Title IX of the Educational Amendments of 1972

The Office of Civil Rights within the United States Department of Education implemented Title IX of the Educational Amendments of 1972 to help colleges and universities address and prevent sex-based discrimination.

Title IX states that “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 activity receiving federal financial assistance.”

Educational Programs and Activities Covered by Title IX

- Academic Programs
- Admissions
- Athletics
- Classroom Assignment
- Counseling and Guidance
- Employment
- Events/Activities
- Financial Aid

What Constitutes Sex Discrimination Under Title IX?

1. Sexual Harassment
   - Any unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature.

Types of sexual harassment:

1. Quid Pro Quo – “This for that” – when someone who holds a position of authority (or perceived authority) tries to influence a situation by offering advantages not normally offered or by taking away opportunity from the student/staff member.

2. Hostile Environment – A situation that interferes with your educational/work environment and/or your ability to pursue academic activities.

3. Sexual Violence – A physical sexual act perpetrated against a person’s will or when a person is incapable of giving consent (i.e., drugs or alcohol, age, physically or mentally incapacitated or impaired).
   - Sexual violence includes attempted or completed rape or sexual assault, as well as stalking, verbal or physical sexually-based threats or abuse, and intimate partner violence.

2. Unequal treatment based on gender or sexual orientation.

NJIT Title IX Obligations

The university is required to:

- Have a Title IX Coordinator.
- Take immediate, appropriate action to investigate or otherwise determine what occurred once we know or reasonably should know about possible sexual harassment/sexual violence.
- Take prompt and effective steps to end the sexual harassment/sexual violence and prevent its recurrence.
- Protect the complainant, including taking interim steps prior to the final outcome of the investigation.
- Notify both parties of the outcome of the complaint.

Responsible Employees

If you are required to report other misconduct that violated school policy, you are considered a responsible employee obligated to report incidents of sexual violence that violate university policy. If a student can reasonably assume or believe you are a responsible employee, you are a responsible employee.

For more information, please go to the Dean of Students website at njit.edu/titleIX.
CONFIDENTIALITY

There are only two protected classes of university employees who can completely honor a student’s request for confidentiality:

1. Licensed Healthcare Providers (only report if granted permission to do so)
   Staff members who work in an office such as health or counseling but are NOT licensed health care workers MUST report the information to their supervisor for further follow-up.

2. Clergy (only report if granted permission to do so)

NOTE: Employees (without exception as above) should make every effort to ensure that before the student reveals information that he or she may wish to keep confidential, the student understands the employee’s reporting obligation and the student’s option to request that the university maintain confidentiality.

IMPORTANT REMINDERS

- Do NOT mediate any type of sexual harassment or sexual violence complaint.
- Do NOT promise a certain outcome.
- Do NOT investigate sexual harassment or violence allegations.
- Maintain STRICT confidentiality beyond reporting to Title IX Coordinator and/or DeputyCoordinator.

REPORT TITLE IX VIOLATIONS TO:

NJIT Title IX Services
Laura Valente, Ed.D.
Dean of Students
Title IX Coordinator
Campus Center, Room 255
973-596-3466

Sharon Morgan, Ed.D.
Associate Dean of Students
Deputy Title IX Coordinator
Campus Center, Room 255
973-596-3466

Marybeth Boger, Ph.D.
Associate Dean of Students
Deputy Title IX Coordinator
Campus Center, Room 255
973-596-3466

ADDITIONAL RESOURCES

NJIT Student Health Services
Fleisher Athletic Center, Main Entrance
973-596-3621

NJIT Counseling and Psychological Services (CAPS)
Campbell Hall, Room 205
973-596-3414

NJIT Public Safety
Parking Deck, Street Level
973-596-3111

National Sexual Assault Hotline:
1-800-656-HOPE

Essex County Rape Care Center
1-877-733-2273