

ATHLETICS CONVOCAATION SPRING 2023

SSU Title IX Compliance

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“THE MAN IN THE ARENA”



INTERCOLLEGIATE COMPETITION

1852 First Intercollegiate Athletic Competition
Harvard v Yale



1892 First Recorded HBCU Intercollegiate Athletic Competition



Livingstone College v. Biddleton College (Johnson C. Smith)

TITLE IX OF EDUCATION AMENDMENTS OF 1972

Title IX: prohibits discrimination based on sex in education programs and activities that receive federal financial assistance.

The landmark law has helped to improve equity, safety, and wellness on college campuses since its passage in 1972.



SEXUAL HARASSMENT (STUDENT ON STUDENT)

Unwelcome verbal, nonverbal, or physical conduct based on sex (including gender stereotypes) determined by a Reasonable Person to be so severe, pervasive, **and** objectively offensive that it effectively denies a person equal access to participate in or to benefit from an institutional education program or activity.



EXAMPLES OF UNLAWFUL HARASSMENT



- Verbal conduct** such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments.
- Visual conduct** such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, e-mail and faxes or gestures.
- Physical conduct** such as assault, unwanted touching, blocking normal movement or interfering with work directed at an employee because of the employee's sex or other protected characteristic.
- Threats and demands** to submit to sexual requests in order to keep one's job or avoid some other loss, and offers of employment benefits in return for sexual favors.
- Retaliation** for having reported or threatened to report unlawful harassment.

KEY CATEGORIES OF PROHIBITED CONDUCT

Dating Violence – Violence by a person who is or has been in a romantic or intimate relationship.

Domestic Violence—Violence by a current or former spouse or intimate partner, co-parent, living partner, youth, or other under state law.

Sexual Assault – A forcible or non-forcible sex offense under the FBI Uniform Crime Reporting System (Non-consensual sexual contact and non-consensual sexual penetration). Sexual assaults consist of any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- Rape
- Attempted Rape
- Sodomy
- Fondling
- Statutory Rape



PROHIBITED CONDUCT CONT'D

- **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 suffer substantial emotional distress.
- **Sexual Exploitation** – Taking non-consensual or abusive sexual advantage of another for one's own advantage or benefit or for the benefit or advantage of anyone other than the one being exploited.
 - Invasion of sexual privacy.
 - Prostituting another individual.
 - Non-consensual photos, video, or audio of sexual activity.
 - Non-consensual distribution of photo, video, or audio of sexual activity, even if the sexual activity or capturing of their activity was consensual;
 - Intentional observation of nonconsenting individuals who are partially undressed, naked, or engaged in sexual acts;
 - Knowingly transmitting an STD or HIV to another individual through sexual activity;
 - Intentionally and inappropriately exposing one's breasts, buttocks, groin, or genitals in non-consensual circumstances; and/or
 - Sexually-based bullying



BUILDING A CONSENT CULTURE

Consent is:

CLEAR

COHERENT

WILLING

ONGOING

LET'S TALK ABOUT CONSENT

6 WAYS TO HEAR A NO

THANK YOU FOR TAKING CARE OF
YOURSELF. OKAY, THAT'S FINE.
NO PROBLEM! DO YOU WANT ME
TO ASK AGAIN LATER? I APPRECIATE
KNOWING WHERE YOUR BOUNDARY IS.
I RESPECT YOUR WISHES.

IF I'M NOT HEARING A CLEAR YES,
I WILL TAKE IT AS A NO.

CLEAR: CONSENT IS ACTIVE

- Consent is expressed through words or actions that create mutually understandable permission.
- Consent is never implied, and the absence of a no is not a yes.
- Silence is NOT consent.
- “I’m not sure,” “I don’t know,” “Maybe”, and other phrases are NOT consent.



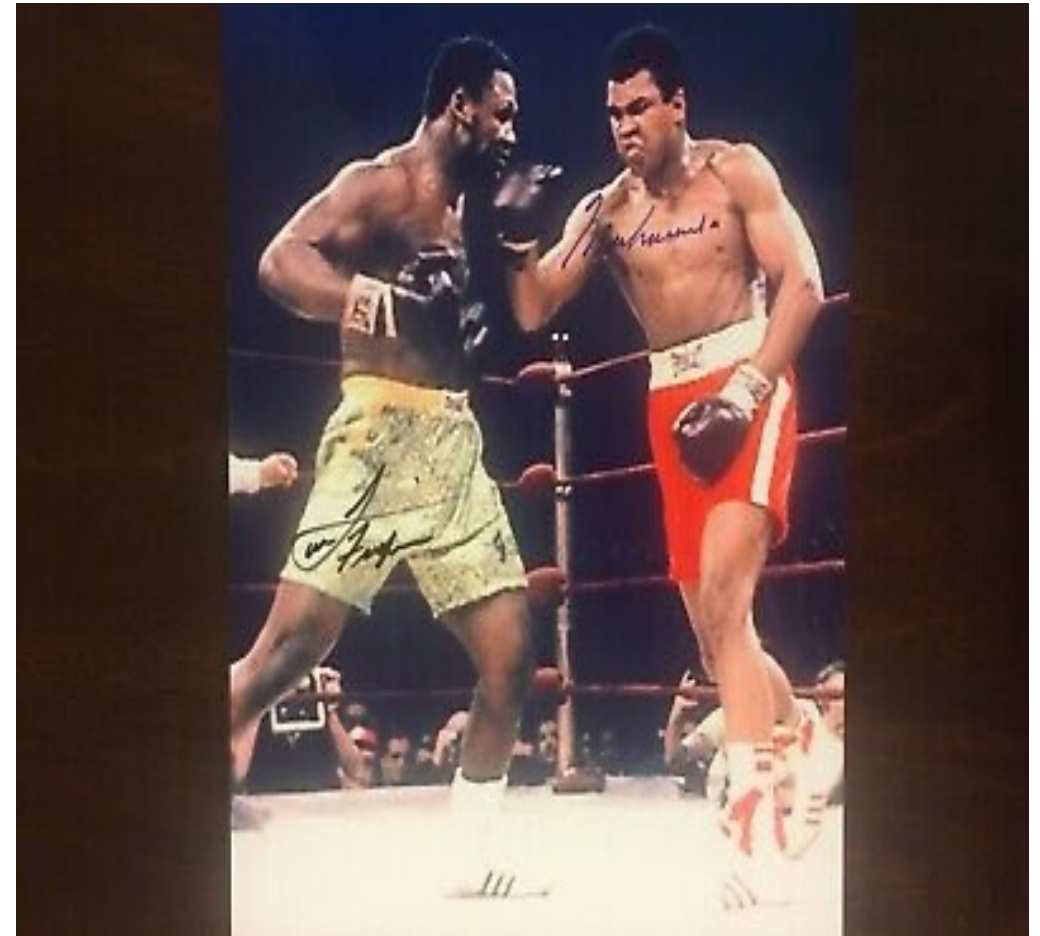
COHERENT: PEOPLE INCAPACITATED BY DRUGS OR ALCOHOL CANNOT CONSENT

- Someone who cannot make rational, reasonable decisions because she or he lacks the capacity to understand the “who, what when, where, why or how,” of the situation cannot consent.
- People who are asleep or in another vulnerable position cannot consent.



WILLING: CONSENT IS NEVER GIVEN UNDER PRESSURE.

- Consent is not obtained through psychological or emotional manipulation.
- Consent cannot be obtained through physical violence or threat.
- Someone in an unbalanced power situation (i.e., someone under your authority) cannot consent.



ONGOING: CONSENT MUST BE GRANTED EVERY TIME

Consent must be obtained at each step of physical intimacy. If someone consents to one sexual activity, she or he may or may not be willing to go further.



“MAN IN THE ARENA”

“It is not the critic who counts; not the man or woman who points out how the strong man or woman stumbles, or where the doer of deeds could have done them better.

The credit belongs to the woman or man who is actually **in the arena**, whose face is marred by dust and sweat and blood; who strives valiantly; ...who at the best knows in the end the triumph of high achievement, and who at the worst, if she/he fails, at least fails while **daring greatly.**”

“THE MAN IN THE ARENA”

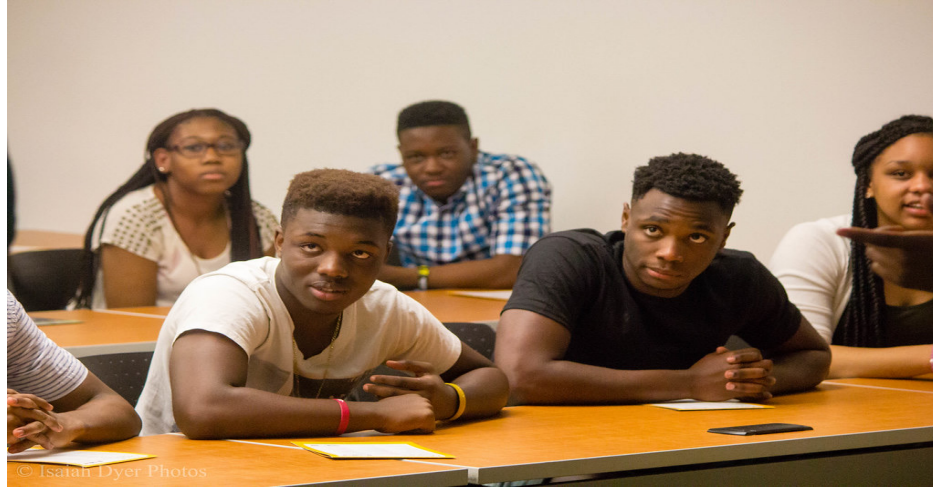


SSU TITLE IX CONSENT EDUCATORS

“Men in the Arena”

and

“Women in the Arena”



RISING STRONG: MEN AND WOMEN IN THE ARENA

