

Understanding Title IX

Jarvis Steele, J.D.

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

Our Goal Today is to Understand

- Drawbacks
- Reporting
- Resources
- Areas of Institutional Concern

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

Arcadia University

- [Letter of Allegations](#)
 - Allege that the University discriminated against them on the basis of sex by ***failing to promptly and equitably respond to their complaints of sexual harassment by a Professor.***
 - Hostile Environment and Retaliation
 - OCR finds that the University violated Title IX when it failed to investigate possible sexual harassment by the Professor about which the University had knowledge prior to April 2021.
- [Resolution Agreement](#)
 - 3rd party review of investigation as well as a look into all complaints against the professor starting in 2018
 - Reimburse Complainants for any out-of-pocket costs
 - Update University Title IX Policy to reflect clear instructions on how the University will address complaints against faculty and staff
 - Review of all prior Title IX case files going back 4 years and submit report on all sexual harassment complaints
 - Increased training for OWA and university staff/faculty
 - Climate survey

U.S. Dept. of Education says Arcadia University failed to investigate sexual harassment allegations

Agency said Montgomery County school received multiple reports of a professor harassing female students and should have investigated it under Title IX

BY: KIM LYONS - OCTOBER 31, 2023 3:41 PM



Utah State fires Blake Anderson: Aggies terminate coach for violations related to noncompliance with Title IX

Utah State

Anderson and his attorney plan to legally contest the firing with cause



By [Will Backus](#) Jul 19, 2024 at 3:45 pm ET • 2 min read




- "Anderson contacted the girlfriend and roommate of a Utah State football player that was arrested for alleged domestic violence in April 2023,"
- Failed to immediately report the issue to the university's Office of Equity
- Placed Anderson on leave on July 2 and formalized its decision to fire him Thursday July 18
- Admits to having received the statement from the girlfriend but claims there are jurisdictional issues.
- Utah State University Policy

Liberty University

- Historic Fine
- Review began in 2022 – Ended in March of 2024
- Title IX Litigation
- Found Clery Act violations
- Required:
 - Fine of \$14 million
 - Additional \$ 2 million investment on campus safety and compliance enhancement
 - Revision of amnesty policy
 - Creation of Sexual Assault Prevention Committee
 - Increased monitoring by Department of Education until 2026

Liberty University Fined \$14 Million for Mishandling Sex Assaults and Other Crimes

The penalty is the largest ever imposed by the Education Department, which found that the school had punished sexual assault victims but not their assailants and created a “culture of silence.”

 Share full article



Liberty University also agreed to spend an additional \$2 million over two years to create a compliance committee and improve campus safety. Justin Ide/Reuters

What is a “Mandatory Reporter”?



[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
 - OWA: [Officials with Authority](#)
 - President, Provost, Athletics Director and Dean of Students
- 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

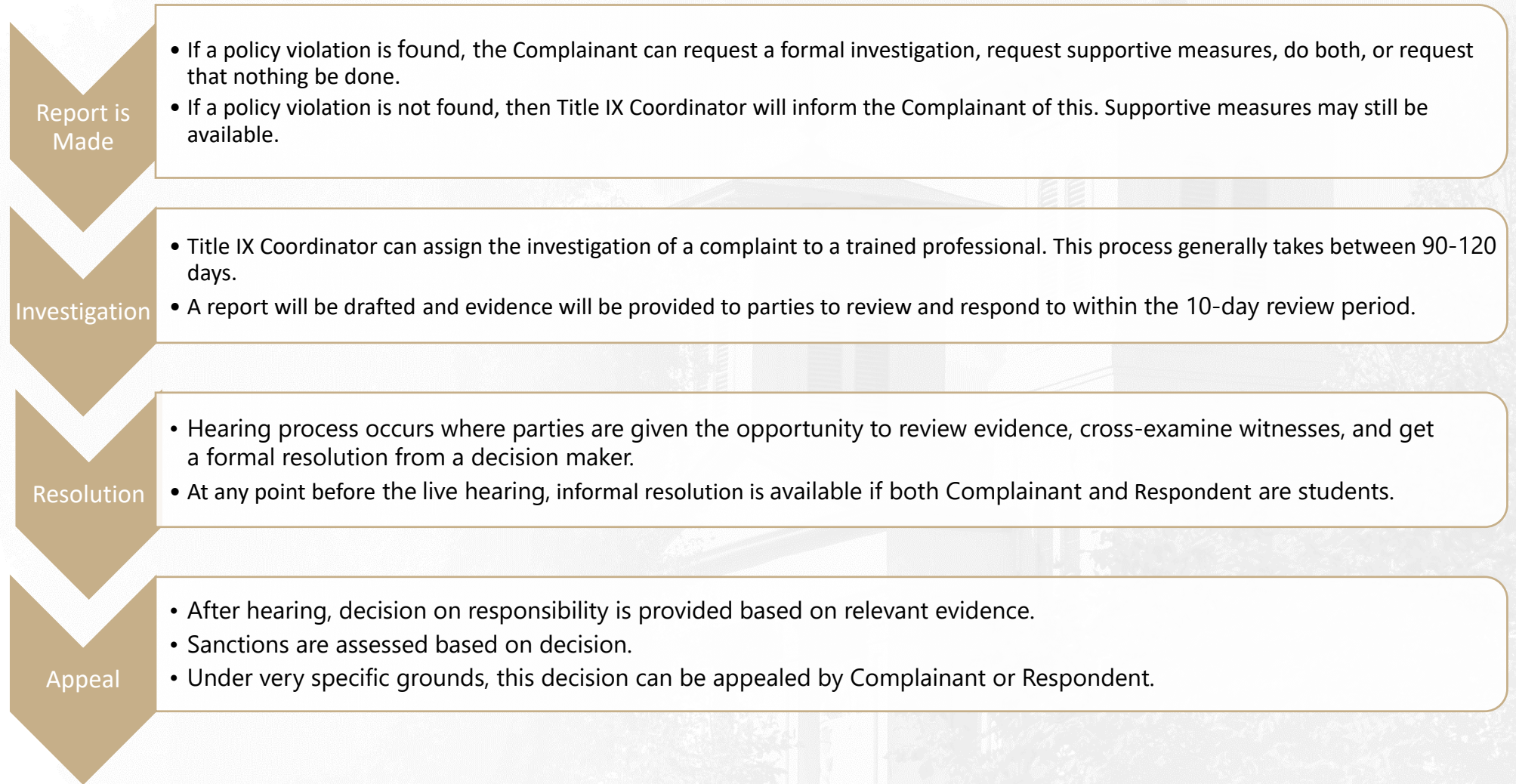
Hostile Environment Sexual Harassment

Stalking

Quid Pro Quo

Sexual Exploitation

Life Cycle of a Report



CONCERN #1: Understanding Retaliation

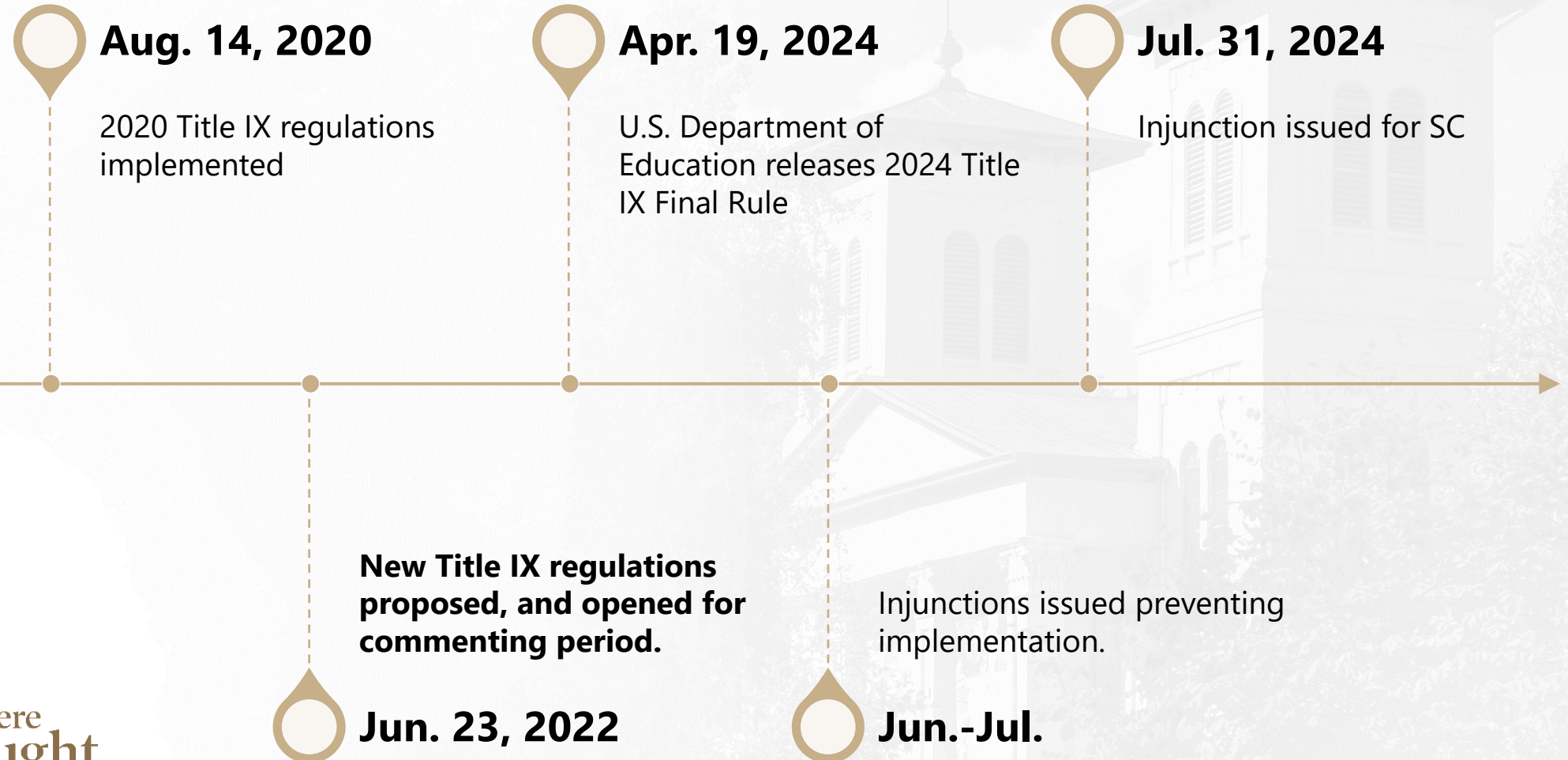
It is prohibited for the College or any member of Wofford's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual 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

CONCERN #2: Pregnant and Parenting Students and Employees

- 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)

CONCERN #3: Potential 2024 Updates



Where
thought
leads.

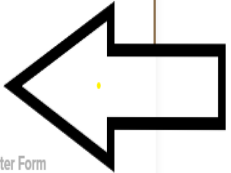
Other Areas of Concern

- Access
- Understanding Accommodations and Institutional Compliance with Federal Law
- Effective Educational Outreach
- Process Participation
- Understanding Reporting Structures



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.