



Association of
Title IX Administrators

2021

Lawrence Tech University Title IX Training

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TITLE IX

20 U.S.C. § 1681 & 34 C.F.R. Part 106 (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 educational program or activity receiving federal financial assistance.”

X

TO WHOM DOES TITLE IX APPLY?

- Federal Law enacted in 1972
- Intended to end sex discrimination in all areas of education, including in employment
- Made non-discrimination based on sex/gender a condition of participation in all federally funded education programs for both public and private institutions
- It applies to educational program equity, such as in athletics, and also to sexual harassment and sexual misconduct and violence
- Compliance with the law is overseen by the U.S. Dept. of Education, Office of Civil Rights

KEY TITLE IX-RELATED ISSUES

Sex Based Discrimination

- Program Equity
- Recruitment, Admissions and Access
- Pregnancy
- Athletics
- Employment, Recruitment and Hiring
- Extra-curricular activities
- Housing
- Access to Course Offerings
- Salaries and Benefits
- Financial Assistance
- Facilities
- Funding
- Sex, Gender, Gender Identity, Gender Expression

KEY TITLE IX-RELATED ISSUES

Sexual Harassment

- Stalking
- Domestic Violence
- Dating Violence
- Sexual Assault
- Sexual Violence
- Sexual Exploitation
- Sexual Intimidation
- Sexual Misconduct
- Bullying and Cyberbullying
- Retaliation

IMPACT ON THOSE INVOLVED

TO THE VICTIM

- Falling Grades
- Drop out/Fail out
- Mental Health Issues
 - Depression, Post-traumatic stress disorder
 - Alcohol and drug use
 - Contemplation of suicide

TO THE ACCUSED

- Time lost from class or work
- Potential expulsion from school or job
- Impact on ability to obtain a medical license, or get recommendations
- Stigma of accusation on reputation

IMPACT ON THE INSTITUTION

- Impact on victim support and assistance on system and people
- Retention issues
- Legal liability
- Reputational Issues
- Demands on fiscal resources
- Demands on human resources
- Safety concerns for the community

LEGAL REMEDIES

An individual may assert a Title IX claim against the institution by:

- (1) Suing the institution in court and seek money damages or injunctive or declaratory relief

And/Or

- (2) File an administrative complaint, a grievance with U.S. Dept of Ed Office Of Civil Rights (OCR)

MANDATORY REPORTING

- A “Mandatory Reporter is any employee at LTU, other than those with confidentiality.
- Mandatory Reporters are required to report any actual or suspected sexual harassment, assault or retaliation to a Title IX Officer:
 - Kevin Finn
Dean of Students
248-204-4100
kfinn@ltu.edu
 - Deshawn Johnson
Associate Vice President and Chief Human Resources Officer
248-204-2117
djohnson@ltu.edu

WHAT A MANDATORY REPORTER MUST SAY

What a Mandatory Reporter must tell someone who wishes to share information about sex or gender discrimination or a sexual misconduct incident

- Inform the individual of:
 - The faculty/staff member's obligation to report the information to the Title IX Coordinator
 - Where they can report confidentially
 - Counseling and other support services
 - The right to file a Title IX-based complaint
 - The right to report the crime to campus or local law enforcement

WHAT DOES A MANDATORY REPORTER SHARE WITH TITLE IX COORDINATOR?

- All relevant details about the sex or gender discrimination or misconduct that was reported to the Mandatory Reporter. This includes:
 - Name of the alleged perpetrator
 - The name of the individual who experienced the misconduct
 - Any other students involved in the situation
 - Relevant facts, including date, time and location of the incident

WHAT ABOUT CONFIDENTIAL EMPLOYEES?

- Confidential employees with state-conferred privilege are not required to report knowledge of sex/gender misconduct
 - Confidential Employees Include:
 - Campus mental-health counselors
 - Pastoral counselors
 - Physicians and health care providers
- Employees may be deemed by the institution as Confidential/Private Reporting Sources:
 - Social workers
 - Someone supervised by an employee with Confidentiality/Privilege



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