



CONTACT US

Title IX Coordinator

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MUW Counseling Center

“The Blue House”
11th Street South & 4th Avenue
662.329.7748

MUW Police Department

McDevitt Hall
662.241.7777



Sexual Misconduct Responsible Employee Guide

The
W Mississippi University
for Women
FOUNDED 1884 COEDUCATIONAL SINCE 1982

www.muw.edu/titleix

What is Title IX?

Title IX of the Education Amendments of 1972 (Title IX) prohibits sex (gender-based) discrimination and harassment in educational programs and activities at institutions that receive federal financial funding.

Mississippi University for Women seeks to foster an atmosphere of respect for all members of the University community. To this end, the University is committed to maintaining a working and learning environment free of sexual misconduct.

Title IX Coordinator

The Title IX Coordinator is the individual designated to assist the campus community regarding gender-based discrimination and harassment. Some of the Title IX's responsibilities include:

- Tracking and monitoring incidents, including gender-based discrimination and sexual misconduct.
- Works closely with the Title IX Deputy Investigators to conduct investigations.
- Ensuring prompt and equitable resolution of complaints.
- Coordinating training, education and prevention efforts.
- Providing information on options for responding to and resolving complaints.
- Any student, faculty or staff member who has concerns about gender-based discrimination and harassment, including sexual misconduct, is encouraged to seek the assistance of the Title IX Coordinator or Title IX Deputy Investigators.

When Should I Contact the Title IX Coordinator?

Any student, faculty or staff member who has concerns about gender-based discrimination and harassment, including sexual misconduct, is encouraged to seek the assistance of the Title IX Coordinator or a Title IX Deputy Investigator.

Is It Confidential?

Conversations with the Title IX Coordinator and/or Title IX Deputy Investigators are kept as confidential as possible but information about incidents of sexual misconduct must be shared with relevant administrators if the college needs to take actions for reasons of community safety. In all cases, the wishes of the person initiating the conversation are given full consideration. If you would like to speak with someone strictly confidential, contact one of the following confidential resources:

On-Campus Confidential Resources

Counseling Center
11th St. and 4th Ave.
(662) 329-7748

Campus Health Center
Eckford Hall
(662) 329-7289

Definitions and Examples of Prohibited Conduct

Dating violence

The use of physical, sexual or emotional abuse or threats to control another person who is, or has been involved in, a sexual, dating, or other intimate relationship with the victim. Whether there was such a relationship will be gauged by its length, type, and frequency of the interaction.

Domestic violence

The same as domestic violence committed by the victim's current or former spouse, current or former husband, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Non-consensual intentional sexual contact (or attempt to commit)

Any intentional sexual touching with any object, by any person upon another, without consent and/or by force.

Non-consensual sexual intercourse (or attempt to commit)

Any sexual intercourse, however slight, by any person upon another without consent and/or by force.

Sexual Assault

Any form of sexual contact without the consent of all parties involved. Sexual contact is the intentional touching, whether with one's own body part, or an instrument or object, of another person, no matter how slight, in or on, an area of the body generally recognized as being a private part of the body; or the intentional touching of another person, no matter how slight, with one's own private body part anywhere on the other person's body. The amount, or lack thereof, of clothing being worn by either person is of no consequence in determining whether a "sexual physical contact" has occurred, and the body part touched, or used to touch with, may be covered or clothed.

Sexual harassment

A form of sex discrimination prohibited by federal law under Title IX and Title VII. It is unwelcome conduct of a sexual nature and can include unwelcome sexual advances, requests for sexual favors, and other verbal and nonverbal, or physical conduct of a sexual nature, such as sexual assault or acts of sexual violence.

Sexual misconduct

Any non-consensual behavior of a sexual nature that is committed by force or intimidation, or that is otherwise unwelcome. This descriptive term includes, but is not limited to, sexual harassment, sexual assault, dating violence, domestic violence, stalking, sexual exploitation and sexual intimidation.

Stalking

A course of conduct directed at a specific person, or the act of making a credible threat, that would cause a reasonable person to fear for his, her, or others' safety, or to fear damage or destruction of his or her own property.

What is Sexual Misconduct?

Mississippi University for Women seeks to foster an atmosphere of respect for all members of the University community. To this end, the University is committed to maintaining a working and learning environment free of sexual misconduct.

Sexual misconduct encompasses any non-consensual behavior of a sexual nature that is committed by force or intimidation, incapacitation, or that is otherwise unwelcome. The term sexual misconduct includes, but is not limited to, sexual assault, sexual exploitation, sexual intimidation, and sexual harassment.

The University's Sexual Misconduct Policy describes the prohibited conduct and sets forth the resources available to students and employees. Offenders are subject to appropriate University disciplinary action up to and including termination or expulsion.

Sexual misconduct is a broad term encompassing sexual behavior that is committed without effective consent and may vary in its severity. It can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship.

Sexual misconduct can occur between members of the same sex, and this policy applies regardless of the sexual orientation, gender status or sexual preference of the individuals engaging in sexual activity.

What is Consent?

Effective consent IS:

Effective consent is the basis of this policy because effective consent maintains the value that all persons have the right to feel respected, acknowledged, and safe during sexual activity. The use of force to obtain sexual access or to induce consent violates this policy whether the force is physical in nature, violent, or involves threats, intimidation or coercion.

Lack of protest or resistance does not constitute consent, nor does silence mean consent has been given. Relying solely on non-verbal communication can lead to misunderstanding. Persons who want to engage in sexual activity are responsible for obtaining consent – it should never be assumed.

A prior relationship or prior sexual activity is not sufficient to demonstrate consent.

Effective consent IS NOT:

Consent is not effective if it is obtained from force, threat of force, fraud or intimidation. Additionally, it is not consent if the initiator has sex with someone he or she knows, or reasonably should know, to be incapacitated by alcohol, drugs, sleep or illness. A person who is unconscious, unaware, or otherwise physically helpless cannot give consent to sexual activity.

Age of Consent: According to Mississippi Code Annotated § 97-3-65, effective consent can never be given by persons under the age of 14. An individual who is at least 17 years old cannot receive effective consent from anyone who is younger than him or her by more than 36 months.

See Something. Say Something.

BYSTANDER INTERVENTION

Proactive Bystander Strategies

In order to be a proactive bystander who helps prevent cases of sexual misconduct, you can...

- Work to create an environment where sexual violence is unacceptable
- Treat people with respect
- Speak up when you hear people making statements that blame victims
- Talk openly with friends about the issues and how to confront them
- Encourage friends to trust their instincts in order to stay safe
- Be a knowledgeable resource
- Don't laugh at sexist jokes or comments
- Look out for your friends
- Educate yourself and your friends
- Attend awareness events

Reactive Bystander Strategies

In order to be a reactive bystander who positively intervenes in instances of sexual misconduct, you can...

- Get campus police or other authorities involved
- Create a distraction
- Get help
- Ask someone in a potentially dangerous situation if they are okay and/or want to leave
- Intervene if you hear someone "targeting" another person
- Separate someone who is incapacitated and unable to consent from a potential perpetrator
- Use caution if there is violence and/or a weapon present
- See something. Say something.



Reporting Options

Campus Resources

MUW Campus Police
McDevitt Hall
(662) 241-7777

Title IX Coordinator—Sirena Cantrell
405 Cochran Hall
(662) 241-6083
slcantrell@muw.edu

On-Campus Confidential Resources

Counseling Center
11th St. and 4th Ave.
(662) 329-7748

Campus Health Center
Eckford Hall
(662) 329-7289

Off-Campus Confidential Resources

Safe Haven, Inc. (Columbus)
Crisis line: (662) 327-2259
Toll free line: (800) 890-6040

Community Counseling Services
108 10th Street N.
Columbus, MS 39701
(662) 327-7916

S.A.F.E. Inc. (Tupelo)
Crisis line: (662) 841-9138
Toll free line: (800) 527-7833

REPORTING

What MUST be reported:

- Sexual misconduct
- Sexual harassment
- Sexual assault
- Dating violence
- Domestic violence
- Gender discrimination
- Stalking

How to file a report:

- Call the MUW Police: 662.241.7777
- Fill out the online sexual misconduct form: www.muw.edu/reporting
- File a report in person with: Title IX Coordinator, located in 405 Cochran Hall

If Student is Reluctant to Report:

- If a reporting party requests that their name not be used; ensure the party that the institution will take all reasonable steps to respond and investigate consistent with that request.
- Party should know that the process will be available to them, regardless of how long they wait.
- Party should know that The W will support them in any way that it can.
- Party should know that information that is brought to the attention of the institution that may involve a threat to the community, the Title IX Coordinator may be forced to proceed with an investigation but that the reporting party will be notified of the process.

What is a Responsible Employee?

Responsible Employee includes any employee who:

- Has the authority to take action to redress the harassment
- Has the duty to report harassment or other types of misconduct to appropriate officials
- **or**
- Is someone a student could reasonably believe has this authority or responsibility.

Responsible Employees who receive complaints of sexual harassment or sexual misconduct are obligated to report complaints to the Title IX Coordinator.

MUW has identified the following groups as responsible employees:

- Faculty and Adjunct Faculty
- Staff
- Student Employees

Tips on how to let students know you are a responsible employee:

- Discuss if on the first day of class
- Let students know that disclosure in written assignments will require you to report
- When meeting with a student, always start with a disclosure that lets the student know you cannot maintain confidentiality and you are obligated to report any sexual misconduct to the Title IX Coordinator.