

# Gender-Based Misconduct, Discrimination and Harassment: SVR Staff and Volunteer Workshop

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# Marjory Fisher



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- Title IX Coordinator, Columbia University since June 2016
- Consultant to colleges and universities on the issues of sexual assault and domestic violence from 2013-2016
- Served as Bureau Chief of the Queens District Attorney's Office Special Victims Bureau for over 23 years
- Investigated and supervised thousands of sexual assault, abuse and harassment cases and trained and educated innumerable attorneys, law enforcement officers, students, parents, faculty, health care professionals and the public at large
- Published The Prosecutor's Manual for Sex Crimes, a how-to guide for investigating and prosecuting sexual assaults
- Served on the New York State Children's Justice Task Force, the New York City Mayor's Committee on Child Abuse and the Mayor's Sex Crimes Task Force
- Adjunct Professor of Law at St. John's University Law School
- Graduate of Indiana University and George Washington University's National Law Center



# Today....

1. Brief Review of Gender-Based Misconduct Policy for Students
1. Brief Review of Columbia's Discrimination and Harassment Policy
1. Resources and Reporting
  - Student Conduct and Community Standards
  - Equal Opportunity and Affirmative Action
  - Other relevant partner offices and other identified resources
  - Reporting Procedure

Some of these topics are  
difficult to discuss, and  
to think about.

If you need to take a  
moment, it is ok.

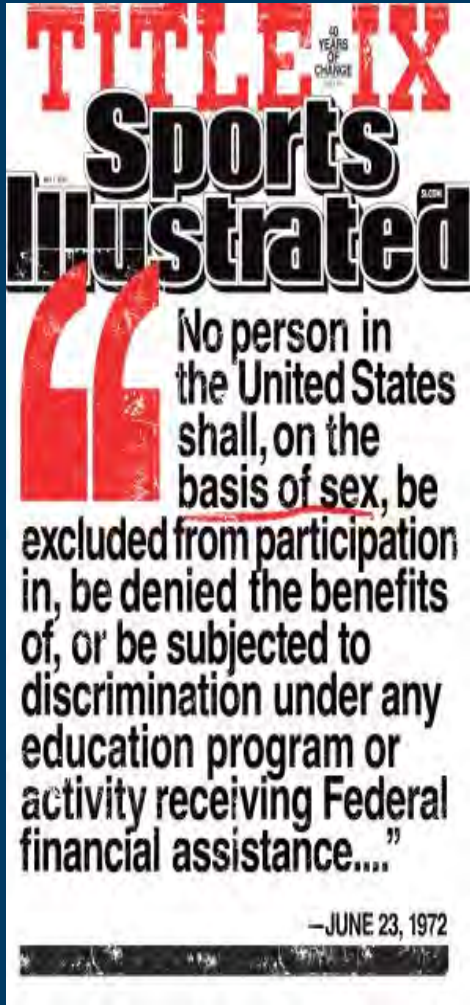
it's okay  
to take  
a break

# The law and our policy: The Response to Sexual Assault, Sexual Harassment and Dating Violence on Campus

# Anyone know what Title IX is?

## A brief history lesson...

## Title IX. . . *The Beginning*





# Title IX and the Women's World Cup in Soccer



Between the year Title IX was passed (1972) and the first Women's World Cup (1991), the sport saw a 17,000% increase in U.S. girls playing on high school soccer teams, according to the National Federation of High School Assns.

# Title IX. . .Then

- Title IX requires that university policies prohibit certain behaviors and requires that colleges and universities do their best to ensure a “harassment-free environment.”
- “When a school knows or reasonably should know of possible sexual violence, it must take immediate and appropriate steps to investigate or otherwise determine what occurred. Investigations must be prompt, thorough, fair, impartial and equitable.
- If the investigation reveals...a hostile environment, the school must then take prompt and effective steps reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects.
- Withdrawn, as of September, 2017...changes have arrived.

# No More...SVU





# What's Next?









# Two Policies now...

- *On May 19, 2020, the U.S. Department of Education issued an updated set of regulations under Title IX that more narrowly defines sexual harassment and addresses how institutions **must** respond to reports within that definition.*
- *These regulations do not cover all of the types of misconduct or places in which misconduct occurs that Columbia believes must be addressed in keeping with our own non-discrimination commitment and our obligations under state and local law. For this reason, the University now has two policies: **the Interim Title IX Policy and the Gender-Based Misconduct Policy.***
- Under both the **Interim Title IX Policy** and the **Gender-Based Misconduct Policy**, the University remains committed to diligently investigating reports of misconduct, supporting students and others who experience gender-based misconduct, and responding fairly and firmly when students violate University policy.

# Title IX *Now*: Two University Policies

*On May 19, 2020, the U.S. Department of Education issued an updated set of regulations under Title IX that more narrowly defines sexual harassment and addresses how institutions **must** respond to reports within that definition. These regulations do not cover all of the types of misconduct or places in which misconduct occurs that Columbia believes must be addressed in keeping with our own non-discrimination commitment and our obligations under state and local law. For this reason, the University now has two policies: **the Interim Title IX Policy and the Gender-Based Misconduct Policy.***

 <p><b>Off-Campus Gender-Based Misconduct</b> may continue to constitute a violation of University policy.</p>	 <p><b>Supportive Measures</b>, including no contact directives, housing changes, and other accommodations, will continue to be available with or without an investigation or adjudication.</p>	 <p><b>Resolutions</b> that are not punitive or disciplinary in nature will continue to be available options.</p>
 <p>Students who are parties in any gender-based investigation or adjudication will have <b>access to attorneys to serve as advisors.</b></p>	 <p><b>Questioning</b> during an investigation and adjudication will take the form of live cross examination under the Interim Title IX Policy and continue to occur in writing, through an Investigative Team under the Gender-Based Misconduct Policy.</p>	 <p><b>Live hearings</b>, including the use of remote technology, will continue to be provided for the adjudication of gender-based misconduct.</p>

# Going forward....

- All types of gender-based misconduct are prohibited at Columbia, both on and off campus.
- Faculty and staff are responsible for connecting students who may have experienced gender-based misconduct to our resources by reporting incidents via the Sexual Respect or University Life websites or to [titleix@columbia.edu](mailto:titleix@columbia.edu).
- Specially trained staff in SCCS and EOAA provide individualized assistance to help students, faculty, and staff understand the options available for addressing concerns and incidents, as well as supportive resources on and off campus.
- Supportive measures, such as no-contact directives, housing changes for students, and other accommodations, continue to be available with or without a formal complaint.
- Mediation and other non-disciplinary resolutions will continue to be available when appropriate.



## Biden wants to scrap Betsy DeVos' rules on sexual assault in schools. It won't be easy.

The Trump administration's Title IX regulations prioritize students accused of sexual misconduct instead of their accusers, victims' advocates say.



## Biden said he wants to undo DeVos' Title IX rule. How would he replace it?

Revoking the regulation would not be easy, and colleges would need guidance for addressing campus sexual assault in the interim.



# What's Next?

- What is going to happen to the DeVos Title IX Rules under President Biden?

The Harvard Crimson

## Biden Administration Expected to Reverse DeVos's Title IX Regulations, Legal Experts Say

*In early May 2020, former Secretary of Education Betsy D. DeVos released a controversial Title IX rule that drummed up controversy, criticism, and confusion at Harvard and beyond. How will the incoming Biden*

# What's In the New Rules?



- May 2020 regulations:
  - Narrowed definition of "hostile environment sexual harassment"
  - Must respond only to severe, pervasive and objectively offensive behavior
  - Narrowed definition of "hostile environment sexual harassment" and
  - Required schools to focus their Title IX procedures on on-campus or program-related conduct that fit within that definition
- Proposed regulations in NPR: Restore the definition to that which was implemented by Obama Administration, which is more likely to require investigations of a broader category of unwelcome conduct of a sexual nature.



# What's next?

## Procedural Changes...

- Possibility of “single investigator model” returns
- Allows for continuation of live hearings, but no longer required.
- Eliminates the requirement of cross-examination.
- Allows instead for the investigator to test credibility of parties or witnesses at “individual meetings.”
- Allows schools to provide access to evidence or investigative report, but no longer required to provide both.

Biden's Title IX reforms would roll back Trump-era rules, expand victim protections (Dustin Jones)

Updated June 23, 2022:40 PM ET



Education Secretary Miguel Cardona speaks at the White House on April 27. The Biden administration proposed a dramatic rewrite of campus sexual assault rules on Thursday, moving to expand protections for LGBTQ students, bolster the rights of victims and widen colleges' responsibilities in addressing sexual misconduct. *Susan Walsh/AP*

# And, Governor Cuomo....Enough is Enough...





# Gender-Based Misconduct and Interim Title IX Policies for Students

# Scope of the policy

**The policy applies to all types of relationships:**

- Casual, Long-term, Marriages

**Umbrella term used to describe a broad range of behaviors:**

- Sexual Harassment
- Gender-Based Harassment
- Dating Violence
- Domestic Violence
- Stalking
- Sexual Exploitation
- Sexual Assault: Penetration
- Sexual Assault: Contact

# How exactly is Sexual Assault defined under Columbia's Policy?

# Policy Definitions of Gender-Based Misconduct

## Sexual Assault: Penetration

Any form of sexual intercourse without affirmative consent.

- Intercourse is: vaginal penetration (however slight) by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue or finger; and oral copulation (mouth to genital contact or genital to mouth contact)

## Sexual Assault: Contact

Any intentional sexual touching for the purpose of sexual gratification without affirmative consent.

- Sexual touching includes contact under or over clothing with the breasts, buttocks, genitals, groin, or touching another with any of these body parts, or making another person touch any of these body parts

# Affirmative Consent: The Bedrock of Columbia's Policy

**Our policy (and New York State Legislation) states:**

“Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.”

As you learned earlier, Consent To Sexual Activity Should be  
....but under our Policy, must be

- Freely given and unambiguous.
- Clearly communicated- body language counts- verbal and by actions
- Obtained by each person involved in the sexual activity to ensure that they have the consent of the others engaged in sexual activity
- Ongoing throughout a sexual activity and can be revoked at any time...Just because something has started doesn't obligate someone to finish!

# Consent Cannot Be Given

- Through text, email or social media
- By an incapacitated person, if they are asleep, passed out, or coming in and out of consciousness
- As a result of being coerced, pressured, as the result of violating someone's free will
- By a person who has a disability that impairs their ability to understand consent
- By a person under the age of consent

# What do we share with students?

## Best to ...

- Establish boundaries before you begin
- Pay attention to non verbal cues: eyes, expressions, body language and how they respond to you
- Be ready for “no”.
- And “maybe” and “I guess so” are not consent
- Be aware of how much you have had to drink....and be aware that if someone passes out, or comes close, you no longer have consent for sex.
- Sense ambivalence: Are you comfortable? Do you want to stop?



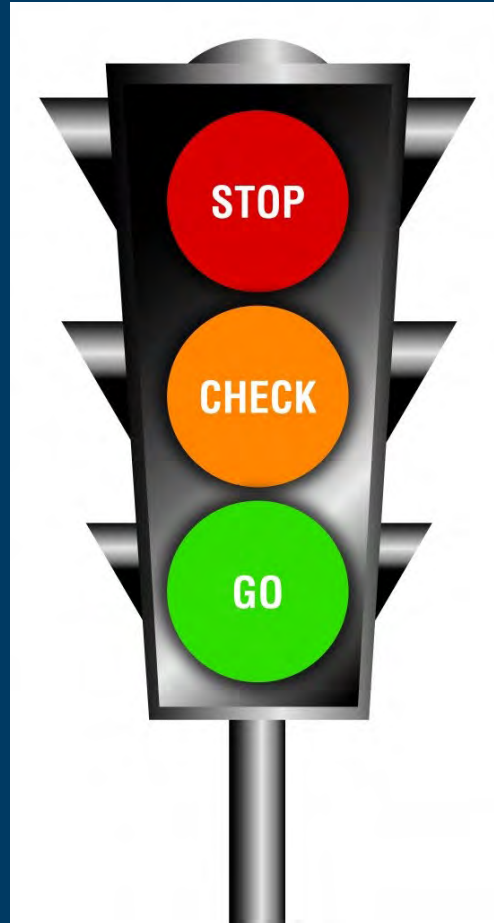
# Misconceptions About Consent

- Going back to another's room always means I wanted to have sex
- The existence of a dating relationship or past sex, or prior “hooking up” means I consent always.
- How one is dressed indicates one's desire to have sex
- Agreeing to engage in kissing or one particular sexual act means that I will engage in any sex.
- Requesting to meet someone on Tinder means that I wanted to have sex
- A request that a condom be used means that I wanted to have sex

# What does “No” Look Like?

- It sounds like. . .“No”
- Physical resistance
- Tears
- Lack of any conversation or physical indication that “this is ok”
- Lack of protest or resistance
- Silence

# Traffic light is helpful...



## Red: Signs You Should Stop

- You are too intoxicated to gauge or give consent
- Your partner is asleep or passed out
- You hope your partner will say nothing and go with the flow
- You intend to have sex by any means necessary
- Your partner says NO...and you say I've gone this far, you can't say NO now!!!

## Yellow: Signs You Should Pause and Talk

- You are not sure what the other person wants
- You feel like you are getting mixed signals
- You have not talked about what you want to do
- You assume that you will do the same thing as before
- Your partner stops or is not responsive

# Green: Keep Communicating

- Partners come to a mutual decision about how far to go
- Partners clearly express their agreement
- You feel comfortable and safe stopping at any time
- Partners are happy!

# How Do I Ask for Consent?

- Have an open conversation about what you want
- Ask questions: Do you want to \_\_\_\_\_? What if we tried\_\_\_\_?
- Is this okay?
- Do you like it when I\_\_\_\_\_?
- What would you like me to do for you?
- Is it ok for me to....? Have you ever\_\_\_\_\_? Would you like to try that?
- Listen to your partner!

# Speak Up and Communicate: Listen Up. If you Hear this, Respond.

- Can we stay like this for now?
- I want to chill for awhile
- I want to slow down
- This doesn't feel right
- No. I want to stop
- I'm not comfortable with you touching me there
- I think I am going to be sick
- I said no three times...



# Affirmative Consent: Alcohol and other Drugs?

- Can you consent if you are intoxicated?

# What Does It Mean to be Incapacitated?



- When someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of the sexual interaction)
- If you are “incapacitated” you may NOT be able to understand that you can decide NOT to consent to sex.
- Incapacity can result from a person’s consumption of alcohol and/or other drugs, disability, being physically constrained, or sleep.
- If I have had a few drinks, can I still consent?
  - It’s a continuum! You can be intoxicated, and tipsy, and **still able to consent**, or incapacitated and almost unconscious, and **unable to consent**.







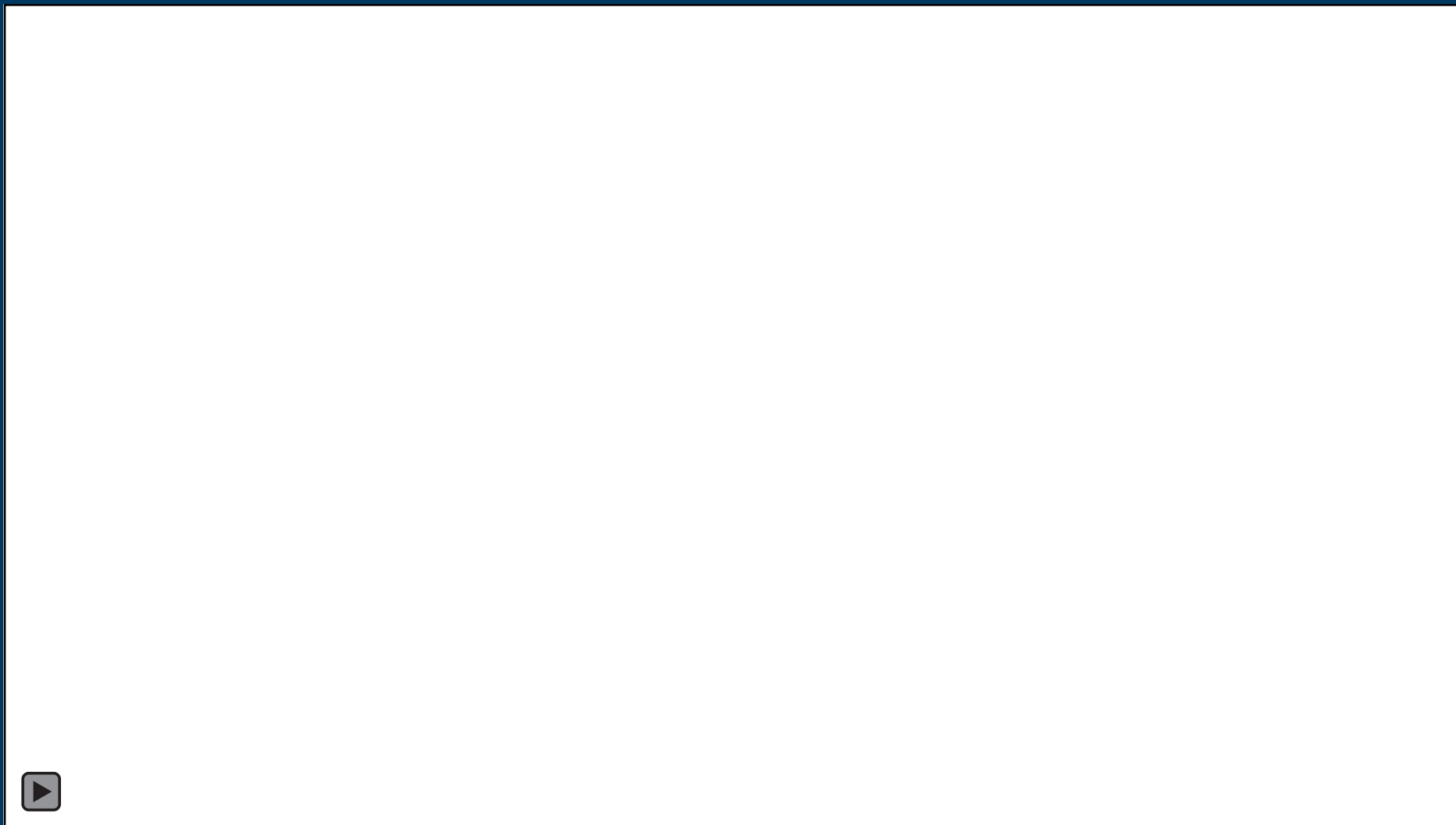
### Judge on the hot seat



Judge who gave college rapist 6 months faces backlash

Gad: 'Pride steps for 20 mins. of action' | Pastor: 'Your son's no victim' | Opinion: Rape is a man's issue

# Chanel Miller Short Film: I am with You



# What If I Did Not Know. . .

How will I be judged if I missed the signs my partner is incapacitated?

- The **perspective of a reasonable, SOBER person** will be the basis for determining whether one should have known about the impact of alcohol and other drugs on another person's ability to give consent...i.e. you will be judged based upon what you would have noticed about your partner if you were SOBER!
- **It is a reasonable non-drunk person standard.** What would a reasonable non-drunk person have understood from the things he/she should have seen, heard, felt, etc., had he/she not been so intoxicated?

# Stealthing

- Stealthing?
- **Stealthing** is when a partner secretly removes a condom during sex without the other person's consent.
- Impact on Affirmative Consent?



What about when the condom mistakenly falls off? And no one notices until it is all over?

# Dating Violence. Domestic Violence. Stalking. Sexual Exploitation.

- **Domestic Violence**

The use of physical violence, coercion, threats, isolation, stalking, or other forms of emotional, psychological, sexual, technological, or economic abuse directed toward (1) a current or former spouse or intimate partner; (2) a person with whom one shares a child; or (3) anyone who is protected from the Respondent's acts under the domestic or family violence laws of New York. This violation includes behavior that seeks to establish power and control over another person by causing fear of physical or sexual violence. Domestic violence can be a single act or a pattern of behavior, depending on the frequency, nature, and severity of the conduct.

*Examples of this type of violence include hitting, kicking, punching, strangling, or other violent acts, including violence or threats of violence to oneself under certain circumstances, violence or threats of violence to one's partner, or the family members, friends, pets, or personal property of the partner.*

- **Dating Violence**

The use of physical violence, coercion, threats, isolation, stalking, or other forms of serious emotional, psychological, sexual, technological, or economic abuse **directed toward a person who is or has been in a social relationship of a romantic or sexually intimate nature with the victim.** Dating violence can be a single act or a pattern of behavior in relationships.



## Sexual Exploitation

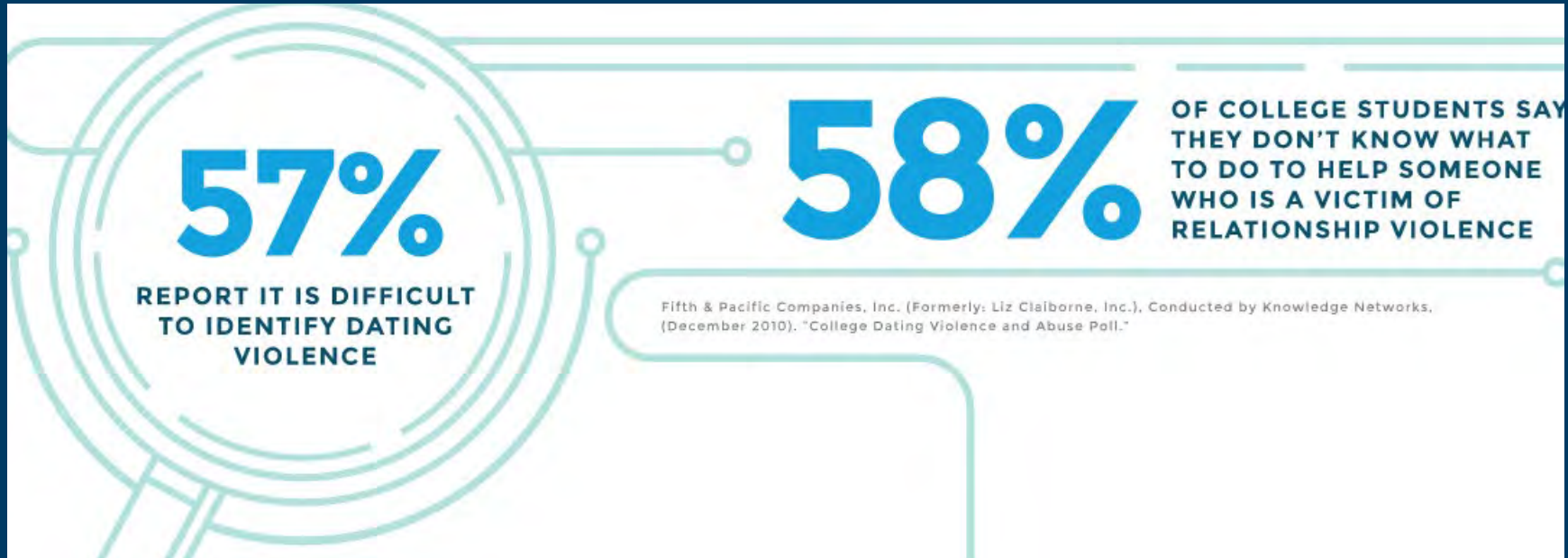
Non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other illicit purpose.

## Stalking

- A course of unwanted attention that is repeated or obsessive, directed toward an individual or a group and that is reasonably likely to cause alarm, fear or substantial emotional distress. Stalking may take many forms, including lying in wait for, monitoring, and/or pursuing contact. Stalking may occur in person or through communications such as telephone calls, text messages, unwanted gifts, letters, e-mails, surveillance, or other types of observation.



# Dating and Domestic Violence On Campus



# “That Is Not Love”

Because I love you, I want to be your only guy  
Skip class with me. Let's stay in bed today.

Because I love you, I just want to be with you, so frickin' much.

Because I love you, I waited you after Chem lab.  
You were walking with Mark?

Because I love you, You shouldn't be hanging out with that dude.

You should know how dumb that makes me look  
I don't care if she's your lab partner.

Because I love you, This number – delete!

Because I love you, , this Jason number – delete.

Because I love you, I should smash your phone.

I'll let you give me your password instead.

Because I love you, I will check your texts, every day.

You got lucky, Because I love you,.

Because I love you, You think it's ok.

Because I love you, you understand?

Because I love you, You stopped talking to your classmates.  
You feel completely alone.

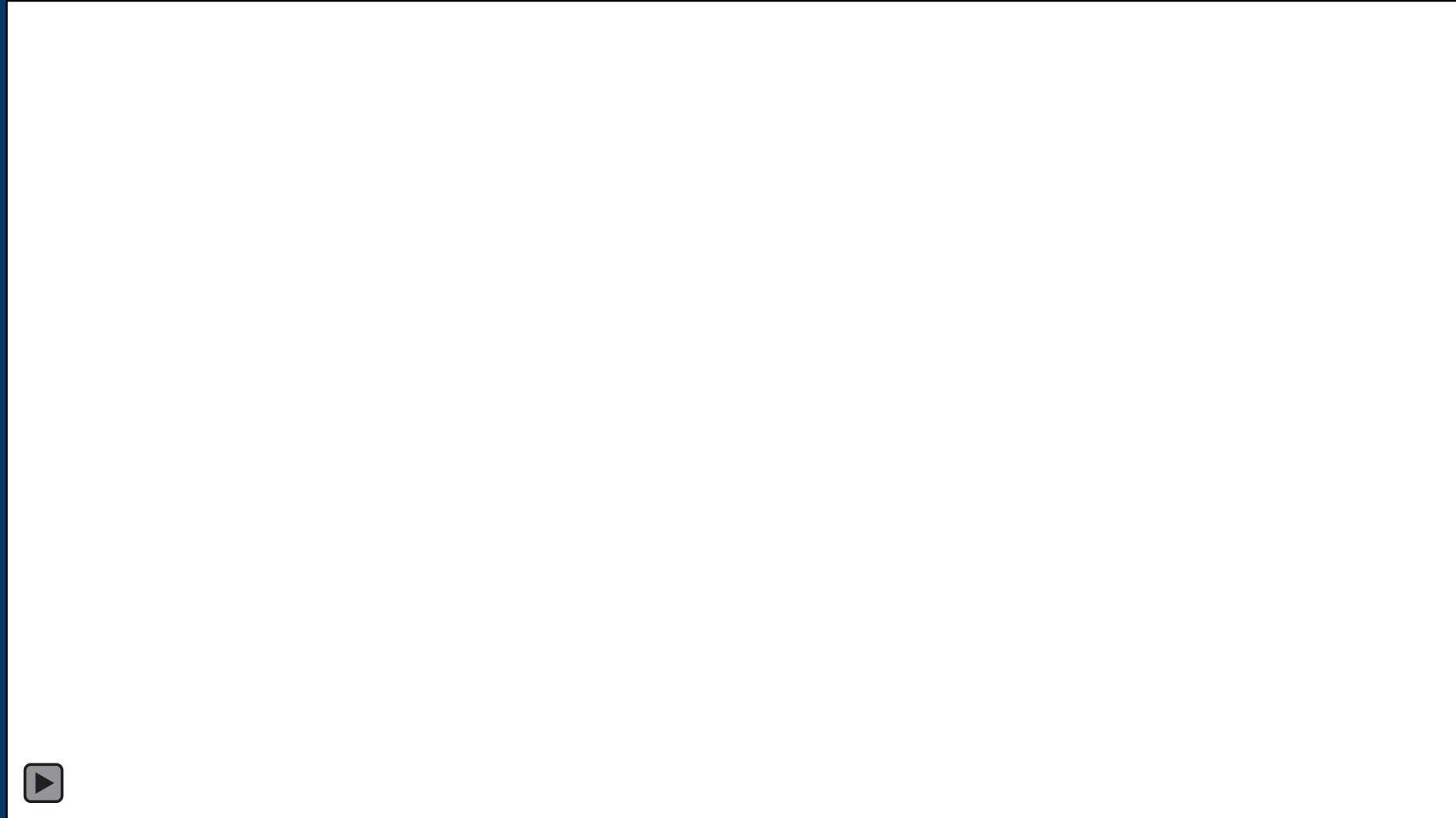
Because I love you.

That's not love.

# What exactly is sexual harassment?

- It can happen on campus or off
- Between students, between staff and students, and on an internship
- Quid pro quo, or creating a hostile work environment with unwelcome sexual behavior

# TIME'S UP: Workplace Sexual Harassment



# Duty to Report

## Conduct Involving a Student

- The following employees have a duty to report any instance or allegation of prohibited conduct **involving a student** that is disclosed to, observed, or otherwise known to him or her whether the student is a Complainant or a Respondent:
  - Faculty, Officers of Administration, Research, the Libraries and the Coaching Staff.
  - Staff who work directly with students, including: teaching assistants, advising and Residential Life staff (**including resident assistants** and student affairs staff).
  - Orientations leaders

But remember, if someone else makes a report about something that happens to you, you do not have to participate in a University investigation or resolution!



# Resources and Reporting





# The Sexual Respect website ([www.sexualrespect.columbia.edu](http://www.sexualrespect.columbia.edu)) is your Go-To Resource

What if I want to report an incident, or if I don't...I just want someone to talk to?

The screenshot shows the Sexual Respect website interface. At the top, a blue header contains the title "Sexual Respect" and a navigation bar with links: "Get Help & Support", "Sexual Respect Initiative", "University Policy", "Learn More", "Get Involved", and a prominent "File a Report" button. A large yellow arrow points down to the "File a Report" button. Below the header, the main content area features the text "Sexual Respect is a commitment." followed by the subtitle "It is a commitment to communicating and acting with integrity and respect for others." Below this is a section titled "Key Resources on Campus" which contains four blue boxes. A yellow arrow points to the first box, "Sexual Violence Response (24/7/365)". Each box includes a description of services, a "Learn more." link, and a confidentiality status at the bottom: "Confidential" for the first two and "Not Confidential" for the last two.

Resource	Confidentiality
Sexual Violence Response (24/7/365) Call (212) 854-4357 (HELP) to connect with survivor advocates for trauma-informed rape crisis/anti-violence support, including accompaniment to the hospital, police, or to other resources. SVR also offers prevention education. Learn more.	Confidential
Counseling Services Get trauma support and short-term counseling, referral for ongoing mental health services, and/or introduction to student support groups. Learn more.	Confidential
Public Safety (24/7/365) Call (212) 854-5555 when you need emergency response, security escorts or assistance with law enforcement. Learn more.	Not Confidential
Gender-Based Misconduct Office Receive help in seeking academic and other accommodations, and guidance through the complaint, investigation and adjudication process. Learn more.	Not Confidential

Will I get in trouble if I report an assault but at the time I was drinking/using drugs?  
NO

Columbia wants to be sure students are as comfortable as possible reporting incidents of sexual assault or other gender-based misconduct – including dating and relationship violence, stalking, and sexual and gender-based harassment.

We recognize that students who have violated the University's alcohol or drug policies at the time of an incident may be hesitant to report an incident.

So, we do not discipline students for these violations if they report an incident that happened at the same time as drinking or drug use. (See the Sexual Respect website for the full Amnesty policy.)

# What you need to know if a report is made?

- Person harmed can do nothing if they choose to do nothing.
- Reporter has no role after making the report unless they have witnessed something
- Every case is handled a little differently based upon facts and circumstances.
- Don't believe the social media and the mythology.



# Am I setting something off that can't be stopped?

- What happens when you make a report?
- What are the options for the person who was harmed?
- What are the ranges of resolution and/or punishment?



# No one is shouting it from the rooftops

- Some resources on campus are confidential and will not share any identifying information with others, except as required by law in emergency circumstances.
- Other resources are not confidential **but will protect students' privacy to the greatest extent possible and share information with other staff only on a need-to-know basis.**
- This includes the Title IX Coordinator(s) and any Deputy or Designee of the Title IX Coordinator, who are required by federal law to address allegations of discrimination and to institute corrective measures if they receive a report or information that may indicate a violation of the Interim Title IX Policy.



# Scenarios: Title IX 2.0

Marjory Fisher

Title IX Coordinator

# Scenario # 1

An RA was doing rounds and passed by one of their resident's whiteboards outside their room. They noticed that someone wrote, "You're a B----" on the whiteboard in permanent marker. When the RA asked the resident about it, they said, "Oh, that was my ex. It's whatever."

- ✗ Sexual Harassment (as defined by the regulation)
- ✓ Directed against a person in the U.S.
- ✓ Within the education program or activity



# Scenario # 2

A student reports that a professor routinely gives lower grades to men based on gender. The reporting student says she has been the professor's TA for the last 2 years and cannot be silent anymore.

- ✗ Sexual Harassment (as defined by the regulation)
- ✓ Directed against a person in the U.S.
- ✓ Within the education program or activity

# Scenario # 3

At a university soccer game, a number of soccer players smacked one another's buttocks when running on and off the field.

- ✗ Sexual Harassment (as defined by the regulation)
- ✓ Directed against a person in the U.S.
- ✓ Within the education program or activity

# Scenario # 4

Zoe and Rachel are both PhD students and are married. They live off-campus in a private apartment. Zoe report that, sometimes when Rachel gets drunk, she hits Zoe. Zoe says it has only ever happened at their apartment.

- ✓ Sexual Harassment (as defined by the regulation)
- ✓ Directed against a person in the U.S.
- ✗ Within the education program or activity

# Scenario # 5

A student, Nikole, works out at the café on campus. It is open to the public. Simon is a local who often patronizes the café. Simon has made it clear that he has a crush on Nikole. Somehow, Simon got Nikole's phone number and has been sending her incessant text messages. Simon also pieced together Nikole's schedule and has started to show up outside of buildings when she's leaving class. One time, she even saw him waiting for her outside her dorm. She has asked him to leave her alone, but he won't stop texting and showing up.

- ✓ Sexual Harassment (as defined by the regulation)
- ✓ Directed against a person in the U.S.
- ✗ Within the education program or activity

# Scenario # 6

Garrett and Stefan are both undergrad students at your school and are part of the same study abroad program in Madrid. Not only does your school sponsor the study-abroad program and provide all the faculty for it, but the Madrid campus is actually wholly owned and operated by your school. One night in Madrid, in their on-campus dorm room, Stefan sexually assaulted Garrett.

- ✓ Sexual Harassment (as defined by the regulation)
- ✗ Directed against a person in the U.S.
- ✓ Within the education program or activity

# Scenario #7

An employee, Alan, reported that his supervisor, Elyse, openly and graphically discussed her sex life in the workplace including showing explicit photos and videos from dating websites and expressed a preference for men of a particular race. Alan said that, when discussing online dating, Elyse once commented that she “swipes left” on men of Alan’s race because she “doesn’t trust” them. Alan said he felt targeted by Elyse based on his race and sex. Things came to a head recently when Elyse wrote Alan up for lateness. Alan is the only person of his race in the department. Alan said that even though everyone runs late, he was the only one Elyse reprimanded.

- ✓ Sexual Harassment (as defined by the regulation)
- ✓ Directed against a person in the U.S.
- ✓ Within the education program or activity

BUT... the report involves Title IX *and* non-Title IX conduct

# Scenario # 7

A former faculty member, Jill, reported that, during her time at your institution three years ago, she was subjected to repeated unwelcome hugs and flirtatious comments from Rob—a fellow faculty member who still works at your school. Jill has no current affiliation with your institution. For the last three years, she has worked at another school.

- ✓ Sexual Harassment (as defined by the regulation)
- ✓ Directed against a person in the U.S.
- ✓ Within the education program or activity

BUT... at the time of making the formal complaint, Jill is not participating in or attempting to participate in the education program or activity of your school.



# Scenario 8

Billy and Sally are friends and both attend Trump University. Sally files a formal complaint alleging Billy had sex with her while she was incapacitated.

Trump University swiftly responds to Sally's formal complaint. The investigator submits the investigative report, and the hearing is scheduled for the next day. Billy informs Trump University that he is out of town and will not be able to physically appear in person. Trump University informs Billy that if he does not appear in person, he cannot participate in the hearing. Trump University further states that Billy's failure to appear will be considered by the decision-maker in determining responsibility. After driving through the night, Billy makes it to the hearing, but he does not have an advisor with him. When it comes time to cross-examine Sally, the decision-maker informs Billy that because he does not have an advisor, Billy may cross-examine Sally himself.

What should Trump University have done differently?

- 10 days between evidence review and the hearing
- Billy can appear virtually
- Billy's failure to appear CANNOT be considered by the decisionmaker in determining responsibility
- Billy cannot cross examine Sally.
- An advisor must be appointed to do so.

# Scenario 9

Billy and Sally are friends and both attend Trump University. Both students live off-campus in privately rented dwellings. One evening, Sally begins to send Billy unsolicited text messages containing sexually explicit statements and photographs of her bare body parts. Billy tells Sally to stop sending the messages because it makes him feel uncomfortable. Sally tells Billy he is being a prude. The next evening, Sally continues to send similar messages to Billy. Billy, again, tells Sally to stop sending the sexually explicit messages. Sally makes fun of Billy and does not relent. This conduct occurs over the course of several weeks. Billy loses focus on his studies and his grades begin to suffer.

If Billy reports Sally's conduct to the Title IX office of Trump University, does Trump University have an obligation under Title IX to investigate Billy's report?

- On campus or off?
- During class or off?
- Which Policy does this implicate?