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**Overview:
New Title IX Regulations
and the Partnership of Equity, Diversity, and
Inclusion in the Remote Learning Environment**

Presented by
Valparisa J. Baker
June 30, 2020

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AGENDA

- Brief History of Title IX
- Synopsis: Title IX Changes
- What Does This Mean for Faculty?
- Responsible Employees
- Red Flags: Title IX Violations
- TIPS: Remote Learning from an Equity and Inclusion Perspective
- Wrap-up

TITLE IX of the Education Amendments Act of 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 education program or activity receiving Federal financial assistance.”

–Legal Citation: Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX)



9 THINGS TO KNOW ABOUT TITLE IX

1 Title IX is a civil right that prohibits sex discrimination in education.

2 Title IX applies to all students regardless of gender identity.

4 Schools should ensure that no student has to share campus spaces (such as dorms, classes, and workplaces) with their abuser.

5 Schools can issue no-contact directives to prevent accused students from approaching or interacting with you.

3 Schools may not retaliate against someone filing a complaint and must keep complainants safe from other retaliatory harassment.

6 Schools must be proactive in ensuring that your campus is free from sex discrimination.

7 Schools cannot discourage you from continuing your education.

8 All schools receiving federal funding, including public K-12 schools and the majority of colleges, are subject to Title IX.

9 Schools must have an established procedure for handling complaints of sexual discrimination, harassment, and violence.

Title IX: Who is Protected

Protects all students and employees:

- male or female;
- straight, gay, lesbian, bisexual and transgender;
- part-time or full-time students and employees;
- students with or without disabilities;
- Regardless of race, color, national origin, sex, ethnicity, religion, age, veteran's status, pregnancy, marital status, disability or genetic information

College Rules and Procedures

- Rule 3.27 – Harassment/Sexual Harassment
- Rule 4.01 – Student Code of Conduct
- Rule 4.26 – Student Appeal/Complaint Policy
- Procedure 6013 – Grievance Procedure
- Procedure 6076 – Sexual Harassment
- Gender-Based Sexual Misconduct Procedure



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New Changes

Implementation Date: 8/14/20

- Notice to College - Actual Knowledge
- Definition of Sexual Harassment - Title IX Purpose
- Sexual Harassment - Jurisdiction
- Accessible Reporting - Title IX Coordinator
- Institution Obligation:
 - Supportive Measures
 - Definition: Complainant, Respondent, Formal Complaint, Supportive Measures

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NEW CHANGES

(cont'd.)

- Grievance Process
- Investigations/Complaints
- Standards of Evidence
- Hearings (Live)
 - All Parties
 - Cross Examinations
 - Rape Shield
- Appeals
- Informal Resolution
- Retaliation

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TRAINING

- General Training - All Employees
- Specific Training
 - Coordinators
 - Investigators
 - Decision Makers
 - Hearing Panelist
- Publication
 - Institutional Materials
 - Proprietary Materials (Trademark)

Role of Faculty in This New Regulation Process

Training:

- Responsible Employees (RE)
 - Investigate vs. Report
 - Request Information

Who Are Responsible Employees?

A responsible employee includes any employee who:

- Has the authority to take action to redress sexual violence;
- Who has been given a duty to report incidents of sexual violence or any other misconduct by students;
- Or whom a student could reasonably believe has this authority or duty.

Source:

Questions and Answers on Title IX and Sexual Violence, United States Department of Education, Office for Civil Rights, p. 15.



Responsible Employees: Why am I required to report?

Compliance

The U.S. Department of Education, Office for Civil Rights (OCR) requires Responsible Employees to report incidents to the Title IX Coordinator so that the institution may respond to and prevent sex discrimination in the educational environment.

Values

Polk State College is committed to providing all students and employees with a safe and secure learning and working environment that is free of discrimination on the basis of sex. **Reporting incidents to the Title IX Coordinator helps to ensure the safety of everyone in our environment and supports the value we place on being a diverse community of inclusive excellence.**

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Responsible Employees

What Information do I need to report?

- ***Names:*** Report the names of the complainant and respondent (alleged) parties, witnesses, if available, and your name.
- ***Date:*** Report the date of the alleged incident, if known.
- ***Time:*** Report the time of the alleged incident, if known.
- ***Location:*** Report where the alleged incident occurred , if known.
- ***Nature of the Incident:*** Report the information shared with you.

NOTE: You do not investigate. You only share the information told to you.

Title IX Reporting Authorities: Non-Confidential

Title IX Coordinator:

Ms. Valparisa J. Baker
Chief Diversity Officer
Office of Equity, Diversity, and
Inclusion
Title IX Coordinator

Deputy Title IX Coordinator:

Faculty, Staff, and Third-Parties:

Ms. Jill Hall
District Director, Human Resources

Deputy Title IX Coordinators-Students:

Mr. Sylvester Little
Dean Student Services-Lakeland Campus

Dr. Lawrence Pakowski
Dean Student Services-Winter Haven
Campus

Confidential Reporting: Internal Resources

Kimberly Pearsall
863.669.2309
Lakeland Campus
LTB 1273

Christina Fullerton
863.292.3663
Winter Haven Campus
WLR 356

Baycare Student Assistance Program
863.669.2309 or 800.878.5470

New Direction Staff Assistance Program
800.624.5544

EXTERNAL RESOURCES

The following are other off-campus confidential support resources:

- Peace River Rape Crisis Services 863.413.2707
1.877.688.5077
- Florida Coalition Against Domestic Violence 1.800.500.1119
- Florida Council Sexual Violence Hotline 1.888.956.7273
- National Child Abuse Hotline 1.800.422.4453
- National Domestic Violence Hotline 1.800.799.7233
- National Sexual Assault Hotline 1.800.656.4673
- National Stalking Resource Center 1.800.FYI.CALL



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EXTERNAL RESOURCES (Cont'd.)

Rape Recovery and Resource Center Crisis Hotline
863.413.2707 or 877.688.5077 or 800.627.5906

Polk County Courthouse
863.534.4000

Peace River Domestic Violence Shelter
863.413.2700 (24-hour assistance – hotline)

State Attorney's Office
863.534.4800

Polk County Sheriff's Office
863.298.6200

Lake Wales Police Department
863.678.4223

Winter Haven Police Department
863.291.5858

Bartow Police Department
863.534.5034

Lakeland Police Department
863.834.6966

Source: <https://www.polk.edu/campus-safety-security/stop-sexual-violence/additional-contacts-resources/>

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Potential Red Flags: Title IX Violation

- Lack of consistency with standard of evidence for sexual misconduct hearings
- Not offering interim measures for both parties
- Not providing notice of investigation to the respondent



U.S. Department of Education Office for Civil Rights (OCR)

Further information about Title IX and sex discrimination in education is available from the Office for Civil Rights.

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Building
400 Maryland Avenue, SW
Washington, DC 20202-1100
Phone: 800-421-3481
Fax: 202-453-6012; TDD: 800-877-8339
E-mail: OCR@ed.gov

Website: <https://www2.ed.gov/about/offices/list/ocr/index.html>

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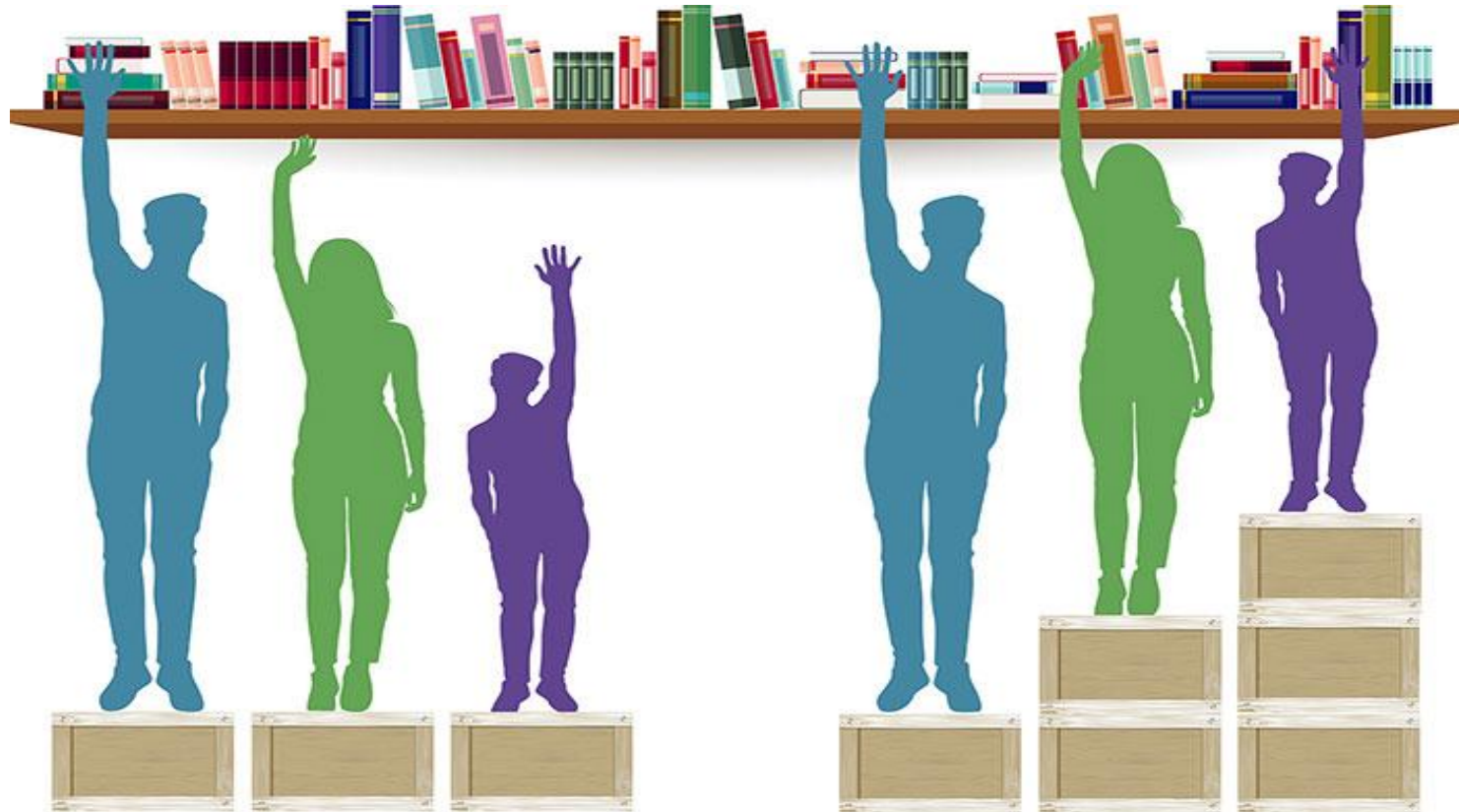
Remote Learning from an Equity and Inclusion Perspective with a Be-Attitude



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Equality

Equity

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BE-ATTITUDES

- Be Identity-Conscious
- Be Proactive

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BE-ATTITUDES

- Be Accessible
- Be Open-Minded



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BE-ATTITUDES

- Be Relational
- Be Transparent

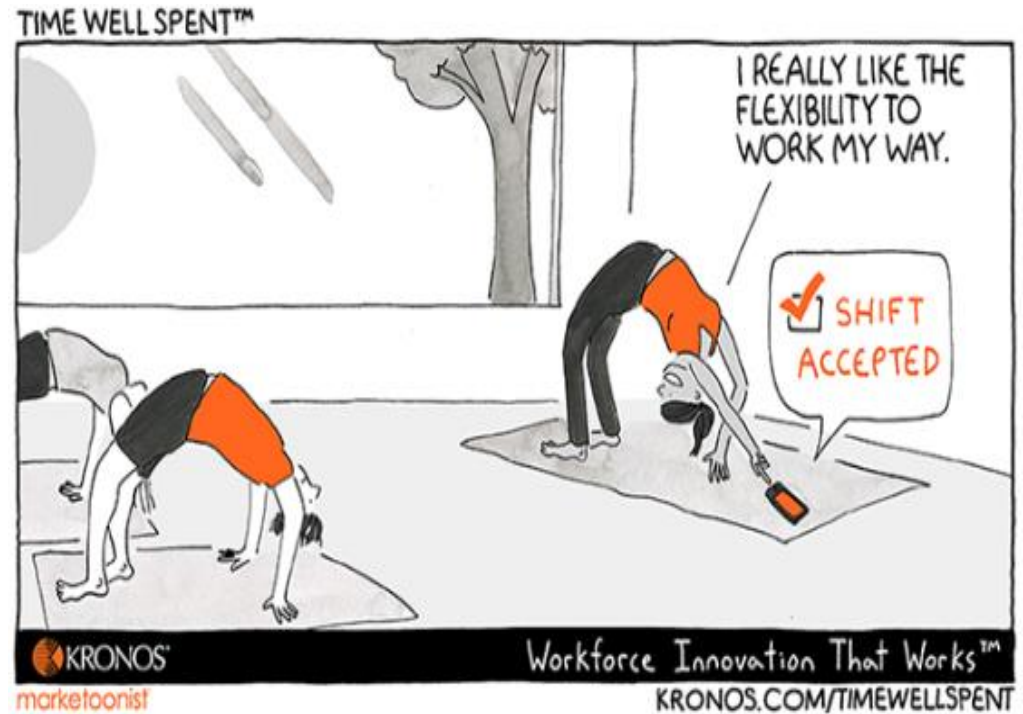




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BE-ATTITUDES

- Be Flexible
- Be Considerate



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THANK YOU

Thank you for the opportunity to share with you during the Faculty Professional Development Series!

For additional information on Title IX, visit the Title IX page on the OEDI webpage.

<https://www.polk.edu/equity-diversity-inclusion/title-ix/>

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Title IX Coordinator
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RESOURCES

Office of Civil Rights

https://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html

<https://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>

[OCR Webinar: Title IX Regulations Addressing Sexual Harassment \(Length: 01:11:29\) 05/06/2020](#)

Office of Equity, Diversity, and Inclusion

<https://www.polk.edu/wp-content/uploads/2019-2020-Annual-Equity-Report.pdf>

Know Your IX

<https://www.knowyourix.org/college-resources/title-ix/>

Rice University

<cte.rice.edu.Inclusion, Equity, and Access While Teaching Remotely>"Inclusion , Equity, and Access While Teaching Remotely"



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QUESTIONS



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