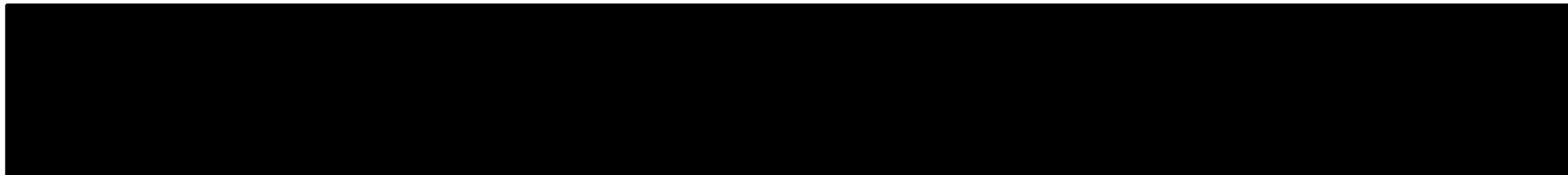


## Informational session # 1

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# What is Title IX?

Title IX states:

“ No person in the United States shall, on the **basis of sex** be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”

Title IX of the Education Amendments of 1972

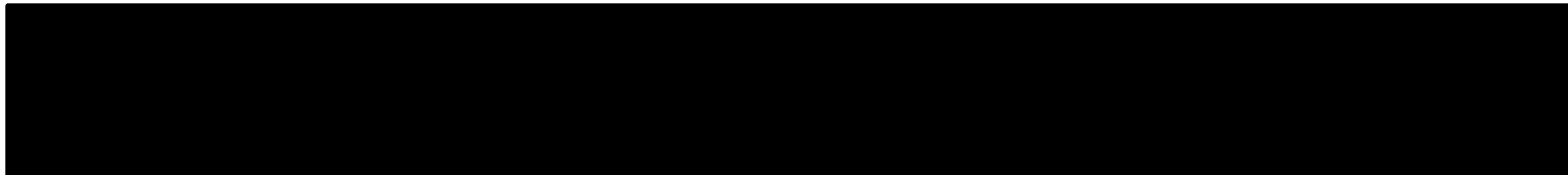
# Scope of Title IX

Title IX applies to the following:

Any person registered, accepted or enrolled in any course or program offered by East Bay, as well as faculty, staff and 3rd party providers  
To all of East Bay's programs and activities, events  
Over which the college exercised substantial control over the respondent  
Including all locations within the United States,  
Occurring on-campus or off-campus







## Sexual Harassment

is unwelcome conduct of a sexual nature that is sufficiently serious to adversely affect your ability to



Sexual Assault includes the following:

Rape is the penetration, or attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the Affirmative Consent of the Complainant. Rape also includes the attempted penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a

# Dating Violence

means physical violence or threat of physical violence committed by a person—

- a. who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and
- b. where the existence of such a relationship shall be determined based on a consideration of the following factors:

The length of the relationship.

The type of relationship.

The frequency of interaction between the persons involved in the relationship.

## Domestic Violence

means physical violence or threat of physical violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the

means engaging in a Course of Conduct directed at a specific person that would cause a reasonable person to fear for the safety of self or others' safety or to suffer Substantial Emotional Distress For purposes of this definition:

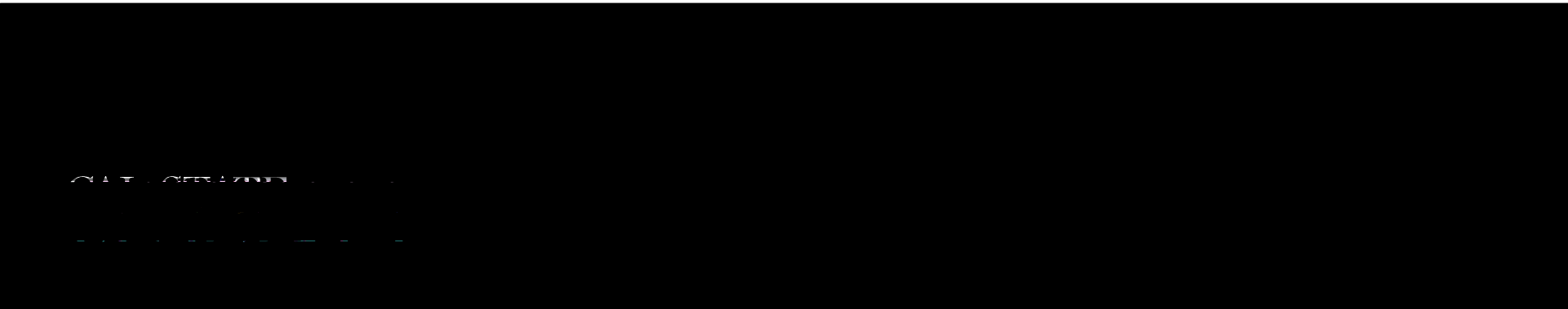
Course of Conduct means two or more acts, including but not limited to, acts in which one party directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about the other party, or interferes with the other party's property.

means a person taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent, including, but not limited to, any of the following acts:

- a. The prostituting of another person.
- b. The trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor of services, through force, fraud, or coercion.
- c. The recording of images, including video or photograph, or audio of another person's sexual activity or intimate parts, without that person's consent.
- d. The distribution of images, including video or photographs, or audio of another person's sexual activity or intimate parts, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to the disclosure.
- e. The viewing of another person's sexual activity or intimate parts, in a place where that other person would have a reasonable expectation of privacy, without that person's consent.

## Scenario 1

John Smith is a student employee working in a campus office. His supervisor is Joe Brown. Mr. Brown has worked in a staff position at the university for about ten years. Mr. Brown has the reputation of being very friendly. John has been on the job for about three weeks, when he begins receiving text messages from Mr. Brown. John assumes that his supervisor got his cell phone number from the office records and he responds. At first, the text messages seemed friendly, but, with time he was getting twenty or more messages on a daily basis. One message was disturbing to John in that Mr. Brown texted that he had driven by John's house but did not see his blue car in the driveway. There were three to five instances when John noticed a truck parked across the street and he recognized the driver as Mr. Brown. One day, John receives four text messages with threatening and graphic sexual comments regarding John. John becomes alarmed and does not respond to any of the texts and he tries to avoid his supervisor at work. John notices that his supervisor is irritated that John is not being responsive. John fears for his safety and he reports his concerns to the associate dean in his college.



## Scenario # 2

Mary Smith is a student in Dr. John Brown's class. Mary has a very pleasant personality and she has many friends. Mary struggles with the class material and has received D's on her quizzes. Dr. Brown takes a special interest in Mary. He focuses attention on her during class. Some of her classmates comment to her that she is his favorite student. As mid-semester approaches, Dr. Brown invites Mary to his office for some one-on-one assistance. The office meetings go well and she thanks Dr. Brown for his assistance. However, at the close of the fourth meeting, Dr. Brown surprises Mary with a hug. He tells her everything is going to be fine. That evening Mary receives an e-mail from Dr. Brown telling her that he finds her attractive and he really wants to be her friend. Mary does not respond to what she considers a "creepy" e-mail. At the fifth meeting in the office, Dr. Brown tells her that she could get a very good grade in the class if she went to dinner with him. Mary excuses herself from Dr. Brown's office and does not return. The next day she has a scheduled meeting with her academic advisor and she shares her concerns.

Scenario # 3Scenario # 3

