordinator 864-503-5959

Director of EO 864-503-5959

Dean of Students 864-503-5107

Safe Homes Rape Crisis 864-583-9803

References

- Sexual Assault and Violence Intervention & Prevention, University of South Carolina
- Stalking Resource Center, National Center for Victims of Crime
- Violence Against Women Reauthorization Act “VAWA”, Campus Sexual Violence Act “SaVE Act” provision, Section 304.

Title IX Quiz

- Now you are ready to take the quiz to check your understanding of the material:

[Title IX Quiz](#)