Mobilizing Your Community to Support Title IX

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How Title IX Evolved

1972
Title IX was passed prohibiting gender-based discrimination within educational institutions.

1980
Alexander v. Yale U. found that sexual harassment is a form of discrimination and, thus, is illegal under Title IX.

1992
Franklin v. Gwinnett County Public Schools determined that sexual assault is a form of sexual harassment.

1999
Davis v. Monroe County Board of Education held schools liable for student-on-student sexual harassment. The U.S. Supreme Court stated that “the harassment was so severe, pervasive, and objectively offensive that it deprived the plaintiff of access to the educational opportunities or benefits provided by the educational institution.”

2003
Kelly v. Yale U. ruled that colleges are required to respond to student rape allegations.

2011
The Office of Civil Rights released the Dear Colleague letter on Title IX.
What Schools are Doing for Title IX?

Schools receiving federal funding are obligated to respond to reports of sexual harassment and sexual violence involving students or employees.

- Educational institutions must publish a **notice of nondiscrimination**.
  - The notice of nondiscrimination should clearly state that the institution does not discriminate based on sex through its programs or activities.
- Each institution must appoint a **Title IX coordinator**, who is tasked with maintaining compliance with Title IX.
- Each school must implement and make accessible **equitable grievance procedures** for the reporting and resolution of sexual assault or sexual harassment complaints.
Connecting to Schools

When working with schools, we can’t only focus on students. Administrators matter, too. But you need to understand their language, and let them know you’re there to help.

• Harassment affects students well being, and their ability to succeed academically.
  – 45 percent of Missouri middle school students report being bullied on school property.
  – 15 percent of Missouri high school females report being forced to have sexual intercourse.
K-12 Schools
Sexual harassment is common even though most schools have “anti-bullying” or “anti-harassment” policies.

All students can experience harassment, but sexual harassment and gender-based harassment is more prevalent for females and students who identify as or are perceived as LGBT.
The Campus SaVE Act expands the Clery Act by requiring transparency, accountability, education and collaboration from post-secondary schools.

- **Transparency**: this means that institutions must disclose incidences of violence in their annual crime statistics report. Victims of crimes **must** also be informed of their rights in writing.
- **Accountability**: Campus SaVE provides standards and guidelines for campus disciplinary proceedings.
- **Education**: Campus SaVE requires that institutions provide training on domestic and dating violence, sexual assault and stalking.
- **Collaboration**: Campus SaVE requires collaboration between the U.S. Department of Justice, U.S. Department of Education and the U.S. Department of Health and Human Services to establish best practices.
### Clery Act and Campus SaVE Graphic

#### Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

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#### The Campus Sexual Violence Elimination (SaVE) Act

<table>
<thead>
<tr>
<th>Transparency: incidences of domestic violence, dating violence, sexual assault and stalking must be included in the Annual Campus Crime Statistics Reports</th>
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<tr>
<td>Accountability: Schools must uphold minimum standards for disciplinary procedures regarding domestic violence or dating violence, sexual assault and stalking.</td>
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<td>Proceedings must be prompt, fair and impartial. Both parties can have support persons present at all hearings and meetings. Both parties must receive written outcomes of the hearings</td>
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<tr>
<td>Education: Educational programs focusing on domestic or dating violence, sexual assault and stalking must be provided to all students and employees.</td>
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<tr>
<td>Programs must feature primary prevention, awareness and bystander intervention models, must discuss risk reduction and warning signs for abuse. Ongoing prevention and awareness programming must be available to students and employees.</td>
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<tr>
<td>Collaboration: SaVE establishes collaboration between the U.S. Departments of Justice, Education, and Health and Human Services to collect and disseminate best practices for preventing and responding to domestic violence, dating violence, sexual assault, and stalking.</td>
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Primary prevention education should be incorporated into other efforts.

Prevent reoccurrence + address the effects. But first you have to know the scope of the problem.

On-going, comprehensive education for multiple audiences.
Creating Safer Campuses

- Bystander intervention + positive norms around gender and sexuality
- Coach implemented messages + dorm or learning community based messages
- Engage campus leadership + climate survey
- Strengthen partnerships between campus and community orgs & businesses
Working with Survivors

- Listen to and believe the survivor. Address any concerns of self-blame.
- Discuss confidentiality with the survivor.
- Empower the survivor.
- It is an advocate’s job to:
  - Help the survivor regain a sense of safety.
  - Listen to the survivor’s story if she or he chooses to tell it and acknowledge the experience.
  - Affirm the injustice of the violence.
  - Respect the choice the survivor makes.
  - Provide information on community and campus services.
  - Respect the survivor’s confidentiality.
Differences between Responses

Title IX Investigation
- Takes place through the Title IX Investigator and the Campus Conduct Office
- May involve Campus security/police but not necessarily
- SaVE Act requires a prompt, fair and impartial response by federally funded institutions

Police Investigation
- Takes place through the Criminal Justice System
- Involves community police officers and may involve campus police officers/security officers
- May take longer amount of time to reach a conclusion
Prevention Strategies

Not Alone
Together Against Sexual Assault

1 in 2 Many

It's On Us
Thanks!

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