





### 3. WHO DOES IT APPLY TO?


- Students enrolled at the university
- Employees employed by the university
  - *The Title IX statute applies to persons in the United States with respect to education programs or activities that receive Federal financial assistance. Under the Final Rule, schools must respond when sexual harassment occurs in the school's education program or activity, against a person in the United States.*

### 4. \_\_\_\_\_

- Education program or activity includes locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the sexual harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution (such as a fraternity or sorority house).
- Title IX applies to all of a school's education programs or activities, whether such programs or activities occur on-campus or off-campus. A school may address sexual harassment affecting its students or employees that falls outside Title IX's jurisdiction in any manner the school chooses, including providing supportive measures or pursuing discipline.

### 5. WHAT DOES THAT MEAN FOR THE UNIVERSITY?

- Schools must respond promptly to Title IX sexual harassment in a manner that is not **deliberately indifferent**, which means a response that is not clearly unreasonable in light of the known circumstances.
  - Schools must offer supportive measures to the person alleged to be the victim (referred to as the "complainant").
  - **For all schools, notice to a Title IX Coordinator, or to an official with**

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- For postsecondary institutions, the Final Rule allows the institution to choose whether to have mandatory reporting for all employees, or to designate some employees to be confidential resources for college students to discuss sexual harassment without automatically triggering a report to the Title IX office.
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**Definitions:**

- Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- Respondent: as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
- Witness: an individual who has direct knowledge of or information about the allegation being made.
- Preponderance: the standard against which information and evidence gathered during the investigation is assessed. The preponderance of evidence standard means “more likely than not”



7. WHAT HAPPENS NEXT?

- Live Hearings





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