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Title IX – New Student Training Fall 2025

Amy Brown, J.D.
TITLE IX ATTORNEY



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What is Title IX?

“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 educational program or activity receiving federal financial assistance.”



- *Title IX of the Education Amendments of 1972*



What is Title IX?

- Title IX is a federal law that prohibits discrimination on the basis of sex in education programs and activities and employment.
 - Covers not only equity in athletic programming, but all forms of discrimination based on sex.
 - Protects students and employees.
 - Applies to all institutions that receive federal financial assistance, either directly or indirectly.



What is Title IX?

- **Sexual Harassment**

- Unwelcome conduct determined by a reasonable person to be (1) severe, (2) pervasive, and (3) objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.

- **Sexual Assault**

- **Quid Pro Quo**

- An employee of the recipient conditioning the provision of aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct



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What Title IX is NOT

- *Not only* for athletics
- *Not only* for women
- *Not only* about sexual assault



What is Title IX?

- Environment free from harassment
 - Speech, behavior, images
- Schools Must:
 - Stop - the behavior
 - Prevent - the behavior from recurring
 - Remedy - the effects of behavior



How does Title IX pertain to me?

- Report a potential Title IX violation to the Title IX Office or **any TMU faculty or staff member**.
- All faculty and staff are required by law to report Title IX violations.
- Email: **titleix@truett.edu**



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What do I report?



Prohibited Conduct

- Sexual Harassment
- Sex Discrimination (disparate treatment because of sex)
- **Sexual Assault**
- Non-Consensual Sexual Contact
- Sexual Exploitation
- **Stalking**
- Physical Harm and Intimidation
- Harassment, Bullying or Cyber bullying
- **Dating Violence**
- **Domestic Violence**
- Retaliation

Violence Against Women Reauthorization Act (2013)

Amended the Clery Act to require that schools compile statistics for these incidents.



Sexual Harassment

2020 Title IX Regulations §106.30 Definitions. ***Sexual harassment*** means conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; or
- (3) "Sexual assault," "dating violence," "domestic violence," or "stalking" as defined for VAWA purposes.



Sexual Assault

Sexual assault. An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Unified Crime Reporting ("UCR") program.

Rape – The penetration, no matter how slight, of the female sex organs with any body part or object, or oral penetration by a sex organ of another person, **without the consent of the victim.**

Sex Offenses – any sexual act directed against another person, **without the consent of the victim,** including instances where the victim is incapable of giving consent.

- A. *Fondling* – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- B. *Incest* – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- C. *Statutory Rape* – Sexual intercourse with a person who is under the statutory age of consent



What is Consent?

In both VAWA & the Title IX final regulations, the Department of Education considered and ***chose not*** to define consent.

- At minimum, the definition should recognize that:
 - consent is a voluntary agreement to engage in sexual activity;
 - someone who is incapacitated cannot consent;
 - past consent does not imply future consent;
- Silence or an absence of resistance does not imply consent;
- Consent can be withdrawn at any time; and
- Coercion, force, or threat or invalidates consent.



Stalking

Engaging in a ***course of conduct*** directed at a specific person that would cause a ***reasonable person*** to –

- (A) Fear for the person's safety or the safety of others; or
- (B) Suffer ***substantial emotional distress***.

- ***Course of conduct*** means two or more acts, including but not limited to, acts in which the stalking directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- ***Reasonable person*** means a reasonable person under similar circumstances and with similar identities to the victim.
- ***Substantial emotional distress*** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.



Dating Violence

Dating violence. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- (i) The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - For the purposes of this definition –
 - (A) Dating violence includes but is not limited to, sexual or physical abuse or the threat of such abuse.
 - (B) Dating violence does not include acts covered under the definition of domestic violence.
 - Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.



Domestic Violence

- *Domestic violence.* (i) A felony or misdemeanor crime of violence committed –
 - (A) By a current or former spouse or intimate partner of the victim;
 - (B) By a person with whom the victim shares a child in common;
 - (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - (D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
 - (E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.




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Campus Crime Report

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CAMPUS SECURITY [HOME](#) [ABOUT TMU](#) [CAMPUS SECURITY](#)

Campus Security

- Automobiles and Parking
- Safety Tips
- Campus Crime Reports**

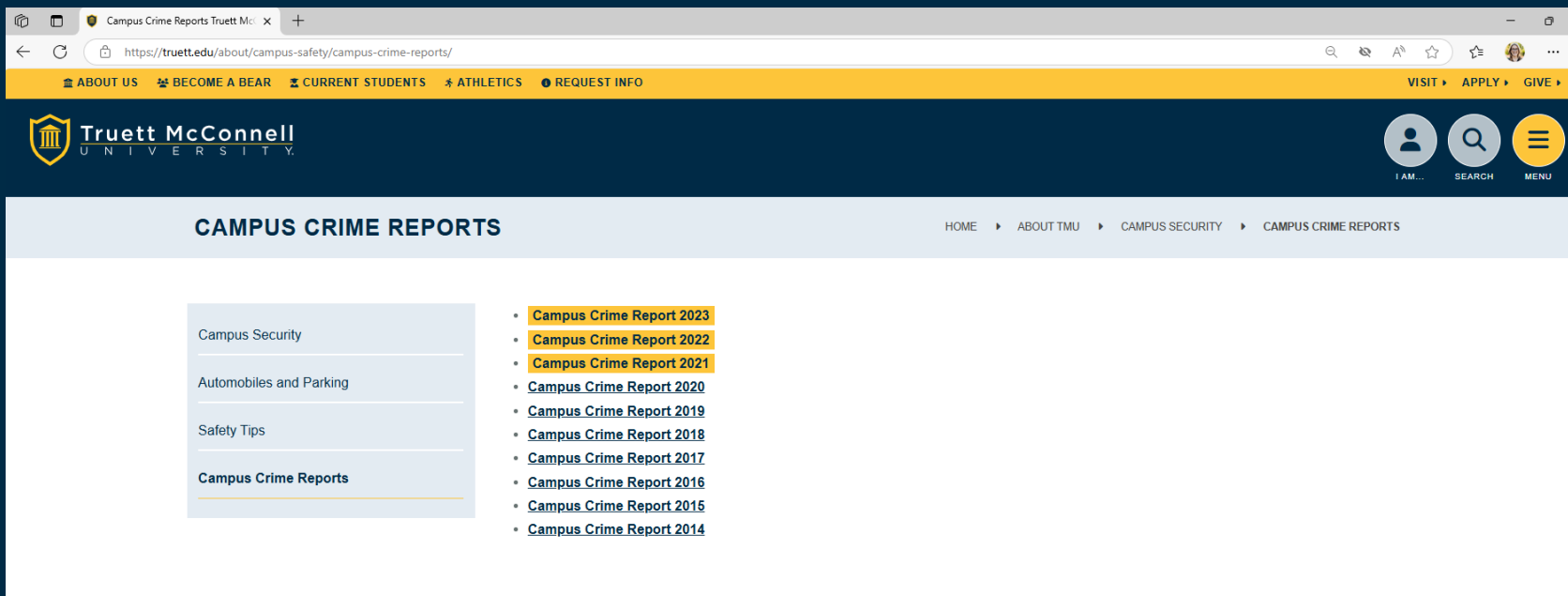
The Campus Security Department of Truett McConnell University exists to ensure faculty, staff, student, and campus safety throughout the school year. It is only through cooperation that the Campus Security Department and its employees can best serve the campus.

TMU Campus Safety and Security Report 2024

Contact Us

Justin Coalley, Director of Facilities
Management and Security
706-865-2134, ext. 3300
campussafety@truett.edu

Campus Crime Report




The screenshot shows a web browser displaying the "Campus Crime Reports" page of Truett McConnell University. The browser's address bar shows the URL "https://truett.edu/about/campus-safety/campus-crime-reports/". The page features a yellow navigation bar with links: ABOUT US, BECOME A BEAR, CURRENT STUDENTS, ATHLETICS, and REQUEST INFO. On the right of the navigation bar are links for VISIT, APPLY, and GIVE. Below the navigation bar is the university's logo and three circular icons for "I AM...", "SEARCH", and "MENU". The main content area has a header "CAMPUS CRIME REPORTS" with a breadcrumb trail: HOME > ABOUT TMU > CAMPUS SECURITY > CAMPUS CRIME REPORTS. On the left is a sidebar with links: Campus Security, Automobiles and Parking, Safety Tips, and Campus Crime Reports (which is highlighted). The main content area lists the following reports:

- [Campus Crime Report 2023](#)
- [Campus Crime Report 2022](#)
- [Campus Crime Report 2021](#)
- [Campus Crime Report 2020](#)
- [Campus Crime Report 2019](#)
- [Campus Crime Report 2018](#)
- [Campus Crime Report 2017](#)
- [Campus Crime Report 2016](#)
- [Campus Crime Report 2015](#)
- [Campus Crime Report 2014](#)

VISIT

100 Alumni Drive
Cleveland, GA 30528


Monday - Friday
8:00 a.m. - 4:30 p.m.


 Visit Campus

 Directions

CONNECT



 706-865-2134

 Donate Today

I AM ...

- ☐ an Accepted Student
- ☐ a Current Student
- ☐ a Parent
- ☐ Alumni
- ☐ an Employee
- ☐ a Visitor

TOP LINKS

- ☐ Academics
- ☐ Degree Programs
- ☐ Campus Map
- ☐ Admissions
- ☐ Financial Aid
- ☐ Tuition and Fees
- ☐ Employment
- ☐ ...



What is the Scope of Title IX?

TMU's Title IX policy applies to all university employees and students, when engaged in University sponsored events on or off University property.

- **Prohibited Conduct Occurring:**

- ✓ On campus.
- ✓ Within the context of any TMU education program or activity.
- ✓ Has continuing adverse effects on campus, on members of the TMU community.
- ✓ Regardless of where the conduct occurred when it occurs, i.e., on or off campus.



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Scope of Policy

Regardless of when, where or with whom the conduct occurred, TMU will offer resources and assistance to any individual who has been affected by Prohibited Conduct.



NOT Within the Scope of Policy

- Experience occurring prior to arriving on campus
 - e.g., An assault that occurred during high school
- Experience occurring at a non-TMU sponsored/related event
 - e.g., An assault that took place at home during a break



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Minors on Campus

- Prospective students are likely minors
- Dual enrollment students
- Report any concerns to:
 - TMU Campus Security – 706.969.0588
 - Cleveland Police Department – 706.348.7078
 - Emergencies – 911



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How do I report?



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TMU Title IX Team



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What happens after a complaint is made?



Supportive Measures

- Referral to counseling and health services
- Altering housing or work arrangements
- Increased security and/or security escorts
- No Contact Orders or assisting in protective orders
- Academic adjustments to class deadlines, course schedules, or offering alternative course completion options, etc.
- Limiting extracurricular or athletic activities
- Other appropriate actions as necessary to stop the prohibited conduct, prevent its reoccurrence, and remedy its effects on a party or improve the University community.



Title IX Procedural Process

- Inquiry/assessment
- Supportive Measures
- **Formal Complaint Filed**
- Investigation
- Informal Resolution
- Formal Resolution
- **Hearing**
- Appeal



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Campus Culture Matters



Expectations of Personal Behavior

- The TMU Student Handbook defines the *Standards of Student Conduct* expected of a TMU student.
 - The University expects Christian standards of morality to govern every **personal relationship**.
 - The University expects unquestioned **honesty**.
 - The use of **alcoholic** beverages, tobacco, and illegal **drugs** is prohibited.



Impact of Drugs & Alcohol

- Lowers inhibitions
- Affects the decision-making process
- Impacts the awareness of consequences
- Impacts a person's ability to **consent**
- **Stay away from drugs and alcohol!**



Social Media Issues

- You can be cyberbullied, stalked, sexually harassed via social media.
- Don't post, text, or send inappropriate images or messages.



Recognizing Abuse in Relationships

- Be on the alert for both you and your friends
- 10 Warning Signs of Abuse:
 - Checking your phone or email without permission
 - Constantly putting you down
 - Extreme jealousy or insecurity
 - Explosive temper
 - Isolating you from family or friends
 - Making false accusations
 - Mood swings
 - Physically hurting you
 - Possessiveness
 - Telling you what to do

How Can You Help?

- Be aware for both you and your friends
- Be present, active listening, be patient
- Validate their feelings
- Offer resources
 - Campus Security
 - University Counseling Center
 - Title IX Office support





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Questions?

titleix@truett.edu