

[[COURSE_INTRO_LOGO]]

TITLE IX FOR FACULTY/STAFF

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#1

[[TITLE_IX_TITLE]]

[[COURSE_INTRO_LOGO]] [[OPTIONAL:INTRO_VIDEO]]

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.

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

[[OPTIONAL:DISCLAIMER]]

Coming Up

- Our obligations
- What constitutes misconduct
- Reporter worries

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

#2

[[COURSE_INTRO_LOGO]]

[[OPTIONAL:INTRO_MESSAGE]]

[[TRIGGER_WARNING_TITLE]]

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

0:00 / 1:19

Video 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.

Our Obligations - Infographic

our obligations
a federal law that
protects people
from
discrimination
based on sex
in
education programs
or activities which receive
federal
financial assistance
a federal statute that
requires
institutions
that participate
in federal financial
aid programs
to
keep & disclose
statistics
about
crime
on
or near
campus
a bill that
requires
institutions
to report
dating violence
domestic violence
sexual assault
stalking
to adopt
discipline procedures
institutional policies
personnel training
to address & prevent
campus sexual violence
a
provision that
requires
institutions
to report
dating violence
domestic violence
stalking
all clergy act crimes
to adopt
conduct procedures
institutional policies
student training
to address & prevent
campus sexual violence

Video Transcript

Title IX defines sex discrimination to include sexual harassment, which is defined broadly as "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." It includes quid pro quo harassment by school employees. Quid pro quo harassment occurs when a school employee explicitly or implicitly conditions a student's participation in an educational program or activity or basis in educational decision on the student's submission to unwelcome sexual advances, requests for sexual favors or other verbal, non-verbal or physical conduct of a sexual nature. Gender-based harassment or discrimination. Gender-based harassment is an unwelcome conduct directed in an individual based on their actual or perceived sex, including harassment based on gender identity or nonconformity with sex stereotypes. It does not necessarily involve conduct of a sexual nature and may include things like gender-based bullying, derogatory or sexual remarks or discrimination in an activity on the basis of gender. Any instance of sexual assault or sexual violence as defined by the Clery Act and the Violence Against Women Act. Sexual violence is a form of sexual harassment that refers to physical sexual acts directed against another person without their consent, including instances where due to age, drugs or alcohol or a disability that person is incapable of giving consent.

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.

Formal complaint options and procedures

Appeal procedures

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.

#7

YOUR TITLE IX COORDINATOR

[[COURSE_INTRO_LOGO]]

[[TITLE_IX_COORDINATOR]] [[OPTIONAL:DEPUTY_TITLE_IX_COORDINATORS]]
[[OPTIONAL:CSA_CONTACT]]

#8

OUR POLICY

[[COURSE_INTRO_LOGO]]

[[CAMPUS_POLICY_EMPLOYEES]] [[OPTIONAL:POLICY_SIGNOFF_QUESTION]]
[[OPTIONAL:POLICIES_MERIDIANS_IL]]

For any questions related to our policy, please contact:

[[CAMPUS_POLICY_CONTACT_DETAILS_EMPLOYEES]]

[[OPTIONAL:STATE_SPECIFIC_ABUSE_HOTLINES]]

#9

[[COURSE_INTRO_LOGO]]

[[MANDATED_REPORTER_INTRO]]

Understanding Your Role

Who to Report To:

[[TITLE_IX_COORDINATOR]]

[[RESPONSIBLE_EMPLOYEE]]

[[MANDATED_REPORTERS_LIST]]

Confidential and Anonymous Resources:

[[COUNSELING_SERVICES]]

#10

[[COURSE_INTRO_LOGO]]

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.

[[OPTIONAL_DEFINITIONS_INTRO]]

#11

Sexual Harassment

[[SEXUAL_HARASSMENT_DEFINITION]]

#12

Consent

[[CONSENT_DEFINITION]]

#13

Stalking

[[stalking_definition]]

#14

Dating Violence

[[dating_violence_definition]]

#15

Domestic Violence

[[DOMESTIC_VIOLENCE_DEFINITION]]

#16

Victim Protection Orders

[[victim_protection_orders_definition]]

#17

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*

#18

INTERACTIVE SCENARIO - 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?

Answer Option: CHOICE 1: "Nice, have fun and be safe. See you in class on Tuesday."

Feedback: NOT A GOOD CHOICE

It's natural to want people to have a good time and this response is supportive from a certain point of view. In the end, it's up to her to choose whether or not to go home with him, but you've missed an important opportunity to remind her of the risk she's taking by going home drunk with a guy that she doesn't know.

Answer Option: CHOICE 2: "This is probably not a good idea but if you're comfortable with him, it's up to you."

Feedback: NOT THE BEST CHOICE

Yep, we're all adults and responsible for our own choices, but this isn't the best option because you missed the opportunity to remind her of the risks she's taking by going home drunk with a guy she doesn't know.

Answer Option: 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."

Feedback: GOOD CHOICE

This is good advice. He's probably not a bad guy, but if he's a really good guy, he won't mind waiting until another time to be with her. On the other hand, if he isn't a good guy, her current state of drunkenness puts her at risk for sexual assault. Either way, she's not going to be in a position to legally consent to sexual activity any time soon.

#19

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.

#20

0:00 / 2:00

Video Transcript

[Intro music] [Narrator] How long does a crisis need to last for it to be considered a permanent state of affairs? Sexual violence and misconduct continue to be a problem in our society, our communities, and our schools. Every 73 seconds, an American is sexually assaulted. Nearly one in five American women have experienced attempted or completed rape in her lifetime. Nearly one in 38 men have experienced completed or attempted rape during his lifetime. One out of every 10 rape victims is male. Women ages 16 to 19 are four times more likely than the general population to be victims of rape, attempted rape, or sexual assault. 21% of transgender, gender queer, nonconforming college students have been sexually assaulted. Women ages 18 to 24, who are college students are three times more likely than women in general to experience sexual violence. In a survey of more than 23,000 students across nine different institutions, 65% of surveyed rape victims reported the incident to a friend, family, or roommate, and less than 10% reported it to the police or school officials. In a 2015 survey of 150,000 students at 27 universities, the most common reason for not reporting sexual assault and sexual misconduct victimization was that students did not consider the victimization to be serious

enough, followed by fear that nothing would be done, embarrassment and emotional distress. It's still happening and people are scared. That's why encouraging disclosures and creating supportive spaces is so important. [Background music fading out]

[[OPTIONAL:CITATION_PREVALENCE_SA]]

#21

0:00, 1:26

Video Transcript

[Intro music] Title IX is clear that anyone who experiences sexual discrimination or misconduct or anyone who sees someone else experiencing it has a right to take action and report that conduct. The courage to come forward to not be condemned. Unfortunately, sometimes that's exactly what happens. When this happens, it is called retaliation and it's prohibited by Title IX. The following elements must be proven to make a successful claim for retaliation under Title IX. An individual must prove, one, that they were engaging in protected activity. Under Title IX, this could simply mean protesting or opposing sexual discrimination or misconduct. Two, that the school took an adverse action against the person opposing the misconduct or discrimination. Three, that there was a direct connection between the adverse action and the opposition to the misconduct. Retaliatory acts could include giving students failing grades, preventing students from participating in school activities, threatening expulsion against any individual who exercises his or her rights under Title IX. As United States held in Jackson V. Birmingham Board of Education, retaliating in this manner is considered to be discrimination and is unlawful. [Background music fading out]

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.

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

After experiencing trauma, people may experience:

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.

[[OPTIONAL:CITATION_DISCLOSURE]]

0:00 / 0:53

Video Transcript

[Intro music] [Narrator] The institutions in our society haven't always treated people who have experienced sexual violence with respect or compassion. Whether firsthand or secondhand, the mishandling of disclosures creates a lack of trust, and real fear. Reporters worry about how people will react to their disclosure, feeling forced to disclose, disclosing to the wrong person, being ignored or dismissed, feeling blamed or shamed, losing control of the situation, not being believed. Because our most initial reactions to a student reporting sexual violence makes such a difference, we have to make sure we get it right every time.
[Background music fading out]

#24

0:00 / 1:00

Video Transcript

There's an entire constellation of processes we engage in when we listen and when we hear 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.

#25

0:00 / 1:21

Video Transcript

[Intro music] [Narrator:] Positive reporting experiences go a long way to building trust in our process and our systems overall. However, there are some other simple things we can and must do in order to create safe reporting spaces. Tell a student what their rights are. Students have the right to report to the Title IX Coordinator who can help them proceed with a more formalized complaint process. They have the right to supportive measures, such as schedule changes, dorm changes or deadline extensions. Take some

time to familiarize yourself with your institution's support services, as well as local community resources. Encourage students to avail themselves of services, like counseling, violence intervention programs or victim advocacy groups, or confidential resources, like chaplains, mental health providers or other private external agencies. It sounds simple enough, but sometimes, especially when someone comes to you because they trust you, all you need to do is be there and listen. Ultimately, students may or may not report. But knowing they can speak to you and rely on your compassion, support and assistance, is an invaluable form of emotional support.

[[OPTIONAL:REPORTING]]

#26

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.

[[TITLE_IX_COORDINATOR]]

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.

#27

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.

#28

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.

#29

INTERACTIVE SCENARIO - None

None

Patricia disclosed to her advisor that she is pregnant, and she is worried about the expected delivery date conflicting with her final exams. Some of her faculty have been very flexible, but others have strict absence policies. What should her advisor do?

None

Answer Option: INFORM: Inform her about the Title IX Coordinator

Feedback: THIS IS A GOOD ANSWER

Yes! Title IX prohibits discrimination on the basis of sex, which includes pregnancy. The advisor should let Patricia know about the Title IX Coordinator, and ideally send an email to connect Patricia directly to the Title IX Coordinator.

Answer Option: ADVISE: Advise her to drop some of her classes immediately

Feedback: INCORRECT

Incorrect. Title IX prohibits discrimination on the basis of sex, which includes pregnancy. While a leave of absence may be an option for Patricia, there may be other options available to her. Try again.

Answer Option: NOTHING: Nothing, advisors don't give personal advice

Feedback: INCORRECT

Incorrect. Title IX prohibits discrimination on the basis of sex, which includes pregnancy. Advisors and faculty members should let students know about the Title IX Coordinator to ensure pregnant students can explore the options available in their circumstances. Try again.

#30

0:00 / 0:49

Video Transcript

[Intro music] [Narrator] Taking care of the students in our community is a privilege that we should all take seriously. And while change is inevitable in the world around us, and sometimes it may seem like it's impossible to keep up, remember the one thing that remains a constant, our desire to protect our students from sexual misconduct and discrimination. To create safe spaces, we must create spaces that encourage reporting. Sexual violence and discrimination are problems that thrive wherever there is silence. By listening and providing valuable guidance, we can continue to help our community feel valued, heard, and safe. [Background music fading out]

#31

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:

[[TITLE_IX_COORDINATOR]]

[[OPTIONAL:POPOP]]

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.

[[TRANSCRIPT_COMPLETION_STATEMENT]]

Confirm Review and Completion

org_id: 223; course_id: 173



