

# **Title IX Student Services**

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UMaine Machias Residence Life

# Before we start

During this training we are going to talk about some very sensitive subjects. If for any reason you need to excuse yourself, please give us a thumbs up so that we know you are okay.

# Introductions

Cory M. Davis

Title IX Student Services Coordinator and Deputy Title IX Officer

TJ England

Student Life Educator

Dr. Kenda Scheele

Deputy Title IX Coordinator

# Our purpose

- Prepare ResLife staff to identify and report sexual harassment;
- Provide ResLife staff an overview of Title IX sexual harassment process;
- Discuss reporting responsibilities and community resources.



# Agenda

- Defining Title IX
- Sexual misconduct: definitions and terms
- Consent and respect
- Prevention
- Policy/Procedure
- Reporting & Resources
- Alcohol and other drugs
- Hazing
- Issues of bias



# Laws & Guidance



# Defining Title IX

“No person in the U.S. shall, on the basis of sex be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal aid.”

Equity in athletics, pregnant/parenting students, and sexual harassment.

Ending educational barriers based on sex discrimination.

# Types of Title IX sexual harassment

- Quid pro quo;
- Sexual assault (Clery); dating/domestic violence or stalking (VAWA);
- Unwelcome conduct that a reasonable person would find severe, pervasive, and objectively offensive that it denies a person equal educational access.



# Facts

## National

- 1/5 women, 1/3 Black women, 1/33 men
- Most victims knew their attacker
- Sexual assault most underreported crime
- 50% involve alcohol
- 1/4 women & 1/7 men experience IPV
- 2/3 assaults between 6pm – 6am

## UMM

- Occurs within the first few weeks of school
- RA's most common referral source
- 9 in 10 involve alcohol
- Student-athletes are at higher risk of SA

# UMaine System Title IX Violations



- Sexual Harassment
- Sexual Violence
- Dating/Domestic Violence
- Stalking
- Retaliation

# Definitions--all prohibited behavior across UMS

- **Sexual Harassment**
  - unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, including sexual assault and sexual violence
- **Sexual Violence**
  - an offense that meets the definition of rape, fondling, incest, or statutory rape
- **Dating Violence**
  - violence committed against a person by an individual who is or has been in a social relationship of a romantic or intimate nature with that person

# Definitions

- Domestic Violence

- A felony or misdemeanor crime of violence committed by a current/former spouse or intimate partner; by a person who shares a child in common; by a person who is or has cohabitated with the victim as a spouse or intimate partner.

- Stalking

- Fear for the person's safety/safety of others; or a *course of conduct* (two + acts), including, but not limited to, the stalker directly, indirectly, or through third parties, by any action, method, or means, follows, monitors, or observes to or about someone or interferes with their property.

# Definitions

- **Retaliation**

- Retaliation is action taken by the University or any individual or group against any person for opposing any practices forbidden under this policy or for filing a complaint, testifying, assisting, or participating in an investigation or proceeding under this policy.
- Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's complaint or participation.

# Jurisdiction

TIX harassment...

- at the time of a formal complaint, Complainant must be participating or attempting to participate in edu program/activity;
- when occurring in the US;
- within educational program/activity.

UMM cares about students regardless of where alleged conduct may occur.

Always encourage students to reach out for help/support.





# What is Consent?

- Must be able to say “No”
- Consent to some activities does not imply “Yes” to others.
- Consent can be taken away at any time during the sexual encounter.



# What is Consent?

- Clear, unambiguous voluntary agreement to participate in sexual activity
- It is active – not passive – expression
- Must be = power between parties
- Doesn't exist if asleep, unconscious, or incapacitated due to drugs/alcohol/other conditions
- Must be present even if there's a long standing relationship



# Consent...

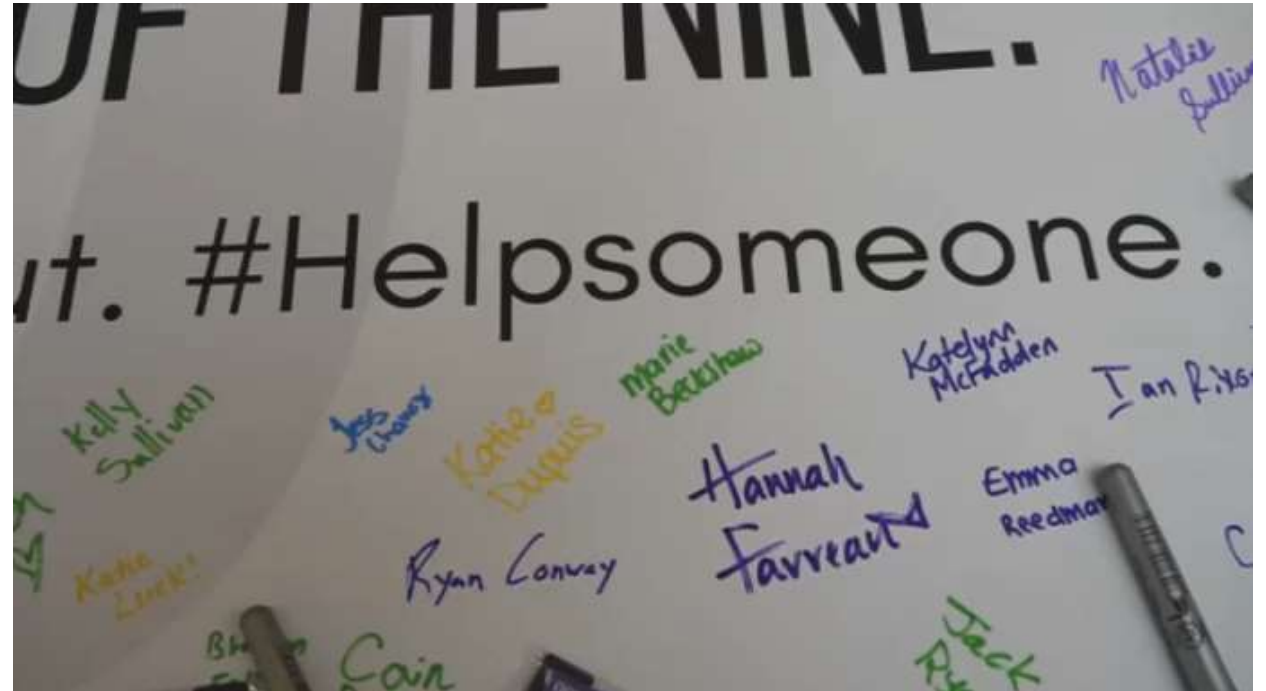


# Prevention

- Train staff to recognize warning signs—examples of stalking behavior.
- Patterns of survivor behavior.
- Encourage “see something, say something”
- Bystander intervention
- Clipper Pact and looking out for our community.
- Encourage reporting.

# Prevention in your role

- Be aware of language
- Speak up
- Provide support
- Be present in conversation
- Have an open door
- Encourage students to get involved
- Empower others
- Names/pronouns, bathrooms



# Mandated reporters

Once a “Responsible Employee” has either actual or constructive notice of sexual harassment/misconduct, the University must:

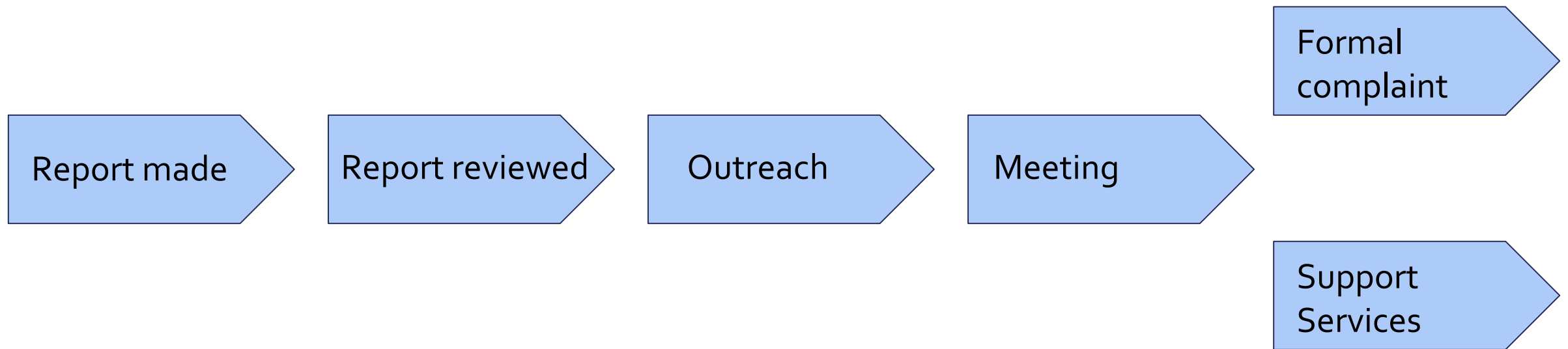
- Take immediate and appropriate steps to investigate what occurred
- Take appropriate and effective action to:
  - Stop the harassment
  - Remedy the effects
  - Prevent a recurrence

Note: Regardless of whether or not the victim makes a complaint or asks school to act.

# RL reporting

- Harassment/discrimination
  - Student support, offer Campus Safety report and to clean up image, Maxient report.
  - If student or staff would like more support, contact On-call.
- Sexual Assault, D/DV, Stalking
  - Student support, offer resources (Campus Safety, advocates, etc).
  - Inform student you must inform On-call. Maxient report.
  - 24/7 hotlines for AMHC (800-871-7741) and NextStep DV Project (800-315-5579)
- Call UMM Campus Safety for anyone under age 17.

# Life Cycle of a report



# Reporting within Maxient

Enable additional features by logging in.

Your full name:

Your position/title:

Your phone number:

Your email address:

Your physical address:

Nature of this report **(Required):**

Urgency of this report **(Required):**

Date of incident **(Required)**

Time of incident:

Location of incident **(Required):**

**Specific location:**

- misuse of technology
- Organization Violation
- Physical/Verbal Abuse
- Smoking
- Theft
- Trespassing
- Vandalism/Damage
- Weapons
- Title IX**
- Other
- Adjustment Concern
- Family Issues

What is the dominant factor or general nature of the incident you are reporting?

# Reviewing a report

- Report reviewed by TIXSS
- Outreach to the Complainant
- In that meeting...
  - discuss the incident, supportive measures, University and community resources;
  - discuss formal complaint process, complaint dismissal, informal resolutions;
  - Advisors, the investigation/hearing process.



# Possible supportive measures

- No Contact Directives
- Academic: class schedules, assignments and deadlines, classroom layout/seating
- Housing: emergency relocation, permanent housing change.
- Dining: restriction of dining hall access.
- Student employment: work schedules/locations

# Investigation/Hearing overview

- Complaints addressed in a timely manner
- Impartially conducted
- Trained investigators
- All Parties have equal rights to Advisors, information, process, and appeals.
- Could lead to a student conduct hearing.

# Confidential resources

## On-campus

- UMM Health Services, 207.255.4567
- Counseling Center, 207.255.1343

## Off-campus

- NextStep DV Project, 800.315.4479 (24hr hotline)
  - <https://www.nextstepdvproject.org/home>
- AMHC, 800.871.7741 (24hr hotline)
  - <https://www.amhc.org/sexual-assault-services/>

# Private resources

- Title IX Student Services, 207.581.1406
- Office of Student Life, 207.255.1305
- Office of Equal Opportunity, 207.581.1226
- UMaine Machias Campus Safety, 911/207.263.9315

# Forensic/Strangulation Exams

St Joseph Hospital

360 Broadway, Bangor, ME 04401

207-907-1000

# AOD, Hazing, and Bias

# Alcohol and other drugs

Be sure to familiarize yourself with these policies: [AOD Policy](#)

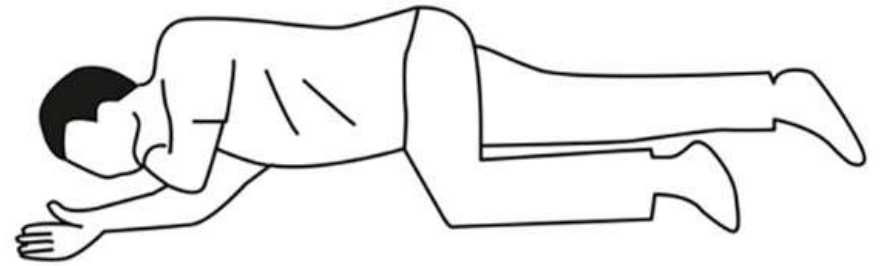
# Medical Amnesty Program/ Good Samaritan





# Alcohol Overdose signs

- Vomiting uncontrollably
- Incoherent/unable to communicate
- Shallow breathing
- Cannot be woken up
- Pale/Blue Lips/Cold to the Touch



# Opioid Overdose signs

- Pinpoint pupils
- Unconsciousness
- Respiratory depression



# Hazing

Applies to all students, faculty, staff, clubs, teams, recognized/unrecognized groups. Violation is a violation of Student Conduct Code, UMS policy, and/or state law.

Certain forms are against Maine State Law and UMS policy including on/off-campus.

Hazing: any activity without reasonable or legitimate educational value expected of someone joining a group or to maintain their status in a group that humiliates, degrades, or risks emotional, psychological, and/or physical harm, regardless of a person's willingness to participate.

<https://umaine.edu/studentlife/hazing/>

<https://umaine.edu/police/campus-eyes/>

# Hazing

Suspected violations should be reported to Community Standards, UMPD, or 911 in an emergency.

Cannot claim: consent was obtained; participant injury wasn't a result of participation in a sanctioned activity; participant injury was unintentional; or participant injury was minimal.

<https://umaine.edu/studentlife/hazing/>

<https://umaine.edu/police/campus-eyes/>

# Issues of bias

UMaine is committed to ensuring all community members can live, work, and study in an environment free from discrimination based on race, color, religion, sex, sexual orientation (including transgender status and gender expression), national origin, citizenship status, disability, genetic information, or veteran's status in employment, education, and all other programs and activities.

Acts of hate and bias are unacceptable and antithetical to our commitment to an inclusive and respectful community.

UM Bias Response Team

Reporting: Maxient reporting form, UM Student Life, or contact UMPD

# Contacting TIXSS & UMM Campus Life

Title IX Student Services

Memorial Union 315

University of Maine

207.581.1406

[um.titleix@maine.edu](mailto:um.titleix@maine.edu)

Office of Student Life

Powers Hall, 2nd Floor

UMaine at Machias

207.255.1305

# Questions

Cory Davis: [cory.davis@maine.edu](mailto:cory.davis@maine.edu), Memorial Union 322, University of Maine

Dyandrea Labonte: [dyandrea.labonte@maine.edu](mailto:dyandrea.labonte@maine.edu), Powers Hall, 2nd floor, UMaine Machias

David Invergo: [david.invergo@maine.edu](mailto:david.invergo@maine.edu), Powers Hall, 2nd floor, UMaine Machias

Marnie Kaler: [marnie.kaler@maine.edu](mailto:marnie.kaler@maine.edu), Powers Hall, 2nd floor, UMaine Machias