

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving Federal financial assistance."

Understanding Title IX



Understanding Title IX Training Objectives

- An introduction to Title IX
- Definitions and examples to of sexual harassment and sexual violence
- Campus SaVE Act (Sexual Violence Elimination Act)
- Pregnant and parenting students
- Clarification of roles, expectations, and complaint procedures
- Summary of key points and available resources

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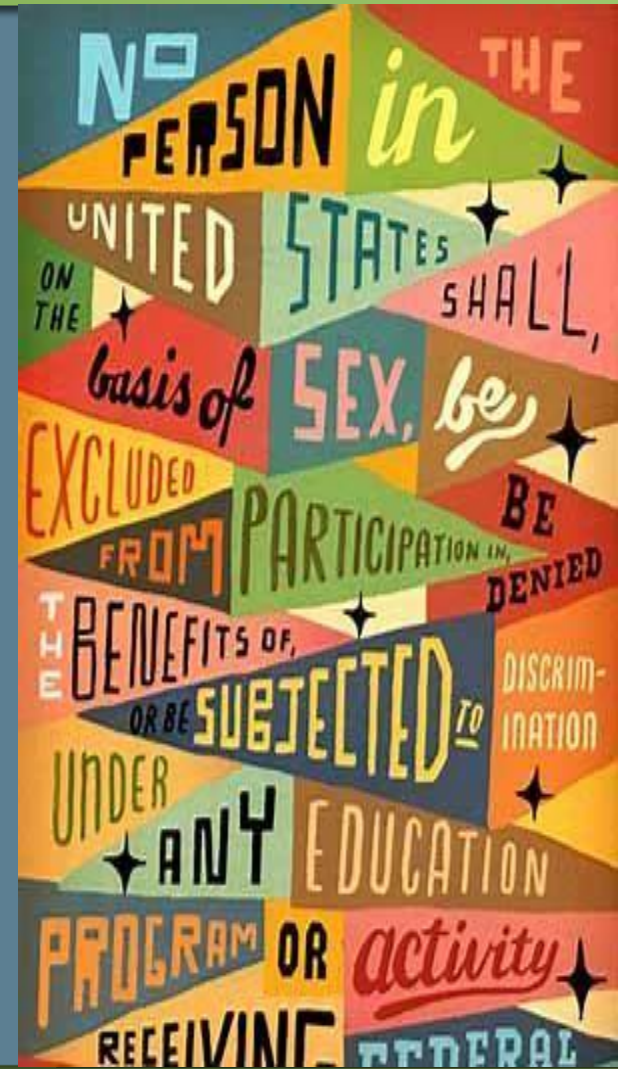
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What is Title IX?

✦ Title IX of the Education Amendments of 1972

- Signed by President Richard Nixon on June 23, 1972
- Prohibits discrimination on the basis of sex by recipients of Federal financial assistance
- 2011 Dear Colleague Letter reiterated the requirements of Title IX and issued new guidelines
- 2020 Title IX “Final Rule”



What does Title IX cover?

- ⊕ Sexual Harassment/Violence of Students and Employees
- ⊕ Employment Practices including hiring and retention of employees
- ⊕ Gender Discrimination
- ⊕ Benefits and Leave
- ⊕ Counseling
- ⊕ Recruitment, Admissions, Financial Aid and Scholarships
- ⊕ Course Offerings and Access
- ⊕ Pregnancy and related medical conditions

Who is protected under Title IX?



- ⊕ Both MEN and WOMEN
- ⊕ Both STUDENTS and EMPLOYEES

Sexual Harassment and Sexual Assault



What is Sexual Harassment?

- ⊕ Quid pro quo harassment;
- ⊕ Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the institution's education program or activity; and
- ⊕ Sexual assault, dating violence, domestic violence, or stalking.

Examples of Harassment

- ⊕ Sending sexually oriented jokes on an email list, even after being asked to stop
- ⊕ Supervisors frequently rating the bodies and sex appeal of employees to include comments about their clothing and appearance
- ⊕ Male students begin calling a brunette student “Monica” as in Monica Lewinsky because of the resemblance; becomes the target of relentless remarks
- ⊕ A professor insists for a student have sex with her/him in exchange for good grades



These examples are provided by the ATIXA Gender-Based and Sexual Misconduct Model Policy and Civil Rights Investigation Grievance Procedures

What is Sexual Assault?

- ⊕ Any type of sexual activity that you do not agree to
- ⊕ It may be verbal, visual, or anything that forces a person to join in unwanted sexual contact
- ⊕ It can happen in different situations
- ⊕ Based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation

This definition is provided by the Office of Women's Health

Examples of Sexual Assault

- ⊕ A female employee is working late at the hospital completing patient charts. A male co-worker makes a suggestive comment, backs her into a corner and rubs her breasts.
- ⊕ Two people on a date take a walk through the park. While sitting on a bench they start kissing. She is OK with this but says she doesn't want to go any further. When he pins her down, she tells him to stop. He accuses her of leading him on and forces her to have intercourse.
- ⊕ One night a male student is visiting a friend and feels justified in forcing his partner to have sex because the couple has had a previous sexual relationship.
- ⊕ A guy passes out at a party. As he goes in and out of consciousness, he hears three girls laughing and sees them removing his pants. They write on his body and genitals. He is too incapacitated to stop them.





The Campus SaVE Act

Campus SaVE Act Evolution

⊕ 1990 - Clery Act

- this act amended federal financial aid laws to require all participating postsecondary institutions to disclose campus crime statistics and security information

⊕ 2013 - Campus SaVE Act

- Mandated extensive "primary prevention and awareness programs" regarding sexual misconduct and related offenses

⊕ 2014 - Campus SaVE Act

- Requires schools to report compliance with the Campus Save Act in their Annual Security Reports to include information on education programs on sexual violence prevention

Pregnant and Parenting Students



**GOAL – Support ALL of
our Students**

What Are We Required to Do?

- ⊕ Make adjustments that are reasonable and responsive to the student's temporary pregnancy status
- ⊕ Allow a pregnant student to attend classes and any other school-sponsored activity or organization
- ⊕ Excuse a student's absences due to pregnancy or childbirth
- ⊕ Reinstate the student to the status held before leave began
- ⊕ Allow the student to make up the missed work
- ⊕ Protect the student from harassment
- ⊕ Educate our faculty and staff

Things We Want to Avoid

- ⊕ Allowing policies and practices of individual instructors to guide how we support students
- ⊕ Making accommodations because it is obvious
- ⊕ **Not** following all Title IX guidelines
- ⊕ Discrimination of pregnant students

Strategies and Next Steps

- ⊕ Meet as an academic team to discuss and develop an action plan for making up assignments, examinations and experiences
- ⊕ Identify a team lead from this group to ensure your adjustments are well documented
- ⊕ Conduct this as a group meeting with the student and academic team when possible
- ⊕ Engage your Title IX Coordinator for clarity and/or participation in these discussions



OUR Responsibilities

Your Responsibility:

What is my role as an active bystander?

- ⊕ Be **Aware** and **Ready** to **React**
- ⊕ We **ALL** need to be knowledgeable about bystander intervention and think through a situation before intervening
- ⊕ You should never ignore a situation and assume someone else will speak up
- ⊕ Instead be ready to have a discussion with the person about behavior that may or may not be acceptable
- ⊕ Guide them to the appropriate resources

Your Responsibility: How do I initiate a complaint?

- ⊕ Who is a **Responsible Employee**?
- ⊕ It is **EVERYONE'S** responsibility to file any complaints of sex discrimination with the Title IX Coordinator
- ⊕ It is preferred that these complaints are done in writing by completing the Title IX complaint form and submitting it to the Title IX Coordinator
- ⊕ Complaints should be filed timely
- ⊕ Privacy and confidentiality is priority and case details are on a need to know basis only

School Responsibility:

Who should receive Title IX complaints?

⊕ Title IX Coordinator

- Provides information and training to students and employees
- Ensures the school is in compliance with Title IX
- Investigates and resolves complaints promptly and effectively; issues final disposition
- Identifies and addresses systemic issues

⊕ U.S. Department of Education's Office for Civil Rights

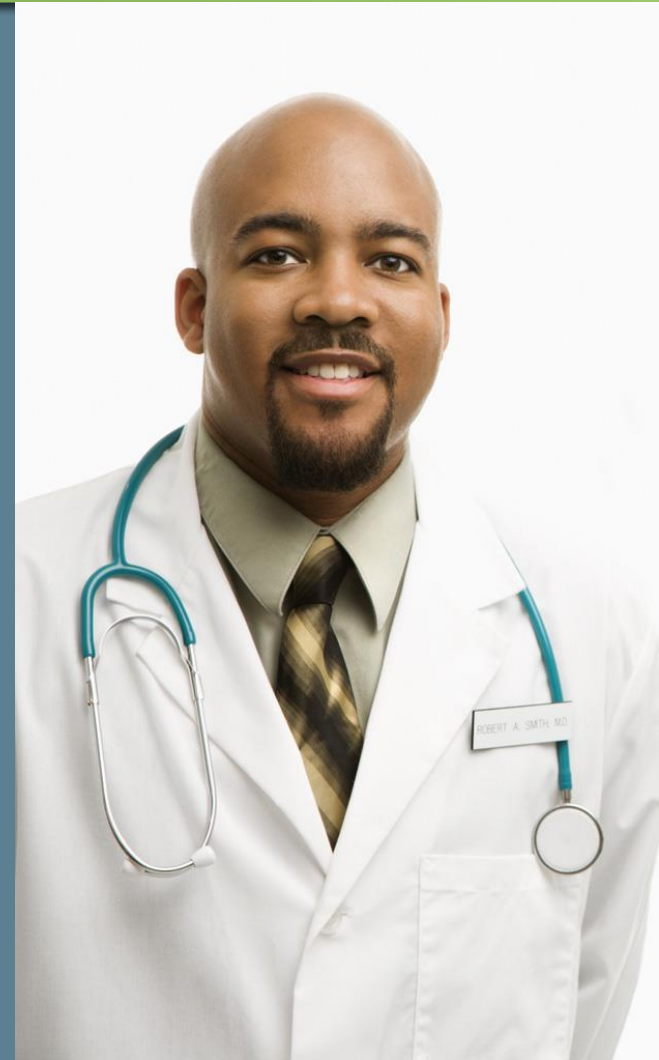
- You may file a complaint directly with the OCR

Resources

- ⊕ Title IX Coordinator
- ⊕ MSM Department of Public Safety
- ⊕ MSM Counseling Services (Students)
- ⊕ Employee Assistance Program (Employees)
- ⊕ Grady Rape Crisis Center
- ⊕ U.S. Department of Education's Office for Civil Rights
- ⊕ *Not Alone, Official Website of the United States Government*

Key Points to Remember

- ⊕ Morehouse School of Medicine does not tolerate sex discrimination, sexual harassment or sexual violence of any kind
- ⊕ Review MSM's Sex/Gender Non-discrimination and Anti-Harassment Policy; the grievance procedures are outlined in the policy
- ⊕ Know your legal rights under Title IX
 - they are NOT negotiable
 - they are NOT subject to compromise
- ⊕ Remember to report all issues of sex discrimination and sexual harassment to the Title IX Coordinator
- ⊕ Contact the Title IX Coordinator any time you have a question





THANK YOU