

Frequently Asked Questions

Frequently Asked Questions about new requirements for reporting and investigating claims of Title IX violations, including student sexual misconduct, under federal law – specifically, Title IX of the Education Amendments of 1972 – and the recently published Title IX “Dear Colleague Letter” from the federal Department of Education Office of Civil Rights, which can be found at: <http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.html>.

Q. What is the Dear Colleague Letter?

A. The Department of Education Office of Civil Rights has issued new standards for reducing the number of sexual assaults on Campuses across America in keeping with Title IX requirements.

Q. What are the new laws?

A. The DCL mandates **ALL** employees of any university who hear about a sexual assault to report it to the Police, Dean of Students or the Title IX Coordinator so an investigation can take place. ‘ALL employees’ is defined as faculty, staff and student employees, including RA’s. Furthermore, according to the DCL even **rumors** of an assault must be investigated.

Q. What if a student wants to talk with their academic advisor or favorite professor in confidence and tell him or her that they were assaulted or suffered some form of sexual misconduct?

A. According to the DCL, they cannot promise confidentiality. They are obligated to report it. Care will be taken to keep the student’s identity confidential during the investigation, but anonymity is not assured.

Q. What if a student has been assaulted and does not want an investigation of the incident?

A. The DCL dictates that an investigation must be started when there exists knowledge of an assault.

Q. Are there any safe places on campus where a student can talk about their assault without anyone else finding out or having an investigation take place?

A. Yes - students are guaranteed confidentiality when talking to a counselor at the Counseling Center (512-863-1252), a nurse or nurse practitioner at the Health Center (512-863-1252) or with the University Chaplain (512-863-1527).

Q. What if a student does not want to talk to anyone on campus – are there other resources?

A. Yes. The student can contact Hope Alliance, 1-800-460-7233, The SAFE Alliance, 512-267-7233, and/or Rape & Incest National Network (RAINN), 1-800-656-HOPE

Q. What if a University employee knows of an assault and does not report it?

A. The school is in jeopardy of being fined and/or losing all Federal funding – this includes student financial aid.

Q. If a student is assaulted, what can they do to preserve evidence even if they are not sure they want to report?

A. Let them know they should not shower, brush their teeth or wash up. They should not change clothes. They can call **Hope Alliance** to be directed to a hospital that conducts rape kit examinations. St. David's in Round Rock has a specially trained nurse (SANE Nurse) on call who is able to conduct the examination. To decrease your wait time, call and let them know you are coming (512-341-6428). The student can bring a friend with them and/or Hope Alliance will send an advocate to walk them through the process.

Q. Does the student have to pay for the examination?

A. If the request for an exam is made as a 'Jane Doe', the state will pay for the collection of evidence but not medications prescribed to prevent STI's or pregnancy. Those medications usually cost around \$250. If a report is filed with the Police, the state will pay for everything.

More information can be found at <http://www.southwestern.edu/studentlife/misconduct.php>

Please remember that Title IX is community centric – not victim centric.