

# Title IX on the College Campus

Board of Visitors Presentation, April 2014

**Virginia Ambler**, Vice President for Student Affairs  
**Kiersten Boyce**, Chief Compliance Officer & Title IX Coordinator



- The Current Context for Title IX
- Other Relevant Laws and Statutes
- W&M Infrastructure and Staffing for Title IX Compliance
- Education and Prevention Efforts at William & Mary: The Public Health Model

## What Governing Boards Should Know

Following Guidance from the  
AGB Advisory Statement  
(October, 2013)

Politics

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## Obama Seeks to Raise Awareness of Rape on Campus



President Obama and Vice President Joseph R. Biden met with cabinet secretaries and senior advisers in the Oval Office on Wednesday.

DOUG MILLS / THE NEW YORK TIMES

By JACKIE CALMES  
January 22, 2014



WASHINGTON — President Obama on Wednesday renewed pressure on colleges and universities to prevent and

## W&M community gathers to discuss concerns raised by email

by Erin Zagursky | February 5, 2014



Town hall meeting  
about this photo

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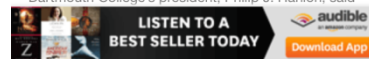
More than 700 members of the William & Mary community gathered in the Sadler Center Tuesday night to discuss the campus climate after a derogatory email came to light

## The Washington Post EDUCATION

## Dartmouth president calls for end to 'extreme behavior' that mars image of elite college



"There is a grave disconnect between our culture in the classroom and the behaviors outside of it," Dartmouth College's president, Philip J. Hanlon, said



## Sen. McCaskill sends out 'unprecedented' survey about campus rape to colleges

By Diana Reese, Published: APRIL 15, 4:00 PM ET



Sen. Claire McCaskill (D-Mo.) speaks to constituents



## THE CHRONICLE OF HIGHER EDUCATION

### News

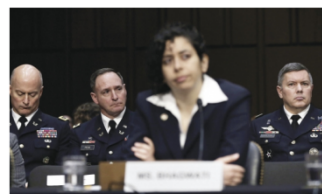


### STUDENTS

## Two Worlds, One Problem

Colleges and the military face heavy criticism for their responses to sexual assault. Can they find a new approach?

By Libby Sander MARCH 24, 2014



# The Context: 2014

- National and Local Contexts
- Within and Outside of Higher Education

- The Obama Administration has made combating sexual misconduct on college campuses a priority
- The White House Council on Women and Girls released a report in January 2014 on rape and sexual assault, with a special emphasis on campus incidents
- This report led to the creation of the White House Task Force to Protect Students from Sexual Assault
  - The Task Force's report is expected imminently
  - We anticipate an increase in our obligations



## National Focus on Campus Sexual Misconduct

- Title IX of the Education Amendments of 1972 is the principle federal law on the issue of sexual misconduct
- Title IX states that:
  - *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.*
- Sexual harassment and sexual misconduct are forms of sex-based discrimination

## Existing Regulatory Framework



- The Department of Education's Office for Civil Rights, known as OCR, has taken an aggressive stance against Title IX violations in recent years
- Three years ago, it issued an important "Dear Colleague Letter", giving guidance to institutions on Title IX compliance
  - The letter expressly defined sexual violence as a form of sexual harassment
  - It also made clear that the Department of Education can fine or withhold funds to schools found to have failed to adequately address sexual misconduct claims

## Title IX and the Department of Education





- Following on the 2011 Dear Colleague Letter, OCR, the Department of Justice, and other federal agencies have dramatically increased enforcement of Title IX
- Audits and investigations of numerous universities, typically resulting in “resolution agreements”
- Under these agreements, universities are required to take various actions, typically in four main areas
  1. Policies and procedures
  2. Training
  3. Title IX Coordinator duties & visibility
  4. Campus climate

## Title IX Enforcement



- As part of its 2013 reauthorization, VAWA incorporated the SaVE Act, which expands universities' Title IX-related obligations into the Clery Act arena
- Clery Act crimes list expanded to include domestic violence, dating violence, sexual assault, and stalking
- Specific requirement for sexual assault prevention programs

## VAWA, the SaVE Act & the Clery Act





- Universities nationwide are highly focused on sexual assault, Title IX, and related issues
- National conferences such as the “Dialogue at Uva” held this Spring and the follow-up and Dartmouth, July 2014
- Administrators are seeking training, certification, continuing professional education
- Schools are hiring Title IX Coordinators, Title IX investigators, and making other staffing increases

## Sexual Assault on Campus:

### The Higher Education Response



- discuss legal developments and national trends regarding Title IX
- discuss sexual misconduct and institutional climate/culture
- have informed discussions with administrators regarding adequacy of training and other sexual violence prevention/response efforts
- review institutional sexual misconduct policies for fairness and effectiveness



## Recommendations for Boards

# Infrastructure, Staffing, and Policies

Ensuring Title IX Compliance  
at William & Mary

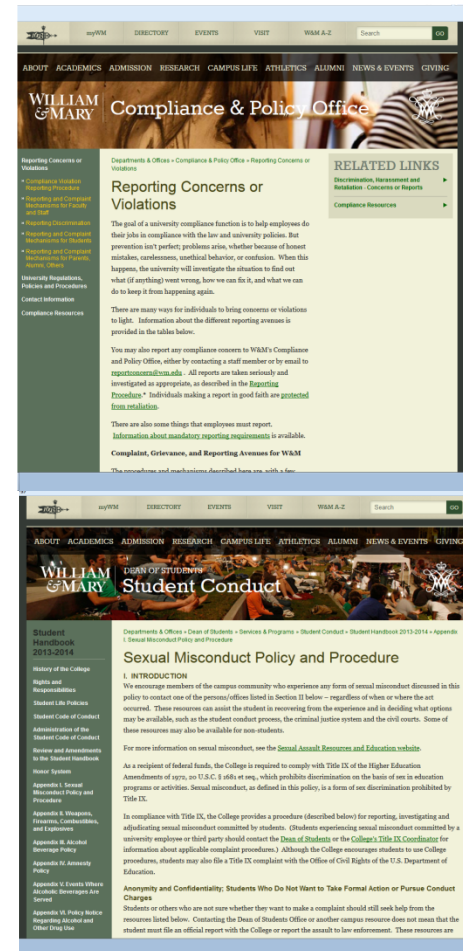


- **Title IX Coordinator**  
Kiersten Boyce, Chief Compliance Officer
- **Title IX Deputy Coordinator**  
Marjorie Thomas, Dean of Students
- *Deborah Love*, University Counsel
- *David Gilbert*, Associate Dean of Students and Director of Student Conduct
- *Donna Haygood-Jackson*, Sexual Assault Response Coordinator
- *Michael Halleran*, Provost (appeals)
- Specially-trained Hearing Officers for cases of alleged sexual assault
- Trained Appeals Committee (faculty, staff, and student members)

## Infrastructure & Staffing



- Code of Ethics
- Sexual Harassment Policy for W&M
- Sexual Misconduct Policy in the Code of Student Conduct
  - Special Hearing Procedures for Cases of Alleged Sexual Misconduct
- Sexual Assault Response Protocol (student affairs, police, health professionals, student staff, RAs)
- Title IX Information and Reporting Procedures – web accessible
- Crime Reporting Policy (Clery)
  - Campus Security Authorities
- Campus Violence and Threat Management Policy



## Policies & Protocols

# Education, Prevention, & Training

From Compliance to Public Health:  
Community-Wide Initiatives





- Delegation of 11 Professional Staff at the National Dialog on Sexual Assault hosted by UVA
- Conference with the US Army Training and Doctrine Command (TRADOC)
- On-Line Sexual Harassment Training Module Developed for Faculty & Staff
- Town Hall Meeting and Saturday Teach-In in March
- Working on Collaboration with Faculty Assembly Leadership and Student Affairs
- Gender Issues Coordinating Group: Focus on Campus Climate
- Bystander Intervention Task Force



## Examples of Recent Administrative Actions at W&M



## KEY TOPICS

- Alcohol and Other Substances
- Understanding Consent
- Bystander Intervention
- Communication in Relationships
- Campus Resources, Policies, Reporting

## EXAMPLES of MECHANISMS

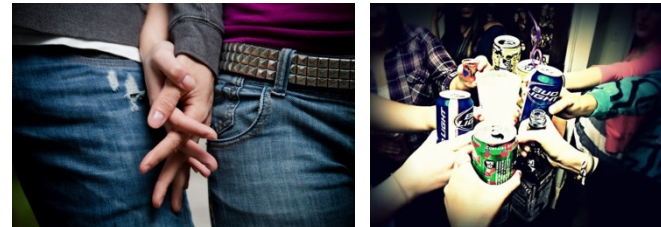
- Pre-Orientation, Orientation Programming
- Residence Hall Programming
- Peer Educators (HOPE, Every 2 Minutes, Someone You Know)
- Counseling and Health Centers
- Bystander Intervention Campaigns
- Publication and Promotion of Website Resources (including guidance on reporting)
- Outreach to Faculty
- Collaboration with W&M Women's Network
- Campus Safety Notices
- Invited Speakers
- IFC Resolution re: Programming in Chapters
- PanHellenic Resolution
- Educational Outreach and Collaboration with Intercollegiate Athletics
- Red Flag and other Awareness Campaigns



# Education, Prevention, & Outreach

Addressing the complex issues that  
surround sexual assault

on the college campus



- Staffing
- Training
- Communication
- Policies and Procedures
- Support for both reporting and responding students
- Addressing cultural factors – root causes

## Areas of Focus Moving Forward

