

# WHAT YOU NEED TO KNOW

## Information about MIT's New Title IX Sexual Harassment Policy and MIT's Pre-Existing Sexual Misconduct Policy.



In response to the Department of Education's newly released Title IX regulations, MIT will employ a new **Federal Title IX Sexual Harassment** policy and process where legally required, while continuing to address other forms of sexual misconduct under our pre-existing **MIT Sexual Misconduct** policy and processes.

### HERE ARE THE THINGS STAYING THE SAME:

You can access **Confidential Resources** including Violence Prevention and Response, MIT Medical, MIT Student Mental Health & Counseling, Chaplains, and the Ombuds Office to receive emotional, psychological, and physical support and to learn more about your resolution options.



**Supportive Measures** (such as No Contact Orders, academic extensions, housing changes, etc.) will continue to be available – regardless of an individual's decision to pursue a formal complaint process.



The **preponderance of evidence** (“more likely than not”) standard will continue to apply for all formal complaint processes to determine whether or not an Institute policy was violated.

A voluntary **Informal/Alternative Dispute Resolution Process** will be available for those who do not wish to proceed with a formal complaint process.

MIT will continue to have **Responsible Employees** who have a duty to inform the IDHR office if they learn of a student disclosure of sexual misconduct so that IDHR can reach out to the impacted person and share the full range of resources and options.



All formal complaint processes **for student respondents** will include live hearings with the **option to use remote technology** and to allow parties to be in different physical locations.

#### MIT still prohibits retaliation

against individuals for raising an allegation of sexual misconduct, participating in a resolution process, or opposing discriminatory practices.



MIT will make a good faith effort to complete any resolution process within **90-120 business days**.

### THERE ARE SOME KEY DIFFERENCES BETWEEN THE TWO POLICIES:

- 1. Federal Title IX Sexual Harassment** must occur within an MIT sponsored program or activity within the United States. Incidents that occur outside of this jurisdiction are still prohibited by **MIT's Sexual Misconduct policy**.
- 2. Cross examination: Federal Title IX Sexual Harassment:** The parties' advisors will conduct live cross examination of parties and witnesses during the live hearing. **MIT Sexual Misconduct:** Parties will continue to conduct cross examination *in writing* to the Hearing Chair.
- 3.** MIT will continue to **provide a pool of advisors** for formal complaint processes under pre-existing **MIT Sexual Misconduct** policies and will **now provide parties an advisor to perform cross examination** at live hearings in **Federal Title IX Sexual Harassment** formal complaint processes.



For more information regarding the new policies, visit [idhr.mit.edu](http://idhr.mit.edu).