

Title IX Update

Barton Community College Board of Trustees November 17, 2015

- Title IX is the gender equity legislation that has been in place since 1972.
- Title IX, equity, and access – Many institutions align their Title IX efforts and resources with their other equity and access services. The broad issues of equity and access refer to assurances for all protected categories (race, color, religion, sex, national origin, age, disability, veteran status, sexual orientation, gender identity, and genetic information, or other basis protected by law). Title IX fits within this realm as legislation affording protection from discrimination on the basis of sex or gender.
- Several Supreme Court cases in the 1990s directly tied Title IX legislation to sexual harassment/sexual misconduct. Following one of these cases, Gebser vs. Lago Vista Independent School District, then U.S. Secretary of Education Richard W. Riley stated that “This Supreme Court decision explicitly recognizes that the Department [of Education] can enforce administratively its Title IX regulations...against discrimination based on sex including sexual harassment...” Soon after, the Office of Civil Right (OCR) of the Department of Education (ED) began issuing specific guidance to colleges related to handling of sexual misconduct issues.
- With recent updates to the Violence Against Women Act/Campus SaVE (Sexual Violence Elimination) Act, issues related to Title IX compliance have been frequent and widespread concerns for school districts and colleges throughout the country, and have been widely covered in the media. An April 4th, 2011 Dear Colleague letter focused on campus sexual violence shed new light on the responsibilities institutions have to advance gender equity, prevent hostile environments, protect individuals from retaliation, and remedy the effects of gender-based discrimination.

Barton has established a team to help oversee the many facets of our institutional responsibilities regarding Title IX compliance. The Sexual Misconduct and Assault Response Team (SMART) has been meeting weekly since the spring of 2015. SMART's activities to date have included:

- Policy development - Barton has recently become an ATIXA (Association of Title IX Administrators) member school, and as such has been utilizing the ATIXA 1P1P (One policy/one procedure) model to update our institutional policies regarding Title IX.
- Equity Grievance Panel Development – identification of individuals to serve as either investigators who will help investigate complaints or champions who will serve to help further expansion of the cause on our campuses.
- Partnership development – bringing local resource the Family Crisis Center into the mix to provide various assistance and input and in particular advocacy for complainants and others
- Training opportunities – Three individuals from the Equity Grievance Panel attended Investigator Training in Kansas City this month and three members of SMART attended The Heartland Campus Safety Summit this month. Online training for employees and students will be rolled out early in the spring 2016 semester.