

American Institute of Trucking

TITLE IX EDUCATION & TRAINING

WHAT IS TITLE IX?

Title IX Defined

- *No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activities receiving Federal financial assistance.*

Definitions, Myths and Statistics

WHAT IS SEXUAL VIOLENCE?

Sexual Violence Defined

- ⦿ There are many different definitions of sex-related crimes.
- ⦿ These definitions vary across states as well as federal agencies.
- ⦿ Sexual violence is a broad term that includes a range of acts.

Sexual Violence Defined

⦿ *Sexual Assault*

- *Having or attempting to have sexual contact with another individual without consent or having or attempting to have sexual intercourse with another individual without consent.*

⦿ *Rape*

- *The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.*

Sexual Violence Defined

- ◎ Sex Offenses are any *sexual acts directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.*
 - *Fondling*
 - *The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.*
 - *Statutory Rape*
 - *Sexual intercourse with a person who is under the statutory age of consent.*

Sexual Violence Defined

⦿ Sexual Harassment

- *Unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is conduct that explicitly or implicitly affects a person's employment or education or interferes with a person's work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile or offensive.*

Sexual Violence Defined

⦿ Quid Pro Quo Harassment

- *A situation where students and/or employees are subject to unwanted sexual behavior where submission or rejection of such conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual's education, employment, or participating in a school program or activity.*

Sexual Violence Defined

⦿ Domestic Violence

- *Abuse committed against an adult or a minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship.*

⦿ Dating Violence

- *Abuse committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.*

Sexual Violence Defined

⦿ Hostile Environment caused by Sexual Harassment

- *A situation where students and/or employees are subject to a pattern of exposure to unwanted sexual behavior that is so severe, persistent, or pervasive that it alters the conditions of education, employment, or participation in a school program or activity, thereby creating an environment that a reasonable person in similar circumstances and with similar identities would find hostile, intimidating, or abusive.*
- *An Isolated incident, unless sufficiently severe, does not amount to a hostile environment caused by sexual harassment.*

Sexual Violence Defined

⦿ Sexual Exploitation

- *Occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses.*

⦿ Stalking

- *Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others; or to suffer substantial emotional distress.*

Sexual Violence Defined

⦿ Consent

- *A voluntary agreement to engage in sexual activity. Someone who is incapacitated cannot consent and past consent does not imply future consent. Silence or an absence of resistance does not imply consent nor does consent to engage in sexual activity with one person imply consent to engage in sexual activity with another. Consent can be withdrawn at any time and coercion, force, or threat of either invalidates consent.*

⦿ Incapacitation

- *The hindrance from having the capacity to give consent such as due to the use of drugs or alcohol, when a person is asleep or unconscious, or because of an intellectual or other disability.*

MYTHS & FACTS

Myths about Sexual Violence

- ◎ **Myth:** Most sexual assaults are committed by strangers.
- ◎ **Fact:** 60% – 80% of all sexual assaults are committed by someone the victim knows (i.e. a relative, friend, neighbor, or acquaintance). 85% of reported child sexual assaults are by someone known and trusted by the child. The attacks occur most frequently in the victim's home or in the car.

Myths about Sexual Violence

- ◎ **Myth:** The primary motive for sexual assault is sex.
- ◎ **Fact:** Studies show that the motive for the sexual assault is power and aggression, not sex and that most perpetrators have consenting sexual partners (i.e. boyfriends, girlfriends, husbands, wives). Sexual assault is a crime of violence, committed by a person who uses sex as a weapon.

Myths about Sexual Violence

- ◎ **Myth:** A husband/wife cannot sexually assault their partner.
- ◎ **Fact:** If a spouse forces his or her mate to have sex, then it is a sexual assault, and it is a crime. Studies show that 1 out of 7 women are sexually assaulted by their husbands. A person convicted of Spousal Sexual Battery can be sentenced up to 10 years in jail.

Myths about Sexual Violence

- **Myth:** Only women are sexually assaulted.
- **Fact:** One out of every 10 men is a victim of sexual assault, and 1 out of six boys will be sexually abused by age 18. Males are socialized to not be vulnerable and not identify themselves as victims

Myths about Sexual Violence

- ⦿ **Myth:** If a victim experiences sexual arousal or orgasm from sexual abuse, this means he/she was a willing participant or enjoyed it.
- ⦿ **Fact:** Sexual arousal or orgasmic response does not mean that positive emotions or consent were involved. It simply means that the body reacted. The act of abuse assumes or disregards a victim's feelings. A person can have an erection or an orgasm even when he/she is afraid.

Myths about Sexual Violence

- ◎ **Myth:** A rapist is easy to spot in a crowd.
- ◎ **Fact:** A rapist could be your neighbor, relative, boyfriend, girlfriend, cable person, husband, wife or stranger. The fact is they can be of any race, color or socio-economic status.

Myths about Sexual Violence

- ⦿ **Myth:** If a victim doesn't scream or fight, it is not a sexual assault.
- ⦿ **Fact:** The perpetrator's primary weapon is fear. Through threats of bodily injury or death, the victim is terrorized into cooperation or immobilized by fear. A victim does not have to have bruises, cuts or any other physical injury to prove that she has been sexually assaulted. Submission is not consent; it is against the victim's will.

Myths about Sexual Violence

- ◎ **Myth:** Women “cry rape” to get back at men.
- ◎ **Fact:** Less than 5% of reported sexual assaults are false accusations.

Myths about Sexual Violence

- ⦿ **Myth:** Sexual Assault could never happen to me.
- ⦿ **Fact:** This is false. Your mother, father, daughter, son, girlfriend, boyfriend, neighbor, sister, brother or coworker and you could become a sexual assault victim. All people are potential sexual assault victims, regardless of age, race, religion, occupation, education or physical description. Studies report that 1 out of every 3 women and 1 out of every 6 men will be a victim of some type of sexual violence during their lifetime.

Did You Know?

- ⦿ Individuals are clearly more vulnerable to assault when intoxicated.
- ⦿ The most frequently used drug to facilitate sexual assault is alcohol
- ⦿ Alcohol and drug use by female survivors significantly increased after sexual assault.
- ⦿ Sexual abuse plays a role in substance abuse.
- ⦿ Rape victims are more likely to develop substance abuse problems.

Did You Know?

- ◎ Every 2 minutes, someone in the U.S. is sexually assaulted *(US Dept of Justice)*
- ◎ 17.7 million women in the United States have been the victim of a rape or attempted rape at some point in their lives. *(National Institute of Justice and the Centers for Disease Control; Research in Brief, Findings from the National Violence Against Women Survey. November, 1998).*
- ◎ One study found that 34% of sexual assaults occurred when victims were less than 12 years old; 33% occurred between the ages of 12-17; and 14% occurred between the ages of 18-24.
(Sexual Assault of Young Children as Reported to Law enforcement: Victim, Incident, and Offender Characteristics. U.S. Department of Justice Statistics, 2000).
- ◎ About three percent of American men — a total of 2.78 million men—have experienced an attempted or completed rape in their lifetime.

[Prevalence, Incidence and Consequences of Violence Against Women 1998.]

Did You Know?

- ① 11.2% of all students experience rape or sexual assault through physical force, violence, or incapacitation (among all graduate and undergraduate students).
- ① Among graduate and professional students, 8.8% of females and 2.2% of males experience rape or sexual assault through physical force, violence, or incapacitation.
- ① Among undergraduate students, 23.1% of females and 5.4% of males experience rape or sexual assault through physical force, violence, or incapacitation.
- ① 4.2% of students have experienced stalking since entering college.

David Cantor, Bonnie Fisher, Susan Chibnall, Reanna Townsend, et. al. Association of American Universities (AAU), Report on the AAU Campus Climate Survey on Sexual Assault and Sexual Misconduct (September 21, 2015). ("Victim services agency" is defined in this study as a "public or privately funded organization that provides victims with support and services to aid their recovery, offer protection, guide them through the criminal justice process, and assist with obtaining restitution." RAINN presents this data for educational purposes only, and strongly recommends using the citations to review any and all sources for more information and detail.)

Did You Know?

- ① **The most vulnerable population for campus rape is freshman girls during the first few months of school.** *(Neimark, Jill. Out of Bounds, the Truth About Athletes and Rape. Interactivetheater.org, 2000).*
- ① **1 out of 6 college women have been raped or have been the victim of an attempted rape during the past year.** *(Weitzman, E., DeJong, W. and Finn, P. Alcohol and Acquaintance Rape: Strategies to Protect Yourself and Each Other. The Higher Education Center for Alcohol and Other Drug Prevention. U.S. Department of Education, 1999).*
- ① **1 out of 15 male students raped or attempted to rape a woman during the past year.** *(Weitzman, E., DeJong, W. and Finn, P. Alcohol and Acquaintance Rape: Strategies to Protect Yourself and Each Other. The Higher Education Center for Alcohol and Other Drug Prevention. U.S. Department of Education, 1999).*
- ① **Only 5% of undergraduate women reported their sexual assault to police.** *(Schwartz, M. and Leggett, M. Bad Dates or Emotional Trauma: The Aftermath of Campus Sexual Assault. Violence Against Women, Vol. 5, No. 3, March 1999).*

**WHAT TO DO IF YOU OR
SOMEONE YOU KNOW IS
ASSAULTED?**

Reporting an Incident

- AIT encourages victims of sexual violence to talk to someone about what happened.
- By talking to someone, it allows victims to get the support they need and gives AIT the ability to respond appropriately

Retaliation in any way against a person or persons because they have filed a report, assisted, or participated in any manner in an investigation or proceeding is a violation of AIT's Title IX Policy. This includes action taken against a bystander who intervened to stop or attempted to stop discrimination, harassment, sexual misconduct, interpersonal violence, or stalking. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this Policy.

Reporting an Incident

- Immediately call 911 if the situation warrants it
- Disclose sexually violent acts to an AIT Responsible Employee or Title IX Coordinator in person, by phone, by mail or by email.
- Submit a crime report to local Police
- Crisis Hotline 800-656-HOPE (4673)

NOTE: Refer to the AIT Title IX Policy at www.ait-schools.com for specific campus contact information

Healthcare Needs

- Sexual Assault Nurse Examiner (SANE)
- Local Urgent Care or Hospital
- Local Rape Crisis Center
- Phone Crisis Helpline
- Advocates

NOTE: Refer to the AIT Title IX Policy at www.ait-schools.com for specific local contact information

AIT Grievance Procedures

- AIT uses the preponderance of evidence (i.e. is it more likely or not) standard, in any Title IX fact finding and related proceedings, including hearings
- Mediation will not be used as a means to address or resolve cases of sexual violence.
- A panel with a 2 out of 3 vote, will determine the final determination and sanctions

Bystander Intervention

- ⦿ Bystanders (also referred to as witnesses, defenders, or upstanders) are a key piece of prevention work.
 - RECOGNIZE that non-consensual sex is sexual assault
 - IDENTIFY situations in which sexual assault may occur
 - INTERVEN in situations where consent has not or cannot be given
 - CREATE an environment in which sexual assault is unacceptable and survivors are supported

Effects of Trauma

- ⦿ Each person reacts to assault differently
 - Anxiety
 - Fear
 - Depression
 - Suicidal Ideation
 - Self-Blame and Shame
 - PTSD

Additional Resource

www.notalone.gov

An official website of the United States Government 

[Students](#) [Schools](#) **Not Alone** [Resources](#) [Data](#) [ESCAPE](#)

TOGETHER AGAINST SEXUAL ASSAULT

"Perhaps most important, we need to keep saying to anyone out there who has ever been assaulted: you are not alone. We have your back. I've got your back."

President Barack Obama, January 22, 2014

Information for students, schools, and anyone interested in finding resources on how to respond to and prevent sexual assault on college and university campuses and in our schools. Click explore to find a crisis service, learn more about your rights and how to file a complaint, and view a map of resolved school-level enforcement activities.