

# Fall Term 2020: Hitting the Ground Running

## Title IX Basics for Faculty & Staff



Maureen De Armond, Title IX Coordinator

A close-up photograph of several runners' hands on a red track, ready for a race start. The runners are positioned in a starting block, with their hands placed on the track surface. The track is a vibrant red color with white lane markings. The runners' hands are in various positions, some with fingers spread, indicating they are about to start. The background is slightly blurred, focusing attention on the hands and the track.

- **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.***



**IF YOU SEE SOMETHING SAY SOMETHING DO SOMETHING**

# 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:** As employees, you have an obligation to report to the Title IX Coordinator known or suspected violations of Title IX
- **Faculty are not Confidential Resources**

## Oregon Tech's Title IX Coordinator is:

Maureen De Armond, Associate Vice President

3201 Campus Drive, Snell Hall 108

Klamath Falls, OR 97601

Ph: 541.885.1108, Fax: 541.885.5200

Primary Email: [maureen.dearmond@oit.edu](mailto:maureen.dearmond@oit.edu)

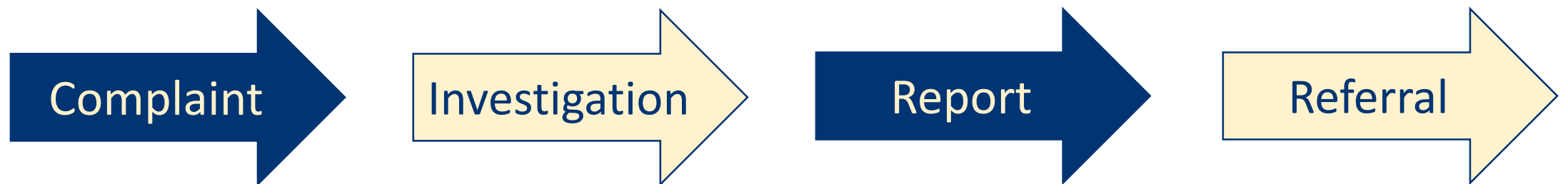
Title IX Email: [TitleIX@oit.edu](mailto:TitleIX@oit.edu)

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](mailto: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. Our policies are designed to support students from diverse backgrounds and experiences for its various programs.

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

Sexual Misconduct has no place on our 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 issued a Dear Colleague Letter regarding Title IX of the Education Amendments of 1972. Oregon Tech has updated its policies, procedures, and reporting processes in September 2020 with updated information that involved sexual misconduct or Title IX. 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

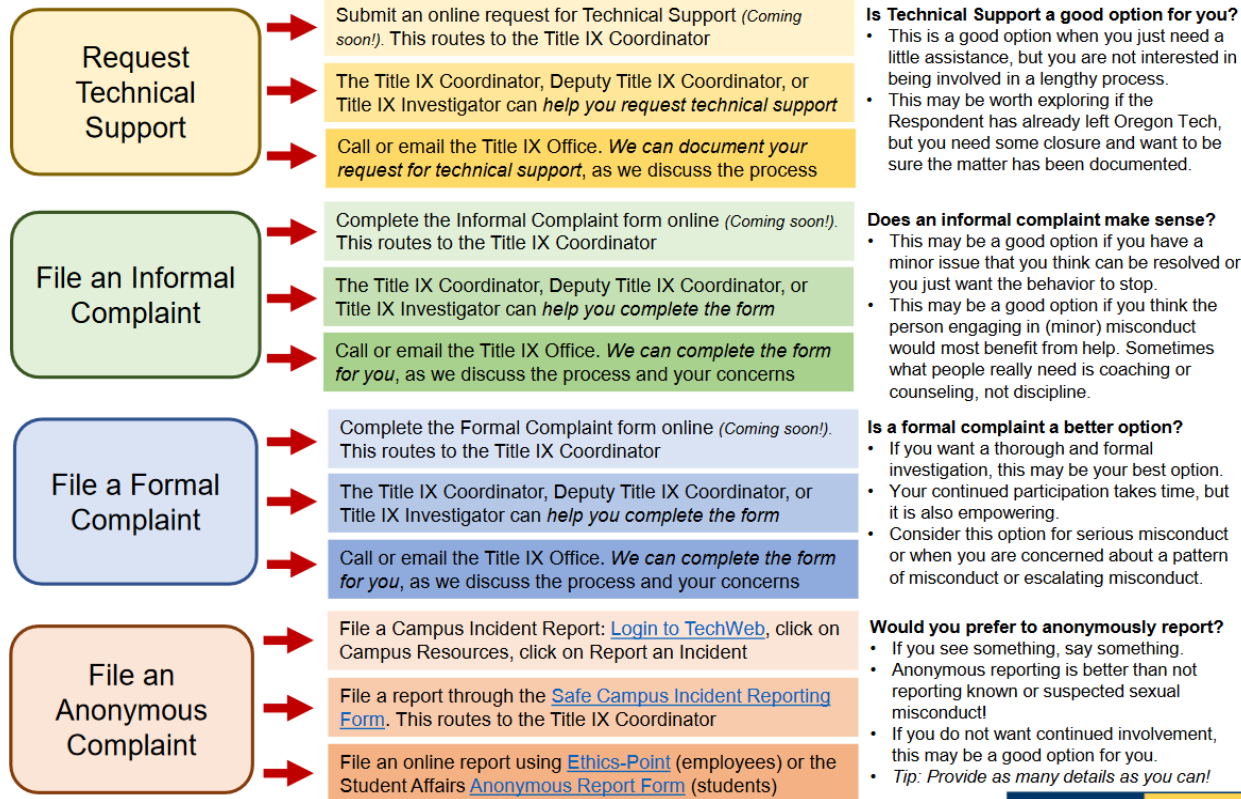
Sexual & Relationship Violence Resources - Klamath Falls Students

Sexual & Relationship Violence Resources - Portland-Me... Students

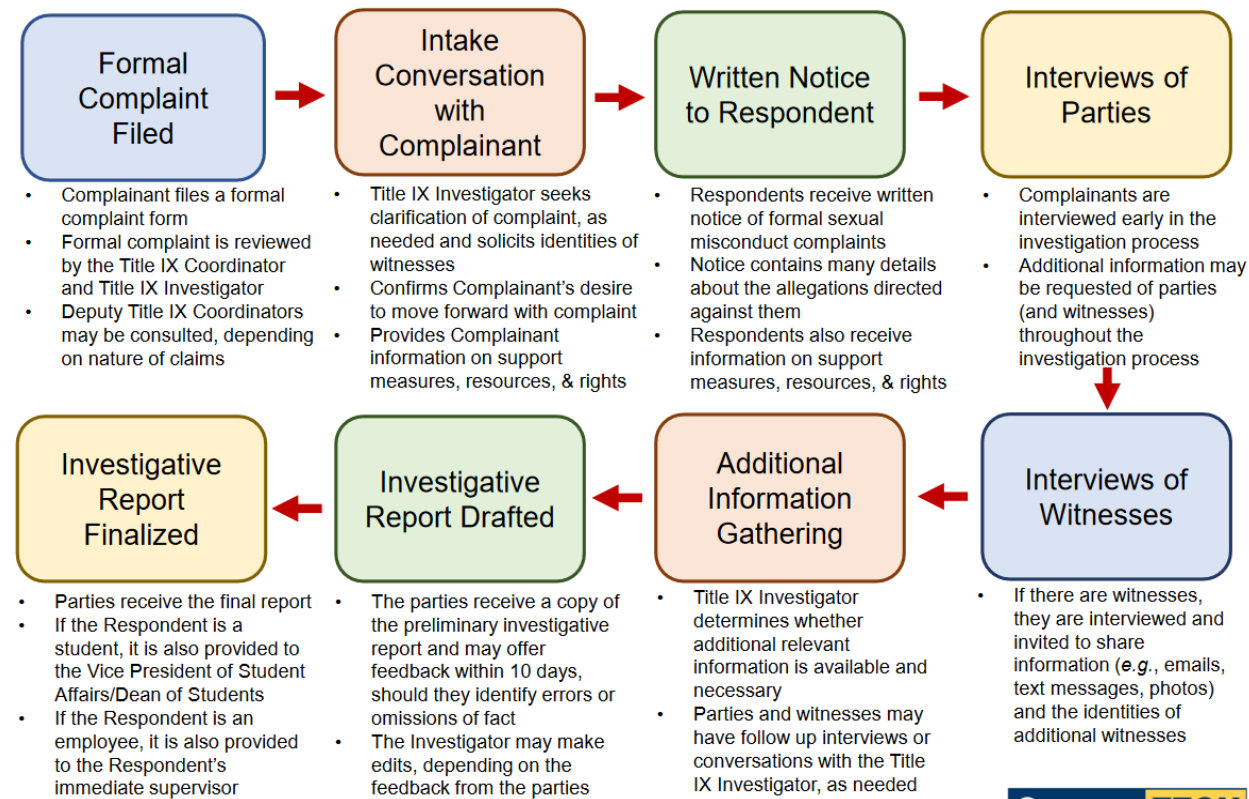


# Title IX: Process Overview

## Sexual Misconduct Complaint Options For Students with Concerns



## Sexual Misconduct Overview of the Investigation Process



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

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





# Discussion & Questions

**Oregon** **TECH**

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