Title IX and Campus Sexual Harassment: Understanding the Past and Addressing the Future

Abstract
"Using legal history, the Office for Civil Rights' "Dear Colleague" letter and a current example of a "best practice" policy, this presentation will help practitioners understand why institutions should pay attention to their sexual misconduct policies and how to craft a sexual misconduct policy that addresses the needs/conduct of the students involved but still meets the requirements of Title IX."

Description
This program will provide practitioners with the often-omitted historical context for Title IX and sexual misconduct. We will briefly explore the impetus for Title IX and the legal history that has brought us to the modern day. The purpose of the legal history is to help practitioners understand why, in addition to student development, they should care about having policies and procedures that meet the requirements of Title IX. It is important that practitioners, regardless of position, understand how courts have viewed violations of Title IX and the ramifications of those violations.

Following the historical information, this session will analyze the Department of Education, Office for Civil Rights "Dear Colleague" letter released in April of 2011. Particular attention will be paid to OCRs recommendations and requirements for the dissemination of a sexual harassment policy, the initial inquiry, and the actual grievance procedure and follow-up. This part of the presentation will employ a case study method citing a "best practice" policy example from Carleton College in Minnesota and a less successful policy example cited by the OCR as needing improvement. Particular attention will be placed on the OCRs distinction between policies that address the conduct of sexual harassment and also address the underlying Title IX discrimination. As was stated in the abstract, the goal of this session is to help practitioners understand why it is important to craft policies that address both the conduct issue and the Title IX violation and how to do so.

A primary goal of this presentation is to help practitioners gain a broad perspective of Title IX and its requirements in addition to understanding the concepts of best practices. This fits in perfectly with the conferences cornerstones of Competing Priorities and Creative Solutions. A driving force behind my desire to present this session (which is based on a potential journal article I authored) is to help practitioners streamline their sexual harassment process to remove extraneous parts in an effort to make the response to a Title IX violation more supportive and efficient. By understanding the legal requirements of Title IX and a best practice policy, practitioners can return to their campuses and hone their processes based on the broad themes enunciated by OCR and exemplified by Carletons policy. This also fits into the Cornerstone category of adapting best practices to fit individual campus cultures. It is important to note that the tone of this session is meant to be educational and informative not alarmist. I want to help my colleagues understand how and why these issues are important and how to address them in an effective and supportive way.
Creative partnerships: Creating a Faculty-in-Residence program within your conduct office

Abstract

UT Austin’s Faculty-in-Residence program permitted a faculty member to work on a part-time basis in the student conduct office. This session will explore the creation process, costs, benefits, and lessons learned regarding this unique partnership with academic affairs. Come learn how this program benefited our office and hear advice from a faculty member after his service in the conduct office.

Description

Starting in the 2011 Fall Semester, the conduct office at The University of Texas at Austin was able to implement a pilot Faculty-in-Residence program. This initiative permitted the conduct office to share a faculty member on campus with her/his respective department for a semester. In short, the conduct office picking up the costs associated with the faculty member’s teaching load for one course enabled him to keep his full time benefits in his respective department. As one might expect, this program took a considerable amount of time and effort to implement considering the unique compensation arrangement between academic affairs and student affairs.

This session is intended to permit other interested institutions to learn from our experience. We will not only cover the relationship building that lead to the creation of this partnership, but also the complicated dealings with HR that enabled the short-term dual position to be created. Likewise, we will detail the costs, benefits, and lessons learned from this experience. In terms of benefits, most student conduct administrators can see the assistance a full-time faculty member can provide to outreach activities. As it would turn out, however, having a faculty member’s voice and perspective included in case discussions and staff meetings turned out to be equally beneficial. Members from the student conduct office will be able to discuss the experience from their perspective, but the faculty member will also be present to explain what he learned from the program – this perspective will include lessons for how student conduct administrators may better communicate with faculty members following his experience working in a student conduct office.

Although cost considerations may not permit every institution to implement a Faculty-in-Residence program, this session is designed to offer helpful information for those schools considering such a program and also specify how other institutions could accomplish similar goals through a voluntary program.

Relationships to Conference Theme:

It is the opinion of the presenters that this session falls squarely in line with the conference theme, “Do what matters.” Obviously, creating sustainable partnerships in an effort to create a seamless learning environment has been the focus of many student affairs publications over recent years. Considering that faculty partnerships “matter” to the student conduct office, UT Austin worked diligently to create this program and now wish to share our experience with the ASCA community.

Presenters:

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