

## **Howard University Policy Prohibiting Sex and Gender-Based Discrimination, Sexual Misconduct and Retaliation (Title IX Policy)**

### **SUMMARY OF KEY PROVISIONS**

Howard University is committed to creating a learning and working environment free from sexual misconduct, harassment and discrimination based on sex, gender, gender identity, gender expression, sexual orientation, pregnancy or marital status. This includes sexual violence, dating violence, domestic violence, stalking, and retaliation. The full Title IX Policy is available at: <https://howard.edu/title-ix/policy>.

#### **Where and to Whom Does the Title IX Policy Apply?**

This policy applies to all students, faculty, staff, contractors and vendors doing business with the University; visitors, alumni, and non-members of the University community present on campus or participating in University-sponsored/related events or programs; to conduct occurring on University property or in the context of a University-related/sponsored program regardless of location (including travel, research, and internship programs); to conduct occurring through the use of University-owned/provided technology resources; or when the conduct has a sufficient connection to the University.

#### **Prohibited Conduct**

The following forms of conduct, *including attempting to engage in such conduct*, are prohibited: Sexual Assault, Sexual Harassment, Gender-Based Discrimination or Harassment, Sexual Exploitation, Dating and Domestic Violence, Stalking, Retaliation, and Complicity (any act that knowingly aids, facilitates, or encourages prohibited conduct by another person).

#### **Prohibition on Consensual Relationships Between Students and Faculty/Staff**

Sexual or romantic relationships between students and faculty, staff, or any other University employee are *strictly prohibited*. Student-employees also may not engage in consensual relationships with students over whom they have any form of supervisory responsibility, including students residing in the housing unit supervised/managed by the student-employee, or students enrolled in a class taught by the student-employee.

#### **Consent**

Consent is a *voluntary, informed, and freely given agreement*, through words and/or actions, to participate in *mutually agreed-upon* sexual acts. Consent *can be withdrawn at any time*. Consent cannot be obtained through physical force, threat of force, or coercion, and cannot be given by someone who is incapacitated.

#### **Incapacitation**

Incapacitation is the temporary or permanent inability to give consent because an individual is mentally and/or physically helpless (voluntarily or involuntarily), unconscious, asleep, unaware that sexual activity is occurring, or unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction.

#### **Amnesty Provision**

To encourage and remove barriers to reporting, anyone reporting sexual misconduct, as either a complainant or witness, will not be subject to discipline by the University for their own personal consumption of alcohol or drugs at the time of the incident, provided that their consumption did not endanger the health, safety or well-being of any other person.

#### **Responsible Employees**

With the exception of Confidential Employees, all Howard University and Howard University Hospital employees and contractors are considered Responsible Employees and are required to report any information regarding a known or suspected policy violation to the Title IX Office, no matter how they learn of it.

#### **Confidential Resources**

Confidential Employees include licensed medical, clinical, or mental health professionals; clergy; and employees providing administrative/operational or related support to these employees. Confidential Employees will not report disclosures of prohibited conduct *received while acting in their professional roles/providing confidential services*, without permission. Campus confidential resources include the [Interpersonal Violence Prevention Program](#) (202-836-1401), [University Counseling Service](#) (202-806-6870), [Student Health Center](#) (202-806-7540), [HU Hospital](#) (202-865-1131), [Employee Assistance Program](#) (contact MetLife at 888-319-7819), and the [Office of the Chaplains](#) (202-806-7280). *Consulting a Confidential Resource/Employee does not constitute a Title IX report to the University, but will enable a student or employee to access support services on campus. Visit the [Resources](#) page of the Title IX Office website for a list of off-campus, local, national, and international resources.*

#### **Reporting Options**

The University encourages all individuals to report prohibited conduct or a potential policy violation to the [Title IX Office](#) (202-806-2550 | [TitleIX@howard.edu](mailto:TitleIX@howard.edu)), [Department of Public Safety](#) (202-806-1100), and/or **local law enforcement** (911). The Title IX Office responds to reports of prohibited conduct with measures designed to (1) eliminate the misconduct, (2) remedy any adverse effects of the misconduct, and (3) prevent its recurrence. Available responses include: supportive measures (e.g., academic or residential accommodations, or no contact orders), formal investigation, informal resolution, and referrals to confidential services, DPS, or other relevant offices for resolution, as appropriate.