Title IX

Board of Trustees
Study Session
April 9, 2024

Title IX

Reporting discrimination Barton Policy

- All employees are mandatory reporters, except:
  - College nurse
  - Mental health counselor

Title IX

- Receipt of report—what then?
- Anonymous reports
  - Generally from anonymous reporting form on Title IX webpage
  - Barton may be limited in ability to respond
  - Investigate to extent possible

Title IX

- Under current regulations, if there is a known complainant and "Big 6" allegations, cannot investigate until a formal complaint is filed

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Title IX

- "Big 6" include
  - hostile environment sexual harassment
  - Sexual assault
  - Dating violence
  - Domestic violence
  - Stalking
  - Quid pro quo

Title IX

- Other Title IX offenses
  - Nonconsensual taking pix or videos of intimate activities
  - Nonconsensual distribution of pix or videos of intimate activities
  - Knowingly transmitting STD/STI or HIV
  - Fondling
  - Engaging in sex trafficking/prostituting another person
  - Bullying/hazing
  - Misappropriation of another's identity
  - Blackmail via threats to post images/info showing another person's nudity or sexual activity
  - Causing or attempting to cause incapacitation for nonconsensual sexual activity
  - Retaliation

Title IX

- All discrimination claims are governed by Barton Policy 1132
- "Big 6" claims managed under Policy 1132 Process A (live hearing)
- Other parts of Title IX and other discrimination comes under Process B (no live hearing)

Title IX

- Complainants
  - They decide whether to file complaint
    - Except where danger to others is posed by Respondent
  - Options are explained to Complainant
    - File formal complaint
      - Can do Informal Resolution if all agree
      - Investigation and live hearing

Title IX

- Supportive measures:
  - Purpose is to preserve access to Barton's educational activities & programs

Title IX

- Offer Supportive Measures
    - Referral to counseling, healthcare
    - Referral to Family Crisis Center
    - Alter housing
    - Alter work arrangements
    - No Contact Orders
    - Campus Safety Escorts
    - Class schedule modifications, withdrawals or leaves of absence
    - Extension of time –assignments and testing