

# Prohibited Sexual Misconduct

**Prohibited Sexual Conduct** is defined as Sexual Harassment, Sexual Misconduct, Relationship Misconduct, or Retaliation.

**Sexual harassment** is defined as:

- An employee of the University conditioning the provision of an aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct, or
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's Education Program or Activity.

**Retaliation** is defined as intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by this Policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in a Title IX complaint resolution investigation, proceeding, or hearing.

**Formal Complaint** is defined as a written document meeting the requirements of this Policy which is filed by a Complainant with the Title IX Coordinator or signed by the Title IX Coordinator (in cases where a Complainant refuses to sign) alleging Prohibited Sexual Conduct against a Respondent and requesting that the University investigate the allegations.

**Formal Resolution** is defined as a Title IX complaint resolution involving a hearing which is held to determine responsibility.

**Informal Resolution** is defined as a variety of options for resolving a Formal Complaint which do not involve a hearing.

**Sexual Misconduct** is defined as any sexual act directed against another person without the Effective Consent of the victim, including instances where the victim is incapable of giving Effective Consent. Such misconduct includes the following:

- Fondling
- Rape
- Incest
- Statutory rape

**Relationship Misconduct** is defined as :

- Dating Violence which is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of factors.
- Domestic Violence is defined as violence by a current or former spouse or intimate partner of the victim.
- Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

**Supportive Measures** are defined as non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed.

Supportive Measures are designed to restore or preserve equal access to the University's Education Program or Activity without unreasonably burdening the other party. Generally, these measures are meant to deter Prohibited Sexual Conduct for as long as needed.

Supportive Measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

The most common Supportive Measure is a no-contact order which directs parties from communicating with each other, themselves or through third-parties.

# TITLE IX OFFICE

All campus community members with knowledge of an incident of Prohibited Sexual Conduct committed by or experienced by campus community member are encouraged to seek immediate assistance, support, and care from all available resources, and report the incident to the University Police and/or the Title IX Office as soon as practicable.

## Title IX Team

### Ms. Jessica Tuttle

Chief Title IX Coordinator  
Barber Building, Room 242  
(910) 672-2325  
titleix@uncfsu.edu

### Dr. Sherree Davis

Deputy Title IX Coordinator  
Paige Alumni House, Room 105  
(910) 672-2213  
sdavis56@uncfsu.edu

### Dr. LaWanda Miller

Deputy Title IX Coordinator  
Health & Physical Education  
Complex, Room 327  
(910) 672-1420  
lmiller@uncfsu.edu

For the most current  
information, please visit:

[www.uncfsu.edu/Title-IX](http://www.uncfsu.edu/Title-IX)

- Individuals may report incidents to Campus Police or other law enforcement agencies. Once a report is made, the decision to investigate is made by that law enforcement agency:
  - FSU Police and Public Safety** Mitchell Building (910) 672-1911 (emergency) (910) 672-1775
  - FSU Victim Assistance Program** Williams Hall (910) 672-2486
  - Fayetteville Police Department** 467 Hay Street (910) 433-1885
- Individuals may report incidents to FSU's Title IX Office and learn more about their options for Supportive Measures, Informal Resolutions, Formal Resolutions, and related Title IX Resolution Processes:
  - FSU Title IX Office** Barber Building, Office 242 (910) 672-2325
  - Online Form: [www.uncfsu.edu/title-ix](http://www.uncfsu.edu/title-ix) Email: [TitleIX@uncfsu.edu](mailto:TitleIX@uncfsu.edu) Teams: TitleIX Office
- Individuals may report the United States Department of Education:
  - Office of Civil Rights** U.S. Department of Education 400 Maryland Avenue, S.W. Washington, DC 20202-1475
  - Customer Service Hotline: (800) 421-3481 Telephone: (202) 453-6020 Facsimile: (202) 453-6021
  - TDD# (877) 521-2172 Email: [OCR.DC@ed.gov](mailto:OCR.DC@ed.gov) Web: [www.ed.gov/ocr](http://www.ed.gov/ocr)
- Individuals may report incidents to University staff and faculty members:
  - Some **University Administrators** at the level of director/chair or above with knowledge of an incident of Prohibited Sexual Conduct committed by a University community member or experienced by a University community member may be required to report the incident to the University Police and/or the Title IX Office for their review and potential action.
- Individuals may seek support and care, and/or report incidents to University employees who are designated as **confidential resources\***:
  - FSU Center for Personal Development** Spaulding Building (910) 672-1222
  - FSU Student Health Services** Spaulding Building (910) 672-1259
  - ComPsych Guidance Resources** - (available for FSU Employees) (866) 465-8933

*\*Generally, **confidential resources** will not share any information with the University or anyone else without written consent, unless there is an imminent risk of harm to self or others or suspected abuse or neglect of a minor. Also, receiving confidential support does not constitute a report to the University or Title IX Office. More details are available on the resources page at [www.uncfsu.edu/title-ix](http://www.uncfsu.edu/title-ix).*

