Fall Term 2020: Hitting the Ground Running Title IX Basics for RAs



Maureen De Armond, Title IX Coordinator





- Student Perspective
- RA Responsibilities
- Scenarios
- Discussion/Questions



What is Title IX?

No sex discrimination. No sexual assault. Period.



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."



Program Equity: All students to have equal access to Oregon Tech programs & activities.

Equitable treatment 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



Sexual Harassment

- 1. Sexual Assault; or
- 2. Quid Pro Quo; or
- 3. Hostile Work/
 Educational
 Environment



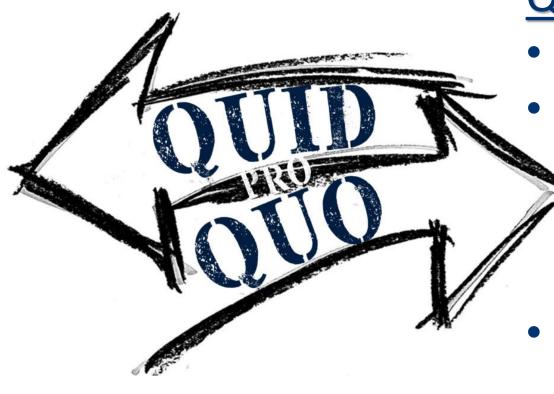


Sexual Assault:

- Any sexual contact made without consent
- Any conduct covered by Clery or VAWA
- Relationship Violence: domestic violence & dating violence
- Stalking (based on sex)







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 What does this mean?



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



Big Picture:

- Sex-based discrimination, harassment not permitted at Oregon Tech
- Once Oregon Tech learns of the conduct, it is required to take action
- People who are targets of such misconduct have rights
- People who are accused of such conduct also have rights
- Oregon Tech strives to balance compliance with the law, and fairness to the people involved



Always, Always, Always Get Consent:

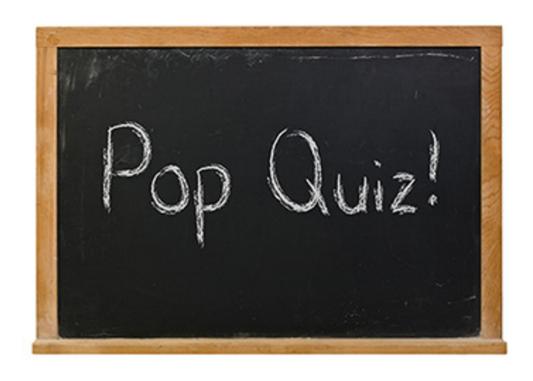
- What is consent? How do you know you have consent?
- What if you don't have consent? What does that mean?

CON-SENT [VERB]

To make a mutual, voluntary, informed decision between clear-minded, of age participants before ANY and EVERY sexual act.

minded, or age participants before ANY and EVERY sexual





Does this sound like consent?

- I guess that would be okay.
- I think I'm drunk. I guess so.
- Yes! You know I'm 15, right?
- I know I said okay earlier, but now I'm asking you to stop.
- Zzzzzzzzzz



- If something has happened or is on-going that may constitute a TIX violation, Oregon Tech wants to know
- Report the matter promptly...the sooner, the better Why?

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

Title IX Email: TitleIX@oit.edu

Title IX Webpage: https://www.oit.edu/title-ix



- Students are not required to file a formal complaint
- Perhaps, they just want Support Measures What are these?
- No presumption of culpability What does this mean?
- Due Process for both parties What does this mean?
- Preponderance of information needed What about this?





Title IX: RA Responsibilities



Be Aware:

- When: The first few weeks of the fall term is the highest risk for students to be sexually assaulted
- Where: Majority of sexual assaults on campus are in student housing
- What: Alcohol is involved in a high percentage of sexual assaults



Title IX: RA Responsibilities

As an RA:

- You serve in a role with tremendous responsibilities
- You are a role-model
- You are a mandatory reporter
- You serve in a position of authority
- Your own conduct must be above reproach
- You cannot be afraid to do the right thing





Title IX: RA Responsibilities

 By law, mandatory reporters are individuals who have a duty to disclose their knowledge of sex discrimination or sexual harassment/dating violence as soon as they become aware of it

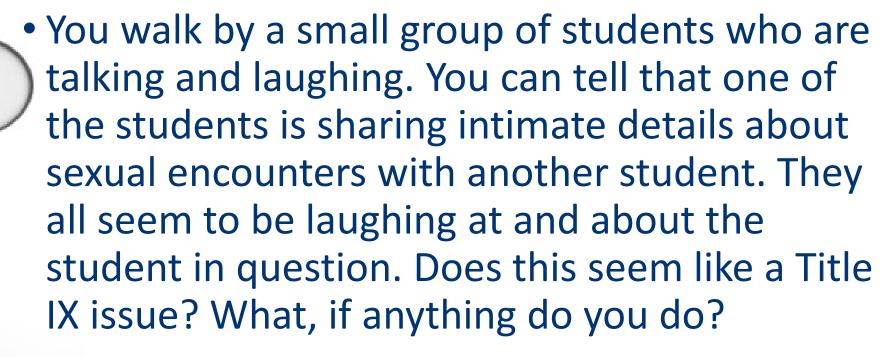
As a mandatory reporter, you cannot guarantee confidentiality to the victim

- You can consult with Oregon Tech staff for assistance determining whether your duty to report has been triggered
- You can still be discrete and respectful



Scenarios

• A student who lives on your floor comes to you and says, "I have something I want to talk about, but I need to talk to you as a friend, not as an RA. Is that okay?" How do you respond?





Scenarios

• You hear a rumor that a student's ex is sharing explicit photos of the student with other students. Do you need to do anything? If you hear that the photos were taken with consent when the two were seeing each other, does that change anything?

 A student comes to you with a complaint that is clearly
 Title IX and demands that the alleged violator be expelled
 immediately! How do you respond?

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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

Oregon Tech is committed to creating environment in which to study, live, we supports educational and career adva as academic and job performance. Or backgrounds and experiences for its v

Oregon Tech recognizes sexual misco umbrella term for behaviors, including exploitation, sexual assault, relationsh

Sexual Misconduct has no place on 0 and it will not be tolerated. People who

In May 2020, the U.S. Department of E Amendments of 1972. Oregon Tech a Oregon Tech's policies, procedures, ar September 2020 with updated informathat involved sexual misconduct or Tit Investigator.

What is Title IX?

Title IX of the Education Amendments of 1972 is a federal law that makes unlawful discrimination based or 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

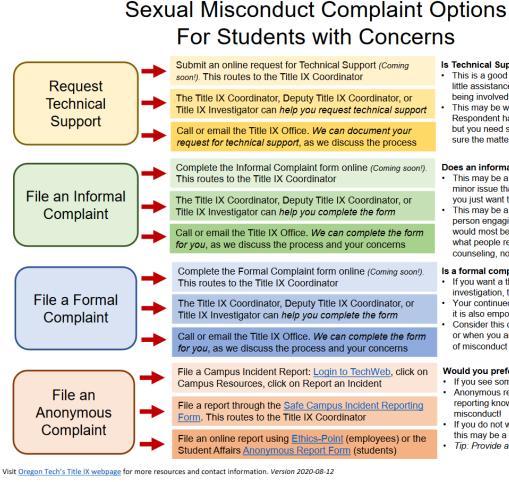
Sexual & Relationship Violence Resources - Boeing Students

Sexual & Relationship Violence Resources - Klamath Falls Students

Sexual & Relationship Violence Resources - Portland-

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Title IX: Resources



Is Technical Support a good option for you?

- This is a good option when you just need a little assistance, but you are not interested in being involved in a lengthy process.
- This may be worth exploring if the Respondent has already left Oregon Tech, but you need some closure and want to be sure the matter has been documented.

Does an informal complaint make sense?

- This may be a good option if you have a minor issue that you think can be resolved or you just want the behavior to stop.
- This may be a good option if you think the person engaging in (minor) misconduct would most benefit from help. Sometimes what people really need is coaching or counseling, not discipline.

Is a formal complaint a better option?

- If you want a thorough and formal
- investigation, this may be your best option.
 Your continued participation takes time, but it is also empowering.
- Consider this option for serious misconduct or when you are concerned about a pattern of misconduct or escalating misconduct.

Would you prefer to anonymously report?

- · If you see something, say something,
- Anonymous reporting is better than not reporting known or suspected sexual misconduct!
- If you do not want continued involvement, this may be a good option for you.
- Tip: Provide as many details as you can!



Sexual Misconduct Overview of the Investigation Process

Formal Complaint Filed

- Complainant files a formal complaint form
- Formal complaint is reviewed by the Title IX Coordinator and Title IX Investigator
- Deputy Title IX Coordinators may be consulted, depending on nature of claims

Intake Conversation with Complainant

- Title IX Investigator seeks clarification of complaint, as needed and solicits identities of witnesses
- Confirms Complainant's desire to move forward with complaint
- Provides Complainant information on support measures, resources, & rights

Written Notice to Respondent

- Respondents receive written notice of formal sexual misconduct complaints
- Notice contains many details about the allegations directed against them
- Respondents also receive information on support measures, resources, & rights

Interviews of Parties

- Complainants are interviewed early in the investigation process
- Additional information may be requested of parties (and witnesses) throughout the investigation process



Investigative Report Finalized

- Parties receive the final report
- If the Respondent is a student, it is also provided to the Vice President of Student Affairs/Dean of Students
- If the Respondent is an employee, it is also provided to the Respondent's immediate supervisor

Investigative Report Drafted

- The parties receive a copy of the preliminary investigative report and may offer feedback within 10 days, should they identify errors or omissions of fact
- The Investigator may make edits, depending on the feedback from the parties

Additional Information Gathering

- Title IX Investigator determines whether additional relevant information is available and necessary
- Parties and witnesses may have follow up interviews or conversations with the Title IX Investigator, as needed

Interviews of Witnesses

If there are witnesses, they are interviewed and invited to share information (e.g., emails, text messages, photos) and the identities of additional witnesses



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





Contact Information

Title IX Coordinator

Maureen DeArmond

Associate Vice President- Human Resources

Human Resources

SN108

541-885-1108

Send Email

titleix@oit.edu

Title IX Investigator

Michael McCormick

LRC 257

541.885.1073

michael.mccormick@oit.edu

Deputy Title IX Coordinators

Tanya Coty

Director- Student Success Center

SSC

LRC

541-885-1790

Send Email

Mandi Clark

Dir Housing/Residence Life

Residence Hall

RHA151

541-885-1087

Send Email

Kelly Caleb

Athletic Trainer

Fitness Center

PE207D

541-885-1623

Send Email

Iona Musgnung

Associate Director, Campus Life

Wilsonville

Send Email

