



# UCLA TITLE IX WORKSHOP

2255 Murphy Hall

(310) 206-3407

[TitleIX@equity.ucla.edu](mailto:TitleIX@equity.ucla.edu)

[www.sexualharassment.ucla.edu](http://www.sexualharassment.ucla.edu)

# INTRODUCTION

In compliance with State and Federal Law, and University of California policy, the UCLA Title IX Office aims to ensure all community members reflect the campus commitment to foster and maintain an environment free of sexual harassment, sexual violence and sex discrimination.

## Title IX Statute:

"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 (20 U.S.C. § 1681 et seq)*



# PROHIBITED CONDUCT

The University of California Sexual Violence and Sexual Harassment Policy (SVSH Policy) defines conduct prohibited by the University and outlines your rights.

The Title IX Office responds to reports of:

- Sexual Harassment
- Sexual Violence
- Dating Violence
- Stalking
- Sex and Gender Discrimination
- Pregnancy Discrimination
- Retaliation
- Invasion of Sexual Privacy
- Indecent Exposure
- Failure to Comply with an Order
- Indecent Exposure



# CONSENT

There are four (4) elements of Consent listed below. Consent must always be present when there is sexual activity. The existence of a dating relationship between persons does not indicate consent for future sexual activity.

## CONSENT IS:

### ➤ Affirmative

- Lack of protest/Silence/Lack of resistance, in and of itself, does not constitute consent.

### ➤ Conscious

- A person cannot consent if they are incapacitated, in that they were asleep, unconscious or coming in and or out of consciousness.
- Or if unable to understand fact, nature or extent of sexual activity due to the influence of drugs, alcohol, or medication; or unable to communicate due to a physical or mental impairment.

### ➤ Voluntary

- It must be given without coercion, force, threats or intimidation.

### ➤ Revocable

- Consent to some form of sexual activity does not imply consent to other forms of sexual activity.



# SEXUAL HARASSMENT

The Title IX Office Identifies two (2) types of Sexual Harassment, **Quid Pro Quo** and **Hostile Environment**. The definitions and elements are outlined below.

**HOSTILE ENVIRONMENT:** Unwelcome sexual or other sex-based conduct that is sufficiently severe, persistent or pervasive that it unreasonably denies, adversely limits, or interferes with a person's participation in or benefit from the education, employment or other programs, or activities or services of the University, and creates an environment that a reasonable person would find to be intimidating or offensive.

Sexual conduct includes sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

Sex-based conduct includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on gender, gender identity, gender expression, sex- or gender-stereotyping.



# SEXUAL HARASSMENT

**QUID PRO QUO:** A person's submission to unwelcome sexual conduct is implicitly or explicitly made the basis for employment decisions, academic evaluation, grades or advancement, or other decisions affecting participation in a University program or activity. This conduct is usually perpetrated by a person with higher power or control.



# SEXUAL ASSAULT

The Title IX Office Identifies two (2) types of Sexual Assault, **Sexual Assault Contact** and **Sexual Assault Penetration**.

The definitions and elements are outlined below

## Penetration:

Without the consent of the Complainant, penetration, no matter how slight, of the mouth, vagina, anus, or any other body part; by a penis, other genitalia, or any body part or object.

## Contact:

Without the consent of the Complainant, intentionally touching an intimate body part (genitals, anus, groin, breast, or buttocks); making Complainant touch another or themselves on any intimate body part; or touching with one's intimate body part (i) unclothed or (ii) clothed.

Sexual Assault is **Aggravated** when there is an element of:

- Force
- Violence
- Menace (threat of injury)
- Duress
- Deliberate incapacitation
- Recording

When there is an *aggravated* charge, the sanction may be more severe.



# STALKING & RELATIONSHIP VIOLENCE

Other Prohibited Title IX Conduct includes **Stalking** and **Relationship Violence**

## STALKING

Repeated conduct directed at a Complainant (e.g., following, monitoring, observing, surveilling, threatening, communicating or interfering with property), of a sexual or romantic nature or other sex-based motivation, that would cause a reasonable person to fear for their safety, or the safety of others, or to suffer substantial emotional distress.

## RELATIONSHIP VIOLENCE

• Physical violence toward the Complainant or a person who has a close relationship with the Complainant (such as a current or former spouse or intimate partner, a child or other relative),

*or*

• Intentional or reckless physical or non-physical conduct toward the Complainant or someone who has a close relationship with the Complainant (such as a current or former spouse or intimate partner, a child or other relative) that would make a reasonable person in the Complainant's position fear physical violence toward themselves or toward the person with whom they have the close relationship.



# RETALIATION

Title IX Office takes Retaliation **extremely seriously**. Our office cannot function if the community is afraid to participate in the process.

Retaliation itself can be the basis for a separate investigation and/or separate sanctions for someone.

In response to a report of prohibited conduct or participation in a report, investigation, remedial or disciplinary process, Retaliation includes acts of:

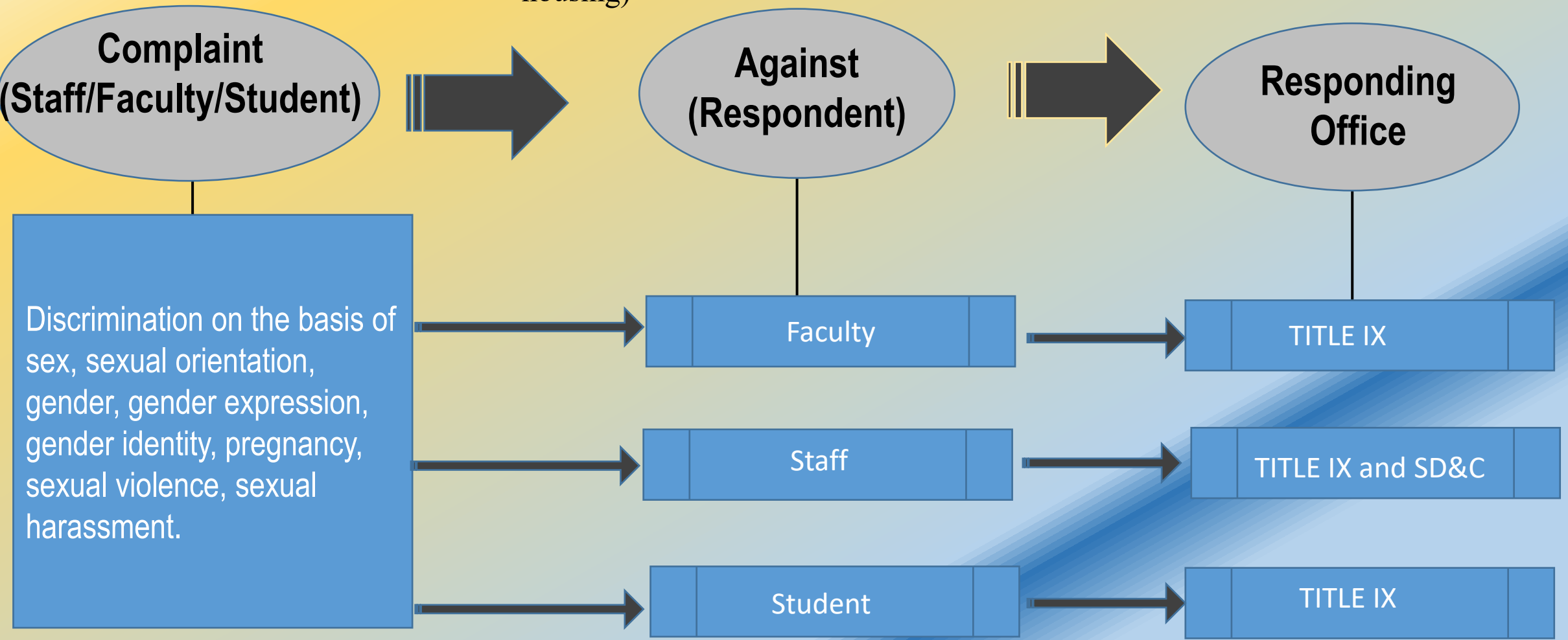
- Threats
- Intimidation
- Reprisals
- Adverse employment actions
- Adverse education actions

\*Retaliation protections extend to witnesses who participate in the Title IX process.

# REPORTING

**Staff, Faculty and Students** may report prohibited conduct of other **Staff, Faculty and Students**.

Note: You may report Title IX Violations against non-affiliates where the conduct occurs in a University program or activity, or on Campus or UCLA property (e.g., off-campus housing)



# REPORTING OPTIONS

## ADMINISTRATIVE PROCESS

### TITLE IX OFFICE

2255 Murphy Hall

(310) 206-3417

[titleix@equity.ucla.edu](mailto:titleix@equity.ucla.edu)

[www.sexualharassment.ucla.edu](http://www.sexualharassment.ucla.edu)

➤ “File a Report”

## CRIMINAL PROCESS

University of California Police  
Department (UCPD)

601 Westwood Plaza

(310) 825-1491

[ww.ucpd.ucla.edu](http://ww.ucpd.ucla.edu)

There is no timeline to report a Title IX incident. You may report an incident even if significant time has passed. However, Title IX is an administrative process, and only holds jurisdiction over an affiliated Respondent.

# RESPONSIBLE EMPLOYEES

Responsible Employees are **REQUIRED TO REPORT** to Title IX .  
(Levels of responsibility vary based on employment status.)

**Any university employee** who is **not** a confidential resource and who receives, in the course of employment, information that a student has suffered sexual violence, sexual harassment, or other prohibited behavior, **must** promptly notify the Title IX office.

Faculty and Supervisors (including Deans, Department Chairs and Directors of Organized Research Units (ORU)) and HR Administrators, Campus Police, Academic Personnel and Title IX Professionals, who in the course of employment, receive a report of prohibited conduct from **any other person** **affiliated with the university** **must** notify the Title IX office.

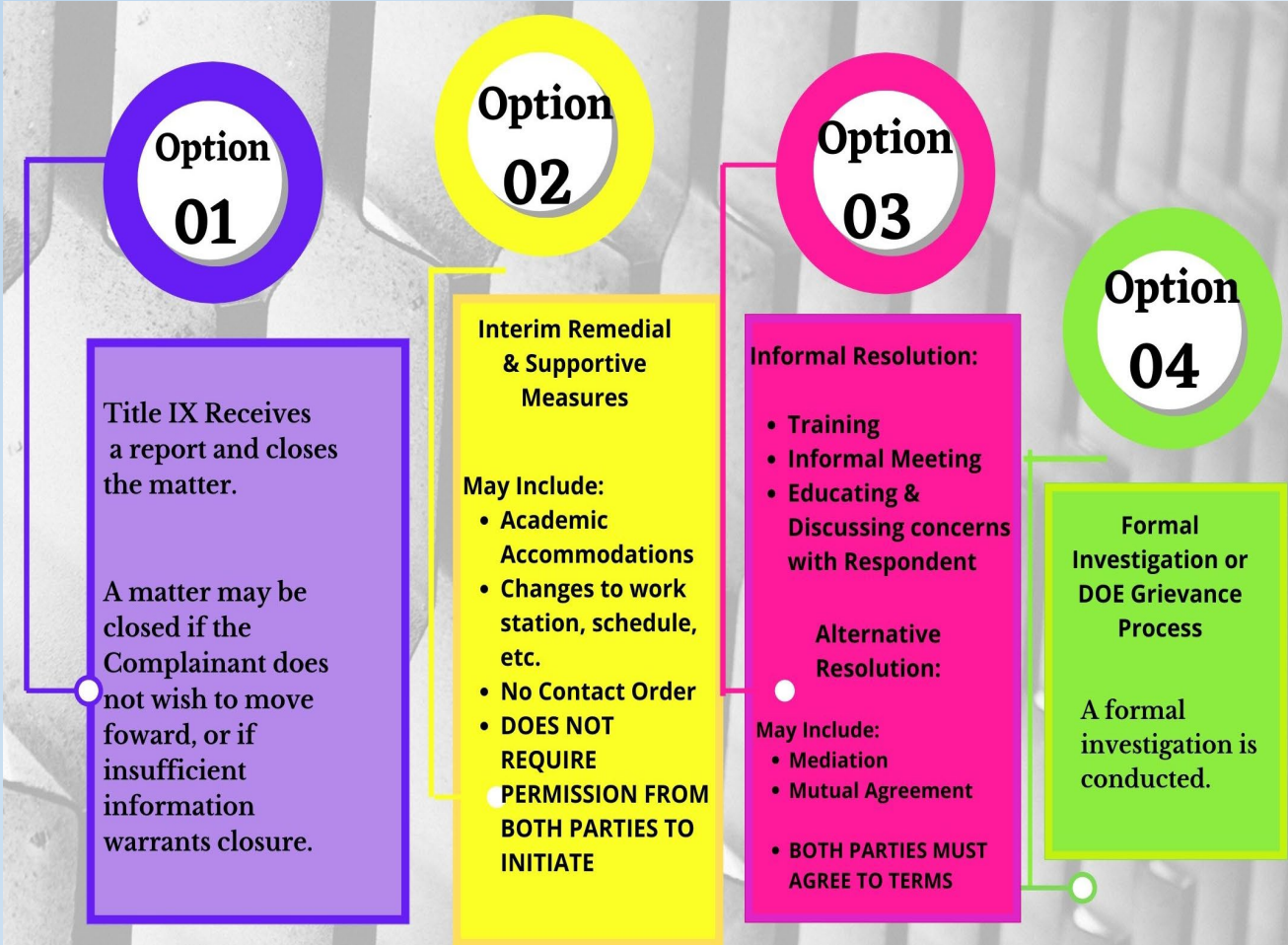


# TITLE IX PROCESS

# WHAT HAPPENS WHEN I REPORT?

WHAT HAPPENS WHEN I REPORT?

- Informing the Title IX Office about a concern **DOES NOT** initiate an investigation.
- Upon receiving a report: the Title IX Office will reach out to the Complainant.
- The Title IX Office will assess the matter and review **options**:
  - Supportive measures
  - Investigation v Alternative Resolution
- The Complainant retains the right to decide whether to participate in the process and to what extent.



# TITLE IX PROCESS

# ALTERNATIVE RESOLUTION

## ALTERNATIVE RESOLUTION

Alternative Resolutions are mechanisms to resolve a matter without Formal Investigation.

This may include:

- Mediation
- Separating the parties
- No Contact Directive
- Safety measures
- Targeted education/training
- Informational meeting with Respondent

**Alternative Resolutions are no longer an option when the Complainant is a student and the Respondent is a faculty or staff member.**

# TITLE IX PROCESS

# FORMAL INVESTIGATION

## FORMAL INVESTIGATION

The Investigator is a **neutral fact finder**. Investigations are completed within 60-90 business days. The Title IX Officer may extend the timeframe past 90 days for good cause. The Title IX Officer will notify the parties in writing of the reason for any extension and the projected new timeline. The actual time required depends on the specific circumstances, including the complexity of the matter and the severity and extent of the alleged conduct.

Both Complainant and Respondent have **equal rights** during the investigative process. Both are allowed an Advisor and a Support person present at, or during every meeting. Both are informed of the outcome of the investigation and the rationale. Both have an opportunity to appeal the Preliminary Determination (Outcome of Investigation).

The Title IX Offices uses a Preponderance of Evidence standard to determine if a policy violation was more likely than not to have occurred.

The wishes of the Complainant are taken into consideration when deciding whether or not to conduct a formal investigation. However, under certain circumstances (e.g. threat to campus safety), the Title IX office may be required to pursue an investigation.



# RESOURCES FOR COMPLAINANT

Confidential and Non-Confidential Campus Resources are available to you

## CONFIDENTIAL RESOURCES

### CARE

A223 Murphy Hall  
(310) 206-2465  
advocate@careprogram.ucla.edu  
careprogram.ucla.edu  
FB/IG @uclacareprogram

### Rape Treatment Center

UCLA Medical Center, Santa  
Monica  
1250 16th Street  
Santa Monica, CA 90404  
(424) 259-7208

### Ombuds Services

105 Strathmore Building  
(310) 825-7627

### CAPS

John Wooden Center West  
(310) 825-0768  
counseling.ucla.edu

### Student Legal Services

A239 Murphy Hall  
(310) 825-9894  
studentlegal.ucla.edu

## NON-CONFIDENTIAL RESOURCES

### Title IX Office

2255 Murphy Hall  
(310) 206-3407  
TitleIX@equity.ucla.edu  
www.sexualharassment.ucla.edu

### UCPD

(310) 825-1491



# RESOURCES FOR RESPONDENT

Confidential and Non-Confidential Resources are available to you

## CONFIDENTIAL RESOURCES

### Ombuds Services

105 Strathmore Building  
(310) 825-7627

### CAPS

John Wooden Center West  
(310) 825-0768  
counseling.ucla.edu

### Student Legal Services

A239 Murphy Hall  
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## NON-CONFIDENTIAL RESOURCES

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(310) 206-3407  
TitleIX@equity.ucla.edu  
www.sexualharassment.ucla.edu

### UCPD

(310) 825-1491

### Respondent Support Services

John Wooden Center – Campus Life Suite  
(424) 322-0251  
[www.campuslife.ucla.edu/RS](http://www.campuslife.ucla.edu/RS)

# UPSTANDER INTERVENTION

Our Community is dynamic. Intervening is your way of creating the type of community you want.

We encourage our community members to participate in bystander intervention in a manner that feels **safe** to them. If you see problematic conduct, please do something about it. Your actions could help others.

If you feel safe and comfortable doing so, you may step in and diffuse an escalating situation  
**Directly**, by **Distracting**, or by **Delegating**

## Direct

Challenge the behavior in the moment that it is happening

## Distract

Change the conversation or divert the attention of the person

## Delegate

Get others involved such as UCPD, individuals nearby