

TITLE IX

Learning Objectives

By successfully completing this module, you will:

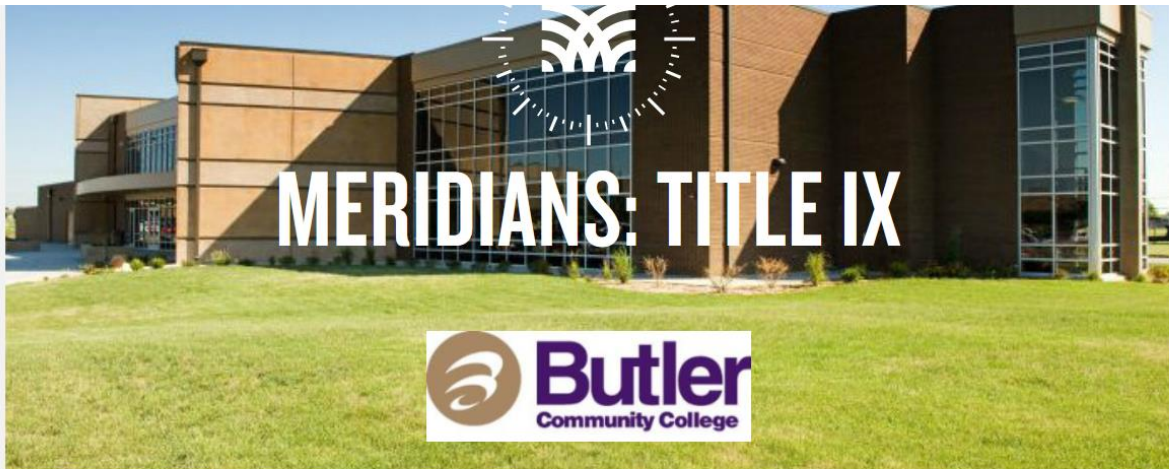
- understand how to identify situations concerning sexual harassment, sexual violence and sexual discrimination.
- know how to report concerns sexual harassment/violence/discrimination.
- be aware of ways to deter instances of sexual harassment/violence/discrimination from occurring.

Readings and Resources

Please go through all of the pages inside the following screen.

Activities

The system tracks your progress through the pages/video/activities. Going through all of the pages on the next screen is your required activity for this module.



Read To Me - 0m:00s / 0m:42s



Welcome to the Title IX Module

Thank you for participating in this online module.

If you are unable to complete the module in one session, your progress will be **saved**, and you may return to the module at a later time.

Coming Up

- Our obligations
- What constitutes misconduct
- Reporter worries

In this module, you will explore some critical best practices related to addressing reported incidents.

Module Goals

Identify your **responsibilities** as a member of the Faculty / Staff community.

Review Title IX Coordinator's role.

Learn how to handle reported incidents



TRIGGER WARNING

This course deals with content related to sexual assault, intimate partner violence, and discrimination and may be triggering to some people. For immediate assistance please contact:

1.800.656.HOPE ([RAINN.org](https://www.rainn.org))



Transcript

Title nine is a law that contains specific rules and obligations that all institutions of higher education must follow. Title nine states that, "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." The right to equal access to education and the freedom to benefit from what that participation has to offer is exceptional. As an institution, we feel it is our job to help protect our students and their rights. Handling and reporting student disclosures of sexual misconduct, discrimination, and violence is an important and challenging part of your job that requires preparation, practice and commitment. Students might not always come to us, but when they do, they need to know that they can trust us, trust our institution and trust the process. So let's make sure you're equipped with the right information and appropriate guidance to make sure you can help the people who will need it most.



Transcript

In a gray background, the question "What constitutes misconduct?" appears. In the next frame, the background becomes dark and the title "Sex Discrimination" appears in a dark tab.

Title IX defines sex discrimination to include sexual harassment

The tab flips into a white one that has the title "Sexual Harassment". The tab disappears and an official document of the U.S Department of Education appears. It lists title IX and its rules

which is defined broadly as

The frame zooms in the document and begins highlighting the following statement;

any unwelcome conduct of a sexual nature, that a reasonable person would find so severe,



Read To Me - 0m:00s / 1m:22s



Role of the Title IX Coordinator

Title IX applies to all educational programs or activities within the United States, over which the school exercises substantial control. A Title IX Coordinator is the person designated and authorized to help a school meet its Title IX responsibilities.

Schools must respond promptly to sexual harassment. The Title IX Coordinator will contact one or both parties, as required, to talk about:

Supportive measures:

- What support they are entitled to
- What support they'd like to accept
- Could include:
 - Counseling
 - Extensions of deadlines or other course-related adjustments
 - Modifications of work or class schedules
 - Campus escort services
 - Mutual restrictions on contact between the parties
 - Changes in work or housing locations
 - Leaves of absence
 - Increased security and monitoring of certain areas of the campus.

Remember:

Any person can report sex discrimination, including sexual harassment, regardless of whether they witness or experienced it firsthand. Anyone can submit a report to the Title IX Coordinator in person or by telephone, mail, or email.



Sherry Conard

Title IX Coordinator

Student Life Center – Office 5002C

sconard@butlercc.edu

316-323-6373



Harassment and NonDiscrimination Policy

Please scroll down and read the entire policy before proceeding.

Butler Community College is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination, harassment, violence and retaliation. Butler Community College prohibits any form of discrimination, harassment, violence, threats or attempts to inflict and/or aid in inflicting violence against an employee or student based on race, color, religion, sex, sexual orientation, gender identity, national origin, age, disability, veteran status, genetic information, marital status,

political affiliation and/or any other status protected by federal, state or local law and/or because the person opposed unlawful discrimination and/or participated in an investigation or complaint concerning unlawful discrimination. For purposes of this Policy, these prohibitions apply to Butler Community College, students, faculty members, administrators, trustees, agents, volunteers, contractors, visitors, invitees or persons subject to the supervision and control of Butler Community College.

To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, the College has internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation. The College values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process for all those involved.

The core purpose of this policy is the prohibition of all forms of discrimination. Sometimes, discrimination involves exclusion from activities, such as admission, athletics, or employment. Other times, discrimination takes

the form of harassment or, in the case of sex-based discrimination, can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence or domestic violence. When an alleged violation of this policy is reported, the allegations are subject to resolution using Butler Community College's Title IX Informal or Formal Grievance process, determined by the Title IX Coordinator.

When the Respondent is a member of the college community, a grievance process may be available regardless of the status of the Complainant, who may or may not be a member of the College's community. This community includes, but is not limited to, students, faculty, administrators, staff, trustees, and third parties such as guests, visitors, volunteers, invitees, and campus camp attendees.

For any questions related to our policy, please contact:

Sherri Conard

Title IX Coordinator

Student Life Center – Office 5002C

sconard@butlercc.edu

316-323-6373



Understanding Your Role

Mandated reporters are required to report all personally identifiable information and other details disclosed about an incident whereas a “**Confidential Resource**” would only share information if permission was granted or there was an imminent risk to an individual or other members of the campus.

Who to Report To:

Sherri Conard

Title IX Coordinator

Student Life Center – Office
5002C

sconard@butlercc.edu

316-323-6373

Who is a Responsible Employee:

Butler Community College considers *all full-time faculty and staff* to be mandated reporters.

Confidential and Anonymous Resources:

Nancy Hamm

Student Counseling Services

BOE 1100 Building, West Dorm

BOA 5000, College Health, Office 5250

nhamm2@butlercc.edu

316-322-3162

Jaime Sharp

Director of College Health

BOE 1100 Building, West Dorm

BOA 5000, College Health, Office 5250

jcross1@butlercc.edu

316-323-6934



We all have a sense for what words like "Stalking" and "Consent" mean. But we don't all know what these definitions mean as per our campus policy and also from a legal standpoint. It is important to get familiar with them so that we are all on the same page.

Because students who experience sexual misconduct may seek to report on-campus and off-campus, the definitions below reflect terms used in both campus policy and in state law.

Also note that the policy and content in the following pages **apply to everyone on campus, not just Students.**

Sexual Harassment

"Sexual harassment" means conduct on the basis of sex that satisfies one or more of the following:

- an employee conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct (ie, quid pro quo)
- unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to an education program or activity (ie, hostile environment)
- sexual assault (as defined by Clery Act), or "dating violence," "domestic violence" and "stalking" (as defined by Violence Against Women Act)

Consent

Clear, knowing and voluntary participation in sexual conduct by person of the age and intellectual capacity to give lawful consent, and may be given by words or actions, as long as words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) the sexual activity.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (A) fear for his or her safety or the safety of others; or
- (B) suffer substantial emotional distress.

Dating Violence

Violence committed by a person:

- A. who is or has been in a social relationship of a romantic or intimate nature with the victim;
- B. where the existence of such a relationship is determined based on a consideration of the following factors:
 - i. the length of the relationship,
 - ii. the type of relationship,
 - iii. the frequency of interaction between the persons involved in the relationship; and
- C. may occur any time even if first and only date.

Domestic Violence

Includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Kansas.

Drugs, Alcohol & Consent

The Association of American Universities (AAU) 2019 Campus Climate Survey collected data on the effect of drugs and alcohol and the ability to consent.

PERCENTAGES OF SURVIVORS IN WHICH ALCOHOL OR DRUGS PLAYED A ROLE IN THEIR ABUSE

The **inability to consent** was defined as "...incidents when you were unable to consent or stop what was happening because you were passed out, asleep, or incapacitated due to drugs or alcohol."

13% of students reported *nonconsensual sexual contact by physical force or inability to consent*

Rates were significantly higher for women and TGQN students (transgender woman, transgender man, nonbinary/genderqueer, gender questioning, or gender not listed)

65% of survivors who were women reported their abuser was *drinking alcohol prior to the incident of sexual assault/violence*

80% of all survivors (men, women and TGQN students) reported *they were drinking alcohol prior to the incident of sexual assault/violence*

THE SITUATION

You're out at a local bar for happy hour with colleagues when you notice one of your students across the room. She seems to be pretty inebriated and is falling all over this guy.

On her way out she notices you, stops to chat briefly and mostly incoherently, and tells you that she is going to go home with this guy that she just met. You don't recognize the guy or any of the guys he is hanging around with.

WHAT MIGHT BE THE BEST WAY TO RESPOND TO HER?

CHOICE 1

"Nice, have fun and be safe. See you in class on Tuesday."

CHOICE 2

"This is probably not a good idea but if you're comfortable with him, it's up to you."

CHOICE 3

"Going home drunk with a guy when you're this drunk isn't a good idea. Maybe get his number and let's work on getting you home safely."

Bystander Intervention

We hear and talk a lot about bystander intervention... and while most of us know what it is...

...a willingness to step in to alter the outcome of a potentially harmful interaction or harassing situation.

And...most of us know why it is important...

...it can help keep people from having to experience discrimination or emotional or physical harm.

And most of us believe we are willing to do it...

...not as many of us actually do intervene when it matters most.

If you are willing to intervene, remember:

- You need to evaluate the risks. If direct intervention could cause more harm or cause the situation to escalate, consider more indirect interventions.
- You can try creating a distraction, change the subject, attract the attention of others, or call on authorities.
- Assume that most people aren't going to intervene. You may be alone in your efforts, and if you can't stop something from happening, you can still check on the person who was harassed after the fact to make sure they know they are supported and have a witness. This is also a good time to share what you know about resources available on campus that could help.



Transcript

PREVALENCE OF SEXUAL VIOLENCE

In a grey background the title "Prevalence of sexual violence" appears.

A shot of a busy campus is shown in fast forward.

How long does a crisis need to last for it to be considered a permanent state of affairs?

A panoramic view of a historic college building is shown in a timelapse fashion.

Sexual violence and misconduct continue to be a problem in our society, our communities, and our schools.



Transcript

Retaliation

In a grey background the title "Retaliation" appears. The frame changes to a group of people marking with their pens various post-it notes stuck on a paperboard.

Title IX is clear that anyone who experiences sexual discrimination or misconduct.

A group of five young adults walks towards a sunny outdoor scenery.

or anyone who sees someone else experiencing it has a right to take action and report that conduct.

A woman sitting on an armchair covers her eyes with her hands appearing sad then

Patterns of Disclosure

Not everyone reports sexual misconduct. In fact, we know that people are more likely to confide in a friend than an official resource of some kind.

We know reporting isn't the same for everyone. For example, we know that white women are more likely to talk about their trauma than African American or Latinx women.

Older women and women who didn't know their abuser were more likely to come forward to talk about what happened to them than women who were assaulted by someone they considered a romantic partner.

Male victims of sexual assault often don't report for fear of ridicule, shame, doubt, being perceived as weak, or they worry about not being taken seriously.

After experiencing trauma, people may experience:

- Shame
- Fear
- Guilt
- Denial
- Depression
- Anxiety

The experience of disclosing is vital to the overall health and well-being of the individual who is coming forward to report.

This isn't about forcing people to talk. This is about creating the kinds of spaces where people feel safe enough to be vulnerable and confident enough to come forward.

And that takes trust. Building trust means building faith in our ability to handle their personal traumas. Our entire community needs to be able to feel confident that we'll do what's right...and what's necessary.

Transcript

Reporter Worries

In a grey background, the title "Reporter Worries" appears. Next, a moving, panoramic view of a city is shown.

The institutions in our society haven't always treated people who have experienced sexual violence with respect or compassion.

The frame shows people walking outdoors from a bird's eye view.

Whether firsthand or secondhand, the mishandling of disclosures creates a lack of trust and real fear.

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report of misconduct or sexual violence, these processes can get overwhelmed. The emotions of the sender or receiver can make listening carefully and responding appropriately harder. And sometimes worrying about saying the wrong thing can cause us to forget to say the right things. Don't assume the role of investigator. Do listen empathetically and actively. Leave any up or investigation to your Title IX coordinator and other officials with authority. Don't overreact or under-react. Do calmly assess the situation and respond appropriately. If there is imminent danger, call 911. If there's no immediate threat, continue the conversation. Don't assume guilt or innocence. Do remain impartial, supportive and focus on what's being said. Don't make jokes or make light of the situation. Do take all disclosures seriously and respectfully. Don't use discouraging, alienating or legally complex language. Do use simple, affirming and accessible language. Don't be judgmental. Do take interest in and believe what you're being told. Don't be overly impersonal or formal. Do use personal names and keep things as informal as possible.

Transcript

How to encourage reporting

Intro sound.

The title "How to encourage reporting" appears in grey background.

In a calm office, a student is talking about his experiences to an assigned male counselor who is taking notes and listens with graciousness. There is the use of body language from the student to convey emotions as the coordinator nods, understanding the student's experiences.

Voiceover: Positive reporting experiences go a long way to building trust in our process and our systems overall.

Quick Review

Reporting sexual misconduct isn't easy. Unfortunately, however, it's something that will continue to be necessary until we can come together to address much larger issues related to sexual harassment and discrimination in more comprehensive and lasting ways.

In the meantime, let's take a look at how to handle these situations in ways that will empower reporters, meet our obligations, and demonstrate the high standards of adherence we've set for ourselves and others within our community.

Be present.

Disclosing can be an emotional and stressful experience. Practice active listening. Be compassionate, empathetic, and kind.

Pay attention.

Try your best to notice new or changing behaviors exhibited by the people you see every day. Changes in habits, dress, academic performance, or attendance could be signs that something is amiss.

Be supportive.

Avoid using alienating legal jargon, being overly critical, judgmental, clinical, or discouraging.

Be encouraging.

Being entrusted with something painful and personal is a delicate matter. Use affirming language that communicates to the reporter that their courage is appreciated and important and that there are people available to help.

Use your Title IX Coordinator's proper name.

Facing "institutional directives" or following "official guidelines" might feel intimidating and alienating, especially if the reporter is confused or fearful of losing control over their situation. Using the name of your Title IX Coordinator or support person makes the experience more personable.

Sherri Conard

Title IX Coordinator

Student Life Center – Office 5002C

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316-323-6373

Respond promptly.

Your reporting obligations may be job-related or job-specific, but you must report sexual harassment or sexual violence as soon as you become aware of an incident. Be sure to inform the individual that you are obligated to report and that there are other resources, such as mental health providers or pastoral counseling, they can speak to for confidential support.

Remember: Disclosure is ultimately about the reporter, not the institution. Increase the likelihood that they will follow through and seek the appropriate support services by humanizing the people involved.

Title IX and Sex Discrimination

Title IX prohibits discrimination on the basis of sex in education programs and activities that receive federal financial assistance.

The phrase "on the basis of sex" includes sexual orientation, gender identity, and pregnancy.

Title IX was enacted to reduce the harm and negative consequences that individuals face when they experience sexual harassment and gender-based discrimination.

According to the U.S. Department of Education, examples of discrimination based on sex include failing to provide equal athletic opportunities; sex-based discrimination in a school's science, technology, engineering, and math (STEM) courses and programs; and discrimination based on pregnancy.

Title IX and Pregnancy

Students have specific pregnancy and parental rights under Title IX and, as an employee here, it is your responsibility to ensure that these rights are protected and are not violated in any way.

Discrimination or harassment based on pregnancy or parental status is illegal as a form of sex discrimination under Title IX. Related issues such as childbirth, abortion, recovery and false pregnancy are also protected under Title IX.

You are responsible for protecting a student's right to:

- continue taking classes.
- continue their involvement in extracurricular activities.
- take additional programs or classes that were created for pregnant students.

Pregnant students are not obligated to provide the school a doctor's note unless one is required of all students who have doctor treated conditions. They also have the right to reasonable accommodations. It is your responsibility to provide these and other accommodations to pregnant students and parents:

- elevator access
- restroom breaks as needed
- a larger desk
- note-takers
- frequent breaks for nursing or pumping
- rescheduling of activities, exams, and assignments

If a student is pregnant, you must also:

- excuse absences related to pregnancy or birth.
- allow the student to return to the same status they had before their leave.
- allow the student to catch up on any work that was missed while on leave
- ensure that the student benefits from the same services as other students who have temporary medical conditions.

If you have any questions about our policies and your responsibilities, please contact your Title IX Coordinator.

Transcript

Meridians: Conclusion

The video begins with a group of students and a teacher studying in a college library.

Taking care of the students in our community is a privilege that we should all take seriously.

Outdoors, an old male teacher explains a subject to two students that listen to him. The frame changes to a timelapse of a campus scenery.

And while change is inevitable in the world around us,

A male college student, wearing glasses is studying on his laptop.

and sometimes it may seem like it's impossible to keep up, remember the one thing that remains a constant,

A male tailor is staring at the camera, smiling proudly.

our desire to protect our students from sexual misconduct and discrimination.

A young woman is standing in the library, smiling at the camera.

To create safe spaces, we must create spaces that encourage reporting.

A young woman is standing, studying a book in the library, absorbed. The following sentence spoken by the instructor is also shown on the screen.

Sexual violence and discrimination are problems that thrive wherever there is silence.

The frame changes to a young woman vividly explaining her experiences to a counselor.

By listening and providing valuable guidance, we can continue to help our community feel valued, heard, and safe.

Course Complete

Laws change but our obligations to our community remain the same. To create spaces that encourage reporting and discourage sexual misconduct, we need to make sure we are listening and providing the best information and guidance we can.

Thank you for taking the time to review your obligations.

If you have any questions related to your role and our institutional obligations under the Title IX Law, please contact:

Sherri Conard

Title IX Coordinator

Student Life Center – Office 5002C

sconard@butlercc.edu

316-323-6373

Key Takeaways

Sexual harassment is a form of sex discrimination.

Sexual harassment is any unwelcome conduct of a sexual nature that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access.

Responding promptly and appropriately to reports of sexual harassment is critical.