

## **FREQUENTLY ASKED QUESTIONS ABOUT THE NEW TITLE IX REGULATIONS**

### **1. WHAT IS TITLE IX SEXUAL HARASSMENT?**

The new Title IX regulations define sexual harassment as conduct on the basis of sex that satisfies one or more of the following:

- a. A university employee conditions the provision of aid, benefit or service of the university on an individual's participating in unwelcome sexual conduct;
- b. 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;
- c. Sexual assault, dating violence, domestic violence or stalking as defined in the Clery Act and Violence Against Women's Act.

### **2. WHAT IS THE JURISDICTIONAL SCOPE OF TITLE IX SEXUAL HARASSMENT?**

The new Title IX regulations apply only to conduct that occurred in the United States on university owned property or in connection with any university program, activity or recognized student organization, or in a location or event under circumstances over which the university exercises substantial control over the accused and the surrounding context.

### **3. WHERE DO I FIND THE NEW TITLE IX REGULATIONS?**

The new Title IX regulations can be found in the University Harassment and Discrimination Policy under New Procedures for Title IX Sexual Harassment and Misconduct [[link](#)].

### **4. WHAT IF THE ALLEGED CONDUCT FALLS OUTSIDE THE DEFINITION OR JURISDICTIONAL SCOPE OF THE NEW TITLE IX REGULATIONS?**

If the alleged sexual harassment falls outside the definition or jurisdictional scope of the new regulations the matter can be handled under the existing University Harassment and Discrimination Policy and Student Code of Conduct for students.

### **5. WHEN DID THE NEW TITLE IX REGULATIONS GO INTO EFFECT AND TO WHOM DO THEY APPLY?**

The new regulations went into effect on August 14, 2020. They apply to faculty, students and staff.

**6. IS THERE A TIME LIMIT FOR MAKING A REPORT?**

No. There is no time limit for reporting allegations, but delayed reports may affect the university's ability to investigate the case.

**7. DO I HAVE TO BE A CURRENT STUDENT OR EMPLOYEE TO MAKE A REPORT OF SEXUAL HARASSMENT OF MISCONDUCT?**

To make a complaint of Title IX sexual harassment you must be a participating in an education program or activity of the University or attempting to participate in an education program or activity of the University. However, if you are not a current student or employee you can make a complaint under the University Harassment and Discrimination Policy.

**8. AM I PROTECTED AGAINST RETALIATION FOR MAKING A REPORT OF SEXUAL HARASSMENT?**

Yes. Pursuant to University Policy retaliation against any individual or group of individuals for making a complaint in good faith or participating in an investigation is strictly prohibited.

**9. CAN A TITLE IX SEXUAL HARASSMENT CASE BE RESOLVED THROUGH INFORMAL RESOLUTION?**

Yes. After the filing of a formal complaint under the new Title IX regulations the case can be resolved through an informal resolution as long as both parties agree to this process in writing . However, an informal resolution is not available in cases where an employee is alleged to have sexually harassed a student.