



Tennessee State University Sexual Harassment/Violence Protocol **Frequently Asked Questions For Faculty & Staff**

- **Does there have to be a complaining party for an investigation to take place?**
No. Once the institution knows or reasonably should know of a potential Title IX or TSU Policy 6.6.4 Sexual Misconduct violation, we have an obligation to investigate and respond.
- **The victim has chosen not to press criminal charges. Why is a Title IX investigation still being conducted?**
Whether a victim is pursuing criminal charges into an allegation of sexual violence does not relieve the University's duty under Title IX and TSU Policy 6.6.4 Sexual Misconduct to investigate the matter. Additionally, the standards for criminal investigations are different from those of Title IX, therefore, police investigations are not determinative of whether sexual harassment or violence violates Title IX and cannot be relied upon to satisfy the University's administrative investigative responsibilities.
- **Why are sexual assaults reported to OEI?**
Guidance provided by the U.S. Department of Education Office for Civil Rights states that universities must designate one person to be responsible for coordinating and monitoring the institution's Title IX obligations. As a result, the Director of OEI has been designated as TSU's Title IX Coordinator. The Title IX Coordinator works closely with departments across the campus to ensure compliance with Title IX and to investigate complaints.
- **Does stalking or domestic violence need to be reported?**
Yes. Under the provisions of Title IX, the University is required to investigate matters involving gender-based harassment or violence.
- **If it involves same sex assault or harassment is Title IX implicated?**
Title IX prohibits sexual harassment or assault regardless of the sex of the harasser, i.e., even if the harasser and the person being harassed are members of the same sex.
- **Should I try to gather information before reporting to OEI?**
No. Only persons that have had specific training and experience in handling complaints of sexual harassment and sexual violence as well as the University's investigative procedures should engage in any fact-finding related to Title IX or Policy 6.6.4 investigations.
- **Once I report it, do I have any other obligations?**
No. After you forward a report to the OEI and confirm receipt, you have met all your obligations under Title IX and Policy 6.6.4.