



TITLE IX

*What Every Caltech Community
Member Should Know About Title IX*

Caltech

what the Institute believes

All members of the Caltech community have the right to be treated, and the responsibility to treat others, with dignity and respect.

Caltech considers sexual misconduct to be a serious violation to person and community.

Caltech will not tolerate sexual misconduct and will act promptly and appropriately to prevent and stop any act of retaliation.

The Institute is committed to educating the community in ways to prevent sex discrimination, sexual or gender-based harassment, sexual violence and retaliation. All forms of sexual misconduct are considered serious offenses. Caltech believes reporting all incidents of sexual misconduct and retaliation is the right thing to do.

what the Institute expects



The Institute expects all members of the Caltech community to comply with the Institute's Sexual Misconduct policy.

It is our hope that this presentation will give you tools and resources to help members of our community get the help they need when confronted with any type of sexual misconduct including sex discrimination, sexual or gender-based harassment, sexual violence and retaliation.

Title IX overview

Sexual misconduct of members of the Caltech community is a form of sex discrimination prohibited by Title IX. The Violence Against Women Act (VAWA) seeks to address campus violence through education, crime reporting and impartial investigation procedures.

Title IX is the federal civil rights law that prohibits sex discrimination in education.

The Office of Civil Rights (OCR) monitors educational Institutions' compliance with Title IX mandates.

Sexual misconduct, including sex discrimination, sexual or gender-based harassment, and sexual violence are investigated under Title IX.

sex discrimination

DEFINITION:

Disparate treatment based on sex, gender identity or gender expression (i.e. sexual stereotyping).

Sexual or gender-based harassment is a form of discrimination prohibited by Title IX.

Gender-based harassment is harassment based on actual or perceived sex.

sexual harassment includes



SEXUAL HARASSMENT:

Unwelcome conduct of a sexual nature. Sexual harassment can take the form of hostile environment or quid pro quo.

HOSTILE ENVIRONMENT:

Conduct that has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile or offensive environment such as derogatory, demeaning or stereotypical comments; unwanted touching of a sexual nature or offensive or crude language.

QUID PRO QUO:

When submission to conduct of a sexual nature is an explicit or implicit term or condition of an employment or educational benefit.

what constitutes sexual violence?

Sexual violence includes non-consensual sexual contact; sexual assault, rape, acquaintance rape, statutory rape, sexual exploitation, domestic violence, dating violence, threat of sexual violence or stalking.

Sexual violence is any sexual conduct that occurs by force or threat of force, or without consent, including where the person is incapacitated.

definitions of conduct constituting sexual violence

As of 2014, the Violence Against Women Act (VAWA) defines sexual violence to include:



DOMESTIC VIOLENCE

Crimes of violence committed by a current or former spouse or someone with whom the person cohabitates or shares a child.

DATING VIOLENCE

Crimes committed by someone with whom the person is or has been in a romantic or intimate relationship.

STALKING

Engaging in behavior directed at a specific person that causes fear for his/her safety or causes substantial emotional distress.

sexual misconduct, alcohol and consent

A person who is incapacitated by drugs or alcohol is legally incapable of giving consent.

Being intoxicated or otherwise impaired does not diminish one's responsibility to obtain consent to engage in sexual activity.

Members of the Caltech community may report misconduct and the Institute will not discipline them for alcohol use in such cases, even if the student is underage.

what constitutes consent?

Affirmative, conscious, voluntary agreement to engage in sexual activity.

Affirmative consent must be ongoing throughout sexual activity and can be revoked at any time.

Existence of a dating relationship, or past sexual relationship, should never by itself assumed to be an indicator of consent.

important things to know about consent



Consent once given may be withdrawn at any time.

Consent cannot be inferred from silence, passivity or lack of active resistance.

If consent is withdrawn, the other party must immediately stop whatever sexual activity is occurring.

Consent cannot be inferred from consent to a prior or different activity.

REPORTING

Any member of the Caltech community who has experienced sexual misconduct is strongly encouraged to immediately report the incident to Caltech as well as local law enforcement.



reporting overview



The Institute is required to take action to stop acts of sexual misconduct including sex discrimination, sexual or gender-based harassment, sexual violence and retaliation. Once an incident of sexual misconduct has been reported to any responsible employee of the Institute, action must be taken to stop the behavior.

WHY REPORT?

- *To stop the problem behavior immediately.*
- *To take interim measures to support students, employees and faculty.*
- *To provide access to all of the available resources.*
- *To keep our campus safe.*

reporting overview

Students, employees, faculty, and JPL-based employees may file a complaint reporting the offending conduct to the following individuals:

STUDENTS:

- *Title IX Coordinator and Deputies*
- *Staff members with a supervisory or managerial role, who do not have legally protected confidentiality*
- *Security Officers*
- *Residential Life Coordinators*
- *Resident Associates*
- *Coaches*
- *Faculty members who supervise a research laboratory or group, or who have administrative responsibilities*

CALTECH EMPLOYEES AND FACULTY:

- *Title IX Coordinator and Deputies*
- *Staff members with a supervisory or managerial role, who do not have legally protected confidentiality*
- *Security Officers*
- *Employees Relations consultants*
- *Faculty members who supervise a research laboratory or group, or who have administrative responsibilities*

JPL-BASED EMPLOYEES:

- *Title IX Coordinator and JPL Deputy*
- *Supervisors and managers*
- *Employee Relations Representatives*
- *Human Resources Business Partners*
- *Education Office staff*

what to know

You set the pace. You have the right to choose to whom you will speak, what resources you will use, what you will say, and when you will say it.

There are many resources available to help you, both at the Institute and in the community, as well as people at the Institute to whom you can report.

You have the right to speak with a confidential resource without reporting to the Institute.

If you decide to report, your information will be only shared with those with a need to know. Caltech wants to support you and keep you safe, and to make sure that others in the community are safe as well.

what to know

Once you file a complaint with the Title IX Coordinator, the Institute will take action to address the concern.

It is the Institute's responsibility to determine whether the behavior did or did not happen and to end, prevent and address problem behavior.



You have the right to have the behavior investigated. If you ask that Caltech not investigate, or ask to remain confidential, the Institute is limited in its ability to respond.

When you report an incident to the Title IX Coordinator, or other designated reporting option, that person will meet with you to explain your options for action and the process for moving forward.



You are welcome to bring an advisor of your choice to any part of the process.

Title IX coordinator/deputies contact information

TITLE IX COORDINATOR

Felicia Hunt

P: 626-395-3132

E: titleixcoordinator@caltech.edu

W: <http://titleix.caltech.edu>

Office: 205 Center for Student Services

TITLE IX DEPUTY FOR JPL

Jackie Clennan Price

P: 818-393-0016

E: jackie.a.clennanprice@jpl.nasa.gov

TITLE IX DEPUTY FOR FACULTY

Melany Hunt

P: 626-395-4321

E: hunt@caltech.edu

Office: 265 Gates-Thomas Laboratory

TITLE IX DEPUTY FOR STAFF AND POSTDOCS

Ofelia Velázquez-Pérez

P: 626-395-3819

E: employeerelations@caltech.edu

W: <http://hr.caltech.edu/services/eod>

Office: 206 Central Engineering Services (CES)

retaliation

Retaliation against any member of the Caltech community for making a good faith report of sexual misconduct, or for participating in an investigation, proceeding, or hearing conducted by Caltech or a state or federal agency **is strictly prohibited.**

Caltech will take steps to prevent retaliation and will take prompt and appropriate corrective action to stop and remedy its effects, if retaliation occurs.

Individuals who violate this policy may be subject to disciplinary action up to and including termination of employment or permanent separation from the Institute.



RECEIVING A REPORT

Receiving a Report of Unlawful Harassment or Sexual Misconduct

Protocols & Procedures

responsible employees

If an individual discloses prohibited conduct to any Responsible Employee, the Responsible Employee must report to the Title IX Coordinator all relevant details about the alleged sexual misconduct.

It is the Institute's responsibility to determine whether a violation of Caltech's Sexual Misconduct policy occurred.



Once a member of the Caltech community informs you that an unlawful incident may have occurred, the Institute is on notice.



The Institute will respond.

RESOURCES & REFERRALS



confidential resources



The Institute also offers members of the Caltech community the choice of seeking confidential counseling outside the Institute's formal mechanisms for resolving complaints.

These confidential counseling services are intended for the personal benefit of the individual and offer a setting where various courses of action can be explored. These conversations do not constitute reports to the Institute.

Those seeking this type of assistance should check with the offices listed below, each of which has its own mandate and guidelines for providing services:

- *Counseling Center*
- *Staff and Faculty Consultation Center*
- *Designated Staff in the Caltech Center for Diversity*



TITLE IX OFFICE

205 Center for
Student Services

(626) 395-3132

titleixcoordinator@caltech.edu

titleix.caltech.edu