

Q&A with the Title IX Coordinator

What is the purpose of the Title IX Program?

Title IX is the federal law that prohibits sex discrimination in any academic or athletic program in a federally funded school and requires schools to respond to knowledge and reports of sex discrimination in particular ways. Sex discrimination includes sexual harassment and sexual harassment includes all conduct described under University of the Potomac Sexual Misconduct Policies (sexual assault, rape, sexual imposition, public indecency, voyeurism, stalking, non-disclosure of known positive HIV status or STD, sexual exploitation, and related retaliation) as well as intimate partner violence and harassment based on non-conforming to sex or gender role stereotypes. Title IX protects any person from sex/gender-based discrimination, including students, faculty and staff; women and men; and individuals who identify as lesbian, gay, bisexual and/or transgender.

The purpose of the Title IX Office is to develop, implement, and monitor campus-wide efforts to comply with Title IX legislation, guidance and best practices and to serve as a central resource for all campus constituencies on Title IX related issues. Specifically, the Title IX Office/Title IX Coordinator is charged with facilitating a prompt, effective, equitable process to resolve complaints of sex discrimination, including conducting a thorough, reliable, and impartial investigation of reports and/or knowledge of sex discrimination and taking all reasonable steps to end the discrimination, prevent its recurrence, and remedy the effects the discrimination. The Title IX Coordinator has no side during the investigation and conduct process and serves as a neutral fact-finder and resource for both the complainant and the respondent.

The Title IX Office is also charged with providing effective, ongoing training and education on Title IX and sex discrimination to students, staff, and faculty as well as providing oversight on prevention education efforts, programming, and initiatives on Title IX's underlying issues (e.g. healthy relationships, sexual violence, stalking, intimate partner violence).

At what point in the process of reporting sexual assault can a survivor talk to someone completely confidentially, i.e. without being recorded and without the possibility of being subpoenaed?

First, a student can speak with an Advocate from the Advocate Program about a sexual assault before she or he decides to officially report. A student does not have to make any kind of report to receive Advocate Program services. The Advocate will keep the student's information confidential within the Advocate Program with very few exceptions which will be discussed with the student at the outset. These exceptions include 1) a legal requirement to report individuals who are at risk to seriously harm themselves or others and 2) the very rare circumstance in which, in order to ensure the student's safety and/or the safety of the broader University of the Potomac community, information about the incident may need to be shared with a small group of appropriate University of the Potomac representatives. In those rare cases, all reasonable steps will be taken to keep the student's name confidential (if the student prefers) and to limit what is shared to only what is necessary about the incident, such as the name of the alleged respondent and the location.

Under District of Columbia law, if a student talks about a sexual assault with a member of clergy, a professional counselor, a psychologist, a social worker, or a doctor, the student's communication with that professional is privileged, which means the professional cannot share the information without the student's written permission. It's important to note that the professional must be acting in the professional capacity that gives her or him that privilege in order for the privilege to apply.

How much control does a victim have over who ends up hearing or finding out about his/her experience? For example, can he/she choose not to notify, the police, the Advocates, etc.?

First, while I would encourage any victim of sexual assault to report so that we can take responsive action and connect her or him with supportive resources, a victim of any form of sex discrimination, including sexual assault, is

under no obligation to report the incident to anyone. If she or he does decide to tell a University of the Potomac staff or faculty member, the majority of University of the Potomac employees are required to report what happened to the Title IX Coordinator. My role is to investigate that report and to make sure that the discrimination ends, prevent its recurrence and address any effects it has had on the student. I am 100% committed to taking those steps in a way that respects a student's privacy to the highest extent possible and that honors a request for confidentiality and/or a preference for limited or no further action that she or he may make. In very rare circumstances, if the report raises significant safety concerns for the student and/or other members of University of the Potomac community, I may need to initiate further investigation and/or other action steps in response to the report. In these cases, I would keep the student informed about any such action and would take all reasonable steps to keep her or his name confidential. Some factors I would consider when evaluating whether further action needs to be taken are: the seriousness of the alleged conduct, the ages of those involved, whether there have been other complaints about the same person, and the accused person's rights to receive information about the allegations against her or him.

Why do you think so many sexual assault survivors never report the incident?

Continuing existence of intense social stigma and victim blame, and severe lack of accountability in any context for individuals who perpetrate sexual violence.

Why do you think sexual assault survivors are bullied or receive a negative stigma?

After many years in this field, I would say that stigmatizing and blaming the victim allows people to distance themselves psychologically and emotionally from very uncomfortable realities- how many people are sexually assaulted (well established research estimates 1 in 4 women and 1 in 6 men), how it really happens (typically premeditated by someone the victim knows and trusts as opposed to it being a miscommunication), who perpetrates sexual violence (not a stranger jumping out of the bushes at night, but someone who may otherwise be perceived as a likable, good person), and who it happens to (not just an intoxicated college woman at a party, but to a man, to someone in long term relationship by that person's partner, to someone sober in their own apartment by a friend, and so on). If I can say to myself- I don't dress like her, I would never drink that much, I would never act that way or take that risk- therefore I will not be raped, I not only feel safer, but I can go on about my life without having to engage in the difficult thinking and action required of those looking to address this issue, change the dynamics and ultimately reduce perpetration of sexual violence.