

Fall Term 2020: Hitting the Ground Running

Title IX Basics for Faculty & Staff



Maureen De Armond, Title IX Coordinator



- **Title IX Basics: The Law**

- **Employee Perspective**

- **Process Overview**

- **Key Take-Aways**

- **Questions/Discussion**

What is Title IX?

No sex discrimination. No sexual assault. *Period.*



The Law in a Nutshell...

“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 Basics: The Law

Program Equity: All students to have equal access to Oregon Tech programs & activities

Equitable treatment required in:

- ✓ Recruitment
- ✓ Admissions
- ✓ Educational programs and activities
- ✓ Course offerings and access
- ✓ Counseling
- ✓ Financial aid
- ✓ Employment assistance
- ✓ Facilities and housing
- ✓ Health and insurance benefits
- ✓ Marital and parental status
- ✓ Scholarships
- ✓ Safe learning environment
- ✓ Athletics



Title IX Basics: The Law

Sexual Harassment

1. Sexual Assault; or
2. Quid Pro Quo; or
3. Hostile Work/
Educational
Environment



Title IX Basics: The Law

Sexual Assault:

- Any sexual contact made without consent
- Any conduct covered by Clery or VAWA
- Relationship Violence: domestic violence & dating violence
- Stalking (based on sex)



Title IX Basics: The Law



Quid Pro Quo:

- Latin term meaning “this for that”
- Asking for sexual favors of some kind in exchange for special treatment on the job, in the classroom, etc.
- There is often a power differential

Title IX Basics: The Law

Hostile Work/Educational Environment:

- Comes in the form of unwelcome conduct determined by a reasonable person to **be so severe and pervasive and objectively offensive** that it effectively denies a person equal access to an education program or activity (i.e., hostile environment)
- Could be comments made **to** the individual or ***in the presence of*** the individual
- Could be jokes or bullying ***based on sex***



Title IX Basics: The Law

Note on Title VII of the Civil Rights Act of 1964:

- It is unlawful in employment to discriminate in terms of compensation, terms, conditions, or privileges because of race, color, religion, sex,* or national origin



**Sex includes sexual orientation, gender identity, and gender expression. U.S. Supreme Court June 2020*



Title IX Basics: The Law

Note on Title VII of the Civil Rights Act of 1964:

Rule of Thumb:

- Student vs Student = Title IX
- Employee vs Employee = Title VII
- Student Complainant vs Employee Respondent = Title IX, *but...*
- Employee Complainant vs Student Respondent = Title IX, *but...*



Title IX: Employee Perspective



Perspective of Protector: Keep campus safe, protect students, assure quick action is taken, guardians of fairness, comply with the law, safeguard reputation, manage risk



Perspective of Person: Know your own rights and responsibilities, assure your own conduct is beyond reproach, manage your own professional reputation

Title IX: Employee Perspective

- **Reporting Responsibilities:** Employees have a responsibility to report Title IX concerns unless:
 - They are a Confidential Resource, or
 - They are the victim of the TIX misconduct

Oregon Tech's Title IX Coordinator is:

Maureen De Armond, Associate Vice President
3201 Campus Drive, Snell Hall 108
Klamath Falls, OR 97601

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Primary Email: maureen.dearmond@oit.edu

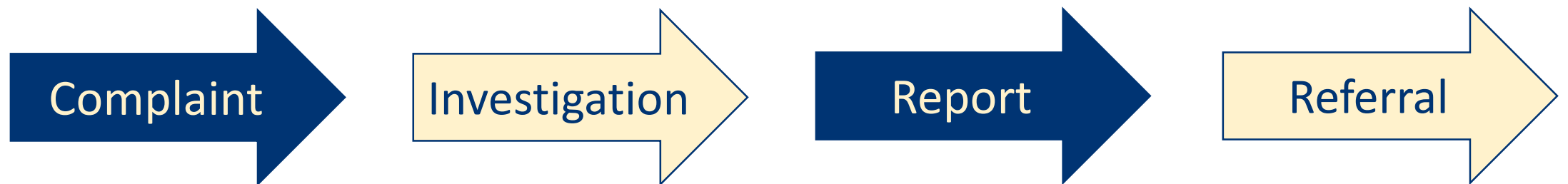
Title IX Email: TitleIX@oit.edu

Title IX Webpage: <https://www.oit.edu/title-ix>



Title IX: Process Overview

- Complainants are not required to file a formal complaint
- It's not uncommon for them to just want Support Measures
- No presumption of culpability (you don't *prove* innocence)
- Due Process afforded to both parties
- Preponderance standard for establishing violations



Title IX: Process Overview



- *New Dept. of Ed Regulations!*
- *Oregon Tech Interim Policy*
- *“Real” New Policy*
- *...And Companion Policies*
- *New Procedures*
- *Updated Templates*
- *Additional Resources*

[Home](#) > [Title IX](#)

Title IX

<https://www.oit.edu/title-ix>



Updates to the Title IX policies and pages coming fall 2020

Contact an Office:

- Title IX Office: 541.885.1108; TitleIX@oit.edu

Oregon Tech is committed to creating an environment in which to study, live, and work that supports educational and career advancement as academic and job performance. Oregon Tech recognizes the unique backgrounds and experiences for its students.

Oregon Tech recognizes sexual misconduct as an umbrella term for behaviors, including sexual harassment, exploitation, sexual assault, relationship violence, and stalking.

Sexual Misconduct has no place on Oregon Tech's campus and it will not be tolerated. People who engage in sexual misconduct will be held accountable.

In May 2020, the U.S. Department of Education announced the Department's new Title IX regulations. Oregon Tech has updated its policies, procedures, and reporting process in September 2020 with updated information that involved sexual misconduct or Title IX. For more information, contact the Title IX Investigator.

What is Title IX?

Title IX of the Education Amendments of 1972 is a federal law that makes unlawful discrimination based on sex in educational institutions. It states:



"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."

Oregon Tech has established and determined its own standards for acceptable conduct of students, employees, volunteers, visitors, vendors, and collaborators. These standards meet or exceed the legal requirements of Title IX.

Policies and Resources

- [Interim Sexual Misconduct Policy](#)
- [Interim Prohibited Discrimination & Discriminatory Harassment Policy](#)
- [Interim Reporting Misconduct and Prohibited Retaliation Policy](#)
- [Campus Sexual Assault Bill of Rights](#)
- [Overview of Investigation Process](#)
- [Overview of Complaint Options](#)

Additional Resources per Campus Location

Title IX

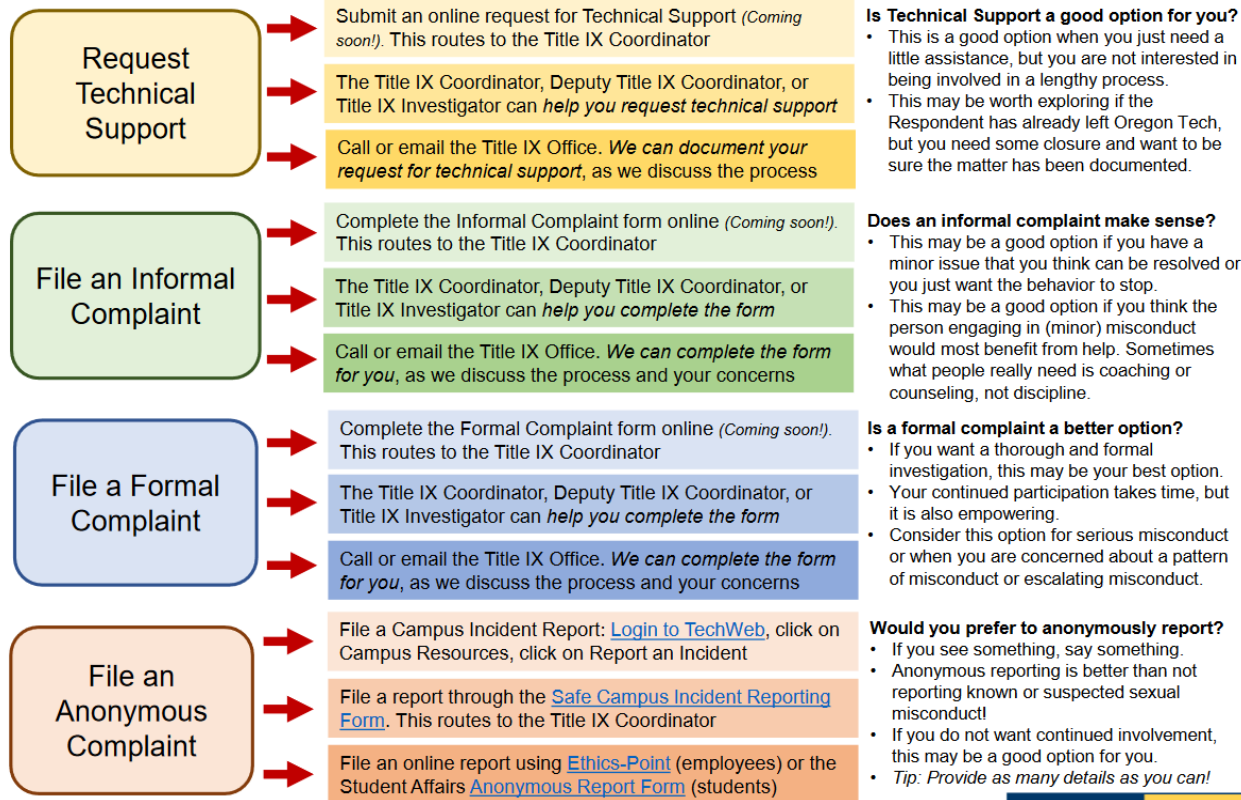
[Sexual & Relationship Violence Resources - Boeing Students](#)

[Sexual & Relationship Violence Resources - Klamath Falls Students](#)

[Sexual & Relationship Violence Resources - Portland-Matine Students](#)

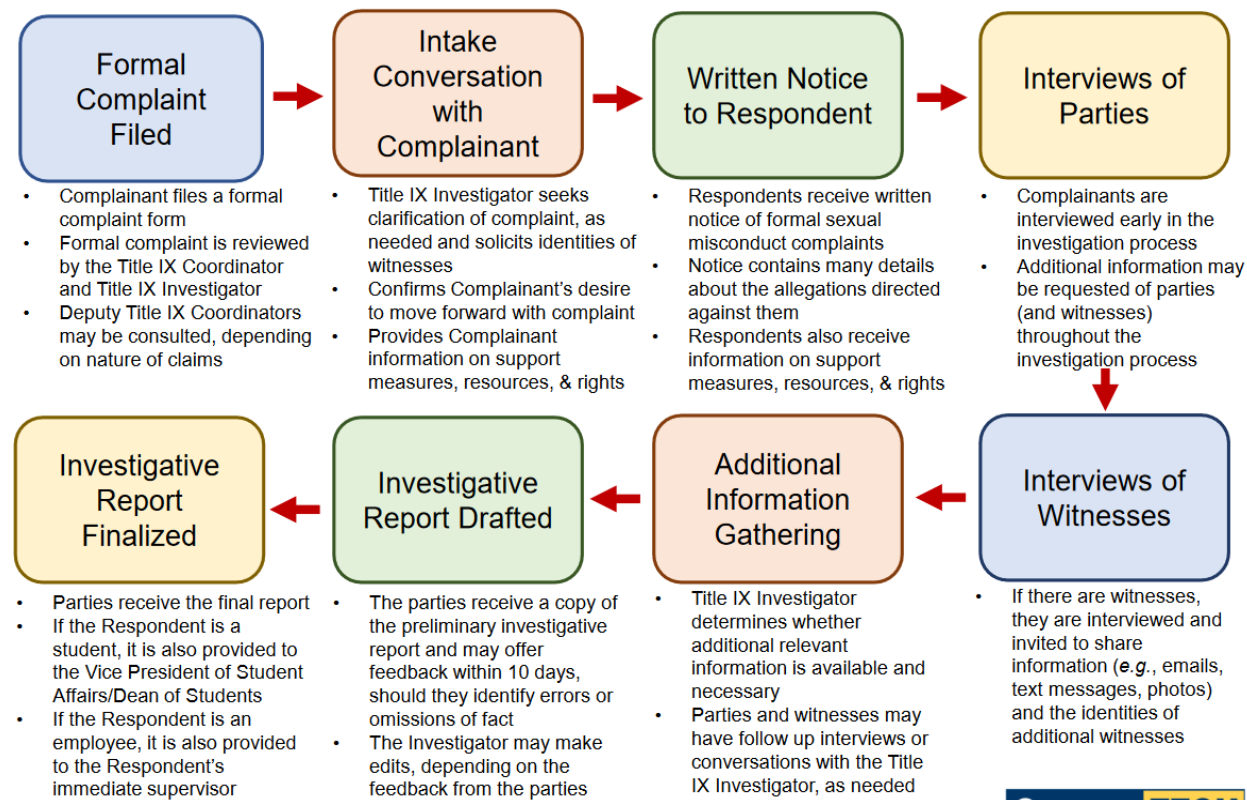
Title IX: Process Overview

Sexual Misconduct Complaint Options For Students with Concerns



Visit [Oregon Tech's Title IX webpage](#) for more resources and contact information. Version 2020-08-12

Sexual Misconduct Overview of the Investigation Process



Visit [Oregon Tech's Title IX webpage](#) for more resources and contact information. Version 2020-08-12

How Can I Help?

- You don't need to be a Title IX expert
- You do need to be able to “issue spot”
- Be familiar with policies, reporting options, the [Title IX website](#) (*being updated soon!*)
- If you are stumped with a question (as a leader, faculty, or colleague), you can always punt: “I don't know the answer, but let me find out for you.”
- Contact the Title IX Coordinator (me) with questions/concerns



The background of the slide features a large number of runners in silhouette, running towards the right. In the center, a runner is highlighted in solid black, with their arms raised in a 'V' shape, signifying victory. A thick red ribbon, representing a finish line, stretches across the image and is broken in the center where the victorious runner is crossing it. The text 'Discussion & Questions' is overlaid in a bold, yellow, sans-serif font.

Discussion & Questions

Oregon **TECH**

Oregon Institute of Technology