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Title IX and You: Protecting Your Campus

Slide 1.1: Title IX and You: Protecting Your Campus

Text:

Title IX and You: Protecting Your Campus

A guide to combating sex-based discrimination at your institution

This course will take about 45 minutes to complete. If you exit prior to finishing, your progress will be saved.

Image: Group of students

Slide 1.2: Introduction 1 of 2

Video:

Presenter: We all want a great environment in which to work, learn, and grow. Your campus embodies all those things: a vibrant and dynamic community where ideas flourish and diversity thrives. But above all, it should also be a place where everyone feels valued, safe, and secure. We can achieve this by helping create a climate where sexual discrimination, harassment, and assault are not tolerated.

One critical tool for accomplishing this is Title IX, the landmark federal civil rights law. It prohibits sex-based discrimination and misconduct at any educational institution that receives federal funding. Sex-based discrimination encompasses a broad range of issues, including sexual harassment, sexual assault, and other types of misconduct.

Slide 1.3: Introduction 2 of 2

Video:

Presenter: During this course, we'll explore the fundamental principles of Title IX, its legal requirements, and the pivotal role it plays in promoting equity, safety, and accountability at institutions like yours. Understanding and adhering to Title IX regulations is essential for all employees as we collectively work towards creating campuses free from sexual violence and discrimination.

In addition to Title IX, your institution has its own rules, policies, and procedures for preventing and responding to sex-based discrimination and misconduct. If you don't know how to access these rules, policies, and procedures, please check with your institution.

Slide 1.4: If you need help

Text:

This course examines content related to sexual harassment* and assault that may be disturbing to some. It's important to prioritize self-care. If, while viewing this course, you feel the need for help, please visit the SUPPORT RESOURCES tab.

When a term is bolded with an asterisk, you can find a definition in the course glossary. Simply go to the GLOSSARY tab.

Image: Three people seeking help

Slide 1.5: Scenarios Introduction

Text:

A little later in this course, we'll present you with two scenarios involving sexual assault situations. For each, you'll meet the key players and then see a video that explores what happened.

Image: Scene from Scenario One showing someone pouring a drink for a person at a party.

Image: Scene from Scenario Two showing a student having a discussion with a coach.

Slide 1.6: Title IX overview

Text:

The two scenarios are designed to help illustrate the protections provided to students under Title IX*. Passed in 1972, the law prohibits sex-based discrimination* in educational programs and activities receiving federal funding.

Title IX regulations play a crucial role in promoting gender equity, preventing discrimination, and ensuring a safe and inclusive learning and working environment for everyone in higher education. The law also addresses other issues such as sex discrimination in admissions, athletics, and employment.

Title IX protects students, faculty, staff, and other members of the campus community, including visitors and guests. Employees are also safeguarded by a range of other federal anti-discrimination laws, including Title VII of the Civil Rights Act of 1964*.

Slide 1.7: 1. True or false?

Text:

Outside of athletics, Title IX requirements probably don't apply at my institution.

- True
- False

Feedback:

Title IX applies to all public and private educational institutions that receive federal funds. Almost all private colleges and universities receive federal funding through federal financial aid programs used by their students.

Slide 1.8: What does Title IX do?

Text:

Let's take a closer look at what the law does. Title IX:

- Prohibits sex* discrimination against students, faculty, and staff, regardless of gender

- Mandates that institutions take proactive measures to prevent and address sex discrimination including sex-based harassment* on campus and prevent it from continuing
- Requires institutions to provide support services for those who experience sex discrimination including sex-based harassment
- Requires that colleges and universities provide equal opportunities for participation and treatment in athletics programs, including equitable allocation of resources and facilities for male and female athletes
- Title IX applies to all public and private educational institutions that receive federal funds. Almost all private colleges and universities receive federal funding through federal financial aid programs used by their students.

Image: Shield with the words Title IX

Slide 1.9: Complying with Title IX

Text:

To comply, institutions must:

- Designate a Title IX Coordinator* to oversee compliance with Title IX regulations
- Adopt and disseminate policies and procedures for promptly addressing complaints of sex discrimination, including sex-based harassment
- Provide training and education to students, faculty, and staff on Title IX rights and responsibilities, as well as on preventing and responding to sex-based harassment

Image: Four people working with a giant checklist

Slide 1.10: Recent changes 1 of 3

Text:

Recent changes to the law

Over the past few years, successive federal government administrations have made changes and additions to Title IX. The most recent round took place in 2024. Here are some of the more significant changes.

- Title IX's prohibition on sex discrimination now includes sex-based harassment in the form of quid pro quo harassment*, hostile environment harassment*, and four specific offenses (sexual assault*, dating violence*, domestic violence*, and stalking*).
- Sex discrimination now includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity*.
- The standard for sex-based harassment has been lowered from "severe, pervasive, and objectively offensive" to "sufficiently severe or pervasive."

Slide 1.11: Recent changes 2 of 3

Text:

- Colleges and universities are now responsible for addressing and responding to conduct that takes place off-campus if the impact is then felt on-campus.
- Title IX doesn't apply to sex-based harassment that takes place outside the U.S., but such conduct may still be a violation of the institution's code of conduct. Title IX does come into play, however, if the students in a study abroad program return to campus and there is a hostile environment resulting from harassment that occurred abroad.

Slide 1.12: Recent changes 3 of 3

Text:

- An institution's policy needs to explain if it is using a single investigator and decisionmaker or will conduct an investigation followed by a hearing.
- Retaliation* and peer retaliation (retaliation by one student against another) are defined and prohibited. Institutions must respond to retaliation complaints using the same procedures as for other forms of sex discrimination.

Image: Two people investigating near a college building

Slide 1.13: Title IX and Pregnancy 1 of 4

Text:

Let's take a closer look at Title IX's added protections related to pregnancy.

Institutions cannot discriminate based on a student's current, potential, or past pregnancy, or any related conditions, including childbirth, termination of pregnancy, lactation, related medical conditions, or recovery. Institutions cannot treat students differently because of their current, potential, or past parental, family, or marital status.

Institutions must provide reasonable accommodations allowing pregnant and parenting students to continue their academic progress. These include adjustments such as allowing breaks during class, adjusting course schedules, providing additional time for assignments, and reasonable extensions for completing assignments.

Image: Pregnant woman

Slide 1.14: Title IX and Pregnancy 2 of 4

Text:

These reasonable accommodations include:

Ensuring students can access an appropriate space (other than a bathroom) for breastfeeding or expressing breast milk

Treating pregnancy or related conditions in the same manner and under the same policies as other temporary medical conditions

Not requiring supporting documentation unless it's reasonable and necessary for determining accommodations

Not requiring a student who is pregnant (or has related conditions) to provide certification from a health care provider of physical ability to participate except in limited circumstances (such as the institution requiring certification from all students)

Slide 1.15: Title IX and Pregnancy 3 of 4

Text:

Along with students, employees and applicants are also protected from the types of discrimination listed above. Among other requirements, institutions must provide reasonable break time for lactation, and a clean, private lactation space.

Image: A lactation room

Slide 1.16: Title IX and Pregnancy 4 of 4

Text:

Question: As an employee, what do I need to do if a student lets me know that they're pregnant? Select Answer to find out.

Button ["Answer"]:

Answer: Provide the student with contact information for your institution's Title IX Coordinator (or other designee). They can provide further assistance and let the student know about support services and reasonable accommodations. Make sure you know the name of your institution's Title IX Coordinator and how to contact them.

Image: Pregnant woman and man having a discussion

Slide 1.17: Consequences

Text:

Consequences

The U.S. Department of Education's Office for Civil Rights (OCR) is responsible for enforcing Title IX regulations in higher education. When an institution fails to uphold its responsibilities under the law, it can lose federal funding. OCR can also require corrective action. Victims can sue institutions for financial restitution and attorney fees.

What does this mean for me? As members of the campus community, we want to create a safe and respectful environment for everyone. For some employees, failure to report an incident in a timely manner may result in disciplinary action, up to and including termination of employment. We will talk more about this later.

Image: A campus building

Slide 1.18: Consequences

Text:

Title IX offers legal rights and protections for college students. While some address equality in the classroom or on the playing field, several are specific to sex-based harassment and assault. Select each button to learn more.

Button [“Protection Against Sex-based Harassment”]:

Protection Against Sex-based Harassment. Requires institutions to address sex-based harassment allegations promptly and effectively. They must have procedures in place for reporting and addressing incidents.

Button [“Protection from Retaliation”]:

Protection from Retaliation. Title IX prevents retaliation against employees or students who file complaints. It also protects anyone participating in investigations conducted by the institution and prevents retaliation by any peers or other individuals involved.

Button [“Timely and Fair Grievance Procedures”]:

Timely and Fair Grievance Procedures. Requires institutions to have clear and fair grievance procedures for handling Title IX complaints, including investigations, hearings, and appeals.

Button [“Confidentiality”]:

Confidentiality. Requires institutions to maintain confidentiality to the extent possible during Title IX investigations, while still ensuring a thorough and fair process.

Button [“Supportive measures”]:

Supportive Measures. Mandates that colleges offer supportive measures to anyone involved in Title IX complaints, including students and employees, whether or not there is an investigation. For students, these measures may include counseling, academic accommodations, or changes in living arrangements.

Slide 1.19: Title IX Protections Wrapup

Text:

These rights and protections are intended to create a safe and inclusive educational environment for all students, regardless of their sex or gender.

Image: A university building

Slide 1.20: Sexual misconduct at colleges and universities

Text:

Sexual misconduct at colleges and universities

During this section, we'll use a number of terms that often have more than one interpretation. These include concepts such as incapacitation* versus intoxication*, complainant* versus respondent*, and the usage of victim* and survivor*. Again, you'll find a full list of definitions in the course glossary.

Image: A university building

Slide 1.21: Forms of sexual misconduct

Text:

Types of sexual misconduct

Remember that anyone can be a victim of sex-based harassment, which includes all forms of sexual misconduct. Let's examine some of the most common forms. Select each to learn more.

Button ["Sex-based harassment"]:

Sex-based harassment* includes unwanted sexual behavior, advances, or requests for favors which a reasonable person* would find uncomfortable. It creates an environment that is intimidating, hostile, or offensive, and can affect a person's work or educational performance. To be considered sexual harassment, the behavior only needs to be sufficiently severe or pervasive, and objectively offensive.

Button ["Domestic violence"]:

Domestic violence* is a pattern of abusive behaviors used by one partner to gain power and control over another in an intimate relationship. These behaviors can include physical violence, emotional abuse, coercion, and manipulation, and are intended to instill fear and dominance over the victim. It can be committed by a current or former partner and can occur in heterosexual or same-sex couples.

Button ["Cybersexual exploitation"]:

Cybersexual exploitation* is when one person uses technology to establish power and control over another, which causes fear, intimidation, and/or reputational harm. It can occur on devices, computers, and social media. Methods include spyware and location tracking, doxxing (releasing personal or private information online), non-consensual image

sharing, and deepfakes* (a sexually explicit image or recording that appears real but has been digitally altered using artificial intelligence techniques).

Button ["Sexual assault"]:

Sexual assault* is contact or behavior involving a sexual body part that occurs without the consent of the recipient. It can happen over or under clothing, or with any object. Sexual assault includes sexual intercourse, sodomy, child molestation, incest, fondling, and attempted rape.

Button ["Dating violence"]:

Dating violence* is a pattern of abusive behaviors used by one person to gain power and control over another in a relationship. These behaviors can include physical violence, emotional abuse, coercion*, and manipulation, and are intended to instill fear and dominance over the victim. It can occur in heterosexual or same-sex couples.

Button ["Stalking"]:

Stalking* involves repeated and unwanted attention, harassment, or contact directed towards a specific individual, causing fear or emotional distress. It can manifest through various means such as following, monitoring, or threatening behavior, and it violates the victim's sense of safety and autonomy.

Slide 1.22: Other terms

Text:

There are a few other terms you may have heard that relate to harmful interactions based on gender and/or intimacy. While they fall under the previous categories, these include:

- Sexual violence
- Sexual abuse
- Gender-based violence
- Gender discrimination

Image: A dictionary

Slide 1.23: Healthy relationships

Text:

One way to prevent and help reduce incidences of sexual misconduct is by building healthy relationships based on mutual respect and trust. A good starting point for this is understanding consent*. What is consent, and why is it an essential component of adult sexual relationships?

Image: A man and a woman talking

Slide 1.24: Consent

Video:

Consent is when someone freely agrees to participate in sexual activity with someone else. It is agreeing to any step in a sexual encounter, from kissing to intercourse. [Video shows first, second and third base.] Sexual intercourse or penetration without consent is rape.

Consent must be mutual. Each partner must agree to be involved in the sexual activity. [Video shows one partner asking “yes?” and the other replying “yes!”]

Consent can be withdrawn at any time [A speech bubble says “Hey baby, you wanna do it” and another bubble says “yes!”], even if someone has said “yes” up to that point. [One speech bubble says “Does this feel good?” and another bubble says “Actually, can you please stop?”] Each partner has the right to withdraw consent at any time. [The first speech bubble says “Sure, no problem,” and the other says “Thanks!”]

Consent is never automatic. Consenting in the past does not equal consent now, or in the future. [The word “yes” changes to “no” as the words “past,” “now,” and “future” appear.] Consent to one act (like kissing) does not equal consent to an additional act. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.

Sometimes consent cannot be given, because someone cannot make clear decisions or understand what they are consenting to. This includes situations where a person is so drunk or so high that they lack capacity to consent, or they are passed out, or sleeping.

Someone who is being coerced or pressured into sex cannot give consent.

The absence of “no” does not mean “yes.” If there is no consent, that means stop. Period.

Slide 1.25: Alcohol and incapacitation 1 of 2

Text:

Alcohol and incapacitation

Each year, tens of thousands of students are victims of alcohol- or drug-related sexual assault. About 43% of sexual assault events involve alcohol use by the victim, and 69% involve alcohol use by the perpetrator*.

Intoxication* can impair judgment and communication, making it difficult to provide or receive consent. An incapacitated* person cannot provide consent. Sexual activity with someone who is incapacitated is sexual assault. Use of drugs or alcohol never makes the victim at fault for sexual violence.

Image: Glass of whiskey with ice

Slide 1.26: Alcohol and incapacitation 2 of 2

Text:

Perpetrators often use alcohol or other substances to make their potential victims less aware of their circumstances, or more vulnerable to be coerced or forced into sexual activity. In some cases, those who engage in sexual assault provide drinks that, unknown to the victim, contain excessive amounts of alcohol or even drugs. Perpetrators may drink or take drugs themselves and then blame their behavior on the substance. Research also shows that alcohol increases the likelihood that individuals will behave aggressively.

Image: Glass of whiskey with ice

Slide 1.26: Scenario One Characters

Text:

Our first scenario examines events that take place during a theater wrap party. Let's begin by meeting the main people involved. Select each person to learn more.

Button ["Ryan"]:

Ryan is a professor and the director of the theater program at a prestigious New England university. His students are currently wrapping up a successful production of the musical Chicago.

Button ["Manny"]:

Manny is a college friend of Ryan's who is currently visiting from Cyprus. He is not affiliated with the university. The play's director recently admonished him backstage for making rude comments about Nadia's body.

Button ["Nadia"]:

Nadia is an international graduate student from Gdańsk, Poland. It's her second production with the theater department. She is a member of the chorus.

Button ["Abigail"]:

Abigail is a grad student who grew up in coastal South Carolina. She is a member of the chorus in the current production.

Slide 1.28: Scenario One Wrapup

Text:

The final show of the production is taking place tonight. Following the performance, Ryan is hosting a wrap party at his brownstone in the city.

Image: Ryan's brownstone

Slide 1.29: Scenario One: Ryan's Party

Video:

Manny: Hey girls, nice to see you both. Hey, Nadia, I was wondering, I know you're from Europe, but what country?

[Nadia laughs]

Abigail: Excuse me, I have to go to the bathroom.

Nadia: I am from Poland, Matty.

Manny: It's Manny.

[Manny and Nadia laugh]

Manny: Here, let me pour you another drink. Now this one's the real deal. This one's gonna make your head really rock.

Nadio: Ooooooh.

Manny: Try that and let me know.

Nadia: Oh, wow!

Manny: Was I right?

Nadia: That's crazy. Are you gonna have one of those?

Manny: Why not?

[Music plays as Manny continues to pour drinks for Nadia. As Nadia becomes more obviously intoxicated, Manny begins touching her shoulder.]

Manny: So is there a boyfriend in Poland?

[Nadia struggles to maintain her balance]

Manny: Hey, Hey, you OK?"

Nadia: I feel so... [mumbles incoherently]

Manny: Here, let me show you to the bathroom.

[Fade]

[Living Room. Abigail alerts Ryan.]

Abigail [excitedly]: Ryan, I was looking for Nadia, and I found her passed out and naked in your bedroom.

Ryan: What?!? Is she OK?

Abigail: I can't get her up, she's out like a light.

Ryan: I mean, last time I saw her she was drinking with Manny.

Abigail: I think we need to call 911.

Ryan: Hold on. How could this happen? Let me...let me call them.

[Ryan's expression darkens as he realizes the gravity of the situation.]

Slide 1.30: 1. Check your knowledge

Text:

As we just saw, a joyous celebration has quickly turned serious. What could Ryan have done to promote a safer environment for the party? Select all that apply.

Checkbox [“Had a celebration at a restaurant or other public location.”]

Checkbox [“Restricted access to the upstairs bedrooms.”]

Checkbox [“Offered some beer and wine but not have a full open bar.”]

Feedback:

All of these are good choices. Restricting access to the upstairs area and not providing an open bar could provide a safer environment. Celebrations can be held at restaurants or other public locations (licensed bartenders/staff can identify when a patron has gone over the line). If hosting an event, check with your institution.

Slide 1.31: Trauma

Text:

Trauma

By understanding the effects trauma* can have on an assault victim, you can eliminate misconceptions about how they “should” behave. These effects can last long beyond the time of the incident, sometimes for months or years.

Trauma can result in a “fight, flight, or freeze” response at the time of the incident, or a feeling of dissociation. Many victims report that they simply felt unable to respond and their bodies just “froze up.” Longer-lasting effects can include depression, flashbacks, and Post-Traumatic Stress Disorder.

It is also important to note that events that are traumatic for one person may not be for another, and each victim of trauma may react differently.

Slide 1.32: Bystander intervention

Text:

Bystander intervention

You've probably heard of bystander intervention*, where a person who isn't directly involved steps in to lend a hand. This may be as simple as giving someone a ride home or creating a distraction to help defuse an incident. You can also enlist help from other people.

Image: Three people watching an incident take place

Slide 1.33: Reporting and response procedures

Text:

Reporting and response procedures

As educators, it is our job to help promote a safe and secure environment for all members of the campus community. In this section, we'll examine your role. How should you respond when you learn about an incident of sex-based harassment?

Image: A woman taking notes in a notebook

Slide 1.34: Reporters

Text:

Reporters

Under Title IX, when any non-confidential employee learns about possible sex-based harassment that they reasonably believe took place, they must respond.

Some employees are obligated to notify the Title IX Coordinator so that the institution can respond quickly and appropriately. This includes anyone responsible for administrative leadership, teaching, or advising, and any employee with the authority to take corrective action on behalf of the institution.

Image: A man looking at a tablet and a laptop.

Slide 1.35: Non-confidential employees

Text:

All other non-confidential employees are obligated to do one of two things. They can:

- Notify the Title IX Coordinator
- Provide the victim with the Title IX Coordinator's contact information along with information about how to make a complaint

Your institution may have stricter standards for reporting*, so check with your Title IX Coordinator if you'd like to learn more.

For this course, we are treating everyone who works at your institution as someone who needs to report directly to the Title IX Coordinator.

Image: An employee making a report to another person

Slide 1.36: 2. Check your knowledge

Text:

One of your students, Taylor, tells you that one of her other professors is unfair to her and the other female students in his biology lab class. He splits up lab groups by gender and gives the women all the menial tasks. He often says things like women should be in charge of cleaning lab equipment so men can have more time to focus on the "important" work.

Image: Taylor with an exasperated look

Slide 1.37: 2. Check your knowledge (con't.)

Text:

Should you report what is going on to the Title IX Coordinator?

Button ["Yes"]

Button ["No"]

Feedback:

Title IX requires employees to report all instances of sex discrimination they become aware of.

Slide 1.38: Confidential employees

Text:

Confidential employees are not required to report. This includes individuals like therapists, clinicians, and victim advocates who are licensed and hired specifically for that role.

Other laws apply specifically to sexual misconduct and some employees have additional responsibilities under another law called the Clery Act, as amended by the Violence Against Women Act (VAWA). These Campus Security Authorities* (known as CSAs) are required to report statistical information about crimes involving sexual assault and intimate partner violence. If a CSA is also responsible for administrative leadership, teaching, or advising, they need to report incidents of sexual harassment or violence to the Clery Coordinator*.

Image: A woman with a stethoscope

Slide 1.39: Reporting and responding to disclosures

Video:

Presenter: If someone confides in you about an incident of sexual assault or harassment, your response may determine whether that person can find help and support. Let's examine how to effectively respond to and report disclosures of sexual violence.

Remember: If someone is injured or in immediate danger, call 911 or local law enforcement. Their safety is always the first priority.

It's not unusual for students to confide in an instructor or an advisor. While it may seem counterintuitive, it's less likely they will report directly to a person in a position of authority.

If a student confides in you, it's important to realize that they trust you enough to make this revelation. Consider that your response may have an enormous impact on the student's decision to seek further help as well as on their eventual recovery. Over the next few screens, we'll examine how you should respond.

Slide 1.40: When a student discloses 1 of 2

Text:

If a student begins to make a disclosure about an incident of sexual violence, it's important to make sure that they understand a few things before continuing.

You will be obligated to inform the Title IX Coordinator (or other designee) about what you heard. This report will include any information you learn, including the names of anyone involved, as well as any details about the incident.

The student can request confidentiality*. If they do, or decide not to report, they need to understand that you still must report anything you've learned up to this point.

While the Title IX Coordinator will reach out and offer support and information, the student does not have to speak with or meet with them; that is the student's choice.

Slide 1.41: When a student discloses 2 of 2

Text:

- If the student wants to maintain confidentiality, they have the option to instead share the information with confidential employees (like therapists or clinicians), who are campus resources not obligated to report to the Title IX Coordinator. While these resources include professional licensed counselors in campus health or mental health centers, they may also include pastoral counselors, and licensed victim advocates that have been designated by the institution (such as staff at the campus sexual assault resource center).

While it may seem awkward to interrupt with this information, it's essential that the student understands your responsibility to report — and their reporting and disclosing options — before continuing. Remember that they have been through a traumatic experience, and that it's taking a lot for them to share this information with you. Try to take a patient and gentle approach. Continue to see an example.

Slide 1.42: Disclosure roleplay

Video:

"I appreciate you trusting me with this information, but I need to let you know a few things before we continue. Because of my role here at the school, I have an obligation to share

anything I learn about incidents of sexual harassment or sexual violence with our campus Title IX Coordinator. It's our job to help make sure that you and all the other students on this campus are safe. If you don't want the school to know the details about what happened, I can point you to other people on campus who can help you and keep your situation confidential."

Slide 1.43: Only the victim can decide

Text:

Regardless of your responsibilities to report, only the victim can decide if they want to participate in either the campus administrative process or the external criminal justice process. They have the right to report an incident to the Title IX Coordinator, but they also have the right not to report. They have the right to report to law enforcement, or not to report. They have the right to speak to someone confidentially. It is not your responsibility to encourage or pressure the student to report or participate.

Image: A student, a computer, and a gavel

Slide 1.44: Explaining the process

Text:

It can be helpful to explain that the Title IX Coordinator (or another designee) will reach out to the student to make sure they have access to available help and resources* (known under the Title IX regulations as "supportive measures*"). That person will also explain the student's rights and options, including procedures for pursuing an institutional or criminal complaint.

Image: A hand reaching out

Slide 1.45: 3. Check your knowledge

Text:

If a student confides an incident of sexual assault to you, and says they don't want to keep it confidential, which is the best response?

Button ["Listen actively and try not to interrupt."]

Button [“Ask continuous questions to learn more about what happened.”]

Button [“Get the student to help construct a timeline of what took place.”]

Feedback:

The best response is to listen to the student without questioning what took place.

Slide 1.46: Effectively communicating

Text:

Here are a few tips for communicating effectively when hearing a disclosure.

- Listen actively and try not to interrupt.
- Be sympathetic, patient, and non-judgmental. Remember the student may be suffering from trauma.
- While it may seem logical to try to understand the situation by building a linear narrative, this may in fact inhibit the student from continuing. Listen carefully, without questioning what took place.
- Try not to overwhelm the student with too much information.
- It’s OK to say you don’t have the answer to every question, but that you’ll put the victim in touch with people that do.
- Make sure you offer avenues for help and support. We’ll have a suggested list of resources towards the end of the course.

Slide 1.47: Other things to keep in mind

Text:

A few other things to keep in mind:

- If the student mentions a clear and immediate probability of physical harm to themselves or others (even if they didn’t disclose any sexual misconduct), immediately seek help via your campus crisis line or by calling local law enforcement.
- Again, do not pressure the student into making any decisions.
- If the student does decide to report, you can offer to walk them to the Title IX Coordinator’s office.

- Follow up with the student 24 to 72 hours later to ask if they need anything else. You should not ask any questions about whether they have decided to make a report or ask for any details of what happened if they did.

Slide 1.48: Scenario two intro

Text:

In our first scenario, we got a glimpse of the impact of sexual assault on a tight-knit theater community. But as you learned earlier, anyone on campus can fall prey: sex, gender, age, race, ethnicity, and economic status are all irrelevant.

Image: Scene from Scenario Two showing a student having a discussion with a coach.

Slide 1.49: Scenario Two Characters

Text:

Our second scenario examines events that take place during a swim team party. Again, let's meet the main people involved. Select each person to learn more.

Button ["Dan"]:

Dan is from Arizona, and he's a junior on the swim team. He's the first person in his family to attend college.

Button ["Luke"]:

Luke is a senior and the current National Collegiate Butterfly Champ. He's from coastal California.

Button ["Isabelle"]:

Isabelle, a rising swimming star, is an international student from France. The school had to do a lot of work to convince her parents to allow her to come to the U.S. They expected Isabelle to stay home and assist in caring for her grandparents.

Button ["Chris"]:

Chris Edwards is the assistant men's swimming coach at a large Southern university. Unlike head coach Ned Thorne and his "winning-at-all-costs" attitude, Chris has a better and more personal relationship with his swimmers.

Slide 1.50: Scenario two intro

Text:

The members of the swim team get together for a Friday night party, and gelatin shots are the popular choice. When no one else is paying attention, Luke guides a very drunk Isabelle off into an empty bedroom and closes the door.

Image: Swimming pool

Slide 1.51: 4. Check your knowledge

Text:

Since Isabelle is from France, is she protected by Title IX?

Button["Yes"]

Button ["No"]

Feedback:

All students are protected by Title IX, regardless of whether they are from another country or undocumented. Before we continue this scenario, let's examine one of your key responsibilities under Title IX: disclosures of sex-based harassment.

Slide 1.52: Scenario Two: Chris's Office

Video:

[Fade up on Dan knocking on Chris's door.]

Dan: Hey, Coach Chris. You got a couple of minutes? It's uh, important.

Chris: Sure, Dan, take a seat. What's up?

Dan: So, I saw something I think I need to tell you about. Luke and I were at the swim party Friday night, and he kinda disappeared with Isabelle.

Chris: Okayyyy.

Dan: Alright, here's the deal, I saw a picture of Isabelle on Luke's phone. She was passed out on a bed and her skirt was pushed up.

Chris: OK. I'm going to need to ask you a few more questions, and take some notes, so I can report this to the university. OK? So, the party was Friday, right? And what time was it?

[Fade out]

Slide 1.53: 5. Check your knowledge

Text:

If a third-party observer like Dan reports an incident, is Chris required to report it to the Title IX Coordinator?

Button ["Yes"]

Button ["No"]

Feedback:

You got it. As an employee responsible for administrative leadership, teaching, or advising, Chris must report what he learns to the Title IX Coordinator. This includes disclosures by third parties. We'll have more about what information you should collect in a moment.

Slide 1.54: What to report

Text:

Be prepared to provide all relevant information you have learned. You are not expected to try and gather any information that the student did not offer.

If it was shared with you, you must pass along what you know about:

- The nature of the incident

- The victim's name
- The names of any other parties
- Locations
- The date of the incident

Image: A woman listening

Slide 1.55: More reporting tips

Text:

Do not share the information with anyone other than the Title IX Coordinator.

Do not try to investigate the incident yourself. That responsibility is assigned to specific people and offices on campus and in the community. These include local police and campus law enforcement, your institution's Title IX Coordinator, and medical and mental health professionals.

Image: A man listening

Slide 1.56: 6. Check your knowledge

Text:

Let's think back to the theater party. As the Theater Program Director, was Ryan required to report the incident at his party, even though Manny is not affiliated with the institution and the party took place off-campus at Ryan's home?

Button ["Yes"]

Button ["No"]

Feedback:

All supervisors and instructors are required to report any incidents of sexual assault. In this case, it does not matter that Manny is not affiliated with the institution or that the assault took place off-campus.

Slide 1.57: More reporting tips

Text:

Let's examine what takes place after an incident is reported. There are three different entities that come into play during any full investigation:

- Title IX Coordinator
- Investigator
- Hearing Officer or Panel

Image: Female Title IX Coordinator, Male Title IX Investigator, and a hearing panel

Slide 1.58: The Title IX Coordinator

Text:

Title IX Coordinator

The Title IX Coordinator ensures that anyone making a report gets information on their rights and options, as well as options for support and resources. If there is an investigation, the Coordinator oversees prompt and fair investigations of sex discrimination, sex-based harassment, and sexual assault complaints. They also make sure the school complies with Title IX requirements during the grievance process.

Image: Female Title IX Coordinator

Slide 1.59: 2. True or false?

Text:

The Title IX Coordinator's job is to serve as the advocate for the victim.

Button ["Yes"]

Button ["No"]

Feedback:

The Title IX Coordinator's role is neutral, which means they don't favor either side. They make sure both sides are treated fairly, that any resolution is fair, and that both parties

receive the support they need. They also do not favor the institution's interests, but rather administer the procedures in the policy.

Slide 1.60: Other functions

Text:

Other functions of the Title IX Coordinator:

- Lets victims know that reporting to the institution is not their only legal avenue: they can also bring incidents directly to law enforcement.
- Reminds parties that retaliation is prohibited, and can result in disciplinary action if it does occur.
- Can provide supportive measures, such as safety escorts, no contact orders, academic support, or changing class schedules or living arrangements.
- Can direct both parties to support services, including counseling, medical services, and academic assistance.

Slide 1.61: The Title IX Investigator

Text:

Investigator

If the student requests an investigation, a trained Title IX investigator* is assigned. This person works impartially to gather information and evidence.

The investigator gathers evidence and interviews relevant parties, including the complainant* (the victim), the respondent* (the person who is accused), and any witnesses. The investigator works to ensure that both sides are treated the same during the process. Each party will be given an opportunity to review all of the evidence and to submit any questions they would like asked.

The investigation should be prompt, thorough, and equitable.

Image: A male Title IX Investigator

Slide 1.62: 7. Check your knowledge

Text:

Which of the following can be used as evidence in a sexual assault investigation? Select all that apply.

Checkbox ["Local or campus police reports"]

Checkbox ["Security videos"]

Checkbox ["Photos or messages from cell phones"]

Checkbox ["Social media postings"]

Feedback:

Evidence that investigators can use includes local or campus police reports, security videos, photos or messages from cell phones, and social media posts.

Slide 1.63: Advisors and recommendations

Text:

The complainant and respondent may be allowed to bring an advisor of their choice to any interview, disciplinary proceeding, or related meeting. That advisor may be a friend, a therapist, a family member, or an attorney.

Once the investigation is complete, the investigator makes a recommendation or determination as to what happened, depending on what the institution's policy requires. This investigative report then goes to the Title IX Coordinator.

Image: Three students speaking with an advisor

Slide 1.64: Hearing officer or panel

Text:

Hearing Officer or Panel

In some instances, campuses conduct an administrative hearing after the investigation, in which a hearing officer or a panel* asks additional questions and then determines whether the institution's policy or student code was violated.

If there is a hearing, both sides have an opportunity to view all of the evidence beforehand and prepare questions that they may want to have asked. The parties are not permitted to question each other; instead, questions are asked by the hearing officer (or panel members) or the parties' advisors.

Image: A hearing panel

Slide 1.65: 8. Check your knowledge

Text:

During a Title IX investigation, who has the burden of thoroughly gathering information?

Button ["The complainant"]

Button ["The respondent"]

Button ["The institution"]

Feedback:

The burden to thoroughly gather information is on the institution, not the parties.

Slide 1.66: Evidentiary standards

Text:

The two evidentiary standards that institutions can use are preponderance of the evidence* or clear and convincing evidence*.

Preponderance of the evidence means the decision maker is convinced by the evidence that a violation of policy is more likely to have occurred than not to have occurred.

Clear and convincing requires a higher standard: the alleged policy violation is substantially more likely to be true than untrue.

The 2024 update to Title IX generally requires use of the preponderance standard, except in some cases where the institution is still allowed to use the clear and convincing standard. Check your policy for details.

Image: A gavel

Slide 1.67: Possible sanctions and penalties

Text:

If the respondent is found responsible, appropriate sanctions and penalties* are imposed under the institution's policy. These might include:

- A verbal or written warning
- Disciplinary probation
- Suspension for a designated period of time
- Expulsion
- A requirement to seek counseling
- Financial restitution
- Loss of scholarship
- Revocation or withholding of a degree

Image: A gavel

Slide 1.68: Appeals

Text:

- The parties are allowed to appeal the decision. The grounds for appeal include the discovery of new evidence that wasn't previously available or a procedural error that caused an incorrect outcome.

Image: A student talking to two individuals across a desk.

Slide 1.69: Support resources

Text:

Support resources

For anyone who has experienced sexual assault, there are numerous resources available both on- and off-campus.

- For immediate help, off-campus medical facilities can provide essential care. These include hospitals, emergency rooms, or local clinics. Staff can not only treat injuries, but also collect evidence through a rape kit.
- RAINN is the nation's largest anti-sexual violence organization. It operates the National Sexual Assault Hotline at 800-656-HOPE (4673). RAINN also offers an online chat service at <https://hotline.rainn.org/online>. All services are free, confidential, and available 24/7.
- For emotional support, resources include the National Counseling Hotline at 1-800-656-HOPE (1-800-656-4673).
- The Title IX Coordinator can put victims in touch with a wide range of helpful resources including health services, counseling, victim advocacy, and various kinds of supportive measures.

Select the link for the sources used to create this course.

Sources

United Educators would like to thank Jody Shipper, Co-Founder & Managing Director of Grand River Solutions for her help on this project. Assistance on the portions of the course covering sexual assault prevention was provided by Katie Koestner, Development Director of Campus Outreach Services.

Slide 1.70: Conclusion

Video:

Presenter: We're almost done. During this course, you've learned about Title IX and the pivotal role it plays in promoting safety and accountability at your institution.

Understanding and adhering to these regulations is essential for all of us as we work towards creating a campus free from sex discrimination and misconduct. One way to do this is by quickly reporting any incidents if and when you learn about them.

While at times it may seem inconvenient and time-consuming, this is a central responsibility of your job, and remember, for some employees, failure to report an incident

in a timely manner may result in disciplinary action, up to and including termination of employment.

With the rules now defined, our work is just beginning. By standing together and creating a campus climate that's safe for everyone, we can protect and strengthen the bonds that unite us.

Slide 1.71: Thank you

Text:

Thank you for taking this course. You may now close this window.

Image: Group of students

Glossary:

Bystander intervention - Bystander intervention involves taking action to recognize, prevent, or intervene in situations where sexual assault or harassment may occur. This can include speaking up, offering support to the victim, or seeking help from authorities.

Campus Security Authority (CSA) - A campus employee required to report statistical information about crimes involving sexual assault and intimate partner violence under the Clery Act.

Civil Rights Act of 1964 - This landmark piece of U.S. legislation outlawed discrimination based on race, color, religion, sex, or national origin. It was instrumental in ending segregation in public places and employment discrimination, fundamentally reshaping the legal landscape of civil rights in America.

Clear and convincing - The "clear and convincing" evidence standard is a higher burden of proof, requiring a higher level of certainty than preponderance, but less than beyond a reasonable doubt. Clear and convincing is often described as substantially more probable to be true than not.

Clery Act Compliance Coordinator - A Clery Coordinator is responsible for ensuring an educational institution's compliance with the Clery Act, which aims to provide transparency around campus crime policy and statistics. The Coordinator collaborates with various offices to develop Clery compliance policies, prepare annual security and fire safety reports, and manage crime data.

Coercion - The application of unreasonable pressure, including emotionally or physically manipulative actions or statements, or direct or implied threats, in order to compel the person to engage in sexual activity.

Complainant - In Title IX investigations, a complainant is the individual who files a complaint alleging sex-based discrimination.

Confidentiality - This refers to the protection of sensitive information disclosed during the reporting, investigation, or adjudication process. While efforts are made to safeguard the privacy of parties involved, disclosure may occur in limited circumstances, such as when required by law or when necessary to ensure the safety of individuals.

Consent - Consent is a voluntary, informed, and mutual agreement to engage in sexual activity. Effective consent emphasizes clear communication and understanding between all parties involved, while affirmative consent requires an explicit agreement at every stage of sexual interaction. Consent must be given freely and can be withdrawn at any time.

Cybersexual exploitation - This is when one person uses technology to establish power and control over another, which causes fear, intimidation, and/or reputational harm. It can occur on devices, computers, and social media. Methods include spyware and location tracking, doxxing (releasing personal or private information online), non-consensual image sharing, and deepfakes.

Dating violence - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Emotional and psychological abuse do not constitute violence for the purposes of this definition. It can occur in heterosexual or same-sex couples.

Deepfakes - Deepfakes are AI-generated media that convincingly alter someone's appearance or actions, often without their consent. In cases of sexual harassment, they can be used to create explicit content involving individuals, leading to severe emotional distress and privacy violations.

Domestic violence - Domestic violence is a pattern of abusive behaviors used by one partner to gain power and control over another in an intimate or family relationship. These behaviors can include physical violence or threats of violence. Can be committed by a current or former partner and can occur in heterosexual or same-sex couples.

Gender identity - Gender identity is one's personal sense of their own gender. It can correlate with a person's assigned sex or can differ from it.

Hostile environment harassment - This refers to unwelcome conduct of a sexual nature that is severe, pervasive, and objectively offensive, and it effectively denies a person equal access to education. The conduct must be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.

Incapacitation - This refers to a state in which an individual is unable to give consent or understand the nature of the sexual activity due to factors such as unconsciousness or similar impairment causing a lack of capacity.

Intoxication - This specifically refers to the influence of drugs or alcohol on an individual's mental or physical faculties, which may render them incapable of providing consent.

Perpetrator - An individual who commits or is responsible for committing a harmful or illegal act, such as sexual assault or harassment. Holding perpetrators accountable for their actions is essential in preventing and addressing sexual violence.

Preponderance of the evidence - The "preponderance of the evidence" standard requires that the evidence supports a finding that it is more likely than not that the alleged misconduct occurred. This means that if the evidence suggests even a slight tipping of the scales towards one side, that side prevails.

Quid pro quo harassment - This occurs when someone in a position of authority offers or demands sexual favors in exchange for educational or employment opportunities, benefits, or to avoid negative consequences. It creates a hostile environment and violates Title IX regulations and other anti-discrimination laws.

Rape - This is anal, oral, or vaginal penetration, however slight, with any object, or by a person of any gender without consent.

Reasonable person - Under Title IX, a "reasonable person" refers to a hypothetical individual who possesses the same characteristics and is in similar circumstances as the complainant. This standard is used to evaluate behavior or actions based on what a typical person would consider reasonable in a given situation.

Recovery - The process of healing and rebuilding one's life following a traumatic experience like sexual assault. Recovery may involve accessing support services, engaging in therapy, and developing coping strategies to address the physical, emotional, and psychological effects of trauma.

Reporters - Under Title IX, when any non-confidential employee learns about possible sexual violence, sexual harassment, or sex discrimination that they reasonably believe took place, they must respond.

Reporting process - The Title IX reporting process involves informing the Title IX coordinator or any faculty member or administrator about incidents of sexual harassment, discrimination, or violence within an educational institution. This initiates an investigation into the complaint, followed by steps to address the allegations, provide support to the parties involved, and ensure compliance with Title IX regulations.

Respondent - In Title IX investigations, the respondent is the individual who is accused of engaging in the alleged misconduct and is the subject of the investigation.

Retaliation - This refers to an adverse action taken against an individual for reporting or participating in a Title IX investigation or proceeding, including peer harassment. This can include threats, intimidation, harassment, or other materially adverse negative treatment, and it undermines the integrity of the reporting and investigative process.

Sanctions and penalties - Sanctions and penalties resulting from Title IX investigations are disciplinary actions imposed on individuals found responsible for violating Title IX regulations. These can include measures such as educational interventions, suspension, expulsion, or other appropriate remedies aimed at addressing and preventing further instances of sexual harassment or discrimination.

Sex - Title IX defines "sex" as a person's gender identity, sexual orientation, and actual or perceived gender assigned at birth.

Sex-based harassment - Sex-based harassment includes sexual harassment (including sexual violence and other types of sexual misconduct) and gender-based harassment.

Sexual assault - This is any non-consensual sexual act or behavior against an individual. It encompasses a range of actions, including but not limited to, unwanted touching, penetration, or coerced sexual activity, and it violates the autonomy and rights of the victim. It can happen over or under clothing and can involve the use of any object.

Sexual harassment - Sexual harassment is a form of sex-based harassment. It includes unwanted sexual behavior, advances, or requests for favors which a reasonable person would find offensive. It creates an environment that is intimidating, hostile, or offensive, and can affect a person's work or educational performance. To be considered sexual harassment, the behavior only needs to be sufficiently severe or pervasive, and objectively offensive so as to limit or deny a person's ability to participate in or benefit from the Institution's education program or activity.

Stalking - Stalking involves repeated and unwanted attention, harassment, or contact directed towards a specific individual, causing fear or emotional distress. It can manifest through various means such as following, monitoring, or threatening behavior, and it violates the victim's sense of safety and autonomy.

Support resources - Support resources include counseling services, hotlines, support groups, and advocacy organizations that offer assistance to survivors of sexual assault or harassment.

Supportive measures - This refers to services or other assistance provided to parties involved in a Title IX investigation to ensure their safety and well-being. These measures are offered regardless of whether an investigation is initiated, and aim to support the parties throughout the investigation and resolution process.

Survivor versus victim - "Victim" typically refers to someone who has experienced harm or wrongdoing, such as sexual assault, while "survivor" implies resilience and strength in overcoming such experiences. Some prefer the term survivor as it emphasizes empowerment and acknowledges the individual's journey beyond the victimization. We take the viewpoint that it is up to the individual to decide when to go from victim to survivor once they have moved far enough along in their healing process.

Title IX - Title IX of the Civil Rights Act of 1964 prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance. It mandates equal opportunities for both genders in athletics, academics, and other areas of education.

Title IX Coordinator - A Title IX Coordinator is responsible for ensuring compliance with Title IX regulations within educational institutions. They oversee investigations into reports of sex-based discrimination, harassment, or violence and work to create and maintain a safe and equitable learning environment for all students.

Title IX Hearing Officer or Panel - The role of a Title IX hearing officer or panel is to preside over formal hearings related to allegations of sexual harassment or discrimination under Title IX. They review evidence, hear testimony from involved parties and witnesses, and make determinations regarding responsibility based on a preponderance of the evidence standard.

Title IX investigator - The role of a Title IX investigator is to impartially gather evidence, interview witnesses, and assess allegations of sexual harassment or discrimination in accordance with Title IX regulations. They work to ensure a fair and thorough investigation process, ultimately providing a detailed report to aid in the resolution of the complaint.

Title VII - Title VII of the Civil Rights Act of 1964 is a federal law in the United States that prohibits employment discrimination based on race, color, religion, sex, and national origin. It covers most employers with 15 or more employees and aims to ensure equal employment opportunities and fair treatment in the workplace.

Trauma - Trauma refers to the emotional and psychological impact of experiencing sexual assault or harassment. It can manifest in various symptoms, including anxiety, depression, PTSD, and difficulty in forming relationships.