

What is Title IX?

Title IX of the Education Amendments of 1972 is a federal law that (1) protects people from discrimination based on sex *regardless of gender identity or orientation* in educational programs or activities receiving federal financial assistance, and (2) covers sexual harassment/sexual misconduct as forms of sex and gender discrimination.



What is Sexual Harassment?

Sexual Harassment is unwelcome verbal, nonverbal or sexual conduct that includes, but is not limited to sexual advances, requests for sexual favors, and any other conduct of a sexual nature.

Sexual harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

What is Sexual Misconduct?

All sexual activity between members of the SF State community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is **Sexual Misconduct**.

- Includes but is not limited to unwelcome physical sexual acts; sexual touching; sexual assault or battery; rape; domestic violence; dating violence; and stalking.
- Occurs without consent or takes place with an individual incapable of giving consent
- May include physical force, violence, threat, or intimidation; causing the victim's intoxication; or taking advantage of a victim's incapacitation

Sexual Assault

What to do if this happens to you:

1. Get to a safe place and call 911.
2. Do not shower, bathe, douche or change your clothes if you have been assaulted or raped.
3. Do not disturb anything at the scene of the assault or throw away any evidence.
4. Contact friends/family for help and support.
5. Go to a hospital for medical care. You will be given a physical exam and options for the prevention of pregnancy, STIs and HIV/AIDS.
6. Medical professionals are required to notify the police whenever they treat a rape victim but the decision to make a formal police report is still yours.
7. If you decide not to go to the police immediately, write down all the details of the assault (who, what, when, where, why and how) and keep them in case you wish to report the assault later.
8. Seek crisis intervention through The SAFE Place or get support through the Counseling & Psychological Services Center. Services are free.



Exercise the "Power of One"

Refuse to be a bystander. Take action when you see risky behavior. If you witness someone trying to lead an intoxicated person into a private room, or if you see someone plying another person with drinks or acting in a sexually aggressive manner, find help and intervene. Likewise, pay attention to your friends so that you can help them if they are being targeted or are in a vulnerable situation. If you feel threatened or too unsafe to intervene, then call 911.

Reporting Sexual Misconduct

All allegations of discrimination, harassment or retaliation based on sex, gender or sexual orientation, made against students, faculty, staff, applicants or third parties associated with the campus, can be reported by using the **Title IX/DHR Incident Reporting Form** found at titlix.sfsu.edu

Note: SF State prohibits retaliation for reporting an incident or participating in an investigation.



Reporting Sexual Misconduct

- Most University employees are required to report all details of a sexual violence incident *including the identities of both the victim and alleged perpetrator* to the Title IX Coordinator or designee so that immediate action can be taken to protect the victim, and to correct and eliminate the cause of sexual misconduct.
- Other University employees (sexual assault and domestic violence counselors or advocates, physicians, professional mental health counselors, psychotherapists, clergy) are required by law to maintain near or complete confidentiality.
- University law enforcement employees may maintain the victim's identity as confidential, if requested by the victim, but will report the facts of the incident to the Title IX Coordinator or designee, including the identity of the perpetrator.
- For more information on confidentiality, please read the document [Rights and Options for Victims](#) by visiting the SF State Title IX website: <http://titlix.sfsu.edu>.

Negotiating Consent

You Have The Right To:

- feel safe.
- say “NO” and not feel pressured to engage in sexual activity.
- a relationship with someone who respects your emotional and physical wishes and boundaries.
- be assertive and direct with someone who is sexually pressuring you.
- change your mind, and if you are not sure what you want, to STOP and think about it.
- be in a relationship free of violence and abuse.
- make a confidential police report, by requesting that you remain anonymous for the public criminal record.

Affirmative Consent - an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. Affirmative Consent is given without coercion, force, threats or intimidation.

When Should You Ask For Consent?

Before you engage in sexual activity! It is the responsibility of the person initiating a sex act to obtain clear, affirmative consent. Whenever you are unsure if consent has been given, you need to ask. Check-in with your partner. Giving consent ahead of time does not mean a person waives the right to change their mind during or in the middle of sexual activity—i.e., to say “STOP” at any time or “no” later.

Don't make assumptions about consent. If an individual feels pressured or uncertain, is having difficulty communicating or is afraid of how a partner might react to a “NO” response, it is not consent. *Prior sexual activity is not consent for future activity.*

Remember: *If someone is unconscious, unresponsive, or incapacitated by alcohol or drugs, they are unable to give affirmative consent to sexual activity or intercourse.*

Who Should You Contact?

SF State University Police Department

911 (Emergency)
415.338.7200 (Non-Emergency)
www.sfsu.edu/~upd/

The SAFE Place*

Stacy Peterson
Student Services Building, Room 205 (SSB 205)
415.338.2208 | www.sfsu.edu/~safe_plc/

Counseling & Psychological Services Center*

Student Services Building, Room 208 (SSB 208)
415.338.2208 | psyservs.sfsu.edu

Student Health Services

Between Student Services, Ethnic Studies & Burk Hall
415.338.1251 | health.sfsu.edu

Senior Deputy Title IX Coordinator for Students

Katon Dalton
Student Services Building, Room 403 (SSB 403)
415.338.2032 | kdalton@sfsu.edu

Title IX Coordinator & DHR Administrator

Dr. Luoluo Hong
Student Services Building, Room 403 (SSB 403)
415.338.7313 | vpsaem@sfsu.edu |

US Department of Education, Office for Civil Rights

800.421.3481 | ocr@ed.gov
www.2.ed.gov/about/offices/list/ocr/complaintintro.html

***CONFIDENTIAL—except as noted by law, program staff/faculty are not required to report incidents of sexual violence to the Title IX Coordinator or designee without consent of the victim.**

September 24, 2018

SF State Title IX



Promoting Gender Equity & Preventing Sexual Harassment/ Sexual Misconduct



SAN FRANCISCO
STATE UNIVERSITY

titleix.sfsu.edu