



Title IX

Bred Week

August 2020

Location



Hannah Hale, J.D.
Title IX Coordinator
ASB Room 537
Hannah.Hale@kysu.edu
502-597-6138

About 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.”*
- ▶ Some key issue areas in which recipients have Title IX obligations are: recruitment, admissions, and counseling; employment; financial assistance; athletics; single-sex education; treatment of pregnant and parenting students; discipline; and sex-based harassment.

Key Topics

- ▶ KSU Policy on Sexual Harassment and Misconduct
- ▶ Consent
- ▶ Safety on Campus
- ▶ Reporting a Title IX Violation
- ▶ Discipline
- ▶ Campus Resources

Sexual Harassment and Sexual Misconduct

- ▶ KSU's Policy and Procedures on Sexual Harassment defined under Title IX and Other Sexual Misconduct prohibits sexual harassment and sexual misconduct, which includes:
 - ▶ Sexual Harassment means conduct on the basis of sex that occurs in the University's education program or education activity and satisfies one or more of the following:
 - ▶ An employee of the University conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct. This type of sexual harassment is also referred to as Quid Pro Quo.;
 - ▶ Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity. This type of sexual harassment is also referred to as Hostile Environment.; or
 - ▶ "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a) (10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a) (30).
 - ▶ Sexual Exploitation:
 - ▶ Photos, videos, prostitution, peeping-toms
- ▶ Prohibits Retaliation

Exploitation and Minors

- ▶ Students under 18 are MINORS
 - ▶ “Producing” photos and videos = felony
 - ▶ Possessing photos and videos = felony
 - ▶ Sharing photos and videos = felony
 - ▶ Selling photos and videos = felony

Consent

- ▶ Know the aspects of consent, including:
 - ▶ What is consent;
 - ▶ How do you get consent;
 - ▶ Effects of drugs and alcohol on consent;
 - ▶ Verbal and physical cues; and
 - ▶ Age of consent.

Consent – What is it?

- ▶ An informed-decision, freely given, made through mutually understandable words or actions that indicates a willingness to participate in mutually agreed upon sexual activity.
- ▶ I.e., informed and freely given permission to engage in a specific sexual act.

Consent – How do I get it?

- ▶ Ask!
- ▶ Clear verbal and physical cues.
- ▶ When do I not have it?
 - ▶ Consent cannot be given by an individual who is asleep, unconscious, or mentally or physically incapacitated, either through the effect of drugs or alcohol or for any other reason, or is under duress, threat, coercion, or force.
 - ▶ Past Consent does not imply future Consent, and Consent to one type of sex does not constitute or imply consent for another type of sex, whether during a sexual encounter or from a previous sexual encounter.
 - ▶ Silence or an absence of resistance does not imply Consent.
 - ▶ Consent can be withdrawn at any time.
 - ▶ Consent cannot be obtained with Force (e.g., violence, threats)

Consent – How do I know if I have it?

- ▶ Who? What? When? Where? Why?
 - ▶ But if you have to ask...
- ▶ If you don't know, you know.

Consent – Who can consent?

- ▶ Adults, generally
- ▶ Minors
 - ▶ 26/27 years old = nobody 10 or more years younger than you
 - ▶ 21 years old = 16 years or older
 - ▶ 18 years old = 15 years or older

Reporting Title IX Violations

- ▶ Anyone may make a report!
- ▶ Me
 - ▶ Hannah Hale, hannah.hale@kysu.edu, 502-597-6138– ASB Room 537
- ▶ Responsible Employee
 - ▶ This is any KSU employee (including Resident Advisors) except:
 - ▶ Nurse Samantha Todd – Old Rosenwald
 - ▶ Counselors (Center for Emotional Wellness) - Student Center, 3rd floor
 - ▶ Baptist Campus Ministry and Wesley Foundation

Safety on Campus

- ▶ 911
- ▶ KSU Police Department (ext. 6878)
- ▶ Blue Light Emergency Phones – 6 on Campus
 - ▶ Officers are immediately dispatched to any Blue Light Emergency Phone
 - ▶ Locations:
 - ▶ McCullin/Carver Hall
 - ▶ Chaney Plaza/Hume Hall
 - ▶ Bradford Hall
 - ▶ Hunter Hall/Blazer Library/Jackson Hall
 - ▶ Sias Pedestrian Bridge/Hathaway Hall
 - ▶ Sias Pedestrian Bridge Elevator

Emergency Call Boxes

Kentucky State University Existing Campus Plan

EXISTING BUILDINGS & FACILITIES

- 1 William Exam Center
- 2 Cooperative Extension Building
- 3 Carroll Academic Services Building
- 4 Jackson Hall
- 5 Atwood Agricultural Research Facility
- 6 Kentucky Hall
- 7 Chandler Hall
- 8 Hathaway Hall
- 9 Hill Student Center/Underwood Cafeteria
- 10 Hume Hall
- 11 Carver Hall
- 12 Blazer Library
- 13 McCullin Hall
- 14 Betty White Health Center
- 15 New Whitney Young Hall
- 16 Historic Spring House
- 17 Outdoor Amphitheater
- 18 Hillcrest (President's House)
- 19 Russell Court Apartments
- 20 Alumni Stadium
- 21 Aquaculture Research Center
- 22 Tennis Complex
- 23 Bradford Hall
- 24 Old Whitney Young Hall
- 25 Shauntee Hall
- 26 Alumni Stadium Field House
- 27 Jordan Maintenance/Warehouse Building
- 28 Academic Annex
- 29 Community Education Center
- 30 Rosenwald Center
- 31 Aquaculture Production Facility
- 32 Bell Gym
- 33 Jones Field
- 34 Track
- 35 Baseball Field
- 36 Football Field
- 37 Combs Hall
- 38 Hunter Hall
- 39 Police Department
- 40 Soccer Fields



Discipline

- ▶ If the Title IX Office determines there has been a violation of the Title IX Policy, there will be discipline.
 - ▶ “Preponderance of the evidence”
- ▶ Discipline may be administered and is determined on a case-by-case basis.
 - ▶ Warnings,
 - ▶ Probation,
 - ▶ Loss of Privileges,
 - ▶ Suspension or Administrative Leave,
 - ▶ Expulsions or Termination.
- ▶ Students can appeal disciplinary determinations.

Campus Resources

- ▶ Confidential Resources:
 - ▶ Center for Emotional Wellness - Student Center, 3rd floor
 - ▶ Medical Assistance – Nurse Samantha Todd – Old Rosenwald
 - ▶ Religious – Baptist Campus Ministries or Wesley Foundation
- ▶ Non-Confidential Resources:
 - ▶ Title IX Office
 - ▶ KSU Police
 - ▶ Resident Advisors
 - ▶ Responsible Employees

Off Campus Resources

- ▶ Frankfort Regional Hospital – 2 Sexual Assault Nurse Examiners (“SANE”)
- ▶ Legal Aid of the Bluegrass
- ▶ & “Ampersand” Sexual Violence Resource Center of the Bluegrass (formerly Bluegrass Rape Crisis Center)

You All Have a Role to Play

- ▶ See something, say something
- ▶ Speak up, speak out
- ▶ Get involved
- ▶ Anyone may report a Title IX violation

Questions?

- ▶ Hannah Hale
 - ▶ hannah.hale@kysu.edu
 - ▶ 502-597-6138