



Title IX Policy and Obligations: ***New Faculty Training***

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Megan Gallagher, Director of CARE Center
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Agenda

- Welcome and Introductions
- SHUR Survey
- Roles
- Definition and Purpose of Title IX
- Scope, Policy, and Violations at SMC
- Key Changes to Title IX
- Discipline Process
- Reporting
- Trauma-Informed Approach
- Resources
- Q&A

Survey of Healthy and Unhealthy Relationships (SHUR, 2019)

Administered in February/March 2019 (expands on the Survey of Sexual Assault and Sexual Misconduct (SSASM) administered in fall 2017).

SSASM was sent to a random sample of both UG and GR students and yielded responses from 162 undergraduate women, 92 undergraduate men, and very few graduate students.

SHUR – sent to all 2643 undergraduates

–485 women (26.1% response rate) and 205 men (21.5% response rate).

–3 sections: explicit review of campus policies; a series of questions about healthy and unhealthy dating relationships; and a repeat from SSASM of the key items documenting the undergraduate experience with non-consensual sexual contact and sexual assault.

Survey of Healthy and Unhealthy Relationships (SHUR, 2019)

SECTION ONE: REVIEW OF CAMPUS POLICY

How familiar were you with campus policy on dating relationships and sexual assault before reading the policy here? FAMILIAR + VERY FAMILIAR

	WOMEN	MEN
Overall or general nature of the policy	58%	76%
Intimate Partner Violence (IPV)	51%	69%
Non-Consensual Sexual Contact	71%	87%
Sexual Assault	79%	91%
Sexual Misconduct	69%	82%
Sexual Harassment	73%	88%
Stalking	57%	74%
Consent	85%	92%

Survey of Healthy and Unhealthy Relationships (SHUR, 2019)

Awareness of Offices and Services

	WOMEN		MEN	
	2017	2019	2017	2019
CARE Hotline	66%	69%	51%	67%
Community Life	74%	74%	78%	78%
Dean of Students	80%	81%	83%	83%
Counseling & Pysch Services (CAPS)	95%	97%	92%	93%
Health and Wellness Center	100%	98%	96%	97%
Mission and Ministry Center	90%	89%	90%	86%
Public Safety	99%	98%	97%	98%
CARE Center	45%	75%	58%	73%
Title IX Coordinator	29%	72%	58%	74%
Ctr. for Women and Gender Equity	99%	83%	90%	78%
SCAAR – Student Coalition Against Abuse and Rape	40%	63%	54%	63%

Survey of Healthy and Unhealthy Relationships (SHUR, 2019)

Of Those Aware, Percent that Would Feel Comfortable Contacting

	WOMEN		MEN	
	2017	2019	2017	2019
CARE Hotline	48%	42%	49%	41%
Community Life	28%	23%	50%	38%
Dean of Students	23%	13%	40%	31%
Counseling and Psych. Services (CAPS)	53%	60%	55%	46%
Health and Wellness Center	60%	48%	70%	56%
Mission and Ministry Center	30%	21%	32%	39%
Public Safety	50%	33%	56%	50%
CARE Center	39%	44%	36%	40%
Title IX Coordinator	28%	36%	37%	42%
Center for Women and Gender Equity	56%	46%	35%	35%
SCAAR - Student Coalition Against Abuse and Rape	45%	45%	38%	43%

Survey of Healthy and Unhealthy Relationships (SHUR, 2019)

Reported Sexual Assault...

	Women		Men	
	2017	2019	2017	2019
Non-consensual sex or sexual assault	29%	16%	9%	7%
Of these, told peer, friend, relative	71%	75%	67%	67%
Of these, told campus staff, admin., authority	12%	26%	7%	9%

Survey of Healthy and Unhealthy Relationships (SHUR, 2019)

At Saint Mary's College, if you or someone else were to notify someone about or report a sexual assault, how likely is it that: VERY LIKELY + MODERATELY LIKELY

	WOMEN 2017	2019	MEN 2017	2019
Saint Mary's College faculty would report it to the appropriate channels.	86%	87%	89%	86%
Saint Mary's College staff would report it to the appropriate channels.	88%	84%	90%	88%
Saint Mary's College would take the report seriously.	81%	77%	86%	81%
Saint Mary's College would keep knowledge of the report limited to those who needed to know in order for the College to respond properly.	80%	81%	77%	80%
Saint Mary's College would appropriately investigate a report of sexual assault.	77%	72%	89%	77%

Survey of Healthy and Unhealthy Relationships (SHUR, 2019) – Student Comments

The 3rd to last page of questions was very triggering. Glad I had the option to skip it.

I didn't know my past relationship was that unhealthy, thanks for making me think about it.

While I did not report my incident, taking this survey gave me some sort of closure about the incident and informed me that it was not my fault.

Possibly creating a seminar on healthy relationships and what they mean.

Not a bad survey, honestly. I love the waiver part, I don't have any fines but that's a hell of an incentive.

Not enough is done at Saint Mary's. I know of people who have raped individuals and were still able to graduate.

I highly doubt the responses from this survey will in any meaningful way impact the staggering amount of sexual assaults that take place on this small campus.

Title IX – Roles

Employees

- You are required by the College to report to a Title IX Officer if you observe, learn or encounter conduct that may be subject to the Title IX policy.

Campus Security Authorities (CSA)

- By virtue of their College responsibilities and under the Clery Act, CSAs are designated to receive and report criminal incidents to Public Safety so that they may be included and published in the College's Annual Security Report.

Title IX – Roles

Title IX Investigator

- Officially investigates reports of Title IX nature with all parties and writes final report.
- Title IX Investigator, Cynthia Cooke St. Ange: cec22@

Title IX Coordinator and Deputy Coordinators

- Responsible for upholding the Title IX regulations for the College.
- Title IX Coordinator, Laurie Panian, Associate VP of HR: Imp10@
- Title IX Deputy (employees), Erika Roesch, Recruiting Manager HR: ehr2@
- Title IX Deputy (students), Evette Castillo Clark, Dean of Students: ecc4@
- Title IX Deputy (students), Stacy Vander Velde, Director of Community Life: smv8@
- Title IX Deputy (athletics), Kami Gray, Deputy Athletics Dir. for Internal Operations/SWA : kgray@

Title IX Definition

“No person in the United States shall, **on the basis of sex**, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving Federal financial assistance.”

Title IX of the Education Amendments of 1972.

****New final rule passed in May 2020 and required Colleges to comply by August 14, 2020.

Purpose of Title IX Regulations

Defines “sexual harassment”

Mandates how the College MUST respond to reports of covered sexual harassment

Mandates a process that Colleges MUST follow to comply with law for these types of cases

Title IX Scope at SMC

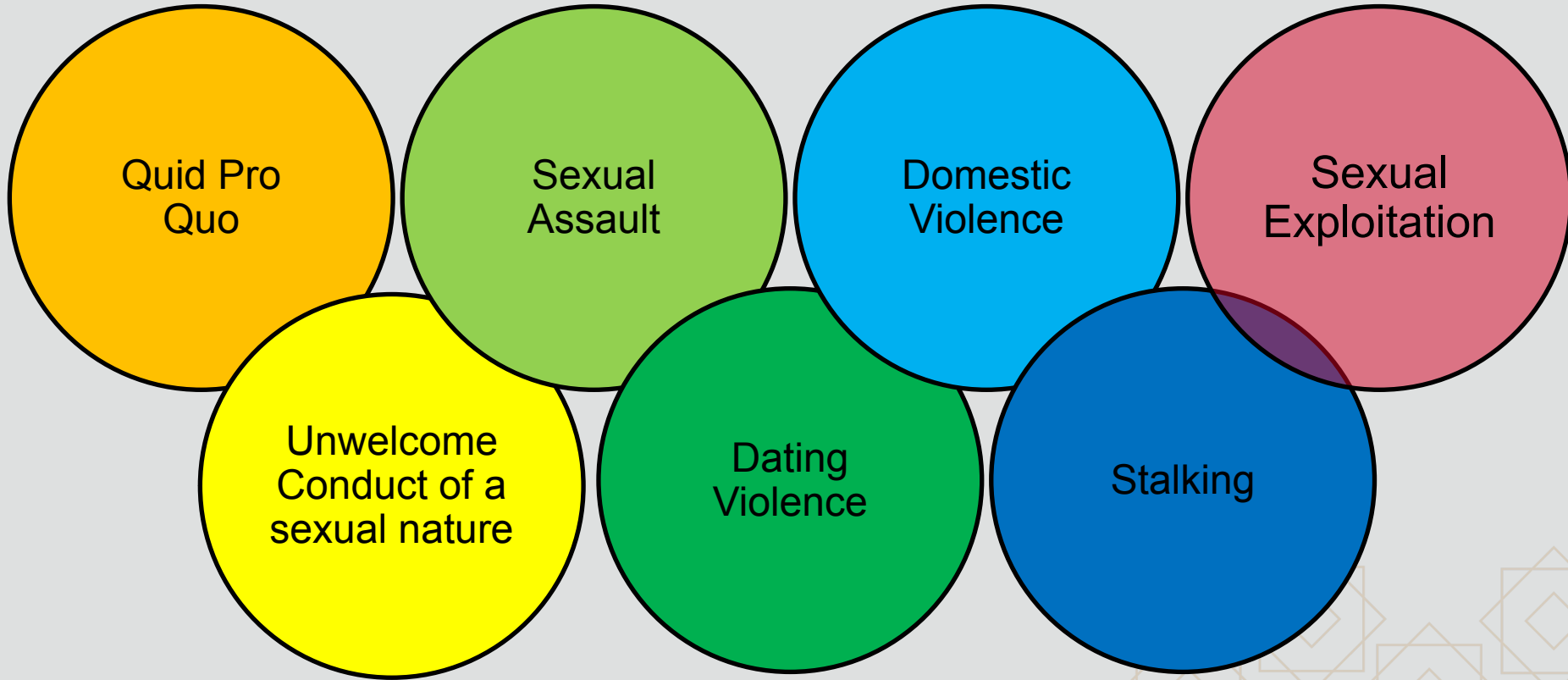
- ☐ Occurred on or after August 14, 2020
- ☐ Occurred in the United States
- ☐ Occurred in SMC education program or activity
- ☐ Constitutes covered sexual harassment under Title IX policy

**** Can be referred to Student Code of Conduct Process(students) or Human Resources (employees) if outside this scope.**

Key Changes related to New Regulations passed August 14, 2020

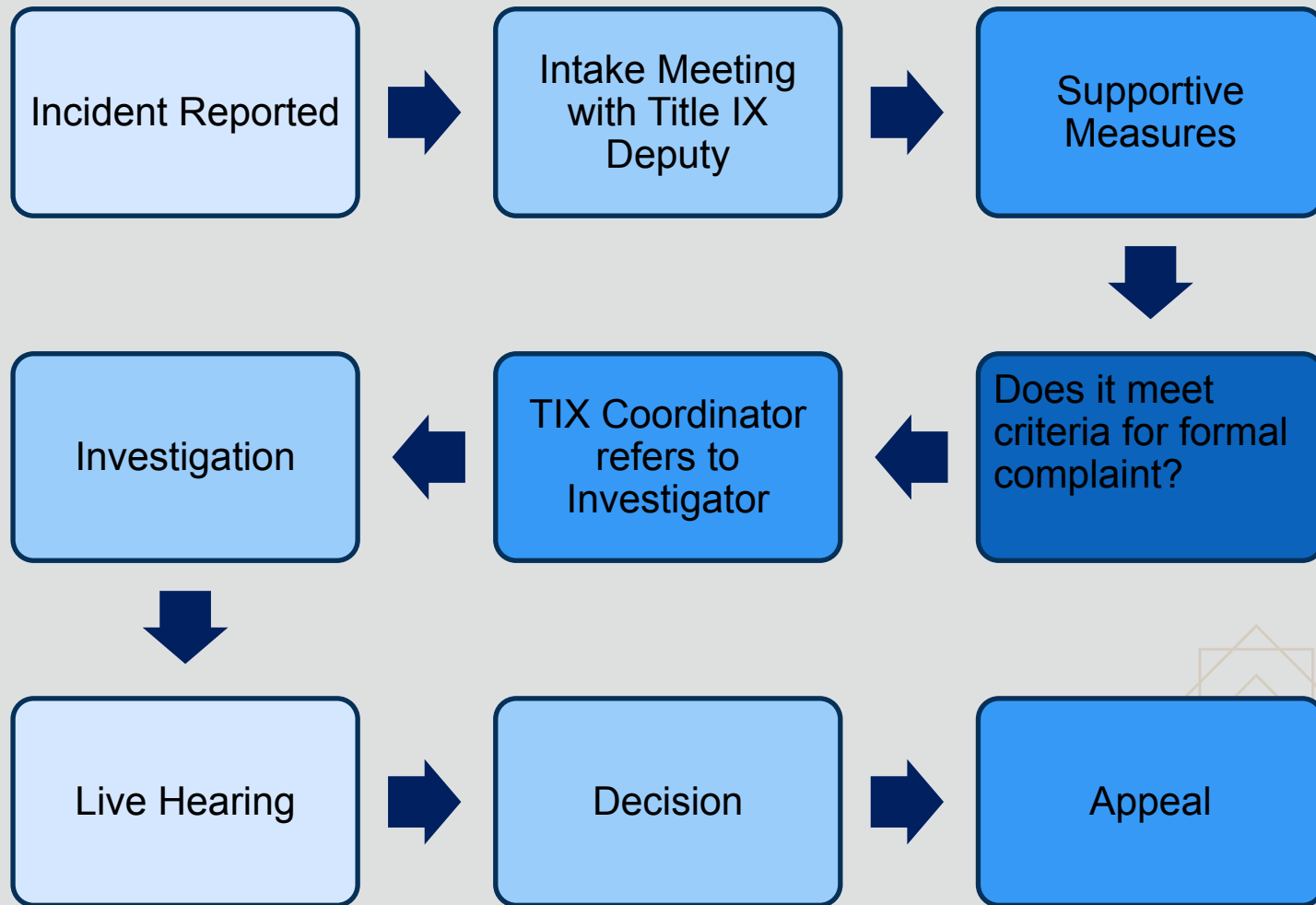
- Shrinks scope of institutional jurisdiction over Title IX complaints
- Narrows definition of “sexual harassment”
- Signed Complaint to initiate investigation
- Expanded opportunity for informal resolution
- Timeframe requirements for evidence review
- Live Hearing with Cross Examination by advisors

SMC Title IX Policy Violations



COVERED SEXUAL HARASSMENT UNDER TITLE IX POLICY

Process Overview



Process of Reporting

Student
discloses

- Listen and Support
- Let them know you need to report

Provide
Resources

- Advise of Confidential Resources
- Resource Brochure
- Contact from Community Life or Human Resources

Contact TIX
Deputy or
Coordinator

- Provide details of what was disclosed
- Seek and follow guidance, may be asked to submit an online report.

Confidential v. Privacy v. Anonymous

Confidential

CARE Director
CAPS Counselors
Clergy in confession

NOT REQUIRED TO
TELL THE COLLEGE

Anonymous

CARE Line - Call or
Text (925) 828-9207

LIMITATIONS TO
WHAT ACTIONS
CAN BE TAKEN

Privacy

Employees
RA's/RD's
Public Safety

REQUIRED BY
COLLEGE TO
REPORT

Reporting Tips

- When to report: ALWAYS and IMMEDIATELY
- Call or email Title IX Coordinator/Deputy or Public Safety; or
- May be asked to submit a report via the Title IX website, Report a Bias Incident or Report a Sexual Assault from MySMC Portal

SAINT MARY'S COLLEGE CALIFORNIA MySMC **Evette Clar** Logout

GX GaelXpress

Student Success Collaborative

BenefitFocus

SPOT Spot

- Business Office
- ID Card Request
- Student Accounts
- Request a Room

Calendars

- Graduate Business Academic Calendar
- Kalmanovitz School of Education Calendars
- Holiday Schedule
- Master Calendar/Room Scheduler
- Undergraduate Academic Calendar

Departments

- Advancement
- Campus Recreation
- College Committee on Inclusive Excellence (CCIE)
- College Communications

Human Resources

- Human Resources
- Interfolio
- Payroll Deduction Form
- Payroll Services
- Staff Council
- Staff Handbook
- Wellness

Public Safety & Transportation

- Public Safety
- Report a Bias Incident
- Report a Sexual Assault

Reporters may say they want to be “anonymous” or report “confidentially” – what do you tell them?

Case Scenario

One of your students emails you and requests to speak with you in private about something that happened to them.

When you meet up with them, they disclose they were sexually assaulted at a party by someone they know.

- What do you do?
- What if they disclose in the email?

What to do in response of Report

- Create a safe space (physical & emotional)
- Be trustworthy/transparent/authentic
- Pay attention to non-verbal cues
- Prioritize that the person has a choice
- Listen openly, with empathy and without judgement
- Do not make assumptions
- Be respectful/validate them
- Ask clarifying questions gently
- Be aware how trauma may/may not affect their communication & body language
- Provide resources



What to avoid when responding

- Judging their reactions
- Telling them that you know what they have been through
- Disagreeing with them about their experience
- Using an accusatory tone of voice
- Commenting on person's appearance
- Assuming you know their experience, what they are going to say, or that they are telling you everything
- Reacting with shock or disgust
 - your facial expressions
- Starting questions with the word "why"
- Don't misread facial expressions
 - some people have a voluntary smile or may disassociate from experience and appear happy



Safer Campus Community Tips

- Attend a Green Dot Bystander Intervention training
- Participate in violence awareness outreach activities
- Get the conversation started...
 - Challenge people who make sexist comments
 - Educate others on what consent means to you
- Understand how alcohol/drugs contributes to sexual assault or dating/domestic violence



Resources

On Campus:

- Red Folder
- Campus Assault Resources & Empowerment (CARE) Line: (925) 878-9207
- Counseling & Psychological Services (CAPS): (925) 631-4364
(confidential)
- Director of CARE Center (Megan): (925) 631-4193 (confidential)
- Public Safety: (925) 631-4282
- Center for Women and Gender Equity: (925) 631-4192
- Priest in a confessional role (confidential)

Contra Costa County:

- Community Violence Solutions: (800) 670-7273
- STAND! For Families Free of Violence: (888) 215-5555
- Contra Costa County Family Justice Center (Concord): (925) 521-6366
- Contra Costa County Victim/Witness Assistance: (925) 957-8650
- Moraga Police Department: (925) 376-2515





QUESTIONS?

1928 Saint Mary's Road
Moraga, CA 94575
925.631.4000



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