**Charlie and Ramona Hypothetical**

**Activity:**

Please reference this document only when prompted by your facilitator.

**Hypothetical:**

Complainant Charlie and Respondent Ramona are involved in a Title IX complaint. Specifically, Charlie has alleged that Ramona sexually harassed her during their time in a mathematics course that they took together during the Fall 2023 semester, and that this harassment occurred both in and outside of class. Sexual Harassment is defined by the applicable policy as,

Conduct on the basis of sex that satisfies one or more of the following: (1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct; (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or (3) ‘‘Sexual assault’’ as defined in 20 U.S.C. 1092(f)(6)(A)(v), ‘‘dating violence’’ as defined in 34 U.S.C. 12291(a)(10), ‘‘domestic violence’’ as defined in 34 U.S.C. 12291(a)(8), or ‘‘stalking’’ as defined in 34 U.S.C. 12291(a)(30).

During the investigation, Investigator Ian interviewed both parties and two witnesses, one requested by each party. In Charlie’s interview, she stated that Ramona sexually harassed her by frequently showing her pornographic images during class and while studying outside of class. Charlie said that Ramona began showing her the images in late September 2023. Charlie said that Ramona would show her sexually explicit images despite Charlie telling her to stop, and that Ramona would reference the explicit images to Charlie when she could not pull up the pictures. Charlie said that this continued for several weeks before she finally ended her friendship with Ramona.

When Ian interviewed Ramona, she stated that while she had shown Charlie sexually explicit images, Charlie seemed to be interested in them and would ask to see more. Ramona said that she would not have shown Charlie the images if Ramona did not think Charlie wanted to see them, and that Ramona only referenced the images to make jokes about them because Charlie seemed to find them to be funny. Ramona stated that Charlie ended their friendship after she received a particularly poor grade on an exam in the course that they were in, and that she told Ramona that she couldn’t be friends with her because she needed to focus on her academics.

Witness #1, an acquaintance and classmate of both Charlie and Ramona in the mathematics course they were taking together, said that she noticed that Charlie seemed to be uncomfortable in her interactions with Ramona in October 2023. Witness #1 said that she noticed that Charlie would appear to avoid Ramona prior to class, and that she observed her tell Ramona to stop talking to her during class. Witness #1 stated that Charlie later told her about the alleged sexual harassment after the complaint against Ramona was filed.

Witness #2 is a friend of Ramona’s and would occasionally be present during Charlie and Ramona’s study sessions that would take place outside of their mathematics class. Witness #2 stated that these sessions mostly occurred at Ramona’s off-campus residence, and that most of Charlie and Ramona’s time was spent studying. Witness #2 said that she was familiar with Ramona’s alleged sharing of sexually explicit images, but that Charlie participated and shared explicit images as well. Witness #2 stated that Charlie seemed to enjoy herself whenever they would share these images and laugh about them with Ramona and Charlie.

**Instructions:** Your objective as the hearing officer/hearing panelist is to develop questions that address each of the policy elements based upon the facts given and what you need to find out at the hearing.

Are there any areas of concern/exploration that you have? Why are you asking these questions?