

## Helping Student Leaders Understand Title IX

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Campus leaders play a very visible role to their peers and community. However, many students have a minimal understanding about Title IX, particularly in regards to sexual assault. They may have only heard about Title IX from an athletics standpoint. As advisors of student leaders, we have the opportunity to educate our students, correct any misinformation they may have, and assist them in supporting their peers. The following information can serve as a guide in beginning these conversations with your students.

A portion of the US Education Amendments from 1972, Title IX can be partially summarized to state the following: "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."

Although students may most often associate Title IX with athletic programs, the reality is that Title IX, in its entirety, applies to ten different key areas. These areas include: access to higher education, career education, education for pregnant and parenting students, employment, math and science, standardized testing, learning environment, and sexual harassment (DOJ, n.d.).

Recently, there has been an increased focus on those last two, learning environment and sexual harassment, which might be affecting some major changes on your college campus. Many campus communities are re-evaluating their conduct and hearing policies, increasing the visibility and frequency of educational programming, and hiring consultants who can accurately assess and handle some of these increased responsibilities. Students may be feeling the effects of these changes. Below are some key facts for campus leaders to know:

- **Title IX Applies to More than Sports and Athletics:** At its core, it prohibits sex-based discrimination in educational settings. As members of a traditionally single sex fraternities or sororities, our organizations are considered exempt from the law in an amendment that also applies to groups such as the Boy Scouts, the Girl Scouts, YMCA, YWCA, Campfire Girls, and other voluntary, single-sex and tax exempt organizations.
- **Title IX Doesn't Apply to Women Only:** It protects against any sex based discrimination. Female, male, or gender nonconforming individuals, regardless of whether they are a student, staff, or faculty member, are protected from violence, harassment, and discrimination under the law.
- **Your School Has to be Proactive and Ready:** Campuses are expected to take immediate and purposeful steps towards addressing any potentially harmful or harassing behaviors (Bolger, n.d.). They must have an established procedure for handling these complaints and a point person who manages the process, often referred to as a Title IX Coordinator (DOJ, n.d.). Students may notice edits to the campus conduct policy or an

increased amount of educational and awareness programming on campus. Campus leaders should be encouraged to seek out these policies and educate themselves and their organizations about sexual assault, harassment, and the policies that govern them.

- **Your School Must Support Those Involved:** It is against the law for schools to retaliate against individuals who come forward with a complaint or who identify as the victim or assailant. Additionally, institutions have the power to issue a "no contact directive" under the law which can keep the accused party from interacting or contacting the other party (Bolger, n.d.). Outside of a formal hearing, schools are prohibited from encouraging students to take (or not take) any particular action--they are expected to support the individual's decisions.
- **Victims Have a Right to Stay in School:** Victimized students have a right to remain on campus. Your school cannot encourage them to "take some time off" or force them to withdraw. As a component of the law, the school is obligated to ensure the continuation of a victim's studies in an environment free of hostility.
- **Know the Difference Between Confidential & Private Agencies on Campus:** By law, some campus administrators and offices are obligated to report any instance of harassment or misconduct if they are informed about them. Some groups, like your campus faith center and counseling center, are likely protected by the law from having to share this information with others. It is a good idea for students to ask administrators about their obligations to share information before divulging anything they wish to be kept confidential.

Campus leaders may experience a situation in which another student confides in him or her that a sexual assault may have occurred. In these situations, the primary job of the student leader is to be supportive and understanding. Help students to support their peers by educating them about the following steps to take in these situations:

1. **Listen:** And we mean really listen! Put down the phone, put away the computer, and be an active listener. It is likely taking a lot of courage for the individual to tell their story and the listener should be respectful and show that they actively care.
2. **Validate & Empathize:** Victims can often feel like their emotions after an assault are unwarranted, or that they are making a big deal out of something that is not serious. However, if they are uncomfortable, it is serious! Validate the way they are feeling and express empathy for their situation.
3. **Encourage & Support:** Although victimized students are under no obligation to report a Title IX issue if they do not wish to do so, student leaders may encourage them to seek proper counsel for their own well-being by visiting the campus medical center or mental health services. They should be made aware of the steps they may choose to take if they would like to report the incident via the appropriate campus officials, but they should not be pressured to do so. If they do choose to report the issue, the student leader should support their decision, as they may be faced with challenging medical, legal, and social implications as a result.
4. **Seek Self-Care:** Supporting someone involved with a sexual assault case can be a challenge, so student leaders should be sure to take care of themselves as well, while recognizing their limitations and making use of campus and community resources. The

student leader should also be careful to maintain confidentiality of the victim during and after this difficult time.

The Title IX Amendment and its related laws have a profound impact on the student experience as a college student and as a member of a fraternity and sorority. Advisors should make themselves aware of the specific campus procedures and offices involved in educating and supporting students about sexual assault. Aligning yourselves with these resources can help you to better serve your students and help us reach our goal of providing a supportive and healthy experience as a member of the fraternity and sorority community.

## References

- Bolger, D. (n.d.). *Title IX: The basics*. Retrieved from <http://knowyourix.org/title-ix/title-ix-the-basics/>
- U.S. Department of Justice. (n.d.). *Title IX legal manual*. Retrieved from <http://www.justice.gov/crt/about/cor/coord/ixlegal.php>