

The background features a series of concentric circles in light gray, some solid and some dashed, creating a ripple effect. A large red speech bubble shape is centered on the page, containing the title and authors' names.

Title IX Information for Residence Life Staff

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What is Title IX? Title IX of the Education Amendments of 1972

- Many people think Title IX equity applies to sports, but actually Title IX coverage is much broader as it relates to access to education.
- “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 an education program or activity receiving Federal financial assistance.”

What does Title IX require?

- A school “shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities” under the law, including the investigation of complaints.
- Loras College’s Title IX coordinator is Nancy Z. Fett, LMSW. Her role includes:
 - Design, oversight, distribution, and implementation of Title IX policies
 - Development and implementation of college-wide educational programs, including training
 - Oversight of all Title IX complaints including: Grievance initiated, Interim measures (if necessary), Grievance processing, Documentation and notice, Non-retaliation provisions
- Other areas where students can choose to report situations or circumstances that fall under Title IX law: Residence Life, Campus Safety, Dean of Students Office, Human Resources, online reporting in Advocate

A Call to Action...

The Office of Civil Rights in April 2011 issued what was called a “Dear Colleague” letter to colleges and universities.

- This letter outlined the need for a national “call to action” regarding statistics surrounding sexual violence:
 - 1 in 5 women are victims of completed or attempted sexual assault while in college
 - 6.1% of males were victims of completed or attempted sexual assault during college

The letter provided guidance to schools regarding student-on-student sexual violence and:

- Guidance on the unique concerns in sexual violence cases
- School’s independent responsibility to investigate and address incidents of sexual misconduct
- Interplay between Title IX, FERPA, Clery Act, and VAWA (all laws that pertain to the reporting of specific types of crimes)
- Role of criminal investigations

Obligations Under Title IX

- Once a school knows or reasonably should know of possible sexual violence, it must take immediate and appropriate action to investigate. Initially, the letter indicated it should take no more than 60 calendar days to complete an investigation. The current administration (DeVos) has removed this time guideline; however, Loras continues to use this deadline as best practice guidance.
- If sexual violence has occurred, prompt and immediate steps to end the sexual violence, prevent its recurrence, and address its effects **MUST** be taken by the college.
- The college must take steps to protect the Complainant as necessary, including interim steps and accommodations taken prior to the final outcome of the investigation (housing or classroom changes, escorts, counseling, etc.).
- The college must provide grievance procedures for students to file complaints of sex discrimination, including complaints of sexual violence.
- All processes must contain an equal opportunity for both parties to present witnesses and other evidence for a fair process.

Obligations Under Title IX

- Grievance procedures must use the preponderance of evidence standard to resolve complaints. This means the deciding parties (at Loras, the College Hearing Board) must determine if it is “more likely than not” an incident occurred and what if any sanctions should be applied.
- Unlike most other crimes, Title IX requires that the college notify both parties of the outcome of the complaint and appeal rights. In this process, the Complainant and Respondent have equal rights to notification and appeal.

What acts of misconduct are included under the umbrella of Title IX?

- **Acts of sexual misconduct are covered under the umbrella of Title IX. This includes:**
 - **Verbal:** Insults, threats, jokes, or comments...
 - **Nonverbal:** Posting pictures, noises...
 - **Physical:** Touching, pinching, brushing....
 - **Sexual Abuse/Sexual Assault/Rape:** any sexual act between persons with non-consensual sexual intercourse, sexual contact, and sexual exploration
- **Sexual Exploitation:** incapacitation of another person, recording, voyeurism...
- **Sexual Harassment:** unwelcome sexual advances...
- **Dating Violence:** relationship violence
- **Domestic Violence:** violence in a relationship where subjects live together and are in a relationship
- **Stalking:** following, pursuing, trespassing, in a way that a normal person would fear

Consent

- Title IX requires a clear definition of consent. Loras College believes...” Consent is informed through mutually understandable words, which indicate a willingness to participate in mutually agreed upon sexual activity. Furthermore, at any time during consensual sexual activity, a person may refuse to continue further with any sexual activity. From the point of refusal; previous consent is rendered invalid.”
- Additional information about sexual misconduct, consent, and other Title IX related issues can be found in the Loras College Student Handbook.

Title IX Grievance Process

- Student Development receives a report of sexual misconduct and a Title IX investigation begins an investigation packet.
- The investigator meets with Complainant(s), provides medical attention if appropriate, provides general review of regulations, identifies forms of support, discusses accommodation if appropriate, and seeks to determine Complainant's wishes for process
- Based on the Complainant's request, the process can move forward through the college's conduct system, move through the legal system, move through both systems, or remain as a report on file with no additional action.
- At Loras, all cases regarding any aspect of sexual misconduct are heard by the College Hearing Board.

Your Role

- As a RA or CA, you are required by law to report any incident you become aware of that may fall under the umbrella of Title IX. This includes things you “hear” but may not have much information about.
- You can report to:
 - Campus Safety
 - Dean of Students Office
 - Title IX Coordinator
 - Residence Life Staff (your AC, Shannon, Molly)
 - Online in the Advocate system

A note about Confidentiality: Assure the person you will keep this information private to the extent possible but DO NOT promise that you will keep the information absolutely confidential because in your role, you aren't able to do so. Confidential reporting is available in the Counseling Center, Health Center, and through ordained clergy on campus.

Knowing your IX...

- Loras College is required by law to follow Title IX regulations.
True or False
- Loras College's Title IX Coordinator is:
- The standard of evidence required by Title IX law is:
 - a. clear and convincing
 - b. preponderance of evidence
 - c. 100% certain
- Some of the offenses listed under the Title IX umbrella of sexual misconduct include:
- I can find more information about Title IX at Loras in this campus resource:
- My role in upholding Title IX on campus is to: