

Title IX Team Meeting

Nicole Cooper, Title IX Coordinator
2023-2024 Academic Year
September 22nd, 2023

Agenda

1. Welcome Icebreaker:
Name, Area, Favorite Sports Team (anything you root for)
2. Review of Title IX Team Role and Charge
3. Structure for Future Meetings
4. Review
5. Future of Title IX
6. Specific Roles within a Case
7. Feedback Needed
8. Adjourn

Date for Next Meeting: September 29, 2023 - 9AM

Title IX Team

Role and Charge

1. Additional resources on-campus regarding Title IX issues
2. Serve on, on-campus cases
3. Participation in awareness and prevention efforts



Structure of the Future

What is the plan going forward

- Bi-weekly Meetings
- Role Specific Meetings

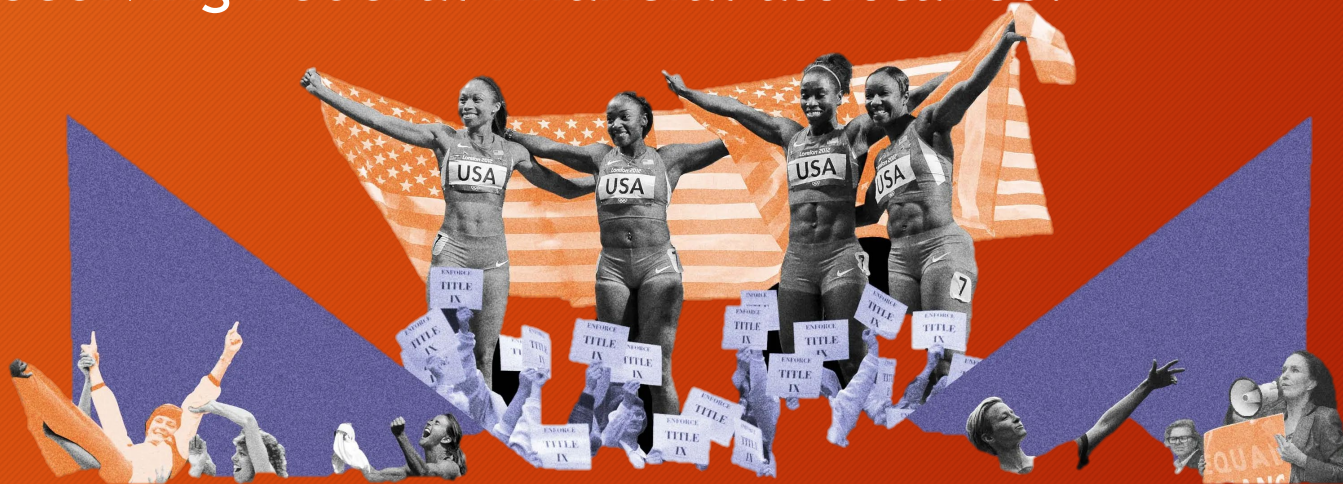
Meeting Purposes:

1. Training: Policy, Investigation process, special populations
2. Updates/Discussion: Case law, Current events
3. Practice: Case studies, Role play



Title IX of the Education Amendments of 1972

- No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.



Title IX Related Issues

Sex-Based Discrimination

- Program Equity
- Recruitment, Admissions, Financial Assistance
- Employee Recruitment & Hiring
- Housing
- Pregnancy & Parenting Students
- Sex, Sexual Orientation, & Gender Identity
- Extra-curricular activities

Sexual Harassment

- Quid Pro Quo
- Hostile Environment
- Sexual Assault
- Domestic Violence
- Dating Violence
- Stalking

Retaliation

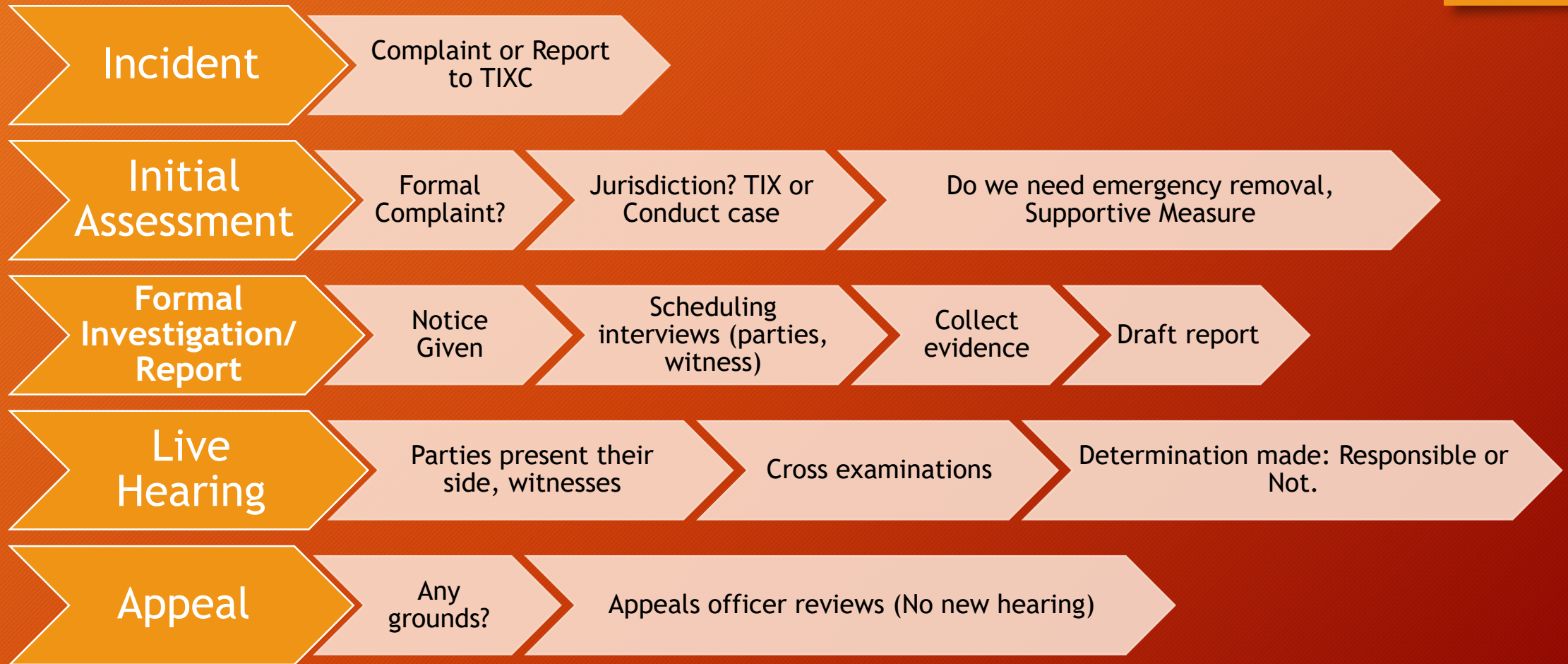
Key Definitions

- **Title IX Sexual Misconduct.** Conduct that allegedly occurred against a person in the United States, in College's Education Program or Activity, on the basis of sex, and that satisfies one or more of the following:
 - i. **Quid Pro Quo.** A College employee conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct;
 - ii. **Severe, Pervasive, and Objectively Offensive Conduct.** 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 College's Education Program or Activity. Without limiting the foregoing, the following types of conduct are deemed to meet this severe, pervasive, and objectively offensive standard:
 1. "Sexual Assault" as defined in 20 U.S.C. § 1092(f)(6)(A)(v);
 2. "Dating Violence" as defined in 34 U.S.C. § 12291(a)(10);
 3. "Domestic Violence" as defined in 34 U.S.C. § 12291(a)(8); or
 4. "Stalking" as defined in 34 U.S.C. § 12291(a)(30).

Case Study

- Eleanor waited for the elevator on the third floor of the library. As the elevator reached the third floor, the doors opened, revealing a flasher and his penis. The doors closed and Eleanor decided to take the stairs down. She has complained that this exposure was sexual harassment.
- Would this meet the threshold of Severe, Pervasive, and Objectively Offensive?

Title IX Case Process



Future of Title IX

New Regulations in Jan 2024

- Assumed to make things less formal
- MORE CASES - lowered threshold
- More resolutions as well - no more formal complaint.



Roles Within a Case

- Investigator(s): Conducts interviews with the parties involved, witness, and gathers evidence. Once complete - a report is created with all the evidence for the decision-makers.
- Advisor: Serves the complainant or Respondent. Acts as their additional confidant, resource, “lawyer” if you will. Present at interviews if they ask. Open for communication throughout process. ****Cross-examines at hearing****
- Decision Makers (Hearing Panelist): Reads the investigation report once complete. Present at hearing, helps make a determination.

Feedback Needed

- Formstack after meeting
- Reflect on the following:
 - Internal bias
 - Conflicts of Interests
 - Preferences - not guaranteed but, good to know.
- Suggestions for the future!

Reference

Dunn, Timothy, J.D.; Hambleton, Mandy, M.S.; Morris, Leslee, J.D.; Pacelli, Kim, J.D.; Sokolow, Brett A., J.D.; Vincent, Joseph, M.L.S.; ATIXA Title IX Coordinator and Administrator. Coordinator One: Foundations.; 2023 Association of Title IX Administrators.

Adjourned!

See you next Friday

