Title IX Responsibilities

Human Resources
Title IX Coordinator
Contact Information

Elizabeth Swantek, Title IX Coordinator
Email: elizabeth.swantek@millersville.edu
Phone: 717-871-4100
Office: SMC 107

www.millersville.edu/titleix
Title IX Coordinator
Contact Information

Aly Sehl, Acting Title IX Coordinator
Email: Alison.Sehl@millersville.edu
Phone: 717-871-4100
Available by email, phone, Zoom or Microsoft Teams

www.millersville.edu/titleix
Objectives

- Overview of Title IX of the Education Amendments of 1972
- Sexual misconduct policy
- Our responsibility
- Suggested approach
- Questions
Definitions

- Complainant
- Reporting Party
- Respondent
- Witness
What is Title IX?
Title IX

Title IX of the Education Amendments of 1972 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.”
What is Sexual Misconduct?

- **Sexual Misconduct** includes, but is not limited to, the following prohibited behaviors:
  - Sex- and Gender-based discrimination
  - Sexual Assault
  - Sexual Exploitation
  - Sexual Harassment
  - Relationship Violence
    - Dating Violence
    - Domestic Violence
  - Stalking
Our Responsibilities

- **FEDERAL LAW**
  - There are four federal laws which require employees of colleges and university to report certain types of crimes and incidents, especially sexual misconduct. The Clery Act, Title VII, the Violence Against Women Act, and Title IX have different purposes, but are largely intended to protect against criminal and discriminatory behavior. As a general rule, faculty and staff are responsible employees and are expected to report incidents of sexual misconduct that they witness or are advised to have occurred.
The Policy Essentials

• Stop the issue.
• Prevent the reoccurrence.
• Remedy the effects.
What We Provide

• **Resources**
  - If a student needs information on counseling, health, or related services, our staff can provide warm referrals to both on- and off-campus providers.

• **Interim Measures**
  - access to counseling;
  - changes in work or housing locations;
  - assistance in exploring alternative housing off campus;
  - assistance in exploring alternative transportation and employment situations as appropriate;
  - modifications of work or class schedules;
  - campus escort services;
  - assistance in arranging extensions of time or other course-related adjustments;
  - leaves of absence;
  - restrictions on contact between the parties;
  - other individualized interim actions as appropriate.

• **Reporting**
  - If a student wants to file a formal complaint with the University, MUPD or another Police department, the Title IX office can walk them through the options available and provide contacts with appropriate offices.
Collaboration

- **Anonymous Reporting**
  - Anonymous reports of sex or gender-based discriminations may be submitted through our website.

- **Report to the Police**
  - Every individual reporting sexual misconduct to the University, also has the option to report to the Millersville University Police Department or the local police department; who to report to is contingent upon jurisdiction. It is the reporting party’s decision to participate in the University process, a criminal process, both or neither.

  *Essentially we want individuals to choose any office with whom they feel most comfortable, we are here to help them navigate their options and provide them with resources.*
Listen

• Listen openly and be supportive.
• Refrain from judgmental questions.
• Try not to allow your biases affect how you perceive the individual.
• Encourage the person to seek support services.
• There are confidential and non-confidential campus and community options.
• If the person is in immediate danger, offer to assist in calling 911.
Support

- What you can say:
  - I am sorry this happened to you.
  - I am here for you.
  - Thank you for trusting me with this information.
  - Can I help connect to resources?
  - Your well-being is my priority.
  - Healing is a process.
  - I am here to make the process easier, not harder.
Report

• All faculty and staff members who do not work within The Center for Counseling & Human Development or Health Services are responsible employees and are expected to report incidents of sexual misconduct that they witness or are advised to have occurred.

• Title IX requires all responsible employees “who know or reasonably know of possible sexual harassment or sexual violence” to report the information to the Title IX Coordinator or one of the Deputy Title IX Coordinators.
Scenario

- An individual approaches you because they feel that they may be experiencing sexual harassment at Millersville University.
  - How do you respond if this is a student?
  - How do you respond if this is an employee?
  - What can you say?
  - What are the next steps?
Millersville University and its faculty are committed to assuring a safe and productive educational environment for all students. In order to meet this commitment, comply with Title IX of the Education Amendments of 1972, 20 U.S.C. §1681, et seq., and act in accordance with guidance from the Office for Civil Rights, the University requires faculty members to report to the University’s Title IX Coordinator incidents of sexual violence shared by students. The only exceptions to the faculty member’s reporting obligation are when incidents of sexual violence are communicated by a student during a classroom discussion, in a writing assignment for a class, or as part of a University-approved research project. Faculty members are obligated to report to the person designated in the University Protection of Minors policy incidents of sexual violence or any other abuse of a student who was, or is, a child (a person under 18 years of age) when the abuse allegedly occurred.

Information regarding the reporting of sexual violence, and the resources that are available to victims of sexual violence, is available at www.millersville.edu/titleix
Why Is This Important?

• Faculty members within the State System universities may not be required to report student disclosure of sexual violence when disclosure is made during a classroom discussion, a written course assignment, or as part of a University-approved research project.

• OCR’s position is that students would not expect their disclosure of an incident of sexual violence in this type of context as prompting any reporting obligations under Title IX, and such disclosure does not trigger a reporting obligation by a faculty member.

• Other interactions with faculty members, such as student advising, is not encompassed within this reporting exception.
Summary

Complaints specifically for:
- a student is a respondent is processed through Student Conduct or
- an employee is a respondent is processed through Human Resources.

• The Title IX Coordinator or a Deputy Title IX Coordinator should be notified immediately.
  - Elizabeth Swantek, Title IX Coordinator
  - Lori B. Austin, Student Conduct
  - Diane Copenhaver, Human Resources
  - Melissa Wardwell, ELCM

• Meeting with complainant:
  - Informal process
  - Formal process
Contact Information

Elizabeth Swantek, Title IX Coordinator
Email: elizabeth.swantek@millersville.edu
Phone: 717-871-4100
Office: SMC 107

www.millersville.edu/titleix