TITLE IX OFFICE

2022-2023 FACULTY INSTITUTE - FALL 2022
THANK YOU!!
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.

~ 20 U.S. Code §1681
WHY IS TITLE IX IMPORTANT?

- It is federal law

- It protects people from discrimination based on sex in education programs or activities that receive federal financial assistance (this includes sexual orientation and gender identity).

- It is mandated by the Department of Education (ED) that every college and university (and K-12) have a designated Title IX Coordinator, and policies and procedures in place for addressing sexual violence on campus and supporting survivors.

- The 2020 Amendments added “specific, legally binding steps that schools must take in response to notice of alleged sexual harassment.”
HOW MUST A SCHOOL RESPOND?

A school must respond "promptly in a manner that is not deliberately indifferent" when:

1. The school has actual knowledge of sexual harassment
2. that occurred within the school's education program or activity;
3. against a person in the United States.

A school is deliberately indifferent "only if its response to sexual harassment is clearly unreasonable in light of the known circumstances."
SCHOOL RESPONSE (CONTINUED)

- Also, must offer Supportive Measures to both the Complainant AND the Respondent (even if a Formal Complaint is not filed)

- Supportive Measures could include:
  - Referral to counseling, medical, and/or other healthcare services
  - Referral to community-based service providers
  - Altering campus housing assignment(s)
  - Safety planning
  - Implementing No Contact Orders between the parties
  - Academic Accommodations to include Class schedule modifications, withdrawals, or leaves of absence
  - Any other actions deemed appropriate by the Title IX Coordinator
WHAT IS A FORMAL COMPLAINT

- A document filed by a Complainant alleging conduct covered by Title IX against a Respondent requesting an investigation by the school.
WHAT IS COVERED UNDER TITLE IX?

- Sexual Harassment
- Sexual Assault
- Sexual Misconduct
- Dating Violence
- Domestic Violence
- Stalking
- Force, Coercion, Consent and Incapacitation (as it relates to the above mentioned offenses)
AMNESTY

- The Regulations permit an Amnesty policy and it is Virginia state law.
- To encourage Complainants and witnesses to come forward to report potential Title IX violations, the Hampton University Title IX policy states:

  In support of a Complainant and witness who participate in the complaint process, Hampton University may offer parties and witnesses amnesty from other student conduct policies at the University and violations of those policies, such as underage consumption of alcohol or the use of illicit drugs, related to the incident.
RETAIlIATION IS PROHIBITED
STOP

RED ZONE

What is the Red Zone?

- Fall Semester
- Time period between Mid-August and November (Thanksgiving Break)
- The research shows there is a "heightened risk of sexual assault among college students"
- Statistically, this is when 50% of sexual assaults occur on campus
- Especially among first year students
- Awareness is important
THIS IS WHY WE NEED YOUR HELP!
RESPONSIBLE EMPLOYEE

- A Responsible Employee is an Official with Authority at the University or a duty to respond and/or report sexual discrimination, sexual harassment, sexual violence and retaliation to the Title IX Coordinator.

- This includes faculty, Administrators, staff
RESPONSIBLE EMPLOYEE (CONT)

If a student comes to you about a traumatic incident, STOP THEM and inform them that you have a duty to report what is revealed to the Title IX Office.
RESPONSIBLE EMPLOYEE (CONT)

If the student wants to continue talking:

- Listen and try to be sympathetic as you receive information regarding an act of sexual violence.

- Following the meeting, contact the Title IX Office to provide the details on the information you received and memorialize it in a memorandum to the Title IX Coordinator.

- The memorandum should contain the details revealed by the student and should be forwarded promptly to the Title IX Coordinator.

- You do NOT have any obligation beyond the memo!
50th Anniversary of Title IX

Hampton University
Beginning in the academic school year 2022-2023, the NCAA Board of Governors is requiring all member schools to abide by its new and updated rules that address sexual violence prevention on campus. *(NCAA Board of Governors Policy on Campus Sexual Violence)*:

Intercollegiate athletics departments should:

1. ...be informed on ... campus policies and processes that address sexual and interpersonal violence prevention and acts of sexual violence...

2. ... review annually the most current Checklist Recommendations of the NCAA Sexual Violence Prevention Toolkit, and use it to conduct ongoing, comprehensive education for student-athletes, coaches and athletics administrators.

3. ... utilize their platform to serve as leaders on campus in collaboration efforts to support campus-wide sexual and interpersonal violence prevention initiatives.
Each university chancellor/president, director of athletics and campus Title IX coordinator must attest annually that:

1. The athletics department is informed on, and compliant with institutional policies and processes regarding sexual violence prevention and proper adjudication and resolution of acts of sexual and interpersonal violence.

2. The institutional policies and processes regarding sexual violence prevention and adjudication, and the name and contact information for the campus Title IX coordinator, are readily available within the department of athletics, and are provided to student-athletes.

3. All student-athletes, coaches and staff have been educated each year on sexual violence prevention, intervention and response....
4. All incoming, continuing and transfer student-athletes have completed an annual disclosure related to their conduct that resulted in discipline through a Title IX proceeding or in a criminal conviction for sexual, interpersonal or other acts of violence

   • Failure to make a full and accurate disclosure could result in penalties, including loss of eligibility to participate in athletics as determined by the member institution.

5. Institutions have taken reasonable steps to confirm whether incoming, continuing and transfer student-athletes have been disciplined through a Title IX proceeding or criminally convicted of sexual, interpersonal or other acts of violence

6. If recruiting, an institution must have a written procedure in place to gather information from a previous institution to gather information about the student left the institution with an incomplete Title IX proceeding, was disciplined through a Title IX proceeding or has a criminal conviction for sexual, interpersonal or other acts of violence.
VAWA

VIOLENCE AGAINST WOMEN ACT
REAUTHORIZATION
ACT OF 2022

MARCH 16, 2022
VAWA
ONLINE SURVEY TOOL FOR CAMPUS SAFETY

As part of the Reauthorization of VAWA, The Secretary of Education is required to:

- "develop, design, and make available through a secure and accessible online portal, a standardized online survey tool regarding postsecondary student experiences with domestic violence, dating violence, sexual assault, sexual harassment and stalking."

- (We are awaiting it’s development)
New Proposed Title IX Regulations

- Currently in the Notice and Comment Period (60 days)

- Changed many current requirements in place, including:
  - Strengthening protections for LGBTQI+ students
  - Require a dedicated lactation space for pregnant students and employees and increase protections for pregnancy related conditions
  - *More information in the Spring 2023

NEW PROPOSED TITLE IX REGULATIONS

Released on the 50th Anniversary
of the Title IX Act
June 23, 2022
KEEP S.A.F.E.
ONLINE COURSE

- Online course on sexual assault and dating and domestic violence.
- Offered in University 101
RED FLAG CAMPAIGN

✓ The Hampton University Fall semester awareness campaign
✓ Focuses on educating students about healthy relationships and the prevention of sexual violence at HU
✓ Provides bystander intervention tools to help students understand how to help friends who are in unhealthy dating relationships
✓ Educates students about the Title IX Office and policies at Hampton U
DENIM DAY 2023

- Spring semester awareness campaign
- Faculty, staff, and students unite by wearing jeans to raise awareness about sexual assault against women, men, and children.
- The 2023 Hampton University Denim Day ... April 26, 2023
TITLE IX OFFICE STAFF

Kelly Harvey Viney
Title IX Coordinator
kelly.Harvey-viney@hamptonu.edu

Terri Haskins
Title IX Specialist
terri.haskins@hamptonu.edu

Kori Harris
Title IX Investigator
kori.harris@hamptonu.edu

Wigwam Bldg.
Room 205
(757) 727-5426

www.hamptonu.edu/titleix/
THANK YOU

TITLE IX OFFICE