

Jeopardy Title IX Training

Harassment

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Professor: Are you applying for the RA position?

Jurisdiction

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Complainant alleged that Respondent sexually assaulted her in her dorm room. Respondent is a student athlete from another school who was on campus for an athletic competition. Respondent met Complainant at a party held in the dorm room of a mutual friend.

No jurisdiction. (Because the school has no control over the respondent.)

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Complainant alleged that the Respondent grabbed her buttocks while she was in line at an on-campus basketball game. Complainant is a local high school student who is a fan of the team.

No jurisdiction. (Because the complainant is not someone participating or attempting to participate in an educational program or activity. She is a spectator.)

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Complainant alleged that the Respondent privately sent pornographic images to them through the zoom chat tool while they were participating in an on-line class virtually. Complainant was not sure whether the teacher or other students could see the images.

Jurisdiction.

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Multiple Complainants, who are students who work in food services, allege that Respondents, who are contracted employees who work in the dining halls, have been making inappropriate comments and gestures to them while they are working.

Jurisdiction.

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Complainant alleged that the Respondent sexually assaulted her while they were in Italy for study abroad program. When they returned to campus two weeks later, Complainant alleged that the Respondent texted her repeatedly on her cell phone, threatening to tell the Complainant's boyfriend that the Complainant slept with him if she reported it.

No jurisdiction.

Sexual Assault did not occur in the United States.

Text messaging appears to be on private cell phones and not on the school's network. (no substantial control)

Miscellaneous

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A referral to counseling or EAP

What is a supportive measure?

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An alternative method to resolve a complaint of sexual harassment that does not include an investigation or hearing.

What is informal resolution?

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A person who may assist parties during an investigation or informal resolution, and who must participate in a formal grievance hearing.

Who is an advisor?

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A written, signed document

Hearings

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An option for conducting live hearings.

What is virtual or video conference?

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Decision makers must make and explain these determinations for each question asked.

What are relevance determinations?

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The weight that a decision maker may apply to a party's statements from an investigation and the hearing when the party refuses to attend a hearing is determined by the relevant provisions of the Act. Section 10.66 (a) of the Act provides that a decision maker may apply such weight as they think fit to a party's statements from an investigation and the hearing when the party refuses to attend a hearing.