Discussion Item

CARL-3  2020 Title IX Final Rule Updates

Background Information

Title IX of the Education Amendments of 1972 and certain other federal and state laws prohibit discrimination on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, political affiliation, genetic information, veteran status, disabling condition, or age in education programs and activities operated by UNCG. The University complies with the requirements of Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681, et seq., and subsequent regulations, which prohibit discrimination on the basis of sex in all programs and activities receiving federal financial assistance. UNCG receives such assistance and complies with this law and its implementation of regulation at 34 C.F.R. Part 106.

To ensure compliance with Title IX, the Chancellor has designated the Title IX Coordinator as the primary contact responsible for developing, adopting, and/or assuring the dissemination of the University’s non-discrimination policy and for making the policy available to the University community.

New federal Title IX regulations took effect August 14, 2020, impacting policies and procedures related to the resolution of sexual harassment, sexual assault, domestic violence, dating violence, and stalking complaints at colleges and universities across the nation. UNCG Title IX Coordinator Murphie Chappell will present an update on the new regulations.

Attachments (see below):

  CARL-3.1 Presentation
  CARL-3.2 Title IX Process Flow

Julia Jackson-Newsom
Associate Vice Chancellor for Strategy and Policy
Sex- and Gender-based Discrimination in the Workplace and Classroom

2020 Title IX Final Rule Updates
“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.”

TITLE IX JURISDICTION

- Substantial control over the Respondent
- Within University program; Property; Activity
- Against a person in the U.S.
- Sufficiently severe, pervasive, AND objectively offensive
Sexual Harassment

1. ... Conditioning the provision of an aid, benefit, or service on participation in unwelcome sexual conduct.

2. Unwelcome conduct determined by a reasonable person to be so severe, persistent, and objectively offensive...

3. Sexual Assault
   Domestic Violence
   Dating Violence
   Stalking

Policy available from: https://policy.uncg.edu/university_policies/title-ix-policy/
Sexual Harassment & Discrimination Response at UNC Greensboro

- UNCG Human Resources
- Provost Office
- UNCG Police
- Housing & Residence Life
- Campus Violence Response Center (only with consent)
- Dean of Students Office
Make a Report

Call Title IX Office
(336) 256-0362

Report online:
https://cm.maxient.com/reportingform.php?UNCGreensboro&layout_id=8

Email: titleix@uncg.edu
Please remember: Agency is given to Complainants. They can respond asking the University to stop at any time.

&

Staff may also connect with students by sending text messages
Reporting Obligations (not investigating)

**Employee**
- Most UNCG employees;
- Encouraged, but not required to report;
- May have departmental reporting obligations

**Confidential Employee**
- Licensed medical, clinical, or mental-health professional, acting in that role, or
- Designated as Confidential by the University.
- Can only report under specific circumstances (harm to self or others)

**Official with Authority**
- Any employee designated as an official with authority to institute corrective measures
- Ex. Title IX Coordinator, Dean of Students, Deans, Associate Deans, Coaches, Ras
- Full list: titleix.uncg.edu
Informal Resolution

A process in which the complainant and respondent, using a University-provided mediator(s), attempt to resolve a grievance in a mutually acceptable manner. Complainants will be provided an opportunity to describe the effect of the incident and respondents will be provided an opportunity to describe the intent behind the incident. Responsibility for resolving the grievance rests with the parties.
Resolution Process

Allegation
• Individual or through Officials with Authority

Coordination
• Student Affairs
• Human Resources
• Provost Office

Notification
• Reporting & Responding Parties

Investigation- Title IX and/or Provost’s Office or Human Resources
• Interviews
• Evidence Collection
• Final Investigation Report

Resolution- Hearing with Direct Cross Examination
• Office of Student Rights & Responsibilities
• Human Resources
• Provost Office
Retaliation policy

Cannot take adverse action against a person for making a good faith report of Harassment or Discrimination or participating in any proceeding related to a claim of Harassment or Discrimination.

Threatening, Intimidating, Harassing, Coercing, Other conduct that would discourage a reasonable person from engaging in protected activity.
Amnesty Policy

The University *will not* pursue disciplinary action against student Complainants or witnesses *for disclosure* of illegal personal consumption of drugs or alcohol or violating the Governor’s orders (2020-2021) where such disclosures are made in connection with a good faith report or *investigation* of Prohibited Conduct.
"Emergency, I need help now."
If you feel unsafe where you are, who you are with, or need emergency assistance contact:

Emergency Law Enforcement
911

"I feel unsafe."

UCNC PD
police.uncc.edu
Non Emergency
336-334-4444
Emergency
336-334-5963

"I need immediate medical care."

Moses Cone and Wesley
Long Hospital
336-932-7000

"I need immediate emotional support"

Attending to your emotional health can be an important part of your healing process. The following offices are confidential on-campus and off-campus emotional support services.

Campus Violence Response Center
336-334-9839
cvrc.uncc.edu

UNCG Counseling Center
336-334-5874
shs.uncc.edu/cc

Family Service of the Piedmont
336-397-6161

"I want to talk to someone..."

Confidentially
Information you give about what happened will remain confidential, will not be shared with anyone, and you will not be contacted by the Title IX Office.

Campus Violence Response Center
336-334-9839
cvrc.uncc.edu

UNCG Counseling Center
336-334-5874
shs.uncc.edu/cc

Guilford County
Family Justice Center
336-641-7273

Student Health Services
336-334-5430
shs.uncc.edu

"Semi-confidentially"
Information you share about what happened will be shared with the Title IX Office and you will receive a reach out containing your options and support resources.

UNCG PD
Non Emergency
336-334-4444
Emergency
336-334-5963

Dean of Students Office
336-334-5514
sa.uncc.edu/dean

UNCG PD
police.uncc.edu
Non Emergency
336-334-4444
Emergency
336-334-5963

Housing & Residence Life
336-334-5636
hl@uncc.edu

"I want to make a report."
You have options if you choose to report an incident of sexual violence:
1. File a complaint with the Title IX Office.
2. File a report with the police.
You can choose either or both of these options. (*If you choose both, you can meet with the Title IX Investigator and UNCG PD Detective at the same time so you do not have to repeat information more than necessary*)

UNCG PD
police.uncc.edu
Non Emergency
336-334-4444
Emergency
336-334-5963

Dean of Students Office
336-334-5514
sa.uncc.edu

"I don't know where to start."
We understand that all of these options may be overwhelming. The following offices on campus can provide additional information, answer questions, and guide you in the best direction based on your needs.

Campus Violence Response Center
336-334-9839
cvrc.uncc.edu

Remember - The "CVRC" is a completely confidential resource. It is a single point of access for community members impacted by any form of violence. They provide crisis response, advocacy, counseling, support groups, court and medical accommodation, and coordination with on and off-campus services.

UNCG PD
police.uncc.edu
Non Emergency
336-334-4444
Emergency
336-334-5963

Dean of Students Office
336-334-5514
sa.uncc.edu

Remember - "DOS" is a semi-confidential office. DOS can provide connection to any resource on or off-campus, including Title IX, UNCG PD, CVRC, Counseling Center and many others that may fit your needs.

"Students who are physically distant but are connected to the campus community may be eligible to participate in Title IX proceedings.

Title IX Office
336-256-0362
titleix.uncc.edu

The Title IX Office can arrange supportive measures, accommodations, interim measures, formal complaint process, adaptive resolution process, and University Contact Orders.

"Resource & Reporting Options for Students"
Campus Violence Response Center

Advocacy

- Free, confidential services!
- Support
- Empowerment
- Accompaniment
- Safety Planning
- Support Groups

&

Counseling

- Free, confidential services!
- Therapy
- Clinical counseling groups
- Different treatment options
- Short and Long- Term Counseling
Thank you!

Murphie Chappell | Title IX Coordinator
mechappe@uncg.edu | 336.256.0362
Supportive measures may include...

- Dean of Students Office support
- No Contact Orders
- Housing, Work, Class Accommodations
- Nothing further unless a formal complaint is filed.

Electronic/Written Notification to Parties

Informal Resolution
- Mediation/Adaptive
  - Agreement achieved
  - No Agreement achieved
    - May admit responsibility at any time.
    - If found "Not Responsible" no further action.

Grievance Process
- Investigation
- Report Review
- Hearing
- If admitting responsibility/found responsible...

Sanctions
- Office of Student Rights & Responsibilities
- Provost
- Human Resources

Appeals

CONFIDENTIAL REPORTING

REPORTING TO THE TITLE IX OFFICE

SUPPORTIVE MEASURES

Campus Violence Response Center
Student Health Services