

FREQUENTLY ASKED QUESTIONS Title IX Sexual Harassment & Sex Discrimination

1) **What is Title IX?**

Title IX is federal law that prohibits discrimination against any person on the basis of sex in any education program or activity; sexual harassment and gender-based discrimination are forms of discrimination under Title IX. The College's policy and procedures relating to sexual misconduct and sex discrimination include requirements under Title IX, Clery Act, Violence Against Women Act, and related laws are commonly referred to – collectively – as “Title IX”.

2) **What are the most important things I need to know?**

- Eastern's Sexual Harassment Policy and accompanying procedures comply with all legal mandates. All information related to Title IX compliance may be found on the Title IX webpage.
- Eastern prohibits sexual harassment and sex discrimination in all its forms.
- Sexual harassment is a general term that includes sexual assault, stalking, relationship violence, quid pro quo sexual harassment, and hostile environment sexual harassment.
- Eastern prohibits retaliation against any person involved in a Title IX matter.
- Any person with knowledge of sexual harassment and sex discrimination should make a report.

3) **What do I do if someone tells me they were a victim of sexual harassment or sex discrimination?**

Listen, be kind, and urge the person to report what happened. Please refer to the Response Guide in the Title IX section on how to react.

4) **To whom do I report sexual harassment or sex discrimination?**

Reports should be made to the Title IX Coordinator who is charged with managing and overseeing all of Title IX. Reports may be made to an administrator or other designated official who is required to forward the report to the Title IX Coordinator. Eastern strongly encourages all persons with knowledge of sexual misconduct to contact the Title IX Coordinator.

5) **Who is the Title IX Coordinator?**

Human Resources Representative/Title IX Coordinator: Jaennae Snyder
316 Eastern Drive, Moorefield, West Virginia 26836
(304) 434-8000 Ext 9275 / jaennae.snyder@easternwv.edu
Fax: (304) 434-7000

6) **What will happen after a report is made?**

The Title IX Coordinator will contact the Complainant with information about the policy and the process, gather preliminary information about what happened, determine what supportive measures are needed, and discuss options with the Complainant. Sometimes, matters can be resolved informally. Sometimes, matters require a formal investigation. If there is a formal investigation, all parties will be notified, interviews will be conducted, evidence will be collected, a findings report will be written, and a hearing will be held to determine if the Respondent violated the policy and, if so, what the appropriate sanction will be. There are specific rules and rights that apply to the investigation and hearing such as advisors, presumption of innocence, access to each side's statements/evidence, cross-examination by the other party's advisor who

may or may not be an attorney, and standard of proof (preponderance of the evidence). The parties are treated equally throughout the process.

7) Will the police be involved?

Maybe. Eastern strongly encourages any crime victim to report crimes to local law enforcement; Eastern will assist Complainants in contacting police, but Complainants will not be compelled to pursue criminal charges. Any police or court process is entirely separate from the College's Title IX process. (NOTE: Eastern strongly urges complainants to get necessary medical treatment; doing so will not automatically involve the police. In sexual assault cases, an exam can be completed without police notification.)

8) Will the accused person be removed from campus?

Maybe. Eastern's top priority must be to stop the sexual harassment or sex discrimination and to prevent its recurrence. Therefore, in some situations, a person accused of misconduct may be removed from campus as an interim safety measure. Factors to be considered include the nature of the complaint and any continuing risk of harm to the Complainant, other person, or the campus generally. Any student or employee removed on an interim basis has the right to challenge that decision and seek reinstatement.

9) Will the campus be notified that sexual misconduct or sex discrimination occurred?

Probably not – unless a timely warning is issued because of a continuing danger to the campus community. Generally, Eastern will honor confidentiality to the greatest extent possible to protect the privacy of the people involved, the rights of the Complainant and the Respondent, and the integrity of the process.

10) How can I help?

Participate in all the education and opportunities; intervene if you see something happening – anywhere; and help us create a campus climate where sexual harassment and sex discrimination never happens.