

Frequently Asked Title IX Questions – FAQs

Much information about Wesleyan's policies and procedures is available online; the following web sites are the best place to start:

www.wesleyan.edu/sexualassault

www.wesleyan.edu/inclusion

If you have additional questions, please contact Wesleyan's Title IX staff:

Alison Williams Vice President for Equity and Inclusion / Title IX Officer

awilliams@wesleyan.edu

Debbie Colucci

Equity Compliance Director & Deputy Title IX Officer

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The following FAQs are intended to respond to questions about the University's process related to Complaints of Sexual Misconduct.

Overall:

How does Wesleyan develop its policies and procedures? Who is involved in this process?

Wesleyan's current policies and procedures are the result of thoughtful input and recommendations from a wide range of constituencies – students, faculty, staff and other community members, expert researchers and practitioners, outside reviewers, and colleagues at other institutions. Wesleyan utilizes a formal process for continual review and revision of the approach to prevention and response in sexual misconduct cases. The Title IX Officer and Deputy Title IX Officer manage a process of shared governance (faculty, staff, students) and transparency which includes Title IX training on a continuous basis and hold community forums as needed to solicit feedback from the broader faculty, staff, and student body.

Why does Wesleyan use the term “sexual misconduct”? What does it mean?

Wesleyan University prohibits all forms of sexual misconduct. Sexual misconduct refers to a broad spectrum of behavior encompassing sexual harassment and all forms of non-consensual sexual activity. For the purpose of this policy, the University prohibits the following specific forms of sexual misconduct: sexual assault, sexual exploitation, intimate partner violence, stalking, sexual harassment and retaliation. Sexual misconduct affects individuals of all genders, gender identities, gender expressions, and sexual orientation, and does not discriminate by racial, social, or economic background.

How does Wesleyan determine whether a policy violation occurred? How are the individuals making these decisions trained?

Each investigator receives extensive annual training on a variety of topics including relevant legislation, risk assessment, writing investigative reports, stalking, sexual assault, intimate partner violence, working with the LGBTQ community, trauma-informed interviewing, and due process.

- In cases involving a student responding party, a pool of faculty and staff from across the University receive in-depth, on-going training about the Title IX reporting, investigation, and adjudication

processes. They understand the impact of trauma, decision-making rubrics, and sanctioning guidelines.

- In cases involving an employee responding party, two staff, one from Human Resources and the Office for Equity & Inclusion, who are well-trained / certified civil rights investigators, pair to gather facts and determine if those facts show a violation of university policy.

What is retaliation?

Acts or attempts to retaliate or seek retribution against the reporting party, responding party, or any individual or group of individuals involved in the investigation and/or resolution of an allegation; including subjecting a person to an adverse employment or educational action because they made a complaint under any portion of this policy or responded to, assisted or participated in any manner in an investigation under this policy. Any individual or group of individuals, not just a responding party or reporting party, can be guilty of retaliation. Retaliation may include continued abuse or violence as well as other forms of harassment. Any individual subject to this policy who intentionally engages in retaliation may be subject to disciplinary or other corrective action as appropriate.

Why does Wesleyan release the annual reports on complaints of student sexual misconduct?

By being as open as possible (within the constraints of confidentiality) about the reports received and the steps taken in response, the University hopes to create productive community dialogue and reflection. Some of that dialogue is difficult, yet it is necessary in order to create a positive, respectful campus culture, where there is no place for sexual misconduct of any kind. These reports are prepared by the University Title IX Officer, who reviews all cases and outcomes. Through these reports, the University Title IX Officer hopes to inform the community about issues of sexual misconduct, raise awareness about the procedures used to investigate and address them, and engage the community in the University's efforts to prevent sexual misconduct

Does Wesleyan have a “gag order” associated with Title IX cases?

No. Those involved in a case directly (Reporting and Responding Parties) may discuss their case with anyone they choose for support. However, the administrators involved in the specific case may not discuss the situation or share case information with anyone not directly involved in the investigation / adjudication of a case.

Are on campus resources the only options?

These are very personal situations and individuals are encouraged to access the support, resources, and reporting options that best meet their needs.

Off-campus support resources include:

- Women and Families Center; Middletown Office
100 Riverview Center -- Suite 150
860.344.1474
<http://www.womenfamilies.org>
- New Horizons
24 hour services to victims of domestic abuse
860-344-9599
https://newhorizonsdv.com/contact_us

To discuss the process and/or initiate a report through **Middletown Police**, you can contact a Title IX Investigator to assist you and/or you can also go directly to MPD (Captain Gary Wallace) if you choose at 222 Main Street (between Court and College Streets); 860.638.4000.

For additional support in accessing off-campus resources, the Director of Survivor Advocacy and Community Education may also be contacted (jdebari@wesleyan.edu; 860-685-3214).

Students:

Does speaking to the Title IX Officer or Deputy Title IX Officer mean the student must share their experience and pursue disciplinary action? Is this the only option for support?

There are generally two ways the Title IX Office becomes aware of sexual misconduct allegations. A Reporting Party seeks assistance through the Title IX Office directly or the information is forwarded by an employee who has a responsibility to inform the Title IX Office. In each case, the Deputy Title IX Officer follows up with the Reporting Party to provide information about on-and-off-campus reporting options, and support resources, and campus accommodations (accommodations may be available even if no formal complaint is filed). To the greatest extent possible, decisions about how to proceed is made by the Reporting Party.

Will the Title IX Officers be sensitive to the needs of victims/survivors?

Yes. The Title IX Officers receive extensive annual training on a variety of topics including understanding trauma, supporting survivors, the intersectional impact of trauma, and the various forms of sexual misconduct including harassment, assault, stalking, domestic violence, and intimate partner violence.

If a student reports sexual misconduct or harassment by another student or an employee, can the reporting party remain anonymous?

Conversational advice about the situation and options allow for some anonymity. However, if the reporting party is looking for an outcome; that person will need to take formal action through University investigation / adjudication processes and they may not remain anonymous as they will need to provide first-hand information to the investigator(s).

Why aren't all cases of sexual misconduct turned over to the police?

Under Title IX, the university has a responsibility to ensure prompt response to stop the harassment/discrimination and implement immediate remedial support for the survivor (victim). As a part of that process, everyone who experiences sexual misconduct is always given the option to discuss and/or report the incident to the University, to Middletown Police, or both. Reporting is a personal decision; individuals have their own reasons for whether or not they decide to go through with a formal reporting process.

Does Wesleyan have a mechanism to investigate multiple reports against the same individual and/or identify repeat offenders?

When the University receives reports of complaints of sexual misconduct, we involved look for and take action in response to trends or patterns that emerge from these reports, including multiple allegations against an individual. While each report is investigated and adjudicated individually, the totality of the situation is considered in the sanctioning process.

Someone filed a sexual misconduct complaint against me, what should I do?

Involvement in a Title IX case can be very stressful. There are a number of resources to support students throughout the process including Counseling and Psychological Services (CAPS), Class Deans, Dean of Students Office, Residential Life staff, Title IX Investigators, and anyone with whom you feel supported. The investigation and adjudication procedures are designed to provide a fair and transparent process for all involved parties. Each party can have an advisor of their choice accompany them to interviews and meetings.

Employees:

As an employee why do I need to know about Title VII employment discrimination and/or Title IX and sexual misconduct?

Both Title VII of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1972 provide protection against gender discrimination in the context of the workplace. Title VII is a federal law that prohibits discrimination in employment on the basis of sex, as well as race, color, national origin, and religion.

Are all employees required to report incidents of sexual misconduct to Title IX Officers?

Most Wesleyan faculty and staff are Responsible Employees, commonly understood to be “mandated reporters.” This means they are required by University policy as well as state and federal guidance to report any incident. That said, sometimes when a student experiences sexual violence they want to get advice from someone who is not required to report their conversation and can keep information about their experience confidential. At Wesleyan, this includes:

- *Any clinician or therapist with Counseling and Psychological Services (CAPS).*
- *Any health care provider at Davison Health Center.*
- *Any clergy with the Office of Religious and Spiritual Life.*
- *The Director of the Office of Survivor Advocacy and Community Education*

Does Title IX cover student complaints of sexual misconduct against employees? Employee complaints against students? Employee complaints against other employees?

Wesleyan policy applies to all individuals affiliated with Wesleyan University, including but not limited to students, faculty, staff, trustees, volunteers, and employees of contractors/agents. It is intended to protect the rights and privacy of the complainant, respondent and other involved individuals, as well as to prevent retaliation or reprisal. Individuals who violate this policy may be subject to disciplinary or other corrective action. This policy applies to anyone on the property of Wesleyan University and anyone present at Wesleyan-sponsored programs or events. This policy extends to off-campus violations by both students and employees in limited circumstances.

Who is considered a responsible employee and what are the expectations?

Anyone not previously mentioned as confidential is considered a responsible employee. If you know someone has experienced sexual misconduct of any kind, you are required to connect the individual to the Title IX Officer or Deputy Title IX Officer. For questions about specific situations, please contact Alison Williams, Vice President for Equity and Inclusion / Title IX Officer or Debbie Colucci, Equity Compliance Director & Deputy Title IX Officer.

If an employee reports sexual misconduct or harassment by another employee, can the reporting party remain anonymous?

Conversational advice about the situation and options allow for some anonymity. However, if the reporting party is looking for an outcome; that person will need to take formal action through University investigation / adjudication processes and they may not remain anonymous as they will need to provide first-hand information to the investigator(s).

Can accommodations be made for employees if an allegation of sexual misconduct is reported and the two employees work closely together?

Reporting is a personal decision; individuals have their own reasons for whether or not they decide to go through with a formal reporting process. Regardless of how you wish proceed, we are here to discuss all possible options and ensure your physical and mental health & well-being.

I believe my supervisor is harassing me based on continual comments of a sexual nature. Who do I report this to in order to have the behavior stop?

Situations of harassment can be discussed confidentially with the University Ombudsperson. If, however, you are looking for specific action to be taken, harassment by a supervisor (or other faculty, students, administrators, staff, vendors, or visitors) can be made to the Vice President and/or Dean of the area, the Office of Human Resources, or the Office of Equity & Inclusion as appropriate. Procedures for the investigation and resolution of complaints are specific for students, faculty and staff and are outlined in respective handbooks. Each process provides an equal, fair, and timely process for both complainants and respondents.

Someone filed a sexual misconduct complaint against me, what should I do?

Involvement in a Title IX case can be very stressful. There are a number of resources to support employees throughout the process including Deans / supervisors / managers, and the University Ombudsperson. The investigation and adjudication procedures are designed to provide a fair and transparent process for all involved parties. Each party can have an advisor of their choice accompany them to interviews and meetings.