

Understanding Title IX

Jarvis Steele, J.D

Title IX Coordinator and Director for Civil Rights
and Student Risk Assessment and Education.



Where
thought
leads.

Our Goal Today is to Understand

- Policies
- Processes
- Reporting
- Resources

Disclaimer

- This is an intense topic and policy language is designed to formalize it, not humanize it.
- Please feel free to excuse yourself if necessary.
- Resources will be provided to follow up.
- Please ask questions!

What is Title IX?



Where
thought
leads.

Title IX: The Law

The law 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.”

Title IX of the Education Amendments of 1972

Implementing Regulations at:

20 U.S.C. §1681 & 34 C.F.R Part 106

How do we ensure these rights?

- Consult with our campus community
- Receive reports of discrimination, harassment, and sexual misconduct
- Provide support and resources
- Facilitate academic adjustments and accommodations
- Provide education and training
- Conduct administrative investigations and resolutions

What is a "Responsible Employee"?



[This Photo](#) by Unknown Author is licensed under [CC BY-SA](#)

- Includes all administrators, supervisors, faculty members, or other people in a position of authority
- Includes student employees in a supervisory, advisory, or managerial role.
- Must promptly and fully report complaints of or information regarding sexual misconduct to the Coordinator

What does Title IX Consider Sexual Misconduct

Conduct must have occurred during a Wofford College educational program or activity, or have occurred on campus, or on property owned or controlled by Wofford, at a Wofford-sponsored event, or in buildings owned or controlled by Wofford's recognized student organizations.

Sexual Harassment

Dating Violence

Domestic Violence

Forcible Sexual Assault

Nonforcible Sexual Assault

Hostile Environment Sexual Harassment

Stalking

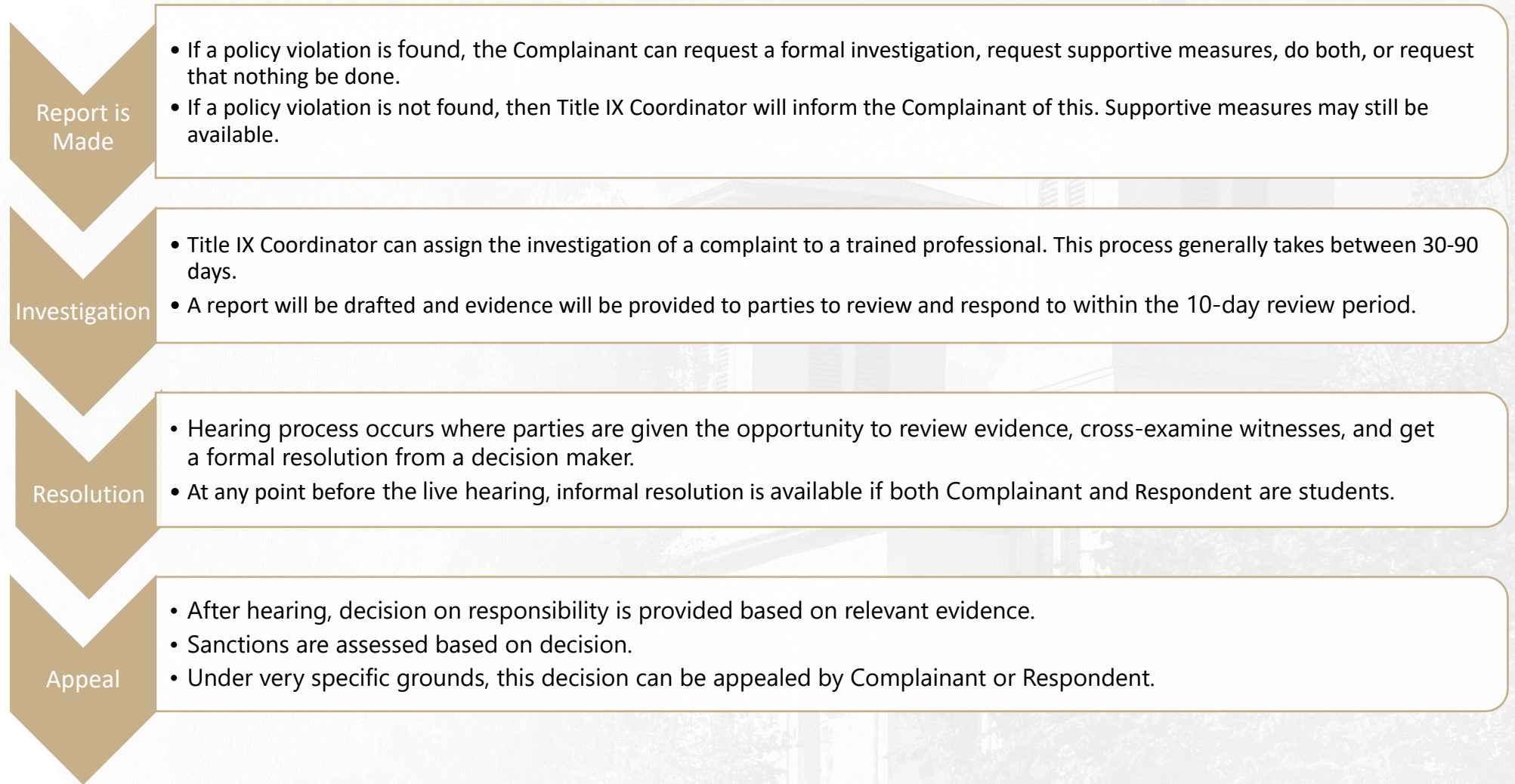
Quid Pro Quo

Sexual Exploitation

Understanding Consent

- What is Consent?
 - Consent is an agreement between participants to engage in sexual activity. Consent should be clearly and freely communicated.
- What is not Consent?
 - Past Consent
 - Consent to some things
 - Incapacitated consent
 - Underaged consent
 - Asleep consent
 - Coerced consent
 - Intoxicated consent?

Life Cycle of a Report



Advisor's Role

- Who can serve?
- What if you do not have an advisor?
- What does the advisor do?



Support Person's Role

- What does this person do?
- What if you do not have one?
- Who can be a support person?



Preponderance of the Evidence

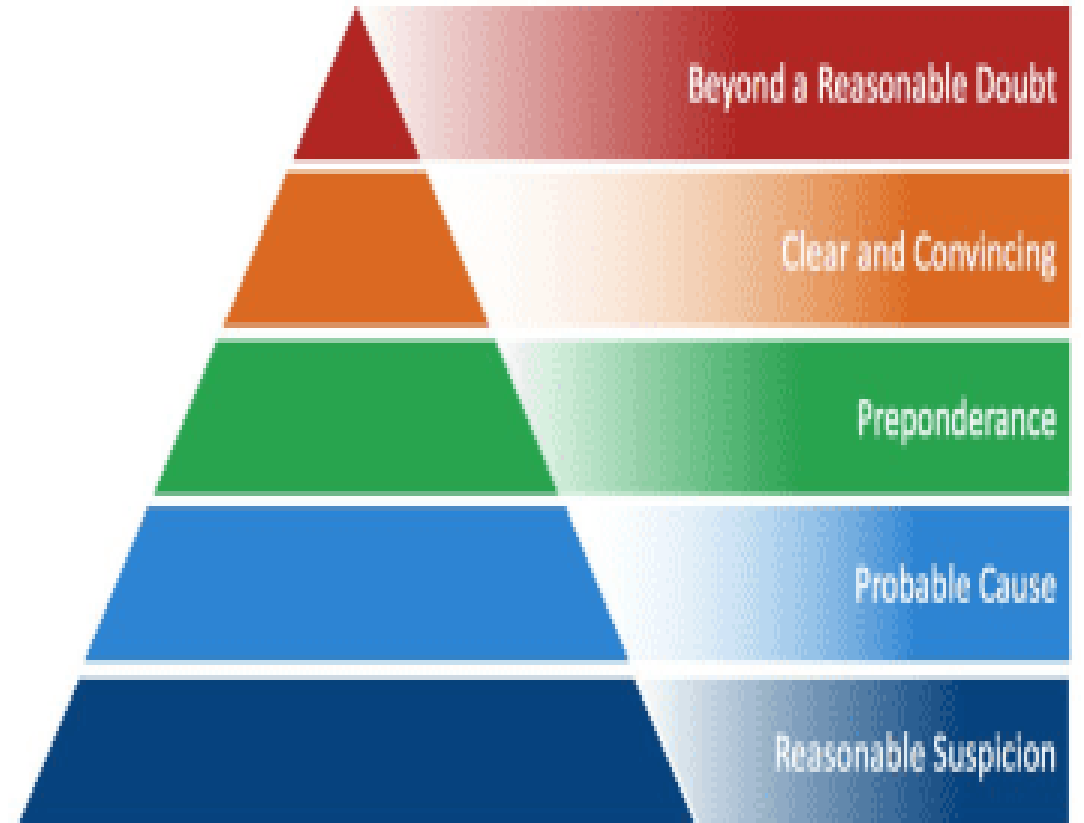


*More likely than
not based on
the **Preponderance
of the Evidence***

Greater Weight of the Evidence

Understanding Decision Makers

- Standard of Proof
 - Preponderance of the Evidence
- Impartiality
- Relevant Evidence
 - What evidence is not allowed?
- Administrative Hearing



Understanding Retaliation

It is prohibited for the College or any member of Wofford's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

- Any adverse action taken against a person participating in a protected activity because of their participation in that activity (i.e. filing a report or participating in an investigation).
- Must report retaliation as well as discriminatory behavior

Appeals Process

Resolution process

- *"Any party may file a Request for Appeal, but it must be submitted in writing to the assigned Institutional Equity Case Coordinator within five (5) business days of the delivery of the Notice of Outcome."*
- Grounds for Appeal
 1. Procedural irregularity that affected the outcome of the matter;
 2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made that could affect the outcome of the matter; and
 3. The Title IX Coordinator, assigned Institutional Equity Case Coordinator, Investigator(s), or Decision-maker/Panel had a conflict of interest or bias for or against Complainants or Respondents generally or the specific Complainant or Respondent that affected the outcome of the matter.

Pregnant and Parenting Students

Other Ways to Help our Students be Successful

- Protected from discrimination by Title IX
- Covers pregnancy, miscarriage, termination of pregnancy, and immediate recovery
- Email or call office for requests
- More info on website
- Excused absences
- Flexible deadlines
- Bathroom breaks
- Adjusted parking spaces
- Lactation spaces (dedicated spaces or by request)



Title IX and Student Organizations

Keeping our Community Safe is Everyone's Business

- Non-discrimination and anti-harassment policies extend to student organizations
- Foster a culture of respect and responsibility
- Be mindful of well-intentioned but discriminatory programs and activities
- Your org advisor, the Division of Campus Life and Student Development, and the Title IX Office can be great resources if you have questions or concerns

Resources and Campus Partners

CONFIDENTIAL RESOURCES

On Campus:

- Counselors in the Wellness Center (for students) (864-597-4370 or ext. 4371)
- Medical professionals in the Wellness Center (864-597-4370 or ext. 4371)
- Chaplain (864-597-4050 or ext. 4051)
- Athletic Trainers (864-597-4114)
- Ombudsperson (for faculty and staff) (864-597-4659 or ext. 4659)

NON-CONFIDENTIAL (PRIVATE) RESOURCES

On Campus:

- Title IX Office
- Campus Safety
- Dean of Students Office

Ways to File a Report

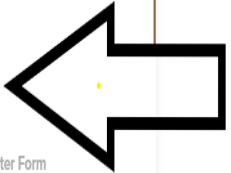
Formal Resolution

- Discrimination and Harassment Reporting Form
 - https://cm.maxient.com/reportingform.php?WoffordCollege&layout_id=4
- Coming to the Snyder House Annex
- Talking to Mandatory Reporters
 - **Does not equal a formal complaint!**
 - https://cm.maxient.com/reportingform.php?WoffordCollege&layout_id=6&



TITLE IX MENU

- Title IX
- Make a Report
- Mandatory Reporter Form
- Nondiscrimination and Anti-Harassment Policy
- Supportive Measures
- Information and Resources
- Defining and Facing Discrimination and Harassment
- Campus and Community Support Resources
- Preventing Harm and Misconduct
- Training
- FAQs



About

Statement of Nondiscrimination

Wofford College does not discriminate on the basis of race, color, ethnicity, ancestry, national origin, creed, religion, sex, sexual orientation, age, disability, predisposing genetic conditions, veteran status or any legally protected status.

Compliance with Title IX

Wofford College is committed to providing an educational and work environment, including programs and activities, that is free from discrimination, harassment and retaliation. In compliance with Title IX of the Education Amendments of 1972, Wofford College does not discriminate against any employee, applicant for employment, student or applicant for admission on the basis of sex.

Title IX also affords protections to pregnant and parenting employees and students. Title IX's nondiscrimination requirements specifically apply to those who are experiencing pregnancy, childbirth or termination of pregnancy, or are recovering from any of these conditions.

Jarvis Steele, JD
864-597-4048
titleix@wofford.edu

Individuals may also inquire externally to the Department of Education:

Office for Civil Rights (OCR)
U.S. Department of Education
400 Maryland Ave., SW
Washington, D.C. 20202-1100
800 421 3481



Discrimination and Harassment Reporting Form

This form may be used to provide initial reporting information related to alleged sexual assault, discrimination or harassment or allegations of discriminatory harassment based on a person's membership in a protected class. Completion of this form does not constitute a Formal Complaint under Wofford's Nondiscrimination and Anti-Harassment Policy but will provide the College preliminary information prior to reaching out to the reporting party or Complainant.

Individuals who would like to make a report in person should contact Jarvis Steele at steelej@wofford.edu or (864) 597-4048.

Please note that this form should not be used in emergency situations. If emergency assistance is required, please contact Campus Safety at (864) 597-4911.

Reporter Information

Individuals may choose to submit a report anonymously, with the exception of individuals who are reporting as Responsible Employees. Please note that if you choose to submit a report anonymously, the College may be limited in its ability to respond.

[Enable additional features by logging in.](#)

Your full name:

Your affiliation to Wofford:

[Learn more](#)

Your preferred phone number:

Your email address:

Your mailing address:

Date of incident (Required):

Discrimination and Harassment Reporting Form

Questions?



Title IX Office

864-597-4048

TitleIX@wofford.edu

Snyder House Annex
429 N. Church St.
Spartanburg, SC 29303

Title IX Coordinator

Jarvis Steele, J.D.

steelej@wofford.edu

Chief Equity Officer and Vice President for Community Initiatives

Dwain Pruitt, Ph.D.

pruittdc@wofford.edu



Where
thought
leads.