



September 11, 2014

## Title IX Coordinator Statement of Roles and Responsibilities

*"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, and its implementing regulation at 34 C.F.R. Part 106 (Title IX)

The Ohio State University is dedicated to providing a learning, living, and working environment that is free from sexual assault and sex discrimination. We are committed to ensuring a safe campus climate for all of our students and the entire University community. Through a comprehensive compliance program, we promote fundamental rights, advance individual and institutional integrity, and uphold the vital aims of Title IX.

This Statement outlines the roles and responsibilities of the Title IX Coordinator position. Additional information is also available through the Title IX website, <http://titleix.osu.edu/>, which serves as a streamlined point of contact for students, faculty and staff.

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### ***Oversight of Title IX Compliance:***

- The Title IX Coordinator oversees the prompt investigation of complaints alleging sexual harassment; reviews findings as to whether sexual harassment occurred; reviews proposed remedies (including interim measures) necessary to address the sexual harassment, eliminate any hostile environment, and prevent its reoccurrence; and serves as consultant to any disciplinary hearing panel where sexual harassment has been determined to have occurred to ensure the University's compliance with Title IX.
- The Title IX Coordinator meets and communicates regularly with the designated Deputy Title IX Coordinators in Student Life, Athletics, and Human Resources, to ensure the prompt, fair, and impartial resolution of complaints. The Title IX Coordinator retains oversight of any delegated responsibilities and ensures there are no conflicts of interest with regard to the Deputy Coordinators' primary job duties.
  - The Director of Student Conduct has been designated as the Deputy Title IX Coordinator for complaints involving students as respondents. The Director of Student Conduct or designee investigates and adjudicates allegations of sexual misconduct against student respondents, provides appropriate accommodations to victims, and ensures the disciplinary process meets Title IX requirements for all parties.
  - The Director of Employee Relations has been designated as the Deputy Title IX Coordinator for complaints involving employees as respondents. The

Director of Employee Relations or designee investigates and adjudicates allegations of sexual misconduct against employee respondents, provides appropriate accommodations to victims, and ensures the employee grievance process meets Title IX requirements for all parties.

- The Senior Associate Director of Athletics has been designated as the Deputy Title IX Coordinator for Athletics. The Senior Associate Director of Athletics ensures gender equity in athletic programs and communicates with the Title IX Coordinator on complaints of sexual misconduct involving athletes but does not investigate or adjudicate such complaints.
- The Title IX Coordinator will address any patterns or systematic problems that arise during the review of such complaints and assess overall efficacy of coordination and of overall response by the University to sexual misconduct, including the implementation and efficacy of interim measures taken to protect the parties during the grievance process, steps taken to stop sex discrimination/harassment found to have occurred and prevent its recurrence, eliminate any hostile environment that has been created for students, and steps taken to remedy its discriminatory effects on the complainant and others, as appropriate.
  - The Title IX coordinator oversees databases for complaints involving students, employees, and third parties, and maintains a master-tracking document for all sexual misconduct complaints.
- The Title IX Coordinator has expert knowledge of the University's Title IX grievance procedure(s) and oversees the provision of initial and ongoing training for all Deputy Title IX Coordinators and Investigators on the substantive requirements of Title IX and how to investigate complaints under Title IX that allege sex discrimination, including sexual harassment and sexual violence, filed by students, staff, or faculty.
  - The Title IX Coordinator is an expert in the subject matter and regularly provides training for campus, community, and national audiences on Title IX compliance.
  - The Title IX Coordinator, Deputy Coordinators, and Investigators complete bi-annual re-certification to ensure the University is matching best practices and meeting all regulatory requirements.
- The Title IX Coordinator is responsible for communicating with The Ohio State University Police Department regarding the University's obligations under Title IX and serving as a resource on Title IX issues. The Title IX Coordinator will be given access to police records regarding Title IX investigations, so long as it does not compromise the criminal investigation or is otherwise prohibited by law.
  - The Title IX Coordinator oversees regular sexual violence training of all our law enforcement officers. The Police Department receives ongoing training in topics such as trauma-informed response, Title IX requirements for investigations, and partnership with the university disciplinary system.
  - The Title IX Coordinator maintains protocols and procedures that address the coordination of sexual harassment and assault complaints between the Police Division and the University.

- The Police Division abides by a formal Survivor’s Rights Guarantee, which ensures that all cases will be fully investigated and handled with utmost sensitivity, dignity, and professionalism, if the survivor wishes to pursue criminal charges.
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***Cross-Campus and Community Collaboration:***

- The Title IX Coordinator is the designated University official with primary responsibility for coordinating Ohio State’s compliance with Title IX and has no other duties that create a conflict of interest. This individual coordinates with representatives from appropriate university departments including Human Resources, Police Division, and Student Life, as well as local community support, education, health, and law enforcement resources to identify and address patterns or systematic problems under Title IX and assesses overall efficacy of coordination among university departments.
- The Title IX Coordinator is an integral part of teams and committees across the university focused on sexual violence prevention, survivor support, student safety, and response to employee concerns, such as:
  - Sexual Violence Consultation Team (SVCT)
  - Sexual Violence Committee (SVC)
  - Safety and Security Team
  - Off-Campus Safety Team
  - HR Investigations Team
  - Smaller Campus Student Life Officers Group
- The Title IX Coordinator is an integral partner with offices across the university who play a role in sexual violence education, response, support and/or prevention, such as:
  - Student Life Offices including: Student Advocacy, Student Wellness, Student Conduct, Sorority and Fraternity Life, Residence Life, Off-Campus and Commuter Student Engagement, Neighborhood Services and Collaboration, Counseling and Consultation Service
  - Office of Human Resources
  - Athletics Department
  - The Ohio State University Police Department
- The Title IX Coordinator partners with representatives from local sexual violence survivor support and education agencies to provide additional resources for our campus community.
  - Community representatives are included on the Sexual Violence Committee and involved in campus event and long-range strategic planning.
  - Community representatives receive training on campus processes and resources, and they are included in the pool of volunteers that respond to training requests from the campus community on issues of sexual violence, domestic/dating violence, stalking, bullying, sexual harassment, and gender

discrimination.

- The Title IX Coordinator partners with local law enforcement agencies to ensure seamless delivery of resources and support for student and employee survivors who report offenses outside of the university.
  - The Title IX Coordinator partners with sexual assault nurse examiners (SANE) at local hospitals to ensure appropriate referrals to campus resources are being made for student and employee survivors who are treated for trauma related to sexual violence or domestic/dating violence.
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### ***Increasing Campus Awareness:***

- The Title IX Coordinator is responsible for the development, scheduling, and implementation of regular events hosted by or supported by the University leadership on campus to raise awareness in the campus community about all forms of sex discrimination (including sexual harassment and sexual assault) and the University's policies and procedures regarding such matters, so as to reinforce to the University community the importance of this issue to the University administration.
    - The Title IX Coordinator is connected to Sorority and Fraternity Life, Student Activities, registered student organizations, and other campus groups who regularly create campus-wide events to ensure that the topic of sexual violence education is addressed whenever possible.
    - The University supports the Sexual Violence Committee, a group of students, student life staff, academic and community partners, and university police striving to provide a coordinated community response to issues of sexual violence through research, outreach, and engagement.
  - The Title IX Coordinator is responsible for providing information to students and employees regarding their Title IX rights and responsibilities, including information about the resources available on and off campus, the formal and informal complaint processes, the availability of interim measures, and the ability to file a complaint with local law enforcement and complaint with the University simultaneously.
    - The University maintains a Title IX website, which contains comprehensive and accessible information about the law, sexual violence and harassment prevention, University policies, information for submitting a complaint or report, support services, and a links to campus support resources for victims. The website includes a complaint form for Title IX issues and a link to the university's anonymous reporting resource, EthicsPoint.
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### ***University-wide Training:***

- The Title IX Coordinator is responsible for the development, scheduling, and implementation of necessary periodic Title IX training for the University community, including students and employees.

- The Title IX Coordinator oversees the selection and implementation of comprehensive and interactive online training modules for students, faculty, and staff, and tracks completion to ensure compliance with training requirements.
- The Title IX Coordinator partners with offices engaged in ongoing training initiatives in Student Life to ensure the content meets Title IX requirements and participation is counted and tracked per student.
  - University Orientation for new students includes a multimedia presentation with sessions on sexual violence, safety, alcohol, bystander intervention, relationships, and diversity.
  - The Sexual Violence Education and Support Team (SVES) provides evidence-based primary prevention efforts and awareness campaigns focusing on initiatives that will promote a positive shift in the culture and facilitates primary prevention workshops and campaigns delivered to students and high-risk sub-populations across campus.
    - SVES delivers prevention workshops through the First Year Success Series (FYSS), Second Year Transformational Experience Program (STEP), Wellness Workshops, Standards of Excellence fraternity and sorority programs, classroom presentations, and by request delivers and evaluates a number of workshops which incorporate primary prevention messages and aim to increase knowledge about sexual violence and sexual consent, decrease rape myth acceptance, increase pro-consent attitudes, and build communication and bystander skills.
      - *“Consent is Sexy!”* discusses sexual consent, why to get it, and how to make it hot. This interactive session promotes an honest discussion about consent and communication within relationships through a variety of activities.
      - *“Blurred Lines”* is an interactive session that breaks down sexual consent --- what it is, what it isn't and how to get it without coercion.
      - *“Wait, have we been lied to?”* helps students rethink what they've been taught about sexual violence and how it happens. This session discusses many common myths about sexual assault and presents bystander intervention as a way to stop it before it happens.
      - *“Buckeyes Got Your Back (BGYB)”* is a customized bystander intervention workshop for communities on campus including mandates for fraternity members and first---year athletes. Students learn and practice bystander intervention strategies to help stop sexual violence before it happens. This program also examines sexual violence in the context of our culture and the media, integrates real---life scenarios to help students understand the scope of sexual violence, and clearly defines sexual consent
- The University Police Department offers free courses through the Rape Aggression Defense (RAD) program each semester.

***Policy Review and Revision:***

- The Title IX Coordinator is responsible for periodic review and assessment of the University’s Title IX policies and procedures, to ensure that they are clear and consolidated to the maximum extent possible to provide an efficient resource for students, faculty, and staff.
  - The following policies apply to response of complaints by students and employees under Title IX:
    - Sexual Harassment by Students in the Non-Employment Context; Code of Student Conduct; OSU’s Sexual Misconduct Policy; Human Resources Policy 1.15: Sexual Harassment Policy; Human Resources Guidelines for Investigating Complaints of Discrimination and Harassment; Human Resources Policy 1.10: Affirmative Action, Equal Employment Opportunity & Non-Discrimination/Harassment Policy.
  - The University will revise or eliminate these policies and procedures as appropriate, including revising or adding cross-references and links between the various documents, to ensure, at a minimum:
    - All University policies, procedures, guidelines, and other documents are internally consistent and do not contain conflicting/contradictory information.
    - The documents clearly and consistently state the University’s commitment to respond to all complaints and reports of sexual harassment as well as any other incidents of sexual harassment of which it knows or should know about.
    - The documents clearly and consistently state the specific University employees and/or offices that are responsible for accepting, investigating, and resolving complaints of sexual harassment, including sexual violence. If this varies depending on the type of complaint, they will clearly and consistently state where each specific type of complaint is to be filed, investigated, and resolved.
    - The documents clearly and consistently explain how complaints of sexual harassment by third parties can be made.
    - The documents clearly and consistently explain the specific University policy and/or procedure that applies to each type of complaint investigation.
    - The documents provide consistent definitions of and guidance about the University terms “sexual harassment,” “consent,” “sexual violence,” “sexual assault,” and “sexual misconduct.”
    - Complainant’s rights in the sexual harassment grievance process are consistently stated and are equitable to the rights afforded the alleged perpetrator of the harassment.
    - The alleged perpetrator of harassment’s rights in the sexual harassment grievance process are consistently stated and are equitable to the rights afforded the complainant.
    - The documents clarify that, in determining whether sexual harassment against a student resulted in a sexually hostile environment, the University will also consider the conduct in question from both a subjective and objective perspective.

- The documents clearly describe the protections afforded against retaliatory harassment.
- With regard to mandatory reporting of sexual harassment by employees, the documents clearly and consistently state who the specific “appropriate university officer” to whom the report should be made is for each type of harassment to be reported.
- The documents provide clear and consistent assurance that, regardless of which University employee or entity processes the complaint, the Title IX Coordinator will maintain oversight of the complaint investigation and resolution, will be provided written notice of the complaint and the investigation determination, and, where sexual harassment is found to have occurred, will oversee the steps the University will take in response. These steps will not just include discipline against the harasser or steps to stop the harassment, but will also include all steps necessary, individual and systemic, to prevent recurrence, to eliminate any hostile environment and to remedy the discriminatory effects of the harassment on the complainant and others, as appropriate. The documents will provide description of the various steps and remedies that might be provided depending on the investigation findings.
- The documents, especially but not limited to the documents provided by the Student Wellness Center, the Office of Diversity and Inclusion, and Human Resources, clearly state the existence of, contact information for, and roles of the Title IX Coordinator and deputy Title IX coordinators.
- The documents clearly and consistently explain the availability of interim measures (e.g., no contact order; change in academic or living situations as appropriate with minimum burden on the complainant; counseling; health and mental services; escort services; academic support; the ability to retake a course or withdraw without penalty) before the final outcome of an investigation to ensure equal access to the University’s education programs and activities and protect the complainant as necessary. Information about interim measures will be made easy to locate and understand (e.g., with corresponding, obvious content titles instead of potentially confusing titles such as “Accommodations”). The documents will make clear that the Title IX Coordinator or other specifically designated University employee will coordinate the provision of interim measures, and that complainants will not be required to arrange such measures by themselves through multiple University departments and offices. The documents will also ensure that, when taking interim measures, the University will minimize the burden on the complainant.
- All procedures and guidelines used to investigate sexual harassment complaints (e.g., the Human Resources Guidelines, the Student Conduct Policy Guidelines, etc.) state provisions for adequate and reliable investigation of complaints, including the opportunity for both the complainant and the alleged perpetrator of the harassment to identify witnesses and other evidence; designated and reasonably prompt timeframes for the major stages of the investigation (i.e., conducting the fact-finding investigation, completing the decision-making process to determine whether the alleged sexual harassment occurred and created a hostile environment, issuing written notice of the outcome of the investigation, and determining the actions the University

will take to stop the harassment, eliminate the hostile environment, prevent its recurrence, and remedy its discriminatory effects.

- The documents clearly and consistently state that any informal mechanisms for resolving sexual harassment complaints are only to be used if the parties agree to them; that it is not appropriate for a student who is complaining of harassment to be required to work out the problem directly with the alleged harasser, and certainly not without appropriate involvement by the University (e.g., participation by a counselor, trained mediator, or, if appropriate, administrator); that in some cases, such as alleged sexual assaults, mediation will not be appropriate even on a voluntary basis; and that the complainant must be notified of the right to end the informal process at any time and begin the formal stage of the complaint process.
- The documents provide clear assurance that, for circumstances in which there is a preponderance of the evidence that sexual harassment in violation of Title IX occurred but insufficient evidence that a particular student or employee violated the University's conduct codes, the University will still take other necessary steps to stop the harassment, prevent its recurrence, eliminate any hostile environment, and remedy the discriminatory effects of the harassment on the complainant and others, as appropriate.

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***Campus Climate Assessment:***

- The Title IX Coordinator is responsible for coordinating the development and implementation of annual assessments (i.e. surveys) of campus climate with regard to sexual harassment and sexual violence.
  - The Title IX Coordinator in partnership with the Sexual Violence Committee and the Center for the Study of Student Life will convene a working group of students and staff to help gather and provide feedback on how the climate checks are conducted and how to respond to results.