

Title IX: Information for Employees

The University of Redlands is committed to creating and maintaining a community in which students and employees are able to live, learn and work free from unlawful discrimination on the basis of sex (or other legally protected characteristics). The University's policy Prohibiting Discrimination, Harassment, Sexual Misconduct and Retaliation supports this commitment. The University takes seriously allegations that its policy has been, or is being, violated.

WHAT IS TITLE IX AND WHAT DOES IT PROHIBIT?

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded education programs and activities. Unlawful sex discrimination includes, but is not limited to, all the acts of "sexual misconduct" (listed below) that occur because of a person's sex, gender or gender stereotype.

WHAT IS SEXUAL MISCONDUCT?

Sexual misconduct occurs any time a person experiences non-consensual sexual contact (or attempted sexual contact). "Consent" must be explicit and affirmative and it does not exist where it is obtained through force, coercion, manipulation or threat. A person also cannot give consent if s/he is unconscious or incapacitated (whether due to alcohol, other substance(s) or any other reason). Sexual misconduct includes, but is not limited to:

- Sexual assault
- Sexual harassment
- Voyeurism
- Stalking
- Rape
- Dating or acquaintance violence
- Domestic violence
- Fondling
- Molestation
- Sexual battery (unwanted touching)
- Indecent exposure
- Recording or distributing private acts or images

WHAT IS A TITLE IX COMPLAINT AND WHAT ARE THE UNIVERSITY'S RESPONSIBILITIES?

Any person who believes s/he has been harmed by actions prohibited by Title IX may file a complaint with the University. Upon receipt of a complaint, the University is required to take prompt and effective steps reasonably calculated to end the alleged sexual misconduct, prevent its recurrence, eliminate any hostile environment, and, as appropriate, remedy its effects. Under Title IX, the University is independently obligated to investigate (apart from any criminal investigation by local police) and address sexual misconduct.

WHAT DOES THE UNIVERSITY DO WHEN SOMEONE REPORTS AN INCIDENT?

The University is concerned for all parties—Complainant (a person allegedly wronged), Respondent (a person who allegedly committed a wrong) and any witnesses—and it is committed to providing fundamental fairness to the individuals involved. Among other things, the University provides the following to Complainants and Respondents:

- Concern for immediate safety
- An offer of support services, including resources for sexual assault, medical and/or counseling services
- A copy of the University's policy
- Information about the Title IX Coordinator's role
- Information about confidentiality and privacy
- Options for reporting (both to the University and to law enforcement)
- An overview of the University's investigation process
- An explanation of the University's standard ("more likely than not")
- Information about possible interim measures
- Information about an advisor/support person

EMPLOYEE DUTY TO REPORT

With two exceptions described below, the University requires all University employees (faculty, staff, student employees and administrators) to report to the Title IX Coordinator or Deputy Title IX Coordinators any discrimination, harassment, sexual misconduct or retaliation that they hear about, witness or have a reasonable basis to suspect. Just to be clear: Employees cannot keep conversations confidential—you have a duty to report.

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For this reason, if an individual approaches you and asks to take you into confidence, it is best for you to warn the individual that you may have an obligation to report things that you are told and that, if the individual truly wants confidentiality, they should report to the confidential resources mentioned below.

Confidential Resources: The two exceptions to the University employee duty to report are when the following professionals learn of the alleged policy violations during consultations when there is an expectation of confidentiality: (1) Chaplain and (2) licensed counselors/psychologists who work in the University Counseling Center. Professionals in these two organizational areas can maintain confidentiality and will only report if the person who seeks their assistance requests that a report be made or if the employee has a professional or legal obligation to do so.

A WORD ABOUT RETALIATION

The University prohibits and will not tolerate any retaliation against any person who, in good faith, complains about discrimination, harassment or sexual misconduct. Similarly, the University prohibits and will not tolerate any retaliation against any person who, in good faith, demonstrates opposition to, or participates in an investigation of, alleged discrimination, harassment or sexual misconduct. Any retaliatory action or harassment will result in disciplinary action by the University.

WHO ARE THE TITLE IX COORDINATORS?

University-wide

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University-wide

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WHERE CAN I GET MORE INFORMATION?

Visit www.redlands.edu/titleix