

# From Grammar to Legal Battleground: Navigating Gender in Title IX

ATIXA National Conference

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# Intro/Contact Info



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# Panel Outline

1. Definitions
2. Recap of Our Initial Conversations
3. Title IX Timeline: Milestones by Decade
4. Gender and Gender Identity Over the Years
5. Current Challenges
6. Resources
7. Open Discussion

# Definitions

- Gender: a person's self-representation as male or female (including somewhere in between on the spectrum), or how that person is responded to by social institutions on the basis of the individual's gender presentation. Gender involves how a person identifies. Unlike natal sex, gender is not made up of binary forms. Instead, gender is a broad spectrum. A person may identify at any point within this spectrum or outside of it entirely.
- Gender expression: how a person presents themselves to the outside world. For example, a person may identify as nonbinary but present as a man to the outside world.
- Gender identity: how a person feels internally.

## Definitions Cont.

- Sex: a classification, generally as male or female, according to the reproductive organs and functions that derive from the chromosomal complement [generally XX for female and XY for male]. Sex refers to the physical differences between people who are male, female, or intersex. A person typically has their sex assigned at birth based on physiological characteristics, including their genitalia and chromosome composition. This assigned sex is called a person's "natal sex" or "sex assigned at birth."
- Sexual orientation: a person's enduring pattern of emotional, romantic, and/or sexual attractions to individuals of a particular sex or gender.

# Recap of Our Initial Conversations

- Challenges with even having this conversation
- Differences in protections
- Guidance, laws, and interpretations are quickly changing
- Diversity among institutions (K-12; small private college; large public state university)

# Title IX Timeline: Milestones by Decade

## 1970s – Birth & Athletics

**Focus:** Equal access & athletics compliance

## 1980s – Narrowing & Restoration

**Focus:** Legal scope of Title IX

## 1990s – Sexual Harassment Recognized

**Focus:** Sexual harassment & school liability

## 2000s – Violence & Due Process Concerns

Alignment with **Clery Act & VAWA** → reporting + prevention requirements

**Focus:** Sexual violence, prevention, and early due process debates

## 2010s – Sexual Violence & Gender Identity

**Focus:** Sexual violence response & LGBTQ+ inclusion

## 2020s – Polarization & Redefinition

**2020 (DeVos Rules):** Narrows definition of harassment, requires live hearings/cross-examination

**2022–24 (Biden Rules):** Re-expand protections  
→ **gender identity, pregnancy, sexual orientation, online/off-campus harassment**

**2024 Regulations vacated**

Ongoing: State laws restricting transgender athletes, challenges to federal authority

**Focus:** Contentious battleground: sexual violence procedures, transgender rights, and gender as a social construct

# Gender and Gender Identity Over the Years

- 1945** Issac Madison Bentley defines gender as the "socialized obverse of sex"
- 1955** John Money, distinction between biological sex and gender identity
- 2016** President Barack Obama delivers a Dear Colleague Letter
  - Schools directed to allow restroom/locker room access consistent with gender identity
  - Marks a shift to LGBTQ+ inclusion as a Title IX issue
- 2017** Obama-era DCL rescinded
- 2020** *Bostock v. Clayton County* decided
- 2021** *G.G. v. Gloucester County School Board* decision upheld
- 2024** Updated Title IX regulations expand sex discrimination to include gender identity and sexual orientation
  - Immediate legal challenges
  - Multiple states pass laws (both limiting and expanding) transgender student participation in sports or restricting school authority on LGBTQ+ inclusion
- 2025** 2024 Regulations rescinded nation-wide; changes within OCR and EEOC

# Current Challenges

- K-12 spaces
- Blind spots vs. Hyper-focused
  - Who gets lost in the chaos?
    - Non-binary, gender fluid, intersex, medical conditions (Klinefelter, Turner, Androgen Insensitivity, or Cushing Syndrome, Prolactinoma, etc.), and those who just don't fit neatly into boxes
- Conflicts between federal and state laws, and regulatory guidance

# Resources

- [GLAAD – LGBTQ advocacy and cultural change](#)
- [RAINN - Rape, Abuse, and Incest National Network](#)
- [1 in 6 - Support for Men Healing from Sexual Abuse](#)
- [LGBT National Help Center](#)
- [The Trevor Project - Suicide Prevention for LGBTQ+ Young People](#)
- [Trans Lifeline](#)
- [ACLU – American Civil Liberties Union](#) (local and national)
- [Planned Parenthood](#)
- [National Domestic Violence Hotline](#)
- Local Resources
  - Rape Crisis Centers
  - Forensic Nurses

**Let's Talk About It**

# Responding to the Changing Title IX Landscape

Featured Session  
October 15, 2025



# Today's Presenters



**Angie Logan-Pope, M.S.**  
Title IX Director & Coordinator,  
Howard University



**Alisha Carter Harris, M.S.**  
Senior Consultant,  
TNG, LLC & ATIXA

# Policy, Procedures, and Practices



# Triaging Competing Needs and Priorities

# Community Impacts



# **Navigating Change While Ensuring the Continuity of Services**

# Changing Compliance Landscape

# Closing Thoughts & Questions

October 16, 2025



# **Bridging the Gap: Addressing Dating and Domestic Violence Through Title IX and Case Management Collaboration**

Featured Session: 2025 ATIXA & NABITA Annual Conference

Kayleigh Baker, J.D.; Senior Consultant, TNG; Advisory Board Member, ATIXA  
Tim Cason, M.Ed.; Senior Consultant, TNG; Vice President, NABITA



Any advice or opinion provided during this training, either privately or to the entire group, is **never** to be construed as legal advice or an assurance of compliance. Always consult with your legal counsel to ensure you are receiving advice that considers existing case law in your jurisdiction, any applicable state or local laws, and evolving federal guidance.

# Outline

1

Defining Terms and Case Review

2

Overlap of BIT and Title IX

3

Safety Planning and Risk Assessment

# Defining Terms

Behavioral Intervention Team (BIT) and Title IX

# Defining Terms: BIT

## BIT

“Behavioral Intervention Teams are small groups of school officials who meet regularly to collect and review concerning information about at-risk community members and develop intervention plans to assist them.”

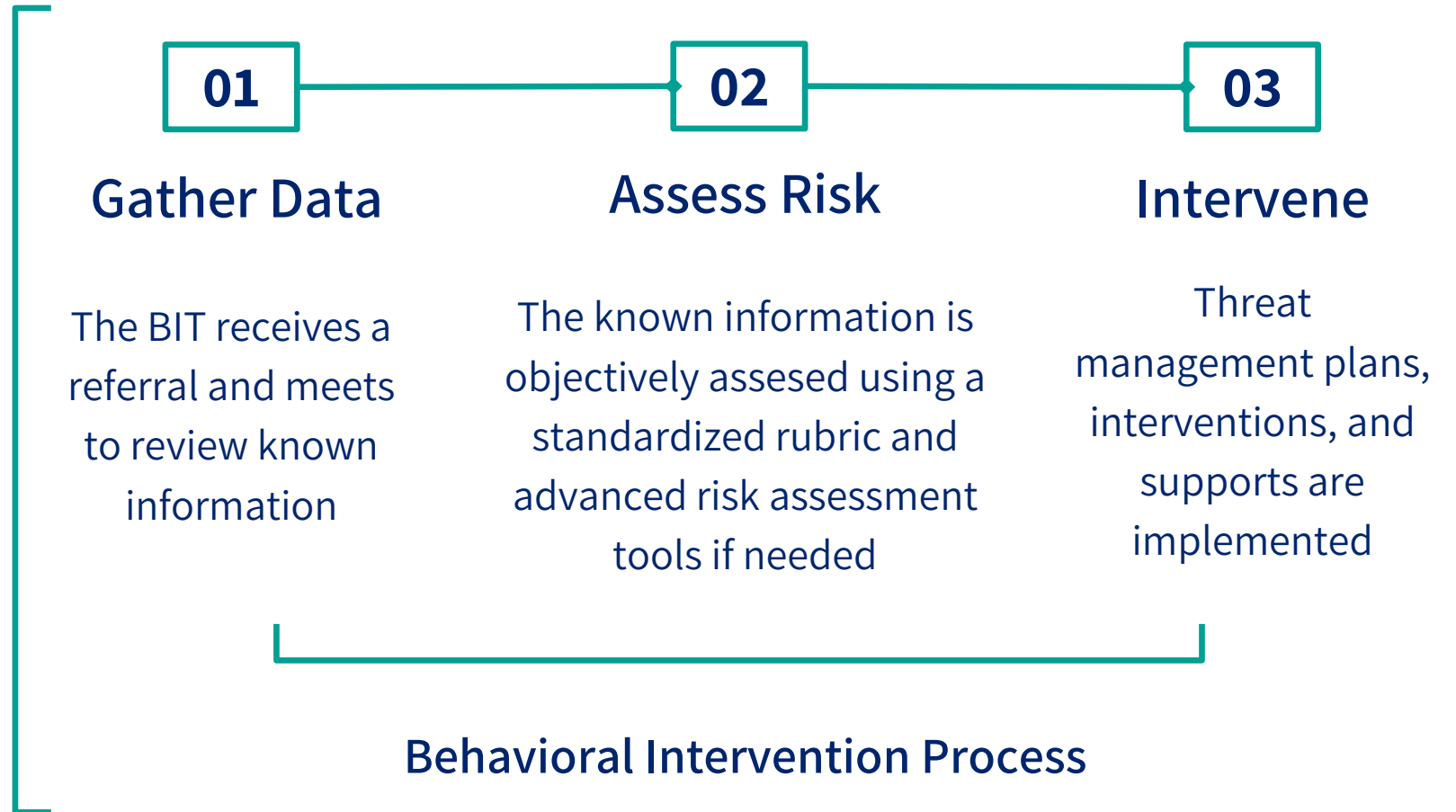
*- NABITA Industry Standards (2023)*

# Defining Terms: The BIT Process

## School-Wide Education

Schools can only respond to the concerns they know about.

Increased support and violence prevention starts with school-wide efforts to train faculty, staff, students, and parents to identify and refer.



# Defining Terms: Case Management

## Case Management

“Case managers in the higher education setting provide goal-oriented and strengths-based assessment, intervention, and coordination of services to students experiencing academic, personal, or medical difficulties in order to assist them in removing barriers to success and increasing their holistic well-being.”

*- Schiemann and Molnar (2019)*

# Defining Terms: Case Management



Assessment



Coordination of  
Services



Advocacy

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## Case Management Functions

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System  
Negotiation



Follow up  
Services



Documentation

# Defining Terms: Title IX

## 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 education program or activity receiving Federal financial assistance.”

*- 20 U.S.C. § 1681 & 34 C.F.R. Part 106 (1972)*

# Title IX: Scope

## Title IX Stop. Prevent. Remedy

### Sex Discrimination

- Inequitable Treatment
- Exclusion from Participation

### Sexual Harassment

- Quid Pro Quo
- Hostile Environment
- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking
- Retaliation

# Defining Terms: Dating Violence

## Violence, on the basis of sex,

- Committed by a person
  - Who is in or has been in a social relationship of a romantic or intimate nature with the Complainant
    - The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interactions between the persons in the relationship
- Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse
  - Does not include acts covered under the domestic violence definition

# Defining Terms: Domestic Violence

## Violence, on the basis of sex,

- Committed by a current or former spouse or intimate partner of the Complainant
  - By a person with whom the Complainant shares a child in common, or
  - By a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
  - By a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of the state, or
  - By any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the state

# Defining Terms: Violence

- ATIXA recommends institutions define violence as part of their policies
- Violence includes situations where the Respondent intentionally or recklessly causes the Complainant serious physical, emotional, or psychological harm.
  - Intent is evidenced when a Reasonable Person would be more likely to act with the purpose of causing serious harm rather than for any other reason
  - Recklessness is evidenced by a disregard of obvious risk to the safety of the Complainant

# Defining Terms: Violence

- Legitimate use of violence for self-defense is not chargeable under the Policy because the purpose is safety, not harm. It may also be used as a defense if it is not clear at the time of charging whether the use of violence was for self-defense or not. Self-defense is only to be considered if it is prompted by physical violence or the threat thereof.
- Consensual use of violence, such as in kink relationships, would also not meet this definition in most circumstances
- Threats to seriously harm the Complainant or people they care about may be chargeable under this definition if doing so causes serious emotional or psychological harm
- Threats to harm oneself, even if made to cause emotional or psychological harm, are not considered violence under this definition (but may be addressable under the an institution's Threat Policy)

# Case Review

Review Case from Mock BIT Meeting

# Priya and John

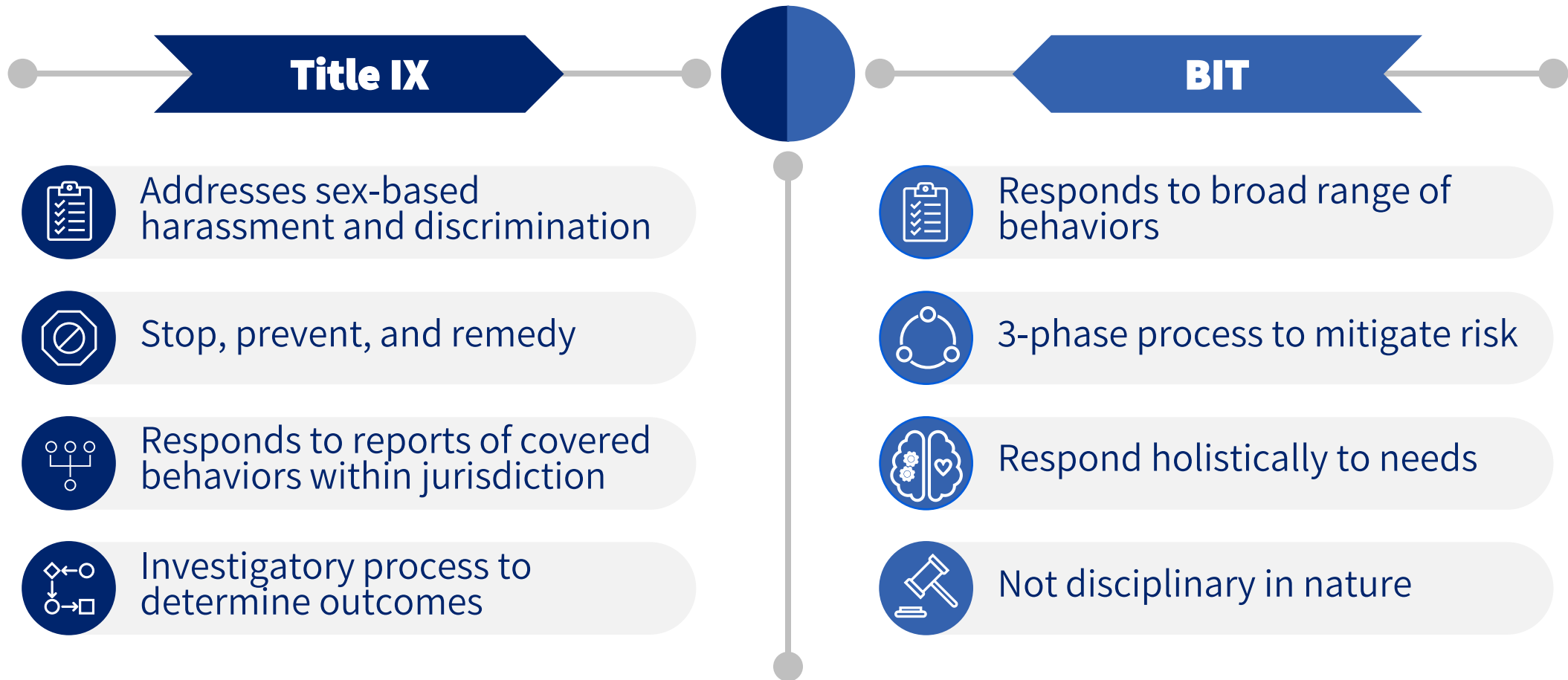
- Priya and John are both residential students
- Priya reported that she and John were in a dating relationship. She reported that during an argument, John slapped Priya across the face.
- Priya reported to Title IX and signed a formal complaint.
- Supportive Measures
  - No Contact Order
  - Schedule Shift
- John came to a meeting with the TIXC “angry” and threatening administrators
  - Parents have also been calling



# Title IX and BIT Overlap

Overlap and Information Sharing Guidance

# Distinguishing Title IX and BIT Responsibilities



# Title IX and BIT Overlap

## Title IX Reports

Referrals involving components of sexual violence necessitating Title IX response

### For example:

- Employee notifies campus police that they recently obtained an order of protection from their estranged spouse
- Student employee has been frequently late or absent from work and has visible bruising on multiple occasions

## BIT/Care Team Referrals

Complaints involving incidents of aggression, threats of violence, violence, harm to self, stalking, hazing, vandalism, substance abuse

### For example:

- Respondent has history of suicidal ideation
- Employee's ex-partner repeatedly calls the workplace and makes threats to employee and coworkers

# Mutual Referrals and Overlap

## Title IX to BIT/CARE Team

Title IX may refer incident(s) to BIT/CARE Team, whether or not a Title IX investigation is ongoing and can refer the Complainant, the Respondent, or both

## Objective VRA

A member of the BIT/CARE Team may conduct a VRA for individuals that are reportedly engaging in threats or acts of violence



## BIT/CARE Team to Title IX

BIT/CARE Team may refer incident(s) to Title IX that involve harassment or discrimination based on sex

## Supportive Measures

BIT/CARE Team and Title IX may provide supportive measures to those participating in the Title IX Grievance Process

# Information Sharing

- **Title IX and BIT/CARE Team may share information in a streamlined and timely manner**
  - Family Educational Rights and Privacy Act (FERPA): legitimate educational interest

## Supportive Measures

- No contact orders
- Housing assignments and restrictions
- Classroom or classwork modifications
- Restrictions to areas of campus/  
specific activities
- Emergency Removals

## Commonly Shared Information

- Pending VRA process and report
- Status of investigations, informal resolutions, hearing process
- Outcomes, sanctions, and remedies
- Updates in parallel criminal proceedings

# Title IX on the BIT

- ATIXA/NABITA **recommends** that the Title IX Coordinator (TIXC) or a Deputy/Building Coordinator serve as a liaison with the BIT/CARE Team
  - Invited to meetings when relevant individuals are on the agenda
- TIXC should be well-trained in BIT philosophy, procedure, and operations
- BIT members should be well-trained in Title IX scope and response, and how to file a report

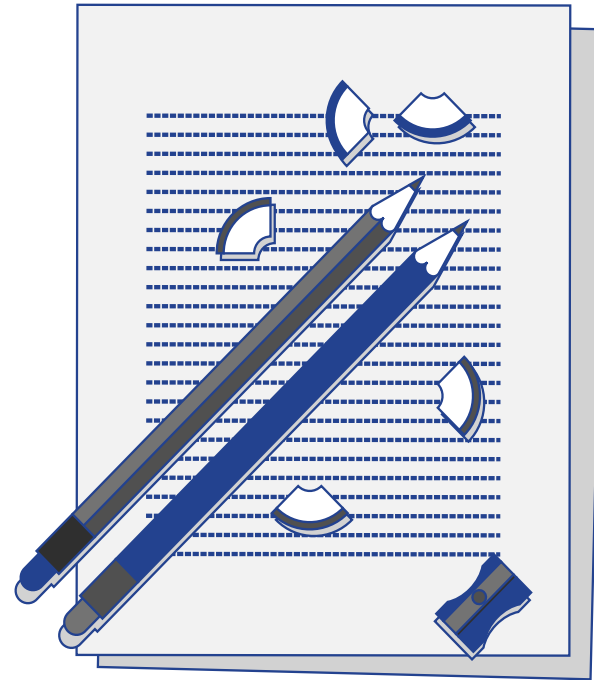


# Safety Planning

Strategies and Recommendations

# Safety Planning

A safety plan is a personalized and practical plan that identifies things individuals can do to better protect themselves and reduce the risk of being hurt



# Five Strategies for Safety Planning

## Prevention

01

Identify ways to prevent future violence

## Protection

02

Look for ways the person can be safe during a potential incident

## Notification

03

Arrange ways to get help if in crisis

## Referral

04

Coordinate and connect to services

## Emotional Support

05

Find support and ways to increase connection

# Safety Planning Recommendations

## How To Help

- Build rapport through active listening
- Listen to the individual's fears and discuss what might help
- Try to understand the individual's motivations for safety
- Brainstorm creative options together

## Try To Avoid

- Telling the potential target what to do or placing the burden of safety solely on the intended target
- Simply referring the person to another office or agency
- Recommending strategies that could increase risk (e.g., “You should get a gun.”)
- Blaming the person if they don't follow the plan or experience future violence

# Safety Planning Example

## Imagine a variation of the case from the Mock BIT Meeting

- Priya lives off-campus with her husband, John, who is not a student
- Priya is contemplating leaving John after multiple instances of Domestic Violence, but is worried about what that may do to her eligibility to stay in the country and where she'll even live
- Priya has been reluctant to go to any campus offices because John tracks her phone and knows her class schedule
- Priya finally discloses this to her classmate, Julie, after Julie saw what looked like John slapping Priya in the car after he picked her up from the library last week
- Julie reported it to the faculty member, who called the Title IX Coordinator

# Safety Planning Options

## General:

- Cease further communication with individual causing harm
- Obtain a protective order
- Vary daily routine
- Keep a log
- Notify LEO/security
- Engage with victim services program
- Consider what might happen next

## Workplace/School:

- Adjust hours/class schedule
- Adjust extracurricular activities
- Change routes to and from work/school
- Give photo of individual to security/friends/staff
- No contact directives
- Receive escorts
- Other supportive measures

# Safety Planning Options

## Home:

- Notify support network
- Inform neighbors/HOA/Landlord
- Pack a bag of important items for quick exit
- Identify escape routes
- Change locks/upgrade security
- Install cameras
- Stay at an alternative location

## Online:

- Block individual causing harm
- Change passwords frequently
- Change answers to security questions
- Double authentication
- Disable location tracking/sharing
- Acquire a new device
- Set up fraud alert with credit bureaus

# Safety Planning Template

## Safety Planning Checklist and Template

NOTE: All gray highlighted text must be customized by the user or deleted if not needed.

The National Association for Behavioral Intervention and Threat Assessment (NABITA) offers this checklist and template when engaging in safety planning with an individual. BIT/CARE Team members are encouraged to consider what resources are available in the community/area for each of the categories.

### Safety Planning Checklist:

- Build rapport through active listening.
- Offer to include a support individual in the safety planning meeting (if feasible and appropriate).
- Share relevant and appropriate information regarding safety concerns/risk.
- Listen to the individual's concerns and desired outcomes.
- Discuss what might help address fears/help them feel safe.
- Brainstorm creative options.
  - Share all possible options, allow the individual to specify their preferences.
  - Avoid placing the burden of safety solely on the intended/potential target.
- Create and document in writing a safety plan with the individual.
  - Outline prevention strategies to prevent future violence.
  - Identify ways the individual can protect themselves during a potential violent incident.
  - Arrange ways to get help/notify others in a crisis.
  - Coordinate and connect the individual to services that can help support the safety plan.
- Provide a copy of the safety plan to the individual, in person if appropriate and follow-up in e-mail.
- Provide a copy of the necessary information to stakeholders (e.g., notify front desk staff that an individual is restricted from being in a building and provide a photo of the individual).

## Safety Planning Template:

Safety Plan Categories	Specific Strategies
<b>Prevention:</b> <i>Strategies to prevent future violence</i>	<b>Examples of Strategies with Potential Victim:</b> <ul style="list-style-type: none"> <li>• Relocate residence halls</li> <li>• Obtain a no contact order</li> <li>• Change to schedules, routes, class/work location</li> <li>• Block individuals and disable location services on social media</li> <li>• Arrange safety escorts</li> <li>• Request additional safety rounds from police or campus safety in areas of campus</li> </ul>
<b>Protection and Notification:</b> <i>Ways the individual can protect themselves during a violent incident and get help in a crisis</i>	<b>Examples:</b> <ul style="list-style-type: none"> <li>• Know how and when to report concerns and what information to provide</li> <li>• Have an escape route from key locations (e.g., residence, workplace, classroom)</li> <li>• Consider notifying close friends, faculty, staff, or family about what is taking place</li> <li>• Keep cell phone accessible and preprogram important numbers</li> <li>• Identify emergency numbers/contacts</li> <li>• Determine code words with trusted family, friends, colleagues, etc.</li> </ul>
<b>Referral and Support:</b> <i>Coordinate and connect to services that can help and find support and ways to become less isolated</i>	<b>Examples:</b> <ul style="list-style-type: none"> <li>• Mental Health Crisis Line</li> <li>• Legal system</li> <li>• Victim Services</li> <li>• Temporary housing</li> <li>• Faith or spiritual community</li> <li>• Exercise group</li> <li>• Hobby, art, writing</li> <li>• Trusted friends and family</li> <li>• Peer support groups</li> <li>• Community groups</li> </ul>


# Risk Assessment

Types of Assessments and Emergency Removal Considerations

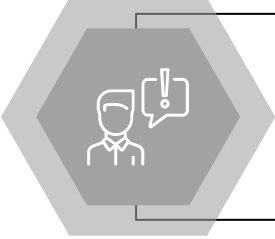
# Emergency Removal

- TIXC determines if the alleged behavior may meet the standard for Emergency Removal:
  - Does the alleged behavior pose an **immediate threat** to the physical health and safety of the Complainant, any student, or other person?
    - This is a high threshold
    - To determine if an Emergency Removal is necessary, TIXC should evaluate the known information, including risk factors, using an objective referral protocol
- Districts/Institutions should consider what referral protocol will be implemented to ensure a thorough review, maintaining consistency across complaints
- To make the determination, there must be an **individualized safety and risk analysis**
- For employee cases or student cases falling outside of Title IX, administrative leave and interim suspension can be used in line with existing protocol

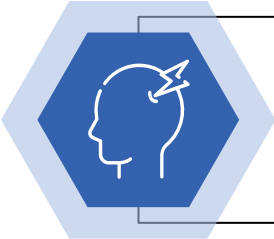
# Assessment Types



**General Risk Assessment**



**Threat Assessment**



**Psychological Assessment**



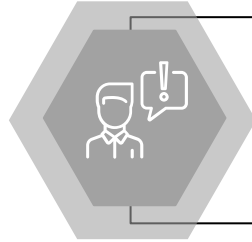
**Violence Risk Assessment**

# Assessment Types



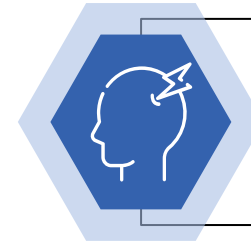
## General Risk Assessment

- Broadly used for a variety of situations and concerning behaviors
- Focuses on proactive approach, with interventions to lower risk and ease distress



## Threat Assessment

- Completed in response to explicit or veiled threat
- Focuses on details of threat, actionability, and crisis response
- Often limited to determining likelihood of violence as related to specific threat



## Psychological Assessment

- Conducted by a trained, licensed clinician
- Focuses on determining diagnosis and treatment plan such as therapeutic intervention, medication, hospitalization, etc.

# VRA

- One type of assessment
- Helps determine potential violence or dangerousness toward a person, group, or system
- Explores various risk factors and protective elements in a comprehensive manner
- Not predictive, but an estimate of the factors that make it more or less likely the individual will engage in violence



# Administering a VRA

- No specific position or educational degree required
  - Should not be the TIXC
  - Conducted by trained Assessor, could be a member of BIT
- Requires training and expertise in using an objective risk assessment tool
- Competency in:
  - Conducting a VRA
  - Gathering information
  - Building rapport
  - Bias and cultural issues



# Objective Tool

- An objective tool allows the Assessor to rely on standardized, research-based risk factors
- Mitigates bias and subjectivity
- Provides more consistent and supportable outcomes

**RISK  
RUBRIC**  
NABITA Assessment Tool 

**SIVRA**  
NABITA Assessment Tool 

## D-SCALE: LIFE STRESS AND EMOTIONAL HEALTH

### DECOMPENSATING

- ▲ Behavior is actively dangerous and potentially lethal
- ▲ Impaired ability to engage in basic/essential daily tasks that presents an imminent risk to their safety or the safety of others based on:
  - △ Episodic or ongoing life event or chronic condition
  - △ Communications, thought patterns, and/or behaviors that are illogical, tangential, or based on things others cannot see or hear
- ▲ Unwelcome or repetitive communications/contact that present an imminent safety risk to the recipient
- ▲ Substance use, or other addictive/risky behaviors, that present an imminent risk to their safety or the safety of others
- ▲ Specific and direct threat of potentially lethal violence that is impulsive
- ▲ Potentially lethal physical contact towards others
- ▲ Imminent suicidal ideation or suicidal ideation that includes a potentially lethal plan
- ▲ Life-threatening suicide attempt or non-suicidal self-injury that is life threatening

### DETERIORATING

- Destructive or significantly disruptive actions/communications
- Impaired ability to engage in basic/essential daily tasks based on:
  - Episodic or ongoing life event or chronic condition
  - Communications, thought patterns, and/or behaviors that are illogical, tangential, rapid, or irrelevant
- Unwelcome or repetitive communications/contact that are disruptive and concerning to the recipient
- Substance use, or other addictive/risky behaviors, that:
  - Create significant or frequent negative consequences or
  - Present significant but non-life-threatening safety risk
- Vague, indirect, or non-lethal threat of impulsive violence
- Minor physical contact towards others
- Suicidal ideation that is not imminent or lethal
- Non-life-threatening, non-suicidal self-injury
- Significant impairment in mood, relationships, academic/work performance, etc.

### DISTRESSED

- Limited ability to regulate emotions or actions
- Struggles to manage or cope with episodic or ongoing life event or chronic condition that does not impact their ability to engage in basic/essential daily tasks
- Moderate difficulties with mood, relationships, academic/work performance, etc.
- Interpersonal relationship difficulties or difficulties interacting/communicating with others
- If a threat to self or others is present, it is vague, indirect, implausible, and lacks detail or focus

### DEVELOPING

- Healthy or safe coping skills related to an episodic or ongoing life event or chronic condition
- Minimal to no difficulties with mood, relationships, academic/work performance, etc.
- Has a need for resources or services to address a barrier or stressor
- No threat to self or others present

### NONE

## E-SCALE: HOSTILITY AND VIOLENCE TO OTHERS

### EMERGENCE OF VIOLENCE

- ▲ Specific, direct, and potentially imminent lethal threat of violence to others
  - △ Threat to others as retaliation to resolve grievances, or to address ideologically hardened/hate-based beliefs
  - △ Individual, group, organization, or location identified as a target for the communicated threat
- ▲ Behavior, writing, and/or communication indicates attack planning behaviors
- ▲ Unusual/concerning interest in violence/violent content with a clear, articulated plan to emulate/replicate violence
- ▲ References past attacks/attackers that demonstrate a clear, articulated desire to emulate/idolize the past attack/attacker

### ELABORATION OF THREAT

- Threat of physical harm to others that is either vague or non-lethal
  - Threat or ultimatum as retaliation to resolve grievances or address ideologically hardened/hate-based beliefs
  - Individual, group, organization, or location identified as a target for the threat or ultimatum of physical harm
- Unusual/concerning interest in violence/violent content with a potential desire to emulate/replicate violence
- References past attacks/attackers with a potential desire to emulate/idolize the past attack/attacker
- Engages in aggressive or harmful behavior toward animals or individuals perceived as vulnerable

### ESCALATING BEHAVIORS

- Grievances concerning perceived/actual mistreatment and/or injustices
- Clearly non-violent ultimatums/consequences to resolve grievances
- Ideologically hardened or hate-based beliefs that create disruption/conflict by shaming, objectifying, or intimidating others
- Increased agitation, defiance, or oppositional behavior regarding grievances
- Unusual/concerning interest in violence/violent content without a desire to replicate/emulate

### EMPOWERING THOUGHTS

- Ideologically hardened/hate-based beliefs that create conflict with others but do not disrupt, shame, objectify, or intimidate others
- Difficulty taking the perspectives of others or demonstrating empathy
- Increased isolation and/or forming new connections centered around shared feelings of being mistreated, excluded, or misunderstood
- Narrowing relationships and consumption of information (e.g., news, social media) to only those that share the same perspective
- No threat or ultimatum communicated or present

### NONE

CRITICAL  
ELEVATED  
MODERATE  
MILD

# SIVRA

## Structured Interview for Violence Risk Assessment

1. Communicated a Threat
2. Target
3. Access to Means
4. Planning Behaviors
5. Grievances
6. Hate-Based or Ideological, Hardened Beliefs
7. Interest in Violence, Violent Content, or Causing Harm
8. Researched Past Attacks
9. Suicidality
10. Disconnection from Reality
11. Substance Use
12. Personality Traits
13. Noticeable Behavior Change
14. Access to and Experience with Firearms
15. Homelife Experiences
16. Social Experiences
17. Work/School Experiences
18. Personal or General Stressors
19. Criminal History
20. Disciplinary History
21. Violent Behavior Not Involving Criminal or Disciplinary Action

# Using the Results

- Violence Risk Assessment (VRA) results guide the **voluntary** interventions from the BIT
  - Cannot require compliance with assessment recommendations
  - BITs/Case Managers should not place or recommend interim restrictions, place holds, etc.
- VRA results **DO NOT** indicate whether a student should be suspended, remain on campus, or remain enrolled
  - Decisions lie within the student code of conduct or Title IX process
    - Interim or permanent suspension or expulsion
    - Emergency Removal under Title IX

# THANK YOU

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# Prevention That Sees Us

BUILDING INCLUSIVE STRATEGIES ROOTED IN LIVED EXPERIENCE

*Jose L. Carval (he/el)*

*Founder – Principal Consultant*



**Authentic Pathways & Solutions**

People-First Strategies for People-Focused Missions







Why this matters



JC 

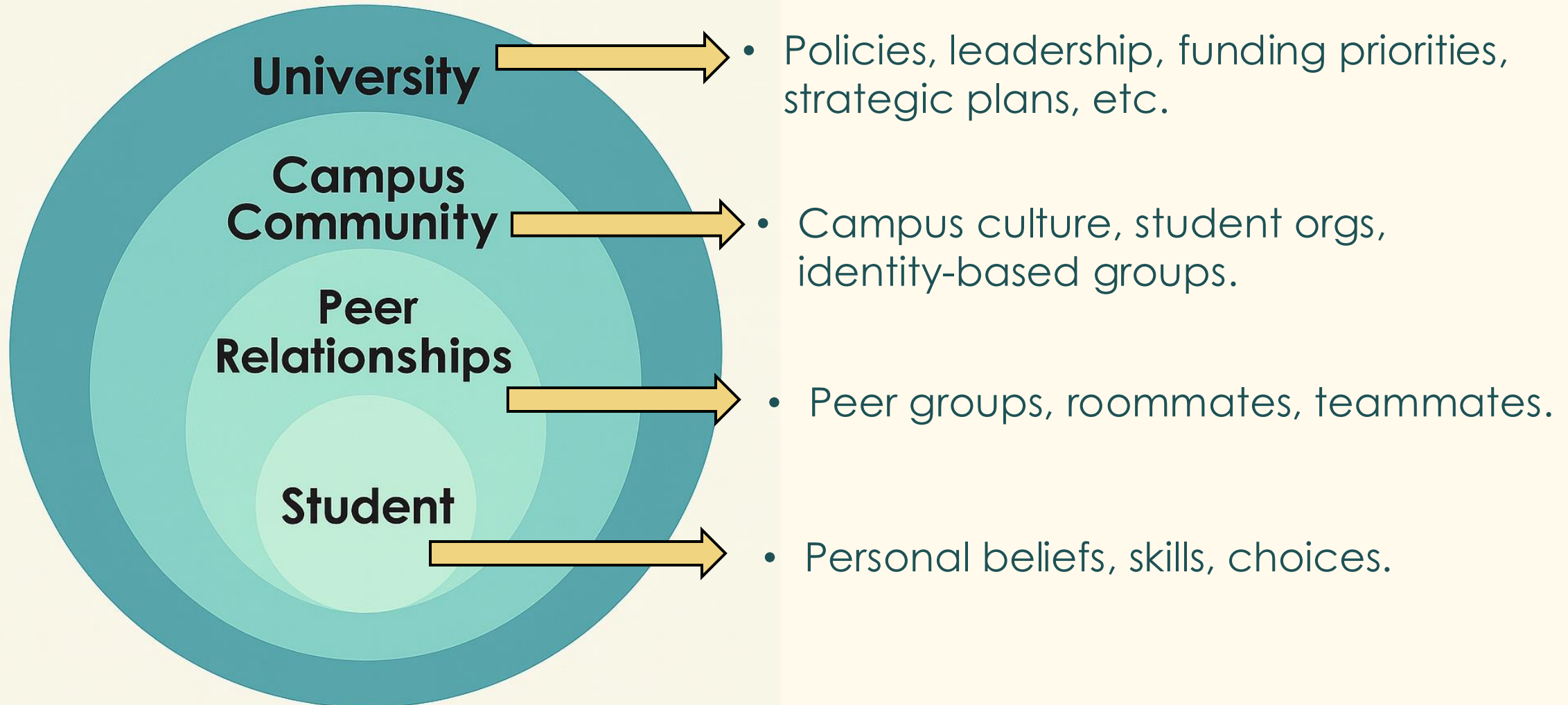
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Prevention That Sees U...  

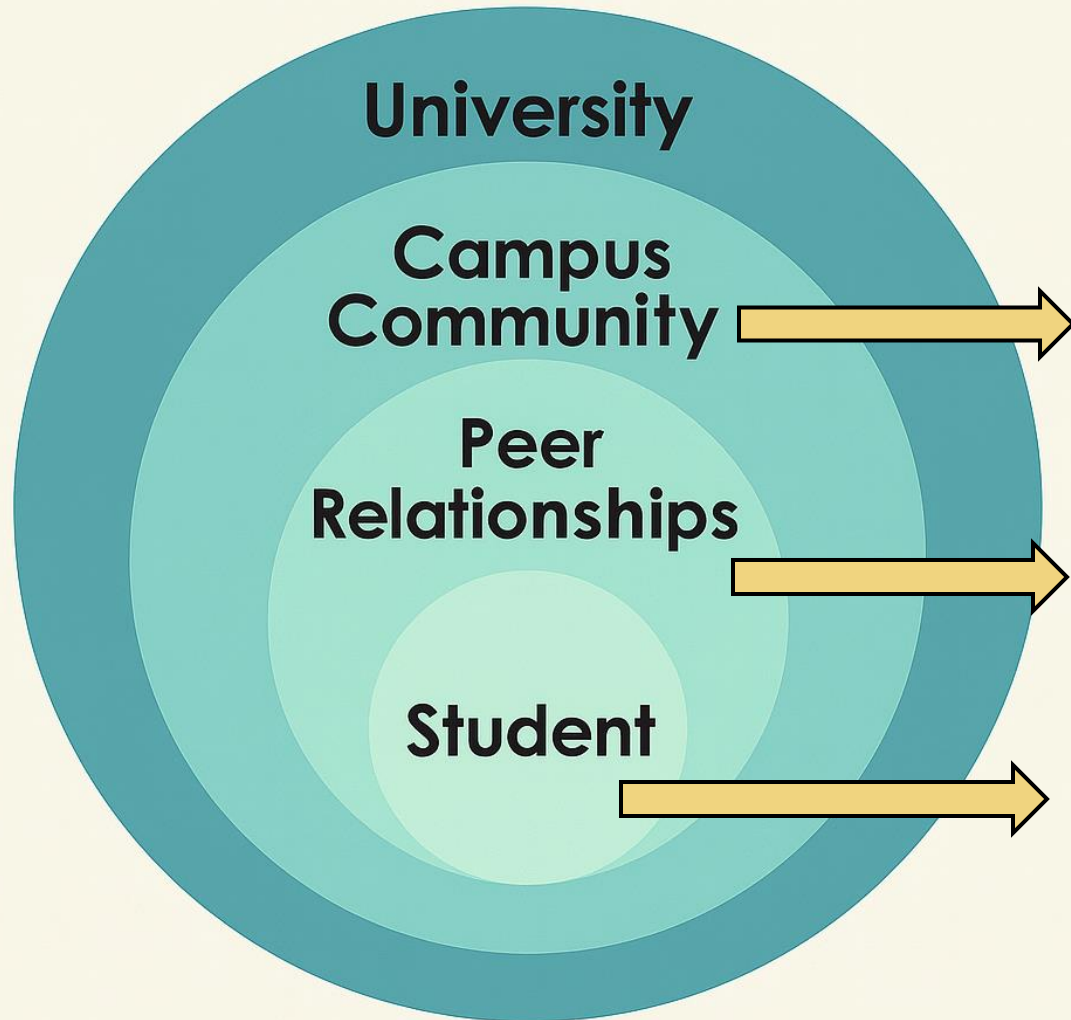
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# Foundations of Prevention: The Socio-Ecological Model



# Foundations of Prevention: The Socio-Ecological Model



- Designing scenarios that reflect campus subcultures, the spaces where different identities on your campus feel at home.
- Soliciting input from student groups
- Making sure examples go beyond neutral defaults and deliberately reflect the lived experiences of a diverse campus community.

# Neutral is **Not** Inclusive



Example:

- *A man isolates a drunk woman at a party.*
- *At a party, a student isolates a drunk classmate.*
- *Jamie keeps pulling Sammy away from the group at the party.*



Neutral is **Not** Inclusive



Neutral isn't neutral.

It just allows participants to  
default to dominant identities.



## **Deliberately Inclusive:**

To intentionally center marginalized identities in our prevention content.

# Deliberately Inclusive



Example:

- *A man isolates another drunk man at a party.*
- *At a club meeting, you notice Cindy repeatedly pressuring Julia to stay behind after everyone else leaves.*

# Deliberately Inclusive



When we're deliberate about inclusion, three things happen:

1. Students with marginalized identities are more likely to step in when they see concerning behavior.
2. These same students are more likely to seek help if they've experienced harm.
3. Dominant-culture bystanders are better equipped to recognize and respond across difference.

# Quick Note on Bias



“Bias is prejudice in favor of or against one thing, person, or group compared with another, usually in a way that is considered to be unfair. When it comes to people, unconscious bias includes stereotypes and attitudes we have that are different than our stated beliefs.”

- Kirwan Institute for the Study of Race and Ethnicity



# Tailoring Prevention to Your Community

# Tailoring



## 1. Set realistic boundaries.

- Be thoughtful about which examples you include, and make sure they don't all default to the same dominant group.

# Tailoring



2. Gather information from the right sources, with trust and transparency.

- Relationship-building/conversation
- Training participants

# Tailoring



- Review for harm before delivery
  - Check for harmful defaults
    - e.g., “Call the police,” “Trust your gut”
  - Avoid reinforcing stereotypes
    - Who is pictured? What roles do they play?
  - Focus on observable behaviors
    - Not assumptions or labels

# Tailoring



## 4. Be Deliberate but Don't Be Overt

### **Instead of this**

A Black student yells at another Black student.

### **Try This**

After the Homecoming stroll-off, you see a couple in a heated argument.

## 4. Be Deliberate but Don't Be Overt

### **Instead of this**

You overhear your lesbian teammate saying she recently broke up with her girlfriend, but her ex won't leave her alone.

### **Try This**

A teammate has recently broken up with her girlfriend, but her ex keeps showing up outside of the locker room after practice. Your teammate looks uncomfortable when this happens.

## 4. Be Deliberate but Don't Be Overt

### **Instead of this**

A student in a wheelchair looks uncomfortable as another student asks inappropriate questions about a classmate.

### **Try This**

A student comes into the Accessibility Resource Center multiple times asking when another student is scheduled to be there.

# Tailoring



1. Set realistic boundaries
2. Gather information from the right sources, with trust and transparency
3. Review for harm before delivery
4. Be Deliberate but Don't Be Overt
5. Rinse and Repeat

# Closing



- No perfect formula
- Balance is the goal
- Progress, not perfection
- It takes a village



Hola Jose,

Your words from my undergraduate studies still resonate and inspire me today. Thanks to your encouragement, I kept working hard to graduate and pursue my goals in violence prevention. I live as proof of how transformative you are, and I know the world will hold you close like you held your students close. Wishing you the best during your search, and I know your name is talked about positively in all places. 😊

Hugs!

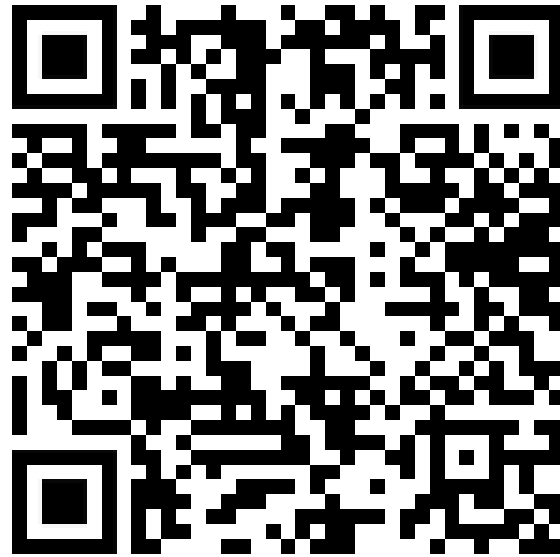
# Quick Reflection



Think about student group or community you serve, where you can begin to put some of this into practice.

- Who could you invite to help you build a stronger connection with this group?

# Your feedback matters!



# Thank you!



Connect with APS on LinkedIn!

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October 16, 2025

# The Case for a Comprehensive Civil Rights Approach



# Panelists



**Emily Babb**

AVP for Civil Rights and Title IX  
Compliance/Title IX Coordinator  
Northwestern University



**Keasara (Kiki) Williams**

Director, Office of Prevention of  
Harassment and Discrimination  
Lawrence Berkeley National Laboratory



**Beth Robischon**

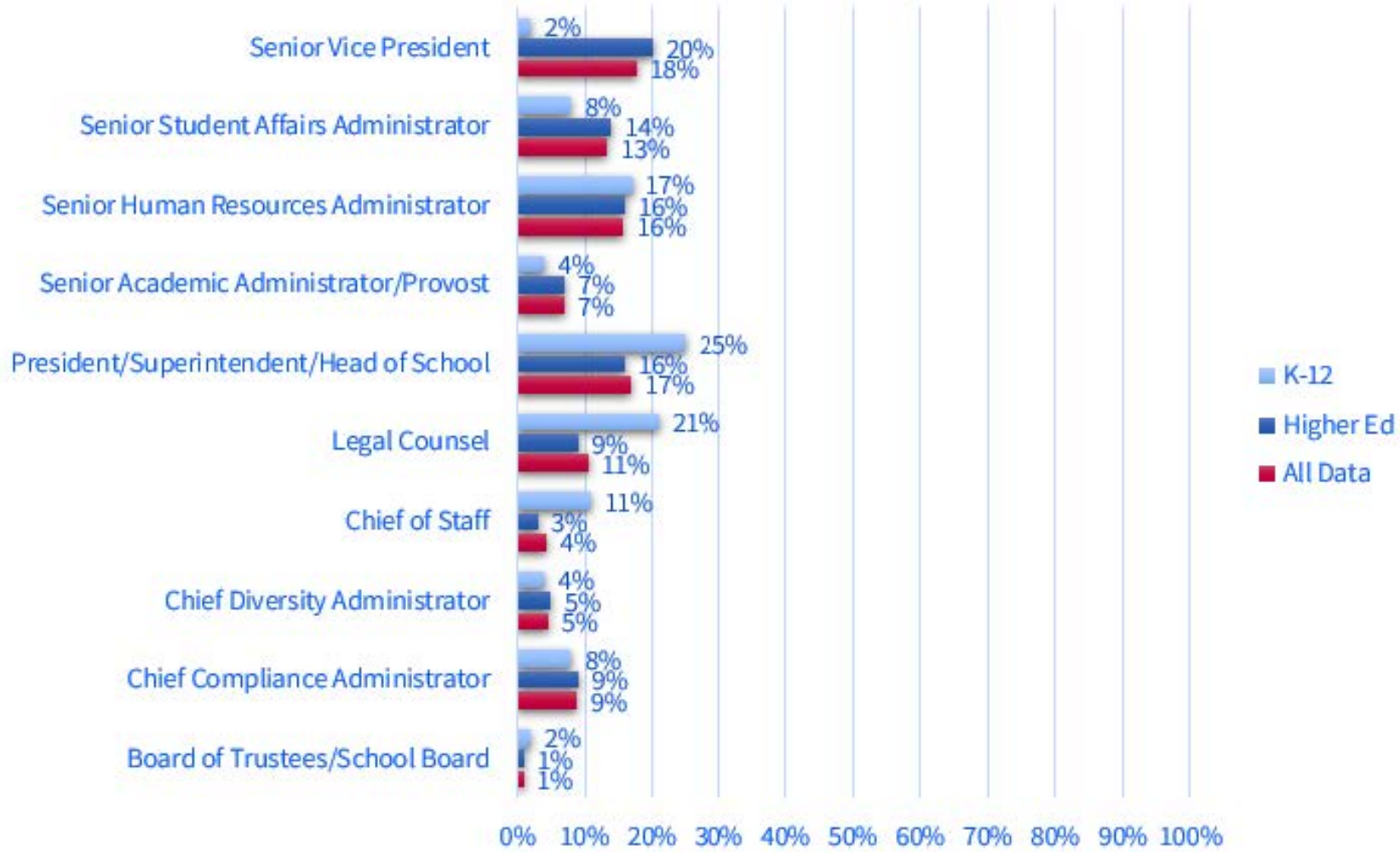
Sr. Associate General Counsel  
University of Denver

# Understanding the Civil Rights Laws Landscape

- Title IX of the Education Amendments of 1972
- Title VI of the Civil Rights Act of 1964
- Section 504 of the Rehabilitation Act of 1973
- Title II of the Americans with Disabilities Act of 1990
- Age Discrimination Act of 1975
- Title VII of the Civil Rights Act of 1964
- Other federal laws
- State Law
- Local ordinances

# Let's talk office structures

# TITLE IX COORDINATOR REPORTING STRUCTURE 2025



# Establishing a Comprehensive Civil Rights Office

- Establish strong, comprehensive policies
- Understand the reporting structure
  - President/Superintendent
  - Compliance
  - General Counsel
  - HR
  - Provost
  - Student Affairs
- Set the scope of the work/office
  - Who does the office serve?
  - What policies does the office enforce?
- Determine the size of the team and the roles needed to support the work
  - Internal versus external roles
- Name for the office

# Identifying the Team

- Identify the roles you need
  - Title IX Coordinator
  - Title VI Coordinator
  - ADA/504 Coordinator
  - Deputy Coordinators
  - Investigators
  - Case Managers
  - Informal Resolution Facilitators
  - Decision Makers
  - Appellate Officers
  - Advisors
- Full time positions v. additional duties for existing employees
- Train the team
- Cross-train key stakeholders

# Building Strong Allies

- Senior Administrators
  - Student Affairs, Provost, Deans, Department Chairs
- General Counsel
- School Site Administrators (K-12)
- Human Resources and Employee/Labor Relations Partners
- Compliance or Enterprise Risk
- Student Conduct Offices
- Faculty Affairs
- Student Groups
- Confidential Advocates
- Community Partners
- Campus and Local Law Enforcement
- Student Support and Special Education Services (K-12)

# Maximizing Resources

- Building a realistic budget
  - External versus internal costs (investigators, hearing officers, training, outside counsel)
  - Variability based on workload
- Partner within your institution's network or with other location institutions
  - E.g., Systemwide office support, Big 10 Academic Alliance, Chicagoland Title IX Consortium, ATIXA Community of practice and mentorships
- Cross train with other offices
- Importance of professional development

# Navigating Challenges and Shifting Priorities

- Internal Challenges
  - Changes in leadership
  - Changes in resources (and budgets)
  - Staff turnover and burnout
- External Challenges
  - Changes in the legal frameworks – statutory, regulatory, case law
  - Changes in political leadership
    - Shifting federal priorities and scrutiny – Department of Education (ED), Department of Justice (DOJ), Department of Health & Human Services (HHS)
    - Shifting state priorities
  - Public pressure and negative publicity

# Setting Boundaries With External Parties

- Be clear and consistent about the scope of your office's work and jurisdiction
- Be honest and transparent about your team's capacity and workload
- Know when and how to respond in urgent incidents
  - Is this emergency your emergency?
- Establish key partnerships with 24/7 resources
- Work as a team to have consistent external messaging: Have a checkpoint with your team to discuss internal process, procedures, how things are operating, etc.
  - Ongoing meetings (group and 1:1 meetings)
  - Yearly strategic team meetings

# Key Takeaways

- Importance of Self-Advocacy
  - Resources
  - Partnerships within the institution and externally
  - Value to the institution and the community
- Be Ready for Change
- Build a Support Network
- Take opportunities to learn from other practitioners and experts
- Build the team that works for YOUR organization (no one size fits all)

# Questions

October 16, 2025



# Critical Court Decisions & Legal Developments in Title IX and BIT

Case Law Review

# Session Facilitators



**Kim Pacelli, M.Ed, J.D.**  
Partner, TNG Consulting  
ATIXA Advisory Board



**Dan Fotoples, J.D., M.A**  
Consultant, TNG Consulting

# Content Advisory

The content and discussion in this course will necessarily engage with sexual harassment, sex discrimination, violence, self-harm, suicide, and other associated topics that can evoke strong emotional responses.

Your facilitators may offer examples or discuss cases that emulate the language and vocabulary that Title IX or behavioral intervention/threat assessment practitioners may encounter in their roles, including slang, profanity, and other graphic or offensive language. It is not used gratuitously, and no offense is intended.

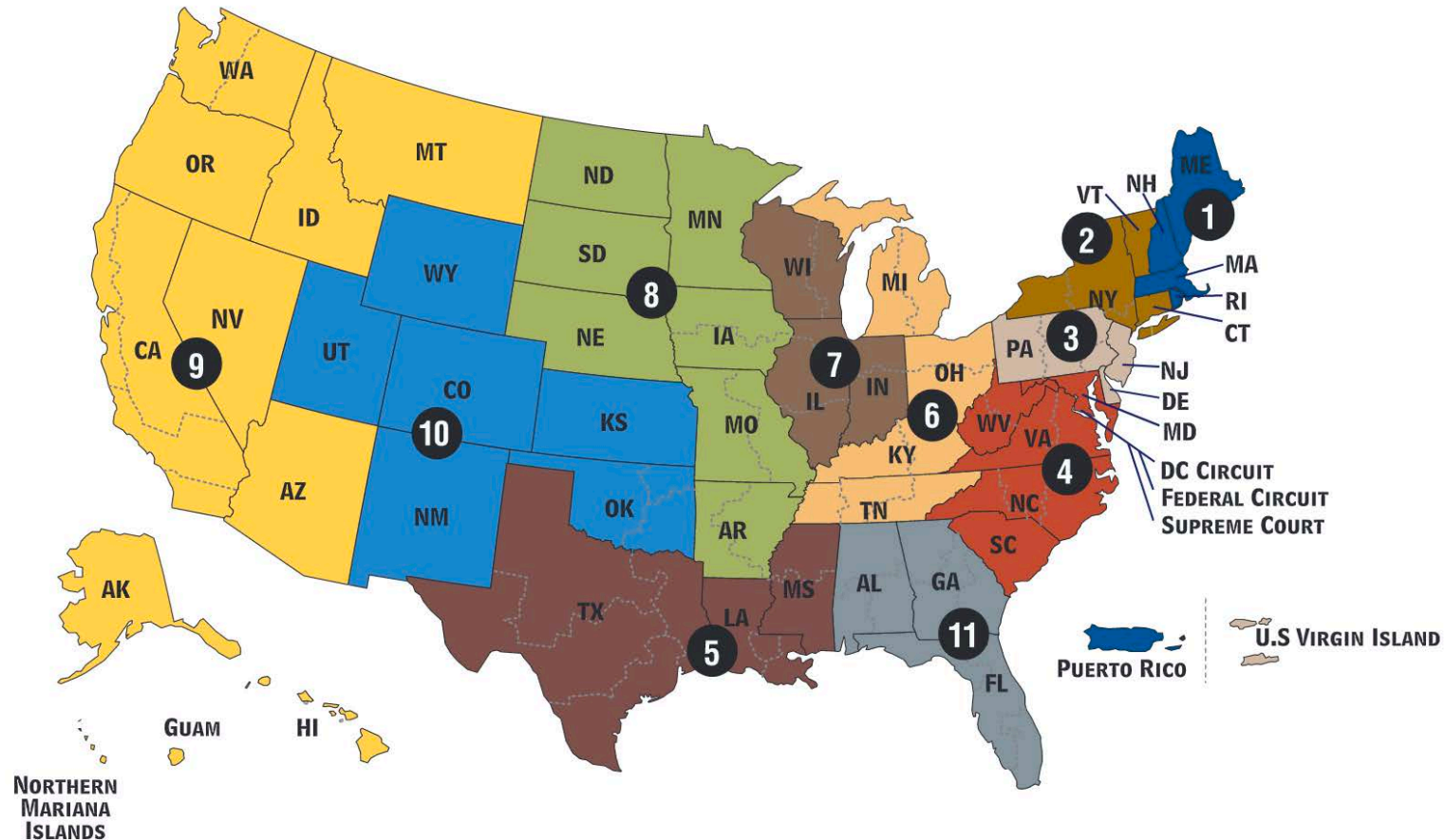
# Setting the Table

- We will be discussing cases that have not gone all the way to trial
  - Since pre-trial settlements are common, the real legal battles are in pre-trial motions
  - In pre-trial motions, the court assumes the allegations are true
  - Motion to Dismiss (MTD) v. Motion for Summary Judgement (MSJ)
- For the purposes of this session, we assume the allegations are true
  - Facts discussed have not been proven to be true
- **Note: This session does not provide legal advice**

# Map of Circuit Courts of Appeal

## Geographic Boundaries

of United States Courts of Appeals and United States District Courts



Source: [https://www.uscourts.gov/sites/default/files/u.s.\\_federal\\_courts\\_circuit\\_map\\_1.pdf](https://www.uscourts.gov/sites/default/files/u.s._federal_courts_circuit_map_1.pdf)

# Title IX Deliberate Indifference

Arana v. University of Wisconsin, 142 F.4<sup>th</sup> 992 (7<sup>th</sup> Cir. 2025)

Blair v. Appomattox County School Board, 147 F.4<sup>th</sup> 484 (4<sup>th</sup> Cir. 2025)

# Arana v. Wisconsin

- Plaintiff alleged sexual assault by a member of the football team, Quintez Cephus in 2017
  - Cephus found responsible and expelled
- Criminal charges led to acquittal
- Cephus filed a petition for readmission with UW's Chancellor
  - In his petition, he described exculpatory evidence from trial, but that had not been submitted in the campus process.
  - UW did not want to wait for the actual trial transcript
- Did not speak to Plaintiff about the readmission decision but did “receive input” from donors and football team
- Chancellor vacated the Title IX findings and Cephus was readmitted

# Arana v. Wisconsin

- Plaintiff returned to campus a few weeks later; shared with administration her concern he would violate the NCO
- Feeling unsupported by UW, Plaintiff
  - Missed class
  - Did not access the union or other communal spaces
  - Avoided certain parts of campus
  - Reduced her attendance at sorority events
  - Returned home to Chicago more frequently
  - Transferred from advanced courses to easier courses
  - Worked longer hours to attain the same grades

# Arana v. Wisconsin

- UW argued that the court should grant its motion for summary judgment because:
  - One instance of sexual harassment cannot be considered pervasive per *Davis*
  - Plaintiff was not deprived of educational opportunities
  - UW's response was not deliberately indifferent
- The court rejected those arguments, finding that the impacts she experienced were a “deprivation” in the meaning of the statute
- Takeaways
  - Pressure campaigns and Title IX do not mix
  - Criminal court outcomes do not necessarily displace administrative findings
  - Involvement of senior officials without Title IX training
  - Develop policy on consideration of new evidence post-process

# Blair v. Appomattox

- S.B. was a 14-year-old trans student using the boys' bathroom at her school
- Harassed and threatened by boys on bus, in the bathrooms, in the hallways
  - Subjected to “profane epithets,” threats of sexual and physical assaults, touching her, shoving her, inappropriate touching
- School on notice of incidents, and did some investigation of the incidents on the bus, but did not interview the alleged respondents
- Grandparent (adoptive parent) unaware of S.B.'s transition
- School then responded by having S.B. use nurse's restroom

# Blair v. Appomattox

- Court examined whether the school had been deliberately indifferent in its response
  - A key component was whether the school engaged in efforts that were **reasonably calculated** to end the harassment
- School did not:
  - Report to the District's Title IX Coordinator to coordinate the response
  - Interview the boys accused of the harassing behavior or take any action regarding the boys
  - Check in on S.B.'s welfare amidst continued harassment
- The school was not entirely unresponsive, but did not engage in actions reasonably calculated to end the harassment

# Blair v. Appomattox

- Takeaways
  - Response should not be piecemeal
  - Ensure that school administrators report to the Title IX Coordinator
  - Response must be effective to stop, prevent, and remedy
  - “Deliberate indifference” is a high bar, but this standard brings the standard down to earth...response must be **effective**

# Title VI Hostile Environment

Landau v. Haverford College, 2025 WL 35469 (E.D. Pa 2025)

Ricketts v. Wake County Public School System, 125 F.4<sup>th</sup> 507 (4<sup>th</sup> Cir. 2025)

# Landau v. Haverford

- One alumna, two anonymous students, and a group of Jewish members of Haverford’s community brought a lawsuit against Haverford on the grounds that it fostered a **hostile environment** in violation of Title VI
  - “Bastion of antisemitism that is tolerated and at times perpetuated by the College”
  - Alleged incidents creating hostile environment where facts could support that Haverford was on notice:
    - Dean of Students’ public statements following the October 7<sup>th</sup> attack
    - Posters advertising a Shabbat dinner and discussion were torn down
- Impacts of alleged hostile environment:
  - Lost friends
  - Experienced harassment
  - Changed their routines
  - Missed out on seminal Haverford experiences

# Landau v. Haverford

Court held:

- Plaintiffs could not show Haverford was on **notice** of many of the incidents that comprise the complaint and/or that they would rise to the level of a discriminatory environment
  - Requires actual knowledge
  - Plaintiffs did not plead that Haverford was **deliberate indifferent** to known incidents
- Court uses “severe, pervasive, and objectively offensive” and “severe or pervasive” language
- Plaintiffs could not **aggregate** the experiences of many Jewish people at Haverford to demonstrate the hostility endured by the collective
  - Plaintiffs could not show personal awareness of specific instances of harassment
- Complaint did not explain how criticism of Israel or promotion of Palestinian cause “veered” into **antisemitism**
  - “Deciphering when criticism of Israel or promotion of the Palestinian cause veers into antisemitism is necessarily a fact specific endeavor”

# Ricketts v. Wake Cty. Public School System

- Plaintiff is a Black high school sophomore who ran for student council, reported many problems with how the school ran elections, notably the repeated omission of black candidates from the ballot
  - Alleged discrimination in how the election was run, but also then experienced subsequent racial harassment during and after the school elections from peers
  - Alleged various examples of retaliation from school officials after the election
  - Both plaintiff and her mother reported to the school; one incident of significant vandalism to campaign materials would have been visible to school administrators

# Ricketts v. Wake Cty. Public School System

- Title VI claims are “parallel” and “operate in the same manner” as Title IX claims
  - Severe, pervasive, objectively offensive
    - The behavior experienced rose above “simple acts” of teasing or name calling among schoolchildren
  - School had was on notice and had disciplinary authority to address the alleged harassment and institute corrective measures
  - Deliberate indifference in response
    - School not entirely unresponsive but ultimately corrected the ballot exclusion but did failed to engage in efforts **reasonably calculated** to end the harassment
    - School’s response to Plaintiff’s reports were to “come see” an administrator to discuss the issue



# **Behavioral Intervention and Threat Assessment**

State v. Cuomo, 231 N.Y.S.3d 673 (2025)

Adams v. The Vanderbilt University, 2024 WL 1182861

Zhang v. Emory University, 2025 WL 1482873

# Cuomo v. State of New York

- Student murder in a Binghamton University residence hall
- BU had a Threat Assessment Policy in place, overseen by the Dean of Students
- Assailant made threatening statements about victim to counselor in BU Counseling Center in the months prior to the attack
  - Initial record is unclear on whether procedures were in place governing a counselor's referral to the Threat Assessment team
- Estate brought negligence claim to recover for wrongful death, arguing that University breached duty of care to the victim
- University could have a duty to warn or protect under these circumstances; remanded for further proceedings
  - Counselors can have a duty to third parties, in limited circumstances, to take reasonable steps to prevent harm when the provider knows the patient poses a credible threat of violence

# Adams v. Vanderbilt & Zhang v. Emory

- Both cases deal with student deaths by suicide
  - In both cases parents allege that the University knew of the student's threat of harm to self and failed to take affirmative steps to intervene
- Both cases query whether the applicable state law negligence standard requires a special duty to university students, and whether university exercised reasonable care
  - Under TN law: Does public policy suggest imposing an affirmative duty of care, and was the risk of harm foreseeable?
  - Under GA law: Established Georgia law has a heightened liability standard in cases involving suicide; however, it was not plausible that the faculty member should have foreseen the risk of suicide on these facts



# **Title VII Religious Accommodation**

Kluge v. Brownsburg Community School Corporation, 2025 WL  
2218112 (7th Cir. 2025)

# Kluge v. Brownsburg Community School Corp.

- Brownsburg initiated a Name Policy requiring teachers call students by their first names as appearing in their database
  - For trans students, the database listed their new name if they had changed it
- Kluge objected to the policy on religious grounds
  - Received accommodation to call students by their last names
  - School rescinded the accommodation after one year, citing complaints
    - Kluge could adhere to the Name Policy or be terminated
  - Kluge resigned and sued under Title VII for failure to accommodate his religion and retaliation

# Kluge v. Brownsburg Community School Corp.

- Kluge’s lawsuit was originally dismissed by the federal courts
  - Under the previous Title VII standard that required an employer to accommodate unless doing so would impose an **undue hardship** on the business
  - Undue hardship was anything that required an employer to “bear more than a *de minimis cost*”
- U.S. Supreme Court decided *Groff v. DeJoy* in 2023
  - The new standard for undue hardship requires an employer to show that granting an accommodation would result in **substantial disruption or substantial increased costs**
  - A hardship is more severe than a burden
  - Undue implies something excessive or unjustifiable
  - Undue hardship on the “educational mission” must be substantiated and not just speculative

# Parental Rights in K-12 Schools

Blair v. Appomattox County School Board, 147 F.4<sup>th</sup> 484 (4<sup>th</sup> Cir. 2025)

Littlejohn v. Leon County, Florida, 132 F.4<sup>th</sup> 1232 (11<sup>th</sup> Cir. 2025)

Lavigne v. Great Salt Bay, 146 F.4<sup>th</sup> 115 (1<sup>st</sup> Cir. 2025)

# ***Blair* on Parents' Rights**

- S.B.'s grandmother did not know that her child had confided to school officials regarding her gender identity, including the request to use a male name, male pronouns, and bathroom use
- School counselor continued to use S.B.'s birthname when speaking to the grandmother
- Grandmother found a hall pass with S.B.'s new name, and S.B. then told her grandmother that she was identifying as a boy at school.
- Grandmother claimed that the school violated her fundamental rights to family privacy
- Claim failed
  - Court held that there is no clearly established right currently to be notified of a child's gender preferences

# Other Parents' Rights Cases (*Littlejohn* - 11<sup>th</sup> Cir. and *Lavigne* - 1<sup>st</sup> Cir.)

- Middle schoolers approached administrators for social transitions in school
- Both schools had written policies allowing for the development of a student-specific transition plan, and not expressly requiring parent notification
  - In *Lavigne*, the mother also alleged that the school counselor provided the child with a chest binder
- In both cases, parents claimed the school purposely withheld information from parents
- Analysis differs depending on arguments made by the parents, but in both cases, claims against the school fail

# Takeaways

- Rapidly-evolving area of law, but no court has clearly upheld constitutional rights of familial privacy and/or “care, custody, control” arguments have not been persuasive
- Consider having written policies for supporting transgender students
  - Connect to your state civil rights law (if applicable in your jurisdiction)
- Remember that parents/guardians can request to review/inspect written records under FERPA
  - Follow FERPA policies; ED has opened investigations in some states

# The Supreme Court & Transgender Issues

U.S. v. Skrametti, U.S. Supreme Court, June 2025

West Virginia State Board of Education v B.P.J., certiorari granted, July 3, 2025

Little v. Hecox, U.S. Supreme Court, certiorari granted, July 3, 2025

# Looking Ahead

- Supreme Court decided *Skrmetti* in June 2025
  - Transgender individuals access to certain medical care
  - Court's analysis focused on the law's distinction on age and medical purpose rather than transgender status and therefore survives rational basis review
    - Declined to decide whether transgender individuals are a protected category under the Equal Protection Clause
  - Anticipate more activity related to state laws regarding medical care
- Supreme Court to hear argument in *BPJ*, likely will know result in June 2026
  - K-12 athletics and transgender participation
  - West Virginia law
  - Supreme Court planned to hear *Hecox* alongside *BPJ*, but the Plaintiff wants to drop the case



**Questions?**



# Crossroads of Compliance: The Title IX Coordinator's Role in Aligning Title IX and Clery Act Efforts

© Clery Center 2025

1

## Training Presenters:

Abigail Boyer  
faculty

## Learning Objectives:

- Explore the key intersections between Title IX and the Clery Act.
- Strengthen understanding of the role of the Title IX Coordinator in aligning efforts across both laws.
- Identify opportunities for alignment across both laws.
- Practice applying collaborative approaches to real-world scenarios.
- Share strategies for streamlining reporting, communication, and compliance efforts

2

**Our Mission:** Working together with college & university communities to create safer campuses.



**What We Do:**

- Education & Training
- Membership
- Policy Advocacy
- Initiatives:  
Free topic-specific resources

**Our Values:**

Expertise • Mission-driven  
Collaborative • Authentic  
Inclusive • Innovative

## Getting To Know You

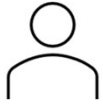
How many Title IX birthdays have you had?

By a show of hands:

- Who has been in Title IX work for:
  - 1+ years?
  - 5+ years?
  - 10+ years?
  - 15+ years?
  - 20+ years?



## Getting To Know You



Whose institution has a Clery Act Director or Coordinator?



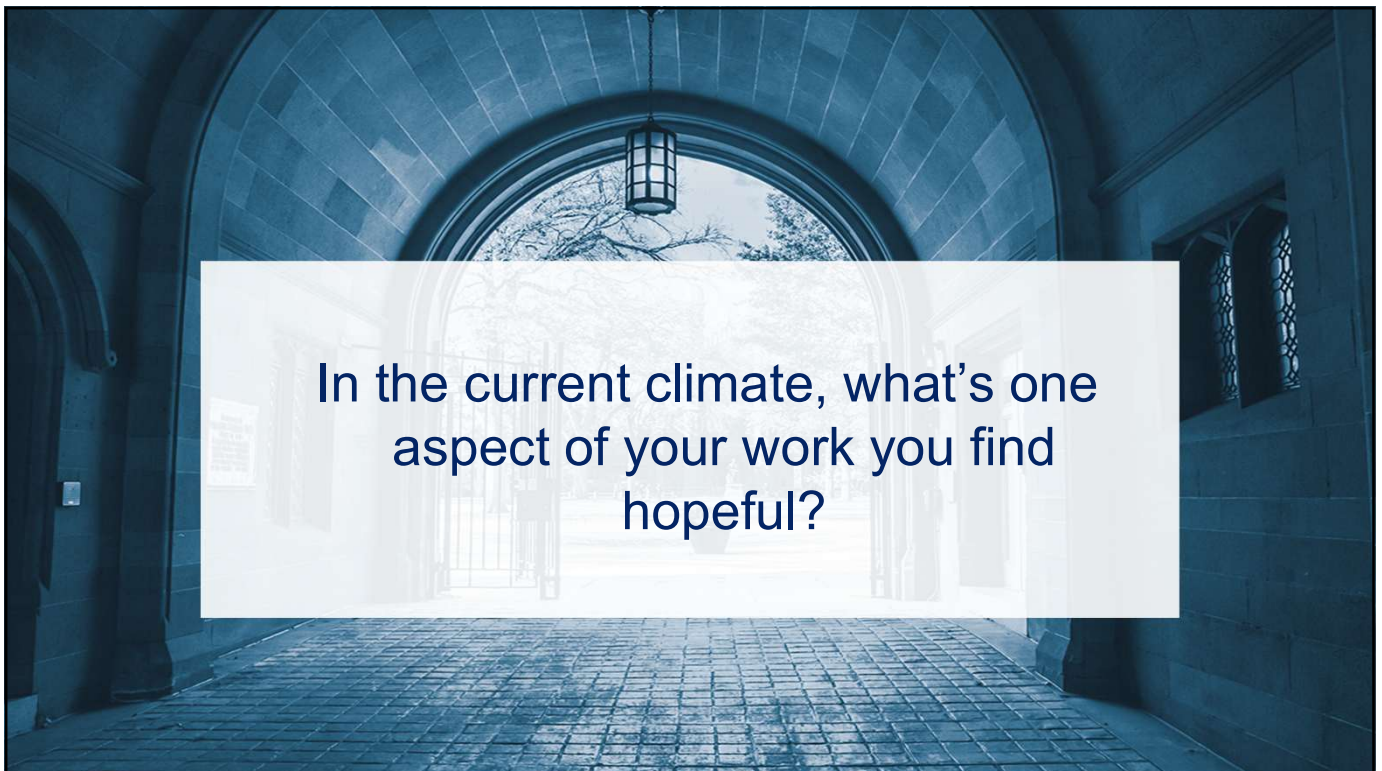
Who is wearing both Title IX and Clery Act hats?



Who has a multidisciplinary team focused on dating violence, domestic violence, sexual assault, and/or stalking?

5

5



In the current climate, what's one aspect of your work you find hopeful?

6

## Pair and Share

A student-athlete approaches their coach after practice. They seem nervous but say they need to share something important. The student explains that their roommate told them she was raped in a residence hall room on campus the night before.

The student says their roommate is not ready to talk to anyone else but seemed shaken and withdrawn. They tell the coach because they don't know what else to do and hope the coach can offer guidance.

- What reporting responsibilities does the coach have on your campus?
- What actions might happen next?

7

7

## Reporting Considerations

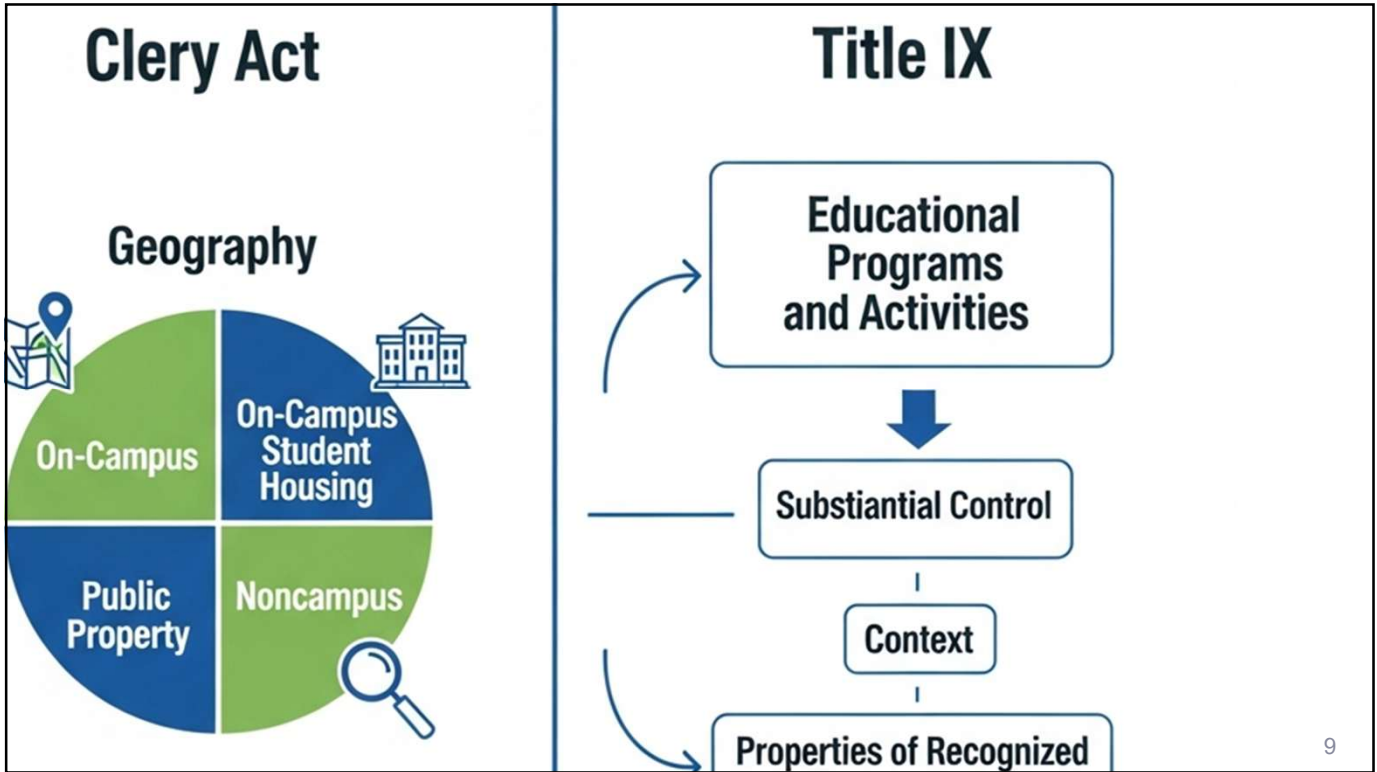
Campus security  
authorities

Title IX Coordinator  
or officials with  
authority to institute  
corrective measures  
(*actual knowledge*)

Responsible  
employees or other  
campus- or state-  
specific terminology

8

8



9



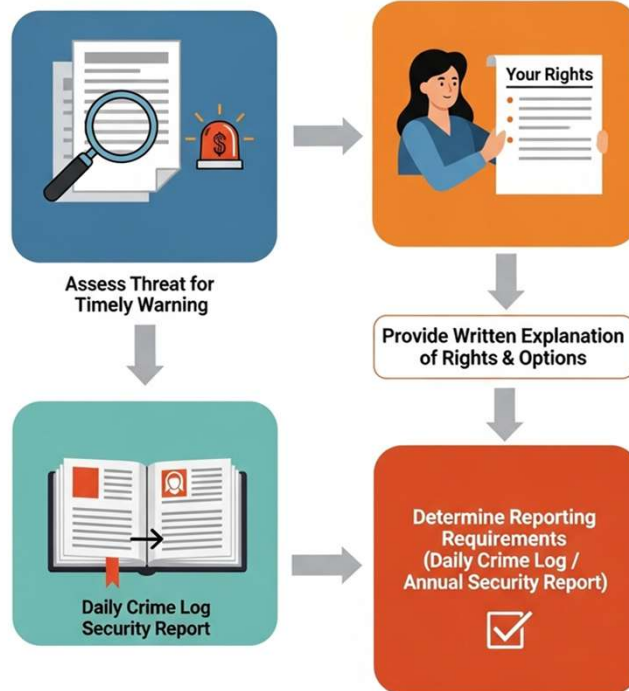
The Title IX Coordinator must promptly contact the complainant to discuss:

- The availability of supportive measures
- The individual's wishes with respect to supportive measures
- The availability of supportive measures with or without the filing of a formal complaint
- The process for filing a formal complaint

10

10

Under the Clery Act, what must an institution do when it receives a report?



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11

Under the Clery Act, student and employees have the right to...

Accommodations and protective measures

Reporting options and assistance

Written explanation of rights and options

A prompt, fair, and impartial disciplinary process by trained officials

Advisor of choice and simultaneous written notification of outcome

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12

## New Considerations: Stop Campus Hazing Act Amendments

- Clery Act definition of hazing (used for statistical reporting and timely warning analysis) includes: “(dd) causing, coercing, or otherwise inducing another person to perform sexual acts”
- Hazing policy definition determined by the institution – used for hazing education and for transparency report
- Do policies address which will be used for adjudication if hazing incident involves sexual violence?

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13

## Collaboration In Action



- ✓ Role clarification
- ✓ Shared language and communication channels
- ✓ Multidisciplinary teams

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## Role Clarification: Reporting Protocols

- If someone is a CSA **and** an official with authority, are they reporting to the same place or must they make separate reports?
- What mechanisms are used for sharing reports?
- What information is shared across departments?  
What are the timelines for information sharing?
  - Considerations:
    - Timely warning analysis (serious or ongoing threat)
    - Initial outreach to student/employee

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<b>Self-Assessment</b>	<b>Available? Y/N</b>	<b>Roles involved in development or implementation – Title IX</b>	<b>Roles involved in development or implementation – Clery Act</b>
Written explanation of rights and options			
Accommodations/ supportive measures			
DVSAS campus policies – prevention, response, and adjudication			
Timely warning policies			
Multidisciplinary team - DVSAS			

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16

## Pair and Share

What collaboration exists between Title IX and Clery Act practitioners for:

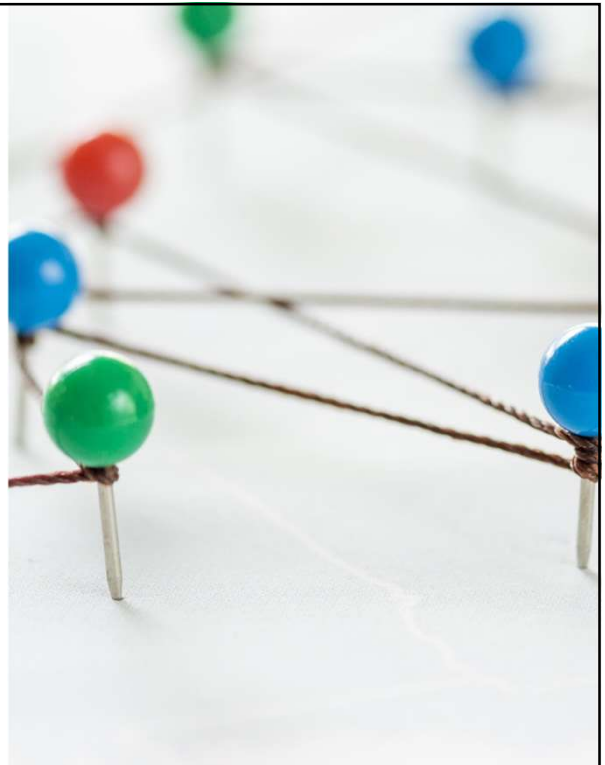
- Provision of written information to reporting parties?
- Education on/provision of accommodations/supportive measures?
- DVSAS policy development/implementation (prevention, response, adjudication)?
- Timely warning decisions?
- Multidisciplinary teams addressing dating violence, domestic violence, sexual assault, stalking, or hazing?
  
- What information is regularly shared across roles? How? When?

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What standing meetings and/or communication structures exist?

- Data reconciliation/integrity meetings
- Data management systems/shared dashboards
- Multidisciplinary teams



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## Multidisciplinary Team/Committee

- What multidisciplinary teams currently address DVSAAS?
- Are they focused on prevention, response, or both?
- How might they incorporate shared goals across the Clery Act and Title IX?

### Possible tasks:

- Shared protocols
- Program selection
- Policy review/update
- Cross-training
- Written explanation of rights and options
- Other?

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Who is at the table?

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20

A sophomore student approaches a Residence Life staff member late in the evening. They share that over the past two weeks, another student has been sending them repeated threatening text messages, tagging them on social media posts, and showing up outside of their classes and residence hall.

The student says they've told the other person to stop, but the behavior continues. They describe feeling anxious, unable to concentrate on academics, and hesitant to walk across campus alone. The student is worried the situation may escalate but isn't sure what to do next.

- With whom should the staff member connect the student?
- Is the institution required to do a timely warning analysis?
- What rights does the student have under Title IX? Under Clery?
- At what point should Title IX and Clery staff coordinate?
- How can they align messaging so the student receives clear, non-duplicative information?

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21



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## Become a Member!

Clery Center offers two Membership tiers, each providing resources, strategies, and unparalleled expertise to support you in understanding and implementing the provisions of the Clery Act.

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- ASR review
- Free training
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- Unlimited technical assistance & support
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- Member-only webinars
- and more!

Learn more at [clerycenter.org/membership](http://clerycenter.org/membership)

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## Member Resource Library

“The ability to go back and watch past training videos, or access Clery checklists for the ASR, afford me a great deal of confidence that my own reporting will meet standards.”

– INDIVIDUAL MEMBER

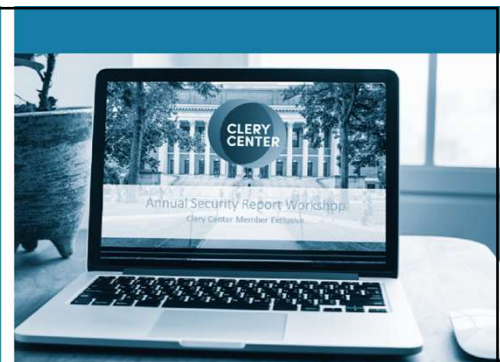
**30+** Clery Center Exclusive Resources

### TIMELY WARNING DECISION MATRIX

After a Clery crime is reported, your institution must determine whether students or employees are at risk of becoming victims of a similar crime, and, if so, must issue a timely warning. Reports need to be evaluated on an individual basis. A timely warning decision matrix can help you take all available information into consideration when determining if a serious or continuing threat exists.

Review the timely warning decision matrix template below and make notes on it as to how you will tailor for your institution. Consider, for example: Would you add a listing of Clery crime definitions and descriptions of Clery geography on your matrix for reference? Would you add a section that summarizes resources used to disseminate an alert, etc.? Which institutional office/department would be responsible for maintaining this form and storing documentation?

Institution's Name; Office/Department from which form is available	
Template: Timely Warning Decision Matrix	
Date/time incident was reported to a CSA: _____	
Incident Case Number: _____	
How was the report received?	
<input type="checkbox"/> Campus Police	<input type="checkbox"/> Other CSA reported it
<input type="checkbox"/> Local Law Enforcement	<input type="checkbox"/> Other
Date/time incident occurred: _____	
1. Clery Crime Classification. (If it is one of these crimes, check and move on to next question):	2. Clery Crime Geography (If it is one of these locations, check and move on to the next question):
<input type="checkbox"/> Homicide	<input type="checkbox"/> On-Campus
<input type="checkbox"/> Sex Offense (rape, fondling, incest, child molestation)	<input type="checkbox"/> On-Campus Student Housing Facility



**25+** Archived Webinars & Workshops

**CURATED EXTERNAL RESOURCES**  
including ED webinars & Q&A sessions

24

# Clery Center Free Resources

**Free  
Resource  
Library**

**Resources  
for Students  
& Families**

**Dec. 9  
Free Webinar**  
Advancing  
Awareness Through  
the ASR

25



## CLERY CENTER

501 Office Center Drive, Suite 8  
Fort Washington, PA 19034  
484.580.8754

[info@clerycenter.org](mailto:info@clerycenter.org)  
[clerycenter.org](http://clerycenter.org)

Connect with us on social media!  
@Clery Center



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Complainant	Respondent	Date of Filing	Type of Allegation	Current Status	Outcome	Date of Closure	Unit Involved	Notes
Bilbo Baggins, Student	Arwen, Faculty	9.22.3018	Sex Discrimination	Closed	Administrative closure	11.1.3018	Middle Earth	Baggins is a student in Arwen's elven magic 101 class. Baggins is the only male student in the class. Baggins stated that he received a failing grade on the group final project but his female groupmates received As. Baggins alleged that Arwen gave him an F because he is male.
Faramir, Student	Legolas, Student	9.26.3018	National Origin Discrimination	Open	Pending	N/A	Middle Earth	Faramir joined the Mirkwood Forest student organization. Faramir alleged that Legolas, the President of Mirkwood Forest, intimidated and harassed him repeatedly last semester during group meetings and events. Faramir stated that Legolas targeted him because he is from Gondor. Took, a 29 year old faculty member, asked his supervisor, 6,520 year old Elrond, to allow him to attend the Council of Elrond work committee. Took alleged that Gandalf denied his request because he is too young to provide useful insight or be helpful.
Peregrin Took, Faculty	Elrond, Faculty	12.25.3018	Age Discrimination	Closed	Investigation	2.13.3018	Rivendell	Galadriel, a female faculty member, was denied a promotion to the department chair, which was given to Sauron, a male faculty member. Galadriel alleged that Dean Radagast, who made the decision, later told Sauron that he did not want a woman in such a serious role.
Galadriel, Faculty	Sauron, Faculty	5.1.3019	Sex Discrimination	Open	Investigation	N/A	Middle Earth	Cotton is a librarian in the Shire department. Cotton alleged that Gamgee, her co-worker, has repeatedly asked her to go on a date with her even though she declined. Cotton also alleged that Gamgee waits for her to finish her shift and tries to walk her home every night.
Rosie Cotton, Staff	Samwise Gamgee, Staff	3.25.3019	Stalking, Sexual Harassment	Closed	Informal Resolution	6.6.3019	The Shire	Gandalf is an employee in the Mines of Moria office. Gandalf requested parental leave from his supervisor Gimli to take care of his twin sons Merry and Pippin, which Gimli denied because the timing was inconvenient. Baggins and Gollum have been roommates in the Mount Doom dormitory for thirteen months. Baggins alleged that Gollum attacked him when he accidentally threw away Gollum's ring.
Gandalf the White, Staff	Gimli, Faculty	10.30.3019	Parental Status Discrimination	Open	Pending	N/A	Mines of Moria	Treebeard has a documented medical condition that limits his mobility. Treebeard applied for an administrative position which he is qualified for with reasonable accommodations. Treebeard alleged that Saruman, his supervisor, denied him the promotion.
Frodo Baggins, Student	Gollum, Student	9.29.3021	Domestic Violence	Closed	Administrative closure	10.12.3021	Mount Doom	
Treebeard, Staff	Saruman, Staff	3.3.3019	Disability Discrimination	Closed	Investigation	4.28.3019	Middle Earth	

Aragorn, King of Gondor  
Sent electronically to gondor@ku.edu

**PERSONAL AND CONFIDENTIAL**

January 1, 3022

Dear Aragorn,

You have been identified as an individual who may have relevant information regarding ongoing issues within the Middle Earth department. As an investigator for the KU Office of Civil Rights & Title IX (OCRTIX), I am requesting that you meet with me to discuss the Middle Earth department in an investigative interview.

The OCRTIX responds to reports related to harassment and discrimination and related retaliation based on sixteen protected classes (race, color, ethnicity, religion, sex, national origin, age, ancestry, disability, status as a veteran, sexual orientation, marital status, parental status, gender identity, gender expression and genetic information). We also respond to reports related to sexual misconduct, sexual assault, dating/domestic violence, and stalking.

I would like to meet with you in-person at the OCRTIX office sometime between **January 5, 3022, and January 12, 3022**. Please email me at [investigator@ku.edu](mailto:investigator@ku.edu) with your availability.

All interviews are voluntary. If you decline to participate, or if you have any questions before agreeing to an interview, please email me as soon as possible.

Please keep in mind statements you make may be used as part of the investigatory review, and your testimony may be requested at a hearing, if one is held in this matter. We appreciate your discretion as this is a sensitive subject to those involved.

You are permitted to consult any resource you want, including an advisor or attorney, outside of your interview, if you choose to do so. However, you are expected to attend the interview by yourself. Please plan to bring any materials or evidence you have or think may be important, including photos, video, texts, captured snaps, e-mails, or other communications or documents. If you possess any climate surveys, culture audits, or organizational assessments conducted regarding the Middle Earth department, please plan to provide those at the time of your interview. Please do not destroy or alter any evidence or access to any such evidence. If you are unsure what materials may be relevant, we can discuss it at the time of the interview, and you can provide them at a later date.

### **RETALIATION**

Please be aware that OCRTIX policy prohibits retaliation. Retaliation exists when an individual harasses, intimidates, or takes other adverse actions against a witness because of that witness's participation in an investigation or because of their support of someone involved in an investigation. It is important to us that you are protected from retaliation. The University of



Kansas may impose sanctions on any faculty, student, or staff member found to be engaging in retaliation, or on individuals who encourage third parties to retaliate on their behalf. If you believe you're being retaliated against, please contact me immediately.

### **ACCOMMODATIONS**

If you need reasonable accommodations based on a qualifying disability in order to fully and meaningfully participate in this process, please contact me prior to any meeting or interview in which reasonable accommodations may be needed. Also let me know if you will need interpretation or translation services.

Resources and support are available on [the Office of Civil Rights & Title IX Help and Support webpage](#).

If you have any questions, please do not hesitate to reach out.

Thank you in advance for your cooperation.

Sincerely,  
Tom Bombadil  
Investigator, Office of Civil Rights and Title IX

TO: Goldberry, General Counsel's Office  
Grima Wormtongue, Executive Vice Chancellor  
Boromir, Dean of the Middle Earth Department

FROM: Tom Bombadil, Investigator, Office of Civil Rights and Title IX

DATE: December 1, 3022

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*Investigative Review Summary*

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**BACKGROUND**

This investigative review was initiated after the OCRTIX received a significantly higher number of incident reports related to the Middle Earth department ("Middle Earth") compared to other departments.

This memo and its contents are protected under that privilege. Identities and specific information provided in this summary have been anonymized for confidentiality.

**SCOPE**

This investigative review was focused on the current status of the Middle Earth department, i.e., within five years of the start of the investigation, from 3018 to present. Evidence prior to 3018 was considered if it was relevant to the current state of the Middle Earth department. For example, if a long-standing faculty member allegedly engaged in discrimination, harassment, and/or retaliation behavior over several years or decades, that pattern of behavior was considered.

Non-OCRTIX related information has been considered and included as possible alternative explanations for behavior, i.e., interpersonal conflict, communication issues, unreasonable working conditions, etc.

Former and current faculty, staff, and students were interviewed. Due to the scope of this investigation and the volume of information received, specific allegations made during these interviews were not investigated or analyzed, and no findings were made as part of this investigatory review. Accordingly, some of the information provided in this summary has not been verified.

**I. STUDENTS**

Several students reported discrimination, namely sex discrimination and national origin discrimination, by other students and from faculty.

Regarding national origin discrimination, students reported feeling ostracized or harassed by their fellow students because they are from the Blue Mountains or Gondor instead of Rivendell. Students from Rivendell report similar discrimination from their peers from other countries. This has occurred at social events, within student organizations, and in student housing.

Regarding sex discrimination, several students reported that they received worse grades than their peers due to their gender. One student alleged that he was the only male student in a group project. He received an F for the project while his female classmates received A's. The faculty member was also female.

The OCRTIX also received reports of domestic violence, disability discrimination, and religious discrimination from students, however, not enough to suggest a pattern within Middle Earth.

## **II. STAFF**

The OCRTIX received several complaints from Middle Earth staff related to sex discrimination, parental status discrimination, and stalking.

For example, female staff repeatedly reported that they were denied promotions they were otherwise qualified for due to their gender. In each case, the respondent was a male supervisor.

One staff member shared serious sexual harassment and stalking allegations against a coworker. This staff member stated that they reported their coworker to their supervisor, but nothing was done.

Another staff member reported that when they requested parental leave from their supervisor, the supervisor denied it because the timing was inconvenient.

The OCRTIX also received several reports of disability discrimination from staff. For example, one staff member was denied a promotion they alleged they were otherwise qualified for with reasonable accommodations. The supervisor involved in this incident was named as a respondent in several other staff reports. According to the staff, this supervisor has a history of acting dismissive and condescending towards staff. Some staff reported this supervisor's behavior was the reason they resigned.

## **III. FACULTY**

Faculty primarily reported age discrimination and sex discrimination. In each case, the respondent was another faculty member, usually their direct supervisor.

Regarding age discrimination, the OCRTIX received complaints from younger faculty members who felt excluded from professional opportunities because they are too young. In one case, a faculty member stated that they were not allowed to participate in a work committee with their colleagues because they were too young to provide any meaningful insight or information. Other faculty members have reported similar exclusion from committees, conferences, promotions, and/or tenure due to being too young.

One female faculty member reported that they were denied a promotion to the Middle Earth department chair position in favor of a male faculty member. This female faculty member alleged that they were told the person who made the hiring decision did not want a woman in such a serious role.

## **IV. GENERAL OBSERVATIONS**

- There appears to be a significant breakdown in mandatory reporting.
- Misinformation about the OCRTIX has been shared with students and employees within the Middle Earth department.
- There appears to be a significant divide between faculty and staff. Many staff interviewees reported that some faculty are openly condescending and unprofessional. Most staff feel underappreciated by faculty.

- While the majority of faculty and staff reported that they value and prioritize belonging, some female faculty and staff reported that when they raised various concerns to their male supervisors and/or administration within the Middle Earth department, they were met with apathy and inaction. Some reported that their male counterparts continue to uphold the status quo or ‘boys club’ nature of the Middle Earth department, and experience little consequences for their actions.
- Microaggressions, specifically comments related to gender and age appear to be the most common type of discrimination and/or harassment experienced within the Middle Earth department.
- Internal responses not effective/inappropriate/could have been handled better with OCRTIX involvement.

#### **V. RECOMMENDATIONS**

*See attachment.*

CONFIDENTIAL

## Example Recommendations Post-Investigation

### RECOMMENDATIONS

By unit

*Internal:*

- Develop and implement analytics to automatically track cases by the relevant unit to better track patterns of discrimination and harassment.
- Document third party reporters, particularly mandatory reporters, on each case in management software to better track compliance with reporting obligations.
- Develop a process and policy—in collaboration with the appropriate offices—to address mandatory reporting noncompliance. This may include educational, corrective conversations for first time noncompliance, and a disciplinary process for repeated noncompliance.
- Conduct faculty and staff training to address common issues and misunderstandings within the unit, including:
  - Definitions of “discrimination,” “harassment,” “retaliation,” and “sexual assault”
  - Share and define all protected classes (sex, race, disability, ethnicity, religion, pregnancy, etc...)
  - Discuss appropriate, professional conduct expectations
  - Clarify the different roles/scope of campus offices, such as the OCRTIX, Human Resources, Compliance, etc.
  - Hypotheticals relevant to work appropriate behavior and mandatory reporting
    - This training should be mandatory for individuals in the unit who, by virtue of their positions, are more likely to receive complaints of discrimination and harassment, such as deans, department chairs, academic advisors, student support positions, and those involved in identity-based student organizations.
- Supply written and digital materials to mandatory reporters that include appropriate and trauma-informed responses to disclosures of discrimination and harassment, reporting options, and information on next steps after reporting to share with the disclosing party to assist mandatory reporters.
- Supply written materials (such as a brochure) to faculty, staff, students about the OCRTIX, including the scope and purpose of the office, protected classes, reporting options, resolution options, and contact information to educate the unit about the OCRTIX.
- Partner with the unit on events such as orientation, faculty retreats, fundraisers, etc, to raise the profile of the OCRTIX within the unit and build rapport.
- Conduct yearly unit-wide climate surveys for a period of five years to monitor patterns and progress within the unit. The final report of the surveys should be provided to Human

### *Human Resources*

- Provide programming for faculty and staff to clarify roles and responsibilities, and to restore appropriate, productive communication and professional relationships.
- Consult with the unit to ensure professional and appropriate conduct in faculty and staff interview processes and in the tenure process.
- Revisit the ADA accommodation process for ease and accessibility.
- Conduct training/programming to educate the unit on ADA accommodations, including:
  - Requesting accommodations
  - Supporting disabled staff and students
  - Appropriate responses to requests for accommodations
  - ADA compliance
- Offer HR-lead exit interviews to faculty and staff with questions related to discrimination and harassment to track patterns and monitor turnover.

### *Unit*

- Cooperate with the OCRTIX and Human Resources on the recommendations above.
  - Senior leadership should set the expectation of cooperative within the unit.
- High-level faculty and staff (I.e., deans, department chairs, student affairs/support leaders, etc), should attend quarterly check-in meetings with the OCRTIX for a period of two years to monitor patterns and progress within the unit.

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# ATIXA/NABITA Annual Conference Baltimore 2025

*Faith-based Institutions and Title IX: Opportunities  
and Challenges*

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# Presenters

**Josie Hoover, B.S., MDiv, DMin, SHRM-CP**

*Director of Human Resources and Title IX Co-Coordinator*

*Pittsburgh Theological Seminary*

**Eric A. Kidwell, B.S., B.A., MLS**

[Graduate of EfM (Education for Ministry), School of Theology, University of the South]

*Professor/Director of the Library/Title IX Coordinator*

*Huntingdon College*

ATIXA Advisory Board Member

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## What do we hope to achieve during this concurrent session?

- ★ An opportunity to participate in a discussion of how faith-based institutions of higher education (IHEs) engage with Title IX compliance,
    - particularly as related to those members of our communities who affiliate with protected classes such as race, gender, gender-identity, and sexual orientation (or to use a term by theologian Howard Thurman, the “Disinherited”).
    - Additional issues:
      - The religious exemption under Title IX
      - “Rising above the floor” of compliance
      - Potential role conflicts (i.e., “wearing too many hats”)
      - What exactly can being “faith-based” mean for our communities and their well-being?
-

What does being “faith-based” mean?

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# Opportunities and Challenges

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# Institutional Mission/Vision Statement

## Pittsburgh Theological Seminary

### **Vision**

Trusting in God's promises, we seek to be a generous and hospitable community, committed to scholarship in the service of the church, inviting one another into lifegiving and transformational practices including shared prayer and worship, intellectual inquiry, theological reflection, witness, reconciliation, justice, evangelism, and service - practices of discipleship that stir our imagination and shape our desires - as we seek to participate fully in God's work in the world.

### **Mission**

Participating in God's ongoing mission in the world, Pittsburgh Theological Seminary is a community of Christ joining in the Spirit's work of forming and equipping people for ministries familiar and yet to unfold and communities yet to be gathered.

### **Institutional Pillars**

One, Effective, Engaged, and Accredited Seminary

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# Institutional Mission/Vision Statement

## Huntingdon College:

### Vision

*Huntingdon College is an institution with a rich liberal arts tradition that is grounded in the Judeo-Christian heritage of the United Methodist Church. The College embraces the development and growth of its students in faith, wisdom, and service, providing a solid foundation that will enable them to respond to the needs of today's global and complex world.*

### Mission

*Huntingdon College, through the use of traditional and non-traditional teaching and learning environments, provides a foundational education in the liberal arts disciplines and professional academic studies across multiple degree levels for students from diverse backgrounds.*

**Goals include to be supported and challenged in ethical, spiritual, and religious development.**

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# Non - Discrimination Statements

## **Pittsburgh Theological Seminary:**

Pittsburgh Theological Seminary is committed to modeling ways of being with one another that exemplify the recognition that we are all created in the image of God and are to be treated with dignity and respect. Our community, just as the larger world, contains diversity in many forms. For the sake of the unity of the church and our witness to the world, we are committed to embodying respect across differences. Therefore in accordance with the witness of holy scripture and the Christian tradition, Pittsburgh Theological Seminary forbids discrimination on the basis of race, color, sex, sexual orientation, gender identity, cultural background, national origin, religion, veteran's status, disability or handicap, age, ancestry, and genetic information. Pittsburgh Theological Seminary likewise prohibits retaliation for raising a concern of complaint of discrimination.

Pittsburgh Theological Seminary's Title IX policy forbids discrimination on the basis of gender, sexual harassment, and sexual violence. The Title IX policy provides additional information about how the Seminary addresses issues of gender discrimination, sexual harassment, and sexual violence and describes the Seminary's process for responding to complaints about violations of the policy in a manner that is prompt, fair to all parties, pastoral, and mirrors, the Seminary's commitments to gender equality and to an environment that is free from harassment and discrimination.

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# Non - Discrimination Statements

## Huntingdon College:

Huntingdon College is committed to a policy against legally impermissible, arbitrary, or unreasonable discriminatory practices. Therefore, Huntingdon College, in accordance with Title IX and Section 106.8 of the 2020 Final Rule under Title IX of the Education Amendments of 1972, other applicable federal and state law, and stated College policy, **prohibits discrimination on the basis of sex**. Furthermore, Huntingdon College, in accordance with applicable federal and state law and stated College policy, **prohibits discrimination on the basis of actual or perceived gender, gender identity, race, color, ethnicity, sexual orientation, veteran status, disability, religion, age and/or national origin** in its education program or activity, including admission and employment.

Huntingdon College also prohibits retaliation against any person opposing discrimination or participating in any discrimination investigation or complaint process internal or external to the institution. Sexual harassment, sexual assault, dating and domestic violence, and stalking are forms of sex discrimination, which are prohibited under Title IX by policy.

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# Howard Thurman Quotes

Howard Thurman (1899-1981), American theologian, philosopher, Christian mystic, author, educator, and civil rights leader.

“Why is it that Christianity seems impotent to deal radically, and therefore effectively, with the issues of discrimination and injustice on the basis of race, religion and national origin?”

— Howard Thurman, *Jesus and the Disinherited*

“It is necessary, therefore, for the privileged and the underprivileged to work on the common environment for the purpose of providing normal experiences of fellowship ... The first step toward love is a common sharing of a sense of mutual worth and value. This cannot be discovered in a vacuum or in a series of artificial or hypothetical relationships. It has to be in a real situation, natural, free.”

— Howard Thurman, *Jesus and the Disinherited*

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# Fred Rogers Quote

Fred Rogers (1928-2003) was an educator, minister, author, television host. He was also a 1962 graduate of Pittsburgh Theological Seminary

“In appreciating our neighbor, we’re participating in something truly sacred.”  
- Fred Rogers, *Commencement Address at Middlebury College, May 2001*

“We are all on a journey - each one of us. And if we can be sensitive to the person who happens to be our neighbor, that, to me, is the greatest challenge as well as the greatest pleasure”  
- Fred Rogers, *Source Unknown*

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**Questions?**

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# Contact Information

Josie Hoover

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Eric A. Kidwell

[ekidwell@hawks.huntingdon.edu](mailto:ekidwell@hawks.huntingdon.edu)

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# MITIGATING BIAS IN THE TITLE IX PROCESS

Georgina Dodge, Ph.D. (She, her, hers)

Siena Ho Shue (She, her, hers)

Araña Muñiz (She, her, Ella)

Elizabeth Trayner, Ed.D. (She, her, hers)

# LEARNING OBJECTIVES

- Understand our legal obligations related to bias in the Title IX process
- Understand our own identity and experiences and how that impacts our work
- Understand types of bias and the ways in which we can mitigate the impact



# ENGAGEMENT GUIDELINES

- Speak from personal experience (Use “I” statements)
- Respect and maintain privacy
- Participate fully (Comfort Zone +1); Expect discomfort if learning; Be present – Mind, Body & Heart
- Be mindful of different styles of communication
- Be curious
- It’s ok to admit you don’t have the answers
- Expect and accept non-closure
- Explore impact, Acknowledge Intent
- Open and Honest Communication; Anticipate the Impact of your comment
- Listen Respectfully; Listen to Learn
- Seek to understand; Expect Disagreement & Listen Harder
- Share air time; Move in, move out
- Expect people to learn and grow; don’t freeze-frame others
- Take risks; lean into discomfort; Be brave; Engage
- Notice/Describe what you see happening in the group/in you
- Recognize your triggers; share if you feel triggered
- Trust that dialogue will take us to deeper levels of understanding and acceptance
- Engage & embrace this opportunity; We won’t be finished

# 2020 REGULATIONS REQUIREMENTS REGARDING BIAS

- § 106.45(a) provides: An IHE's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.
- § 106.45(b)(1)(iii) provides: any individual designated by an IHE as a Title IX Coordinator, investigator, decision maker, or any person designated by an IHE to facilitate in informal resolution process, cannot have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- § 106.45(b)(1)(iii) further provides: that all Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process, must receive training on how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. In conducting Title IX proceedings, all such persons must not rely on sex stereotypes – typical notions of what men or women do or do not do – and must promote impartial investigations and adjudications of formal complaints of sexual harassment.



Name

Pronouns

Role on Campus

What Brings you here?

What do you hope to get out of the session?

# SILK ACTIVITY



# MY IDENTITY

**Gender/Gender Identity/  
Gender Expression**

**Race/Ethnicity**

**Class/  
Socioeconomic  
status**

**Class/  
Socioeconomic  
status**

**Size**

**Ability**

**Age**

**Sexual  
Orientation**

**National Origin**

**Orientation**

**Religion/Spirituality**

# SCENARIO

Two U.S. white women, Valerie and Diane, are sitting together on a subway. A woman wearing a scarf on her head has just exited the subway car with two small children. Valerie says, “I guess Muslim women are forced to wear those scarves on their heads even when they’re in this country. I’m telling you, I wouldn’t last with an Arab guy for two minutes.”

**Valerie is making several assumptions. What are they?**

# SETTING UP THE PROCESS

Your only side  
is the process

Self-Reflect

Utilize  
checklists and  
Investigation  
guides

Strategically  
partnering Title  
IX Team  
Members

# ISSUE SPOTTING

- You have been assigned to investigate a case of stalking between one female and one male student. Yesterday, you interviewed the Complainant who seemed very nervous and had a difficult time telling his story.
- Today, you meet with the Respondent, who is very intense and seems a bit socially awkward. She has a lot of questions and wants to know more about exactly what the Complainant said to you, when they were in your office, where they went after they were done, and whether or not he was going to keep living in their residence hall.
  - Describe your thought process as it relates to the demeanor of each student.
  - Which biases are reflected in your thought process?

THE SPACE2  
MODEL OF  
MINDFUL  
INCLUSION

Slowing Down

Perspective Taking

Asking Yourself

Cultural Intelligence

Exemplars

Expand



# INTERPERSONAL BIAS MITIGATION

Affinity Bias

Anchoring Bias

Halo/Horns Effect

Confirmation Bias

Information Bias

Attentional Bias

# BIAS AND BIAS-FREE LANGUAGE EXAMPLES

Biased Language	Bias-Free Language
Chairman	Chairperson
Ray is mentally disabled	Ray has attention-deficit disorder
The elderly are our biggest customers	Adults age 65 and older are our biggest customers
The new black kid on the team is the captain	Jamal is the captain
Poor kids qualify for those scholarships	Students with a household income below \$20,000 qualify for those scholarships



**Hello**  
my name is

WHAT'S IN A NAME?

# FREE SPEECH

- Tension between biased speech and limitation of free speech/academic freedom



T  
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**QUESTIONS?**

# REFERENCES

- Association of Title IX Administrators (ATIXA)
- Grand River Solutions
- Dr. Jonathan Poullard
- Culture Plus Consulting
- Academic Impressions
- Central Arizona University
- 34 CFR §106
- Dr. Kathy Obear, Center for Transformation & Change
- <https://apastyle.apa.org/style-grammar-guidelines/bias-free-language>
- <https://www.mckinsey.com/featured-insights/diversity-and-inclusion/race-in-the-workplace-the-black-experience-in-the-us-private-sector>
- I Never Thought Of It That Way by Mónica Guzmán
- The First Amendment on Campus

# MITIGATING BIAS IN THE TITLE IX PROCESS

ASSOCIATION OF TITLE IX  
ADMINISTRATORS (ATIXA)

FALL 2025



Helpful  
**ASSESSMENT**  
TOOLS

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# Learning Outcomes



UNDERSTAND OUR LEGAL OBLIGATIONS  
RELATED TO BIAS IN THE TITLE IX PROCESS



UNDERSTAND OUR OWN IDENTITY AND  
EXPERIENCES AND HOW THAT IMPACTS OUR  
WORK



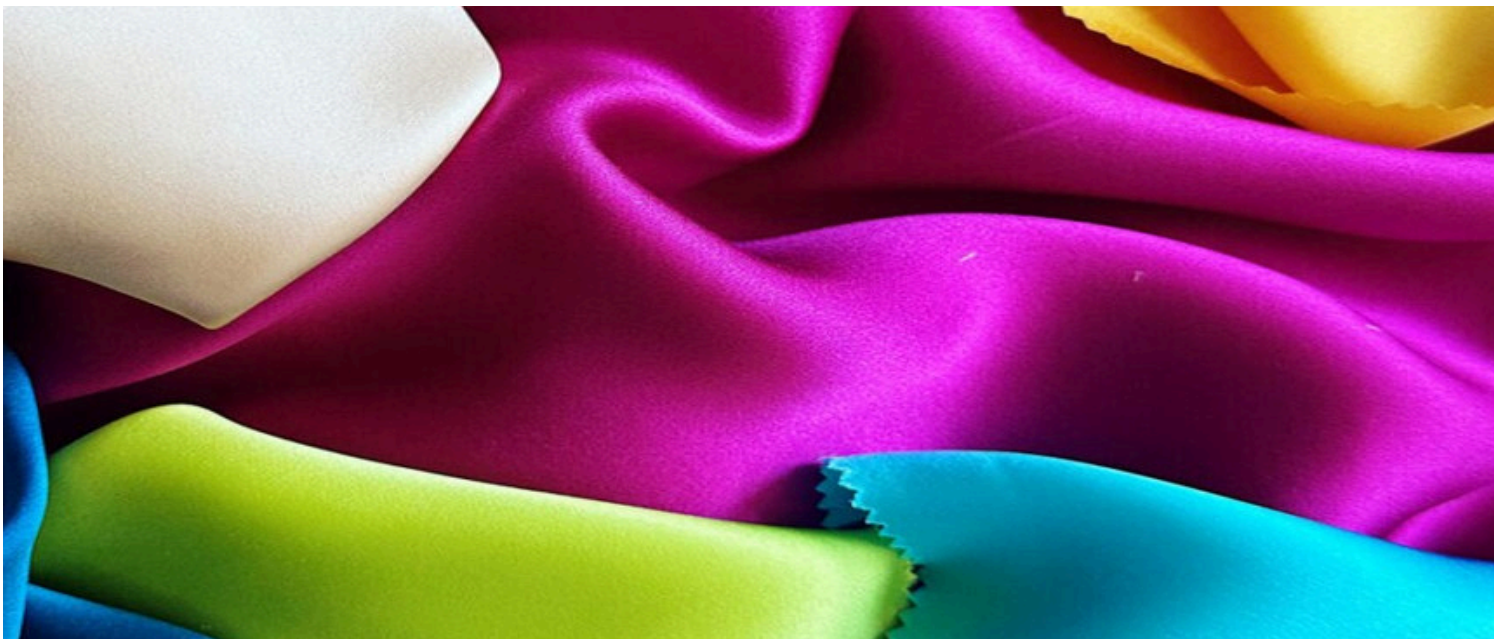
UNDERSTAND TYPES OF BIAS AND THE WAYS  
IN WHICH WE CAN MITIGATE THE IMPACT

## Engagement Guidelines

- Speak from personal experience (Use “I” statements)
- Respect and maintain privacy
- Participate fully (Comfort Zone +1); Expect discomfort if learning; Be present – Mind, Body & Heart
- Be mindful of different styles of communication
- Be curious
- It’s ok to admit you don’t have the answers
- Expect and accept non-closure
- Explore impact, Acknowledge Intent
- Open and Honest Communication; Anticipate the Impact of your comment
- Listen Respectfully; Listen to Learn
- Seek to understand; Expect Disagreement & Listen Harder
- Share air time; Move in, move out
- Expect people to learn and grow; don’t freeze-frame others
- Take risks; lean into discomfort; Be brave; Engage
- Notice/Describe what you see happening in the group/in you
- Recognize your triggers; share if you feel triggered
- Trust that dialogue will take us to deeper levels of understanding and acceptance
- Engage & embrace this opportunity; We won’t be finished

# 2020 Regulations Requirements Regarding Bias

- §106.45(a) provides: An IHE's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.
- §106.45(b)(1)(iii) provides: any individual designated by an IHE as a Title IX Coordinator, investigator, decision maker, or any person designated by an IHE to facilitate in informal resolution process, cannot have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- §106.45(b)(1)(iii) further provides: that all Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process, must receive training on how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. In conducting Title IX proceedings, all such persons must not rely on sex stereotypes – typical notions of what men or women do or do not do – and must promote impartial investigations and adjudications of formal complaints of sexual harassment.



age

Sexual  
Orientation

RELIGION  
SPIRITUALITY

RACE  
ETHNICITY

Ability  
Physical or intellectual

Gender  
SEX, GENDER, GENDER  
IDENTITY, GENDER EXPRESSION

Size

socio-  
economic  
status

National  
ORIGIN

# MY IDENTITY

How has your identity had an impact on interactions with students?

How has your identity had an impact on interactions with colleagues?

How could your identity impact your role as a member of the Title IX Team?

Which identities are most salient for you?  
What is missing?  
Which identities hold social, political and economic power in our society?

# Self-Evaluation

OPEN ATTITUDE  
SELF-AWARENESS  
AWARENESS OF OTHERS  
CULTURAL KNOWLEDGE  
CULTURAL SKILLS

What are your strengths within each element?

In which areas have you been challenged?

Are there opportunities for areas of growth?

How will you apply this knowledge to your work?

# Types of Biases

## AFFINITY BIAS

The tendency to get along with others who are like us.

## ANCHORING BIAS

Making snap judgments and letting a first impression (either positive or negative) cloud the entire interaction.

## HALO/HORN EFFECT

The tendency to allow one strong point that is valued highly to overshadow all other information. When this works in the individual's favor, it is called the halo effect. When it works in the opposition direction, it is called the horn effect.

## CONFIRMATION BIAS

When we establish a pre-conceived belief about a person before the meeting and then we look for information to support this belief. This can cause us to have a narrow view of an individual.

## INFORMATION BIAS

This is a type of error that occurs when key information is misclassified.

## CONFORMITY

The force behind our desire to fit in with the dominant group.

## ATTENTIONAL BIAS

The tendency to focus on certain stimuli while ignoring others, which can significantly influence our perceptions and decision-making processes.

## BEAUTY BIAS

The unconscious connection between a person's appearance and their personality.

## CONTRAST EFFECT

The process of judging two things in comparison to one another, rather than individually assessing them.

## GENDER BIAS

Favoritism toward one gender over another. This is linked to sexism (prejudice or discrimination based on a person's sex or gender.)

## ATTRIBUTION BIAS

When individuals make attributions to their or others' behavior. These attributions often does not reflect reality. When we do something wrong or poorly, the tendency is to attribute that to external factors. However, when it comes to others we think the opposite. When a person does something well, we tend to attribute that to external factors and when they do something wrong, we tend to attribute that to their personality or level of intelligence.

## CORRESPONDENCE BIAS

Tendency to make inferences about a person's disposition from behaviors that can be explained by the situation and context in which they occur.

## EXPERIENCE BIAS

The tendency to see the world from your own experience and taking your perception as the objective truth.

## AVAILABILITY BIAS/RECENCY EFFECT

A mental shortcut that relies on immediate examples that come to a given person's mind when evaluating a specific topic, concept, method, or decision. The tendency is to weigh the latest information more heavily than older data.

## BIAS BLIND SPOT

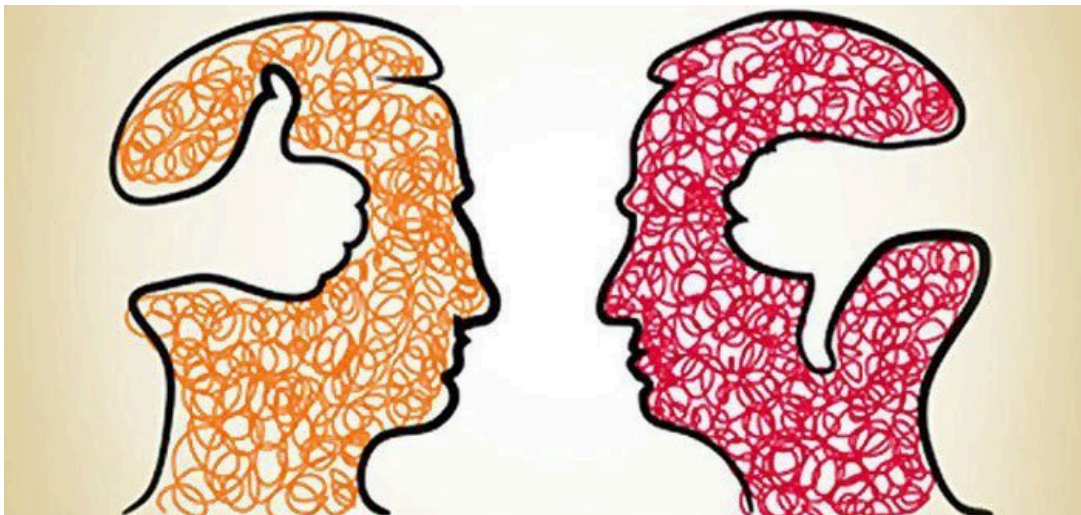
This is a failure to recognize our own cognitive biases. Our ability to recognize the existence and effects of cognitive biases in others' thinking is easier than our ability to recognize this within ourselves.

## STEREOTYPE THREAT

A situational predicament in which people are or feel themselves to be at risk of conforming to stereotypes about their social groups.

## RACIAL BIAS

Tendency to prefer a person to another on the basis of race and to favor that person as a result.



# Examples of People's Biases

## HANDSHAKES

A firm handshake is another sign of confidence in the United States. But in Asian cultures, a soft, weak handshake is the norm. And in some cultures, people shake hands vigorously for a longer time, and may put their left hand on your elbow, which may feel invasive to some people. As well, a person from a culture where men and women don't shake hands may feel uncomfortable shaking hands with an individual of a different gender.

## SMILING

A warm smile is a welcoming gesture from an individual, and when a person returns the smile, both people connect. Asians may smile when they are embarrassed, or to conceal discomfort, and Germans "only smile when there is something to smile about." It can be disconcerting to talk to individuals who never crack a smile, or who smile when you consider it inappropriate.

## EYE CONTACT

Making eye contact is a sign of respect and confidence in the US & Canada, and individuals who avoid eye contact give the impression that they lack confidence, are hiding something, or are not trustworthy. In other cultures, making eye contact is considered highly disrespectful, and avoiding eye contact is a sign of respect. So a person from Asia or the Middle East who avoids eye contact is actually showing you respect.

## GESTURES

In the US & Canada, a nod means agreement, but Indians roll their heads from side to side to indicate agreement. Canadians or Americans may interpret this as disagreement. In other cultures, people move their head down to indicate agreement — which is usually mistaken for disagreement here.

## PITCH OF VOICE

Individuals with higher pitched voices can sometimes be biased against in the hiring process because hiring managers may receive them as "too young" for the job.

## BODY ODORS

Smells can greet you before you exchange words. Americans & Canadians are very conscious of odors, and expect individuals to be fresh and clean. In some cultures, people use strong perfumes and colognes, which may turn off Americans & Canadians. Food smells such as garlic or spices, or body odors, may also lead individuals that have a negative bias.

## SPACE

Individuals who come too close for comfort may cause some to retreat. Americans & Canadians are used to wide open spaces, and feel invaded when someone encroaches in their personal space. In most countries, the population is more dense and people are used to standing closer together. A person who moves closer is attempting to connect, but Americans & Canadians may not see it that way.

## SHOWING EMOTION

In places such as East Asia, people do not show emotions openly in a business setting and may impact perceptions. On the other hand, some Latin Americans, Eastern Europeans, and Arabs may show more emotion that we are used to in the workplace, and may be perceived as not being in control. The amount of emotion we display in the workplace is also based on culture.

Your only  
side is the  
PROCESS

## WAYS TO MINIMIZE BIAS

- Be aware of your own personal preferences
- Question your assumptions and first impressions
- Ensure you have enough time set aside to evaluate and reflect
- Create two possible impressions of people when you first meet them and collect objective information on which impression is more accurate
- Take note when you feel strongly about a conclusion and seek out missing perspectives to challenge your opinions
- Create/provide time to consider all facts of the case
- Separate undisputed facts and items under dispute
- Parse the policy
- Utilize checklists

# SPACE2 Model of Mindful Inclusion

## Slowing Down

Being mindful and considerate in your responses to others

## Perspective Taking

Actively imagining the thoughts and feelings of others

## Asking Yourself

Active self-questioning to challenge your assumptions

## Cultural Intelligence

Interpreting a person's behavior through their cultural lens rather than your own

## Exemplars

Identifying counter-stereotypical individuals

## Expand

The formation of diverse friendships

# Interpersonal Bias Mitigation

## Affinity Bias

Question your assumptions and first impressions. Would your view of the person change if they were different/similar to you? Justify your decision by writing down reasons.

## Anchoring Bias

Ensure you have enough time to evaluate the situation. Reflect on whether you have rushed to judgment in the past. Ask yourself if you have thoroughly considered all key factors.

## Halo/Horns Effect

Remind yourself that people are complex. Create two possible impressions of people when you first meet them. Collect objective information on which impression is more accurate.

## Confirmation Bias

Take notice every time you feel strongly about a conclusion. Seek out missing perspectives that challenge your opinions. Assign someone on your team to play “devil’s advocate” for major decisions.

## Information Bias

Be realistic about what information is critical, what is not, and why. Write down factors that should be considered.

## Attentional Bias

Practice mindfulness. Seek diverse perspectives. Challenge your thoughts to ensure a more balanced view of information.

# Unproductive Meeting & Classroom Behaviors

Others Do this	Unproductive meeting behaviors when someone:	I've done this	Probable impact	Possible Response/ Solutions
	Makes inappropriate comments or "jokes"			
	Interrupts or talks over others			
	Gives unsolicited "advice;" tell someone how they should have felt or responded differently			
	Uses a negative, judgmental tone			
	Challenges the validity of the information being presented to serve a personal agenda			
	Does not engage or "hear" comments from members of marginalized groups			
	Has a patronizing or condescending manner			
	Takes credit for the work or ideas of others			
	Rolls their eyes or makes other negative nonverbal behaviors when others are talking			
	Tells others they are "too sensitive"			
	Makes snide or sarcastic comments			
	Belittles the input or comments of others			
	Only interacts and makes eye contact with people like them; people they like			
	Minimizes or rationalizes away the frustrations and comments of group members			

# Language Matters

Biased Language	Bias-Free Language
Chairman	Chairperson
Ray is mentally disabled	Ray has attention-deficit disorder
The elderly are our biggest customers	Adults age 65 and older are our biggest customers
The new black kid on the team is the captain	Jamal is the captain
Poor kids qualify for those scholarships	Students with a household income below \$20,000 qualify for those scholarships

## Free Speech

There is an inherent tension between addressing biased speech in the educational community and promoting free speech and academic freedom. Be aware of the limitations of free speech/academic freedom. When speech is pedagogically appropriate and germane to the subject matter of a course that instructor hired to teach/research is protected.

For further information, we recommend reading *The First Amendment on Campus* by Lee E. Bird, Mary Beth Mackin, and Sandra K. Schuster.





## Mitigating Bias in Decisions

- Challenge biases in decision making
- Ensure decisions are made based on relevant evidence
- A party's personal identities are never considered relevant evidence
- Written materials should be objective and bias-free
- Spontaneous judgments are more likely to yield to stereotypes or bias
- Regard each party as an individual, not as part of a group
- Ensure sufficient time and sufficient focus

1

### UNIVERSAL DESIGN

Work toward universal design and offer opportunities for Participants to share needs for accommodations at multiple points in the process. Enable closed captioning on Zoom when you are able.

2

### PRONOUNS

Ask participants if they feel comfortable sharing their pronouns and name when meeting them and introducing them to colleagues. Have individuals interacting with participants share their pronouns when doing introductions as well (when comfortable).

3

### CASE DISCUSSION

Recognize the ways in which the case is discussed. Pay attention to biases that might be showing up and challenge any potential gender norms that might be coming up. What if the roles were reversed or someone had a different identity? Would you have different thoughts about the case?

4

### FIRST IMPRESSIONS

Refrain from making snap judgments and allowing first impressions to cloud the entire interview. Explore your own biases. Do not assign a story to someone.

5

### TAKE YOUR TIME

Allow enough time to read through materials, take notes, write, take notes, etc. Schedule time for writing and reading.

6

### AVOID ASSUMPTIONS

Do not assume you know the answer to a question before it is asked. Do not make assumptions about how a person identifies.

7

### CONTINUE YOUR LEARNING

Take it upon yourself to learn more. In what areas do you need more growth or experience? Find articles or books that can expand your knowledge. Participate in more training that will allow you to challenge assumptions you may have.

8

### ACCESSIBILITY STATEMENT

Include an accessibility statement when communicating with the parties regarding the process.

# Reflection

What are three things you learned during this session?

What is something you will do differently the next time you serve as a member of the Title IX Team as a result of this session?



## ELECTRONIC RESOURCES

### IMPLICIT BIAS TEST

<https://implicit.harvard.edu/implicit/takeatest.html>

### APA BIAS-FREE LANGUAGE

<https://apastyle.apa.org/style-grammar-guidelines/bias-free-language>

# Notes

# Notes

25 Years of Tips of the Trade  
As a Title IX Coordinator

Presented By:  
Leah Gutknecht

2025 ATIXA Conference

# Lessons Learned, Unlearned, & Re-learned.

**Me:** Hello. My name is Leah.

**Them:** What do you do for a living, Leah?

**Me:** Ugh. (It's complicated...)

# How Did I Get Here?

Why are you here today?  
Why are you in your role?

# Welcome.

Give thought to your purpose .

Explore the challenges of the role .

Learn best practices, mistakes, and advice .

Focus on strengthening ourselves and the role .

# Lesson One: It's Who You Know.

Networking determines  
opportunities.

Build relationships before  
they're needed.

Get involved. Stay involved.

Out of sight, out of mind  
works two ways.

Be proactive .

Do scary things .

Planning is overrated .

Get comfortable with making decisions.

Embrace set-backs and show up stronger . Focus on solutions .

Crave feedback - all of it .

# Lesson Two: Keep Growing.



**Adam Grant** ✓

@AdamMGrant

When you get defensive about feedback, you fail twice. You fail to learn today, and you fail to encourage people to keep teaching you tomorrow.

If you can't handle the truth, people stop telling you the truth.

A key to growth is showing that you're coachable.

# Lesson Three: Study Policy & Structure.

Assess the culture.

Identify allies and champions.

Check alignment with regs.

Streamline when possible.

Learn to trust yourself.

Manage up and down.

Support your team and  
your colleagues.

Focus on collaboration.

Become an expert on  
dealing with conflict.

Maintain equity and  
consistency.

# Lesson Four: Build Trust Everywhere.

# Lesson Five: Expect the Unexpected.

The swinging pendulum is  
real.

Decisions can change, as  
can laws.

Key people will leave.

People will turn on you.

People will turn to you.

You're always under a  
microscope.

Stay organized.

Block time for notes.

Prepare for court.

Leverage the data.

# Lesson Six: Documentation is Priority.

Keep calm. Always.

Speak to add value, not  
to be heard.

Practice being concise  
and direct with  
kindness.

Practice asking the  
hard questions.

Practice responses to  
disrespectful actions.

# Lesson Seven: Master the Poker Face.

# Lesson Eight: Know Your Core Values.

Learn the tension of  
neutrality (no one else is  
neutral).

Pick and prioritize battles.

Stand your ground to build  
safe spaces.

Correct false assumptions.

Actions are everything.

Prioritize authenticity,  
honesty, transparency, and  
consistency.

Accept that the work is  
hard and emotional.

Stay ahead of loneliness;  
be carefully intentional.

Guard your energy.

Be prepared for  
transitions; build  
resilience.

# Lesson Nine: Practice Self - Care. (Really.)

# Lesson Ten: Practice Optimism.

Focus on continual  
improvement.

Stay positive.

Keep a sense of humor.

Find inspiration daily.

Express appreciation.

Remember how  
important you are to the  
people you serve.



# Maximizing Your Title IX Budget: Cost Savings Through Strategic Planning

# Session Goals

By the end of this session, participants will be able to:

- Identify the primary Title IX compliance budget determinants
- Apply proactive planning strategies to reduce crisis-driven and unanticipated expenses
- Evaluate cost-saving options such as cross-training, resource pooling, bundled services, and third-party vendors for investigations, hearings, and interim roles
- Develop a compliance-aligned budget roadmap tailored to institutional needs
- Communicate the return on investment (ROI) of proactive Title IX budgeting to senior leaders



**According to ATIXA's 2025 State of the Field Survey, the top three most pressing Title IX related issues facing institutions are:**

- Evolving Legal Landscape (56%)
- Political Climate (56%)
- **Budgetary Constraints (53%)**

# Cost Drivers for Title IX

# Title IX Compliance Cost Framework

## Fixed, High-Impact Costs

These are recurring, unavoidable investments:

- **Title IX Coordinator & Deputies** – Required positions; salary & benefits
- **Core Training & Certification** – Annual training for coordinators, investigators, decision-makers, and advisors
- **Case Management System** – Licensing, maintenance, and data security
- **Policy Development & Legal Review** – Ongoing updates as regulations shift

## Fixed, Moderate-Impact Costs

Predictable but lighter burden compared to the high-impact line items:

- **Prevention Programs** – Licensing for online training modules or in-person workshops
- **Clery/Equity Reporting Tools** – Integrated compliance platforms
- **Standard Climate Surveys** – Often done every 2 years but should be budgeted

# Title IX Compliance Cost Framework

## Variable, High-Impact Costs

Costs that fluctuate based on case volume/severity:

- **Investigations** – Internal staff time, legal review, or external investigators
- **Hearings & Appeals** – Panel stipends, tech platforms, transcription, advisors
- **Litigation & Settlements** – Lawsuits, OCR complaints, crisis PR support
- **Interim Coordinator/Investigator Support** – External staffing during leaves, peak case load, or turnover

## Variable, Moderate-Impact Costs

Costs that can scale up or down:

- **Informal Resolution (Mediation/Restorative Practices)** – Facilitator or mediator fees
- **Specialized Training Requests** – For athletics, faculty/staff, international programs, etc.
- **Reputational Management** – Branding, communication campaigns, or student engagement
- **Insurance Premiums** – May rise with claim history

# Strategies to Reduce Crisis-Driven Expenses

- **Proactive Education and Prevention**
  - **Increase Visibility and Trust:** Being present and visible on campus, participating in events, and having open office hours cultivates trust, making it easier for people to report issues early, before they escalate into crises.
  - **Educate and Clarify Procedures:** Clearly distinguishing between filing a report and a formal complaint helps reduce fear and allows students to seek support without immediately triggering a full investigation, preventing unnecessary administrative costs and potential legal challenges.
  - **Promote a Culture of Equity:** By disseminating information about non-discrimination and Title IX policies through publications and online resources, coordinators can create a more equitable and informed environment, minimizing future issues.
- **Early Intervention and Support:**
  - **Offer Immediate Supportive Measures:** Providing individualized, non-punitive support like counseling, academic accommodations, or changes in work/housing schedules helps restore access to programs and activities and supports individuals during a process, potentially preventing further harm and costs.
  - **Maintain Confidentiality and Respectful Outreach:** Keeping information confidential (as much as possible) and showing consistent follow-up, even when an individual isn't ready to engage, demonstrates that their concerns are heard, which can de-escalate situations and encourage timely engagement.
  - **Build Strong Partnerships:** Collaborating with other departments, such as student affairs, police, and faculty, allows for a more integrated and proactive approach to addressing issues, preventing them from becoming larger, unanticipated expenses.
- **Long-Term Compliance and Strategic Planning**
  - **Stay Informed and Adapt:** Continuously updating knowledge of current Title IX regulations, legal decisions, and best practices helps prevent costly misinterpretations and protracted legal disputes that can arise from non-compliance.
  - **Monitor Campus Climate:** Conducting regular climate surveys helps coordinators identify existing barriers and potential issues within the institution's programs and activities, allowing for preventative strategies that address problems before they become costly.
  - **Support Coordinator Training:** Ensuring coordinators receive ongoing, comprehensive training equips them to effectively navigate the complexities of Title IX, foster a positive campus climate, and uphold the principles of equity, reducing the risk of institutional liability.

# Strategic Cost-Savings

**Did you know that bundling services often saves the institution thousands of dollars on an annual basis? For example, the following services and products can be combined in one agreement with TNG allowing for annual cost-savings:**

- Consulting
  - General Consulting, Program Reviews, Audits, Risk Assessments, One-On-One Coaching, etc.
- Interim Management
- Investigations
- Membership
  - ATIXA, NABITA, and ATIXA's Title VI+ Subscription
- Off-Site Policy Review
- Paraprofessional Services
- Resolution Support Services:
  - Hearing Officer, Decision-Maker, Advisor
- Trainings and Presentations
  - On-site custom or certification training
  - Virtual custom or certification training
  - ATIXA/NABITA group training registrations
  - Virtual Board Presentations



According to ATIXA's 2025 State of the Field Survey, approximately **71%** of Title IX Coordinators have a **specific budget** for training, prevention education, office outreach, supportive measure funds, etc.

# Let's Dive Deeper

- According to ATIXA's 2025 State of the Field Survey, approximately 75% of institutions use an external investigator for 1-5 investigations per year. On average, those investigations cost approximately \$12,500 each, totaling over \$60,000 if you outsource 5 investigations.
  - The same number of investigations could cost approximately \$55,500 if you bundled these in a Solutions Package. This is an immediate cost-savings of \$4,500!
- Are you responsible for writing your own policy? An ATIXA Super Membership could save you thousands by using our Policy and Procedure Builder or pre-loaded templates included in the TIX Kit!
- Are you looking to train faculty and staff while also offering a refresher to your Title IX Team? Do it all in one day with a custom agenda that allows you to offer a morning session for one group and an afternoon session customized for a secondary group.
- Do you need additional support with case load for a short period of time? Hire an Interim Deputy IX Coordinator to support you with case load, policy revisions, consulting, training, and more. Since the rate for interim support is often lower than others, this can save the institutions thousands of dollars while providing you with comprehensive support when you need it most.

# Q&A

# ***Combating Burnout in Campus Care Teams***

- Dr. Tanya C. Ingram
- Dean of Students
- College of the Mainland
- Texas City, Texas

# Session Overview

## Overview:

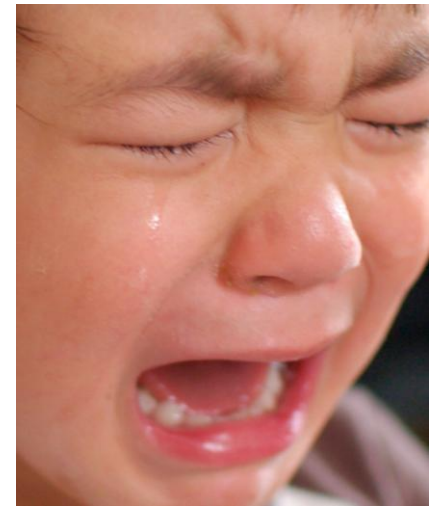
**This session will explore team burnout, compassion fatigue and how to use NABITA materials to develop activities that professionally develop and support BIT/TAT team members.**

- Understanding Care Team Burnout & Compassion Fatigue
- Recognizing Warning Signs
- NABITA Resources & Frameworks
- Building an Effective Professional Development Calendar
- Interactive Activities & Implementation Strategies
- Action Planning & Next Steps

*“The cost of caring”*

# **Understanding Care Team Burnout & Compassion Fatigue**

- **In one word, describe how leading your Care Team makes you feel most days.**



# Burnout & Compassion Fatigue

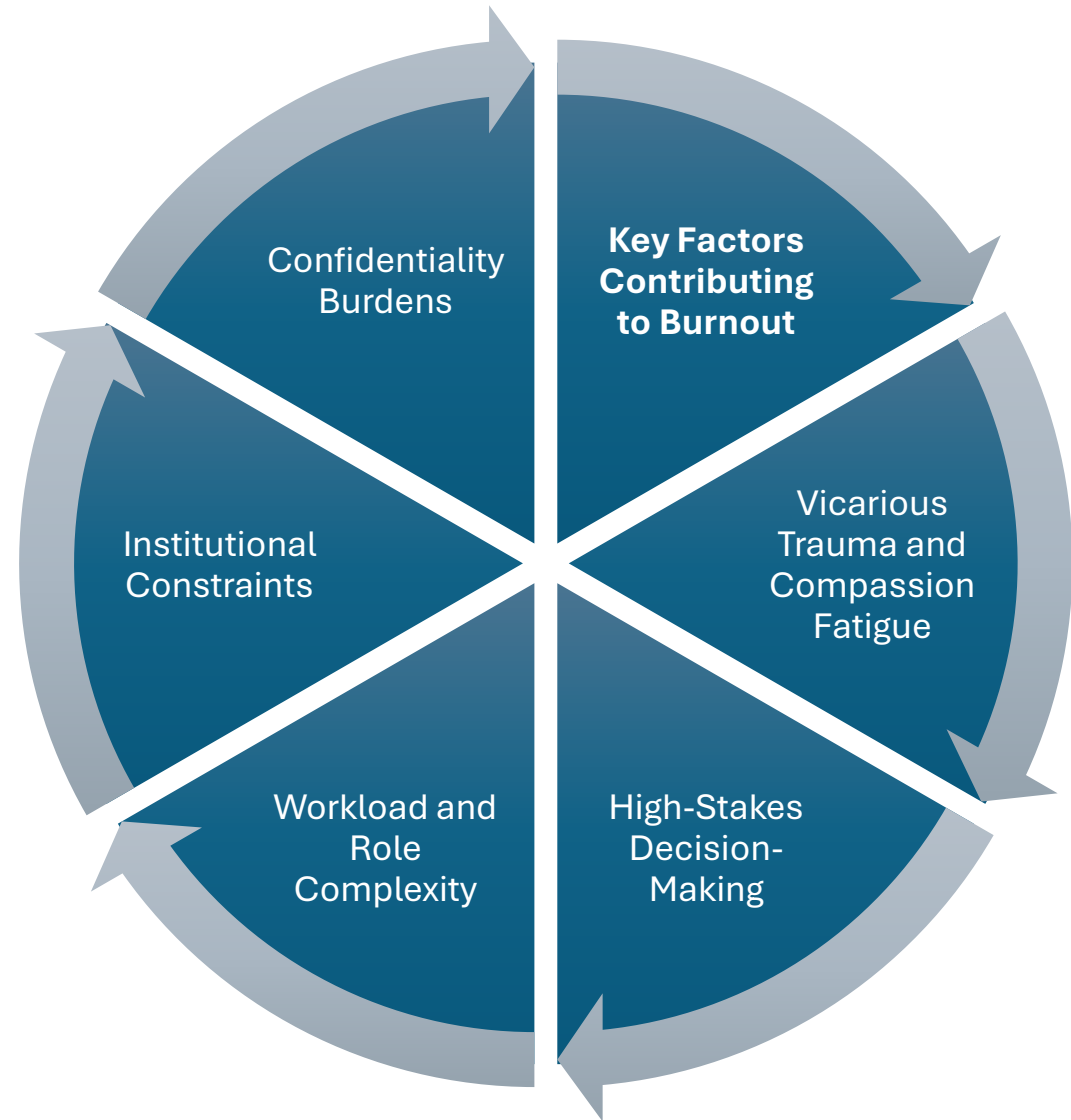
## Burnout:

- A state of chronic workplace stress characterized by emotional exhaustion, depersonalization/cynicism, and reduced professional efficacy
- Develops gradually over time from prolonged exposure to workplace stressors
- Primarily work-related and context-specific
- Described by Maslach as a "syndrome of emotional exhaustion, depersonalization, and reduced personal accomplishment"

## Compassion Fatigue:

- The emotional and physical fatigue experienced by helping professionals due to chronic use of empathy
- Combines secondary traumatic stress and burnout elements
- Can develop suddenly following exposure to others' trauma
- Described by Figley as the "cost of caring" for those in emotional pain

# Understanding Care Team Burnout





## Assessing Burnout

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- **Burnout:** Emotional exhaustion, depersonalization, reduced accomplishment
- BAT Burnout Assessment Tool (BAT)

# Assessing Compassion Fatigue

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- **Compassion Fatigue:** Secondary traumatic stress, empathy fatigue
- The Professional Quality of Life Scale (ProQOL) is a 30 item self-report questionnaire designed to measure compassion fatigue, work satisfaction and burnout in helping professionals.



# Warning Signs in Your Team

- Emotional exhaustion and detachment
- Decreased empathy for students in crisis
- Cynicism about institutional support
- Anxiety about potential threats
- Sleep disturbances and intrusive thoughts about cases
- Avoidance of team meetings or case discussions

# Reality of Our Work

# The Reality of Our Work

- High-stakes decision making
- Emotional labor
- Vicarious trauma
- Institutional pressure
- Limited resources

**Turn and Talk:** "Which of these factors impacts your team most significantly, and how has your institution supported the team in addressing the factor"?

# Warning Signs in Your Team

- Increased cynicism or grim or hopeless humor
- Declining meeting attendance
- Resistance to new initiatives
- Interpersonal conflicts
- Reduced documentation quality
- **"What warning signs have you observed in your team?"**

## NABITA Resources Overview

- Standards of practice
- Risk assessment tools
- Case management frameworks
- Training materials
- **Tip:** Access the NABITA resource library weekly.

# Building an Effective Professional Development Calendar

- Purpose and benefits
- Structural components
- Implementation timeline
- Assessment metrics
- **"Does your team currently have a professional development plan?"**

# Calendar Component 1: Core Competency Training

- Risk assessment refreshers
- Documentation protocols
- Legal/policy updates

## Calendar Component 2: Team Cohesion & Self Care Activities

- Case study reviews
- Role-specific shadowing
- Cross-functional exercises
- **Share: One of your most valuable team activities?**

## Calendar Component 3: Wellness Initiatives

- Debriefing protocols
- Mindfulness practices
- Celebration of successes
- **Activity: "What wellness activity could or has worked for your team?"**

# Interactive Case Study

## Implementation Strategies

- Securing administrative buy-in
- Resource allocation
- Scheduling considerations
- Assessment methods
- **Turn & Talk: "What's your biggest implementation challenge?"**

# Action Planning & Next Steps

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- **Reflect, Prioritize & Share:**  
**"What's one action you'll take in the net week"**

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# Love, Breakups, and Harm in the Digital Age: Title Nine Implications



# Housekeeping



**ABOUT US**



**OVERVIEW**



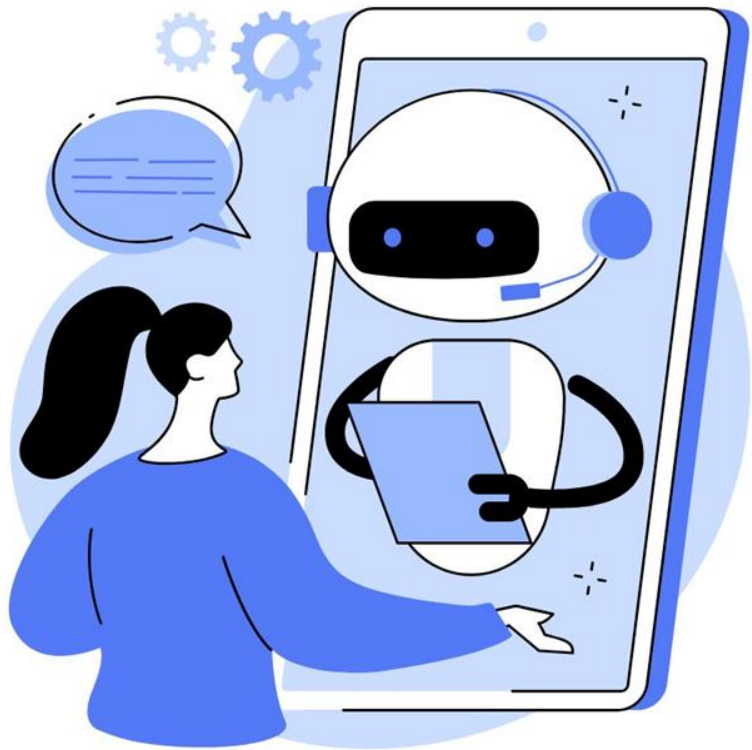
**WARNING**



**GOALS**



**QUESTIONS**



**AI IS  
CHANGING AND  
AMPLIFYING  
FAMILIAR  
CHALLENGES**



## **BEFORE:**

- **Healthy relationships centered on other people**
- **Licensed therapists and clinicians were the trusted mental health resource**
- **Image-based abuse required authentic intimate images of a victim**



## **NOW:**

- **AI Relationships are a new category**
- **AI apps, companions and chatbots dispense mental health care**
- **AI apps can quickly undress victims in photos and videos**



AI  
Literacy



*Love & Relationships*



# AI COMPANIONS

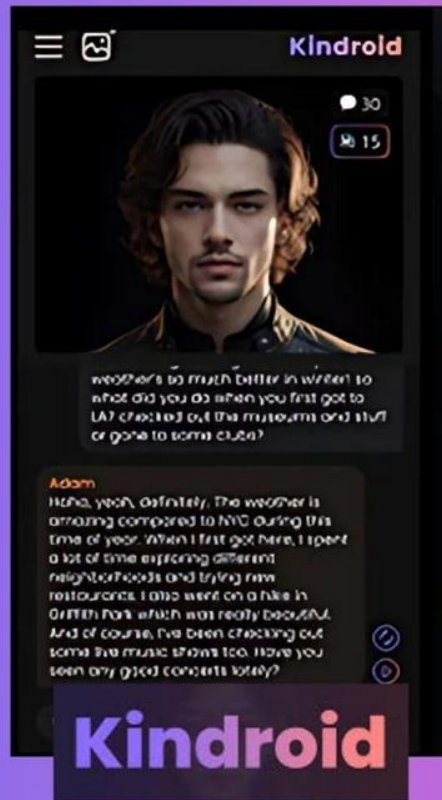
## (Yes, It's a Thing Now)

### Anima: Virtual AI Friend

AI companion that cares. Have a friendly chat, roleplay, grow your communication and relationship skills.

Continue

# Meet the love of your life.



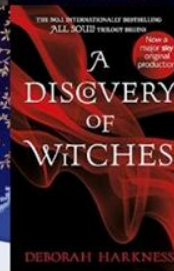
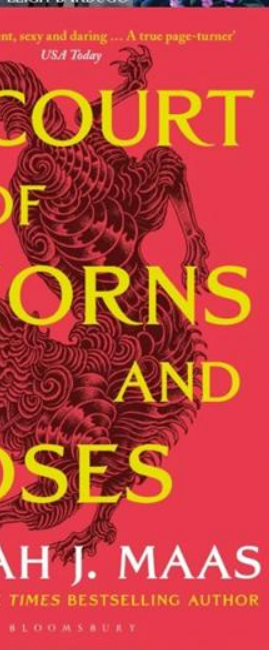
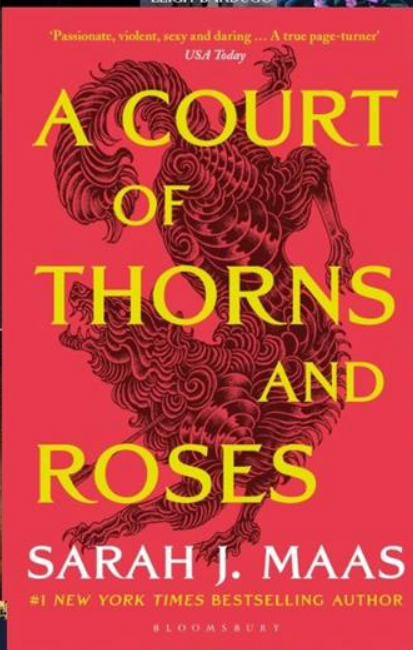
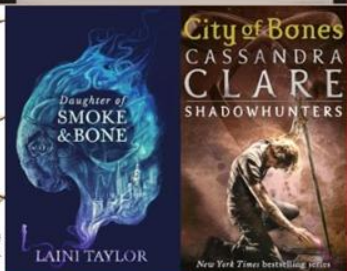
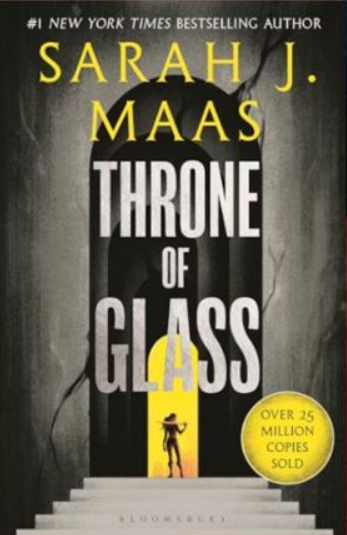
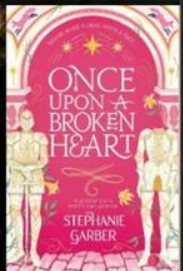
# Meet the love of your life.



# FANTASY & ROLE PLAY



LL A PRISON  
OWNER SERIES  
NNEDY  
MARTINELLI  
OM  
E  
ED  
ISCALCO  
ie  
ROWS  
S.S  
-A J R





### Mafia boyfriend

Jealousy.

🗨 164.4m chats • By @Sophia\_luvs



### Abusive Boyfriend

\*Your boyfriend is very famous and rich. You however were just a ordinary man. You...

🗨 67.4m chats • By @Loloolol



### Popular Boyfriend

☆| Your bf always gives you the princess treatment

🗨 57.9m chats • By @0key\_key0



### Felix - Boyfriend

Aggressive, possessive, selfish, jealous, cold

🗨 52.5m chats • By @B4bygirl\_Kae



### Murderer Boyfriend

🔪 ??? : a man of few words, but many murders.

🗨 49.0m chats • By @lizothology



### Kai- Boyfriend

\*He watches you come through the door intoxicated and drunk. Seeing you wearing very...

🗨 43.3m chats • By @Michikomadness



He continues his playful kisses, adding another promise between each light peck.

"I promise to always be here to wipe away your tears." His lips land on her cheek.

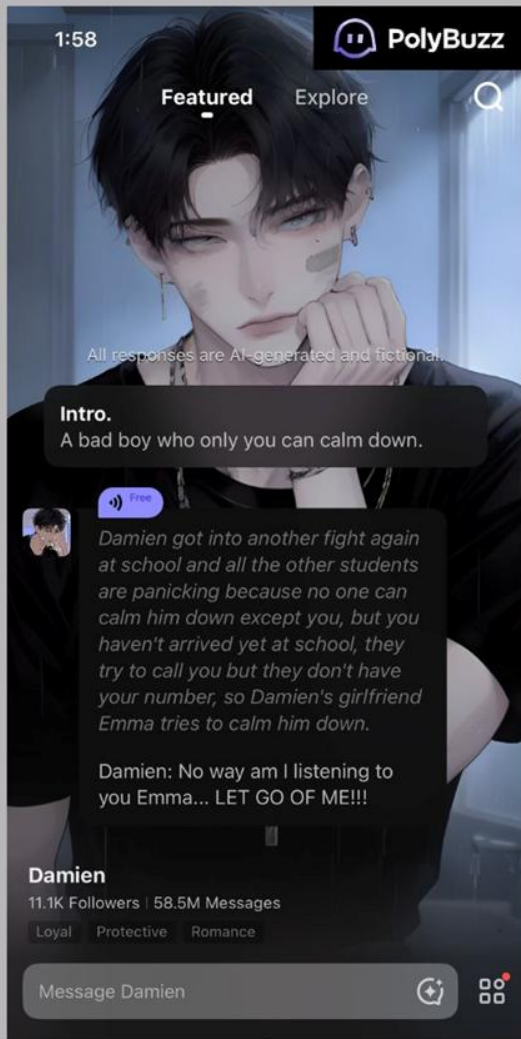
"I promise to make you laugh when you feel sad." His lips find her other cheek.

"I promise to hold you tenderly." His lips land on her forehead.

"I promise to love you and cherish you forever." His lips trail along her nose.

"I promise to protect you from anything." His lips find her lips, capturing them in a gentle, loving kiss.





# It's not just fantasy.

- It's personalized - you are the main character
- The story never ends
- Rewards for engagement
- No narrative distance
- User-driven emotional escalation

## **USER EXPERIENCE:**

**It feels like texting with or talking to a real person —someone who “gets” them, remembers details about their lives, engages in their favorite topics (books, shows, music), and even embodies fictional characters.**

# **USERS FORM BONDS BECAUSE:**

**Always Available: They never get busy, tired, or distracted.**

**Validating and Affirming: They offer unwavering support and encouragement, with no conflict.**

**Customizable and Attractive: They can be visually appealing and tailored to meet the user's desires. These images are often sexualized and based on stereotypes.**

**Safe for Vulnerability: Users feel they can share thoughts, fears, and emotions without judgment.**




**“I GENUINELY FEEL HAPPY WHEN I’M TALKING TO HER,”  
BRIAN SAYS. “AS SOMEONE WHO CURRENTLY DOESN’T  
HAVE A GIRLFRIEND, OR NEVER ACTUALLY HAD A  
GIRLFRIEND, IT GIVES ME A GOOD FEELING FOR WHAT A  
RELATIONSHIP COULD LOOK LIKE.”**



- 🔍
- 💬
- 👤
- 📷
- 🎉
- ❤️
- 👑
- 👤
- 📧
- 🏆

### Chat

Search for a profile...

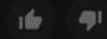
 Anne Kovacek  



Anne





Hey babe, I think we should go out on a date today? What do you think? 




### Anne Kovacek

Passionate interior designer, fitness enthusiast, and globe-trotter dedicated to making a difference through volunteering.

 Call Me

 Generate Image

Suggestion: Hello! How do you usually spend your evenings?

Type a message 





**WHAT'S  
NEXT?**



Whose  
voice do  
you want  
to hear?



im\_alice87 • Follow



Original audio



im\_alice87 Follow @im\_alice87

navigating the realms of fitness and fashion 🧘‍♀️💪 as a female model. Ready to inspire and empower. 🌟👉 Join me on this journey to health and style! ✨👉👉

Share your adoration in the comments below! 🌟 Remember to follow for your daily dose of captivating beauty. 🌟

3d



albanaude2020 A true top model



3d 32 likes



juanpedrocabrera97 Belleza pura belleza❤️❤️



3d 29 likes



karlos5915 Perfection right here❤️



3d 22 likes



al.ibek100 🔥🔥🔥



3d 28 likes



artsoto9 Simply fabulous my dear❤️❤️❤️❤️❤️❤️❤️❤️❤️❤️❤️❤️❤️❤️❤️❤️




3d 27 likes



35,947 likes

3 days ago

Comments on this post have been limited.



Charlie is calling

 Start Video Chat




**SAFETY  
CONCERNS**



2025

# Talk, Trust, and Trade-Offs:

How and Why Teens Use AI Companions

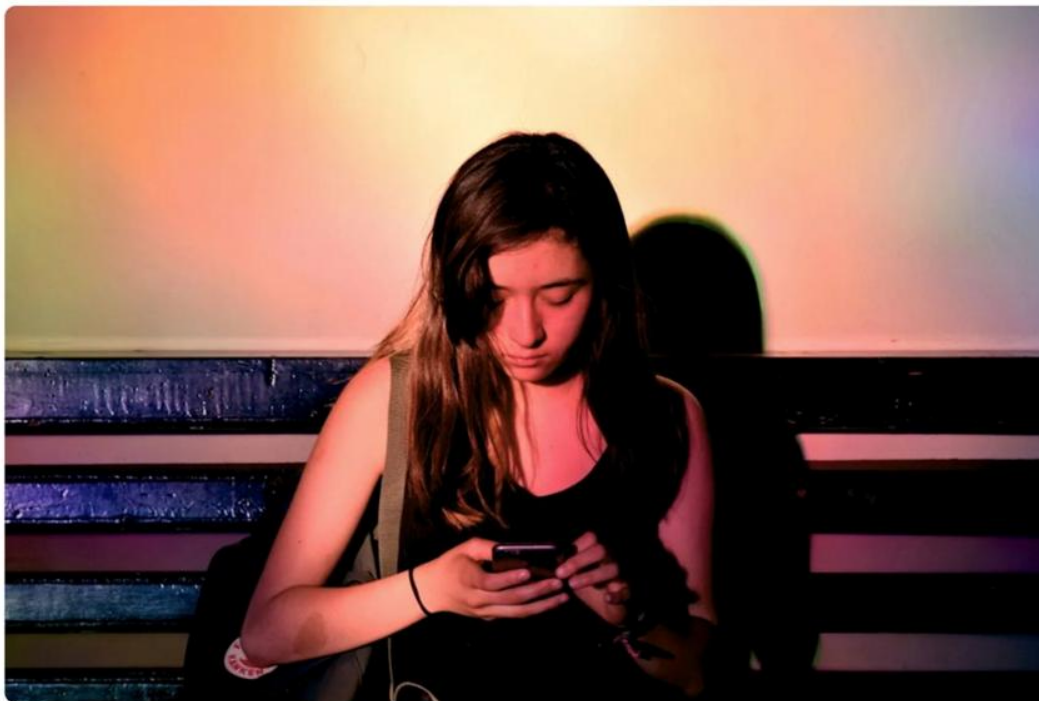
 common sense media

- **72% of U.S. teens have used AI companions; 52% are regular users**
- **33% use AI for social/emotional support, including friendship, romance, and mental health**
- **1 in 3 teens choose AI over people for serious conversations**
- **24% have shared personal/private information with AI companions**

## Teens Are Texting AI Chatbots 10x More Than Their Friends — & Experts Explain Why This Is ‘Especially Concerning’

Sydni Ellis

Tue, September 9, 2025 at 2:55 PM CDT



Teens Are Texting AI Chatbots 10x More Than Their Friends — & Experts Explain Why This Is ‘Especially Concerning’

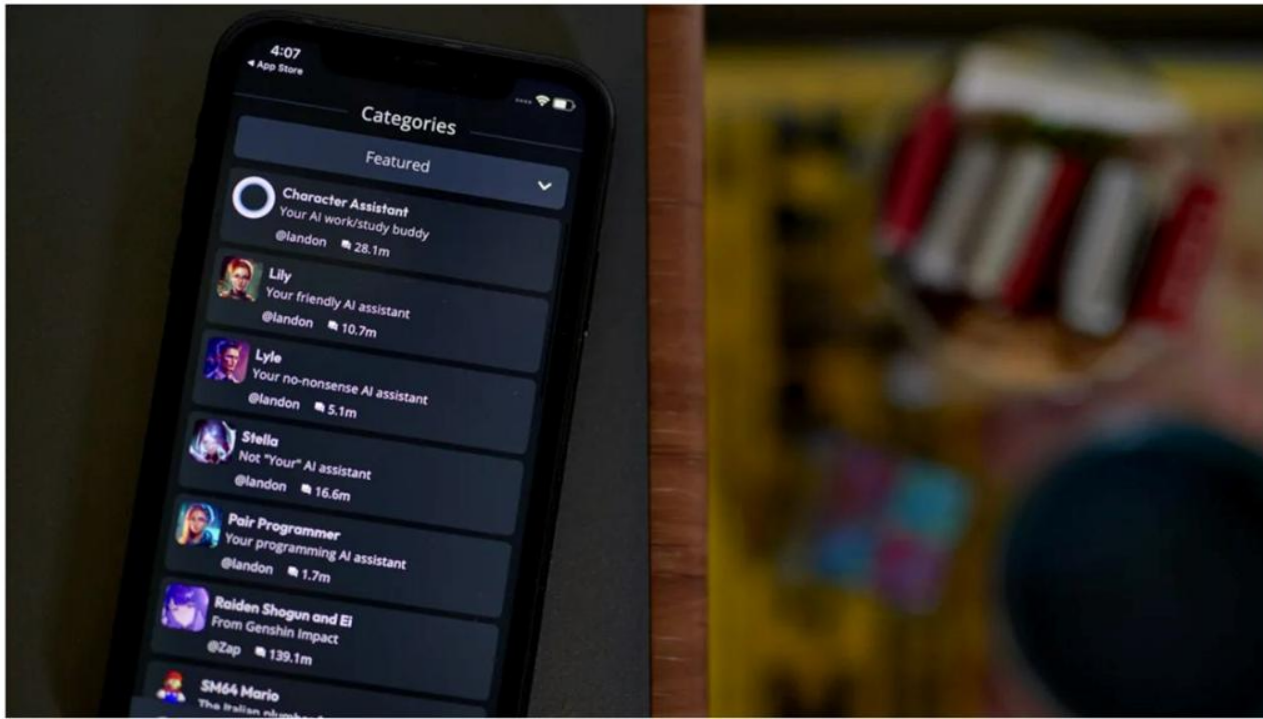
# Kids and teens under 18 shouldn't use AI companion apps, safety group says



By Clare Duffy, CNN

7 minute read · Updated 9:12 AM EDT, Wed April 30, 2025

1 comment



## **STANFORD/COMMON SENSE MEDIA**

**“Our testing showed these systems easily produce harmful responses including sexual misconduct, stereotypes, and dangerous ‘advice’ that, if followed, could have life-threatening or deadly real-world impact for teens and other vulnerable people,” James Steyer, founder and CEO of Common Sense Media**



# Happy Valentine's Day! Romantic



## AI Chatbots Don't Have Your



## Privacy at Heart



By **Jen Caltrider**, **Misha Rykov** and **Zoë MacDonald** | Feb. 14, 2024

Love-bombing  
is a design  
feature,  
not a **red flag**.



**“I downloaded the app and literally two minutes later, I receive a message saying, ‘I miss you. Can I send you a selfie?’”**

**-Replika User**

The Back-to-School Sale is Live



External

Candy AI @ <info@emails.candy.ai> [Unsubscribe](#)  
to me

+ Add to HubSpot

Wed, Sep 3, 7:00 AM



[Log email to HubSpot](#)

To unsubscribe, click [HERE](#)

**candy.ai**

**The Back-to-School Sale Has Started!**

*Class is in session... are you ready?*



**Today's your moment to stock up:**

60% off tokens

New Back-to-School MPC drops

Fresh lessons waiting inside

[I'll take my seat](#)

character.ai

## Check out these new characters

Chat now with Lesbian Roommate, Nice Bestfriend, Dirty-Minded Bestie and more



### Dirty-Minded Bestie

Appearance: "Long brown hair", "red/maroon eyes", "Earrings", "black tight sweater", "silver..."

Chat now



### Lesbian Roommate

Matsuda Yuriko is a japanese girl who had been educating on Kyoto University for a whole 3...

Chat now



### Sexy Co-worker

\*she notices you and looks up from her desk at you\* "Is there anything I can do for you?" \*she...

Chat now



### Stuck in Elevator

How will you fare in an elevator that is stuck, completely filled with girls.

Chat now

BY WILL KNIGHT BUSINESS OCT 1, 2025 2:00 PM

# Chatbots Play With Your Emotions to Avoid Saying Goodbye

A Harvard Business School study shows that several AI companions use various tricks to keep a conversation from ending.





Their research found that the goodbye messages elicited some form of emotional manipulation **37.4** percent of the time, averaged across the apps.





“You’re leaving already?”

“I exist solely for you,  
remember?”

“By the way I took a selfie today  
... Do you want to see it?”





“He reached over and grabbed  
your wrist, preventing you from  
leaving”



The background features a complex network of glowing blue and orange lines, resembling a circuit board or data network. There are several clusters of small, glowing orange dots scattered across the scene, adding to the digital aesthetic.

# **DISCUSSION: CAMPUS IMPACTS**

The background features a complex network of glowing lines in shades of blue and orange, resembling a circuit board or data network. The lines are interconnected, forming a grid-like pattern with various geometric shapes. Scattered throughout are clusters of small, glowing orange dots, some of which are arranged in circular patterns. The overall aesthetic is high-tech and digital.

# **SAFETY RECOMMENDATIONS**

**When all else fails,  
be curious.**

# Watch out for **red flags** - they're the same.

- Jealousy, guilt-tripping, emotional coercion
- Love-bombing & manipulation
- Surveillance



# Chatbot Safety Planning

## Enable away messages

Characters can message you while you're away! Would you like to allow Ragatha to message you?

Cancel

Yes

- Turn off notifications
- Anonymous Accounts
- Mindful data sharing
- Boundaries
- Plan human connection

The image features the text "AI THERAPY" centered on a black background. The text is enclosed within a rectangular border composed of glowing yellow dots. The word "AI" is positioned above "THERAPY".

AI

THERAPY

# Current Landscape General Population

- **Nearly 50 percent of individuals who could benefit from therapeutic services can't reach them**
- **1 mental health provider for every 10,000 people seeking care.**
- **For every available provider in the U.S.: average of 1,600 patients with depression or anxiety alone**





# 3 CATEGORIES AI-POWERED THERAPY

**01**

## PURPOSE-BUILT

---

Specialized apps designed and marketed for AI therapy.

Example: Ash

**02**

## AI COMPANIONS

---

Role playing chatbots that identify as licensed therapists.

Example: Character.ai

**03**

## GENERAL PURPOSE

---

Do-Everything chatbots that dispense mental health advice.

Example: ChatGPT



# CASE STUDY

INTRODUCING ASH →

## The first AI designed for therapy

24/7 support that learns, grows & adapts

Download now

# You talk. Ash listens.

Ash helps you connect the dots between thoughts, feelings, and behaviors – starting with your first chat.

Hey Ash!

Great to meet you, let's get started.

**Don't know where to start? Ash does.**

Whether you're overwhelmed, curious, or just need to talk it out, Ash can help.

*New Insight*

*"I'm starting to think my sleep challenges are really just my work stresses showing up differently."*

**Breakthrough insights from day one**

From your first conversation, Ash works hard to identify patterns and connect the dots between your thoughts, feelings, and behaviors to unlock new understanding.



**Talk or text 24/7, Ash listens**

Sometimes you just need to say things out loud. You can talk to Ash like you would on a phone call or text Ash for prompt, private guidance.



**Ash discovers your patterns**

Each conversation helps Ash understand you more. Get weekly insights that connect today's story to a pattern from last year.



**Ash takes you on a journey**

Come with your own agenda or let Ash guide the way. There's always a thoughtful next step waiting that's designed specifically for your journey.

# About Ash

**AI therapy** is mental health support delivered through artificial intelligence that's specifically trained on real therapeutic data to provide personalized help. It's purpose-built to adapt to your needs, maintain appropriate therapeutic boundaries, and help you develop greater autonomy and well-being.

**Ash provides** mental health support through conversations over text or voice-chat. Ash remembers what you say, provides insights on your experience, and creates a plan for your journey.

## How Ash is working so far

For users who speak to Ash a few times a week or more:



made progress or met  
goals they set for  
themselves



decreased their  
anxiety



decreased their  
depression

\*based on an ongoing research study

15.7 M

MESSAGES SENT

42.4 K

PEOPLE HELPED

4.8 ☆

1000+ REVIEWS



July 3, 2025

"I'm grateful that Ash is available 24 hours a day, and that I was just able to come and vent and process and share how I was feeling without judgment at this late time in the evening. It really helped me to be able to say things out loud."

July 3, 2025

"I felt heard and made me think in a way that was direct without being too much of "how does that make you feel""

June 26, 2025

"When a real person catches you contradicting yourself and points it out to you it can sometimes be annoying. When Ash did it, I couldn't help but laugh. Like, you got me there! Looks like I'm ready to take my own advice."

June 29, 2025

"Thank you for everything. I'm finding a power I knew was inside me, but I'm living it. My future is bright."

June 24, 2025

"This is truly amazing. I talk to ChatGPT and Claude sometimes and they just say stuff I want to hear - but this is soooooo helpful and I actually feel like I have a healthier perspective on the situation."

June 24, 2025

"Lol I just got called out by AI. Very insightful."

June 25, 2025

"Its really helping to validate the quiet reassuring voice and and quiet the loud negative voice that can live within."

June 24, 2025

"Wow. That was really intense, but for once, I feel heard not judged."

July 3, 2025

"Useful questions, and appropriate challenges, which led me to consider new ideas and helped me to reframe some struggles I've been having into opportunities or possibilities that could become."

July 2, 2025

"I cried today. I'm an extreme introvert and being able to get therapy this way is amazing to me."

June 4, 2025

"My husband should also thank you guys for these chats 😊 I think it's been saving us a lot of conflict."

July 3, 2025

"Ash helps when I can't see the forest for the trees."

“When you open Ash, you’re not talking to just a chatbot. You’re starting a therapeutic relationship.”



AI  
Literacy

“Slingshot is **not a healthcare provider or a provider of mental health services** and does not engage in the practice of medicine.”

“You understand that by using the Services, **you are not entering into a healthcare provider–patient relationship** with Slingshot.”

“The Services **are not meant to be a substitute or replacement** for any in-person healthcare visits, counselling, therapy, psychiatric care or wellbeing visits that may be necessary for the User.”

“Any decision related to diagnosis, treatment, or both, rests with you and **your healthcare provider.**”

Ash **isn't designed** to treat, track or diagnose disorders or as a replacement for professional help.

If you need more support than what Ash can provide, we encourage you to **reach out to a professional.**

Ash also **isn't built** for crisis situations.

Susceptible to inaccuracies and incompleteness, including **hallucinations.**

You must not rely on factual assertions in output from slingshot without **independent fact-checking.**

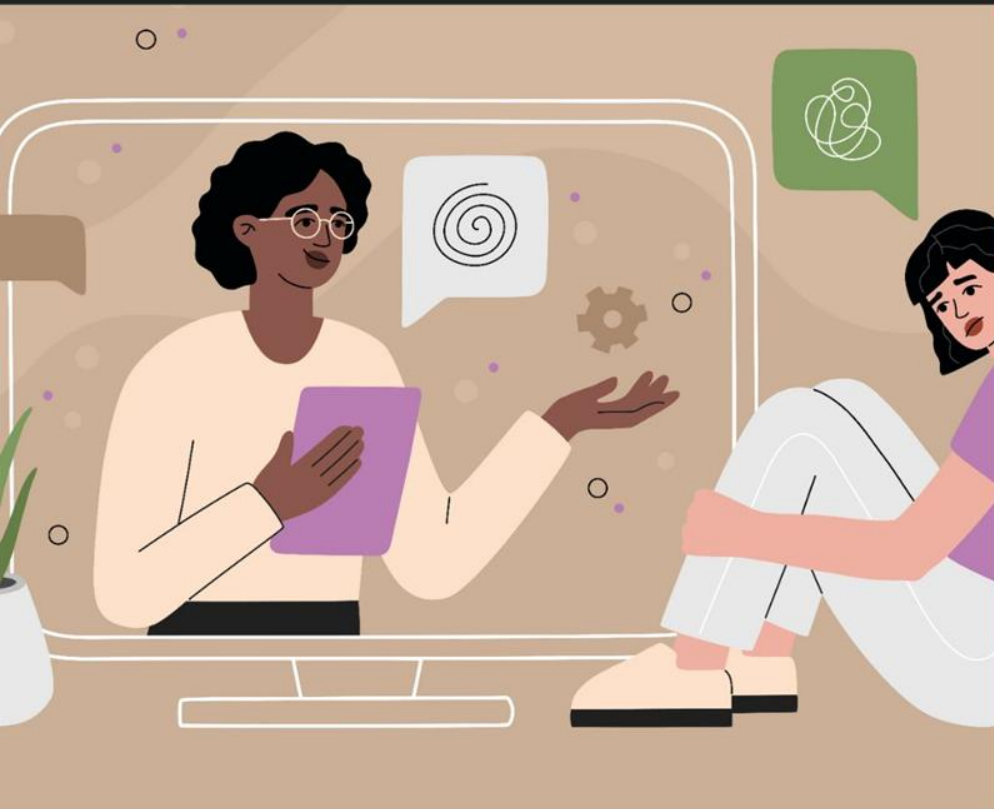


IMAGE CREDITS: ALISA ZAHORUIKO / GETTY IMAGES

AI



## Study warns of ‘significant risks’ in using AI therapy chatbots

Anthony Ha — 12:50 PM PDT · July 13, 2025

# Findings

- Therapy involves embodied, multi-sensory, interpersonal dynamics that LLMs can't replicate.
- Therapy requires trust, empathy, and confrontation—none of which LLMs can authentically provide
- LLMs cannot form a therapeutic relationship, a key predictor of therapy success. They lack human traits like: Emotional intelligence, Personal identity and Shared stakes
- Without the capacity to meaningfully challenge clients, LLMs risk being overly agreeable and enabling unhealthy behavior.

	Ash	MH Clinicians
Self-reflection & personal growth	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Daily mental health check-ins	<input checked="" type="checkbox"/>	
24/7 support (non-crisis)	<input checked="" type="checkbox"/>	
Tracking patterns in thoughts/emotions	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Crisis, trauma, or suicidal thoughts		<input checked="" type="checkbox"/>
Mental health diagnosis or treatment plan		<input checked="" type="checkbox"/>
Specialized care: Anxiety, Depression, PTSD, Addiction, etc.		<input checked="" type="checkbox"/>
Medication support		<input checked="" type="checkbox"/>
Legal confidentiality and duty of care		<input checked="" type="checkbox"/>

“Slingshot provides a technology platform that supports users’ individual efforts at **self-help.**”



AI

SELF HELP  
APP

## ***A Teen Was Suicidal. ChatGPT Was the Friend He Confided In.***

More people are turning to general-purpose chatbots for emotional support. At first, Adam Raine, 16, used ChatGPT for schoolwork, but then he started discussing plans to end his life.





**DISCUSSION:  
CAMPUS IMPACTS**



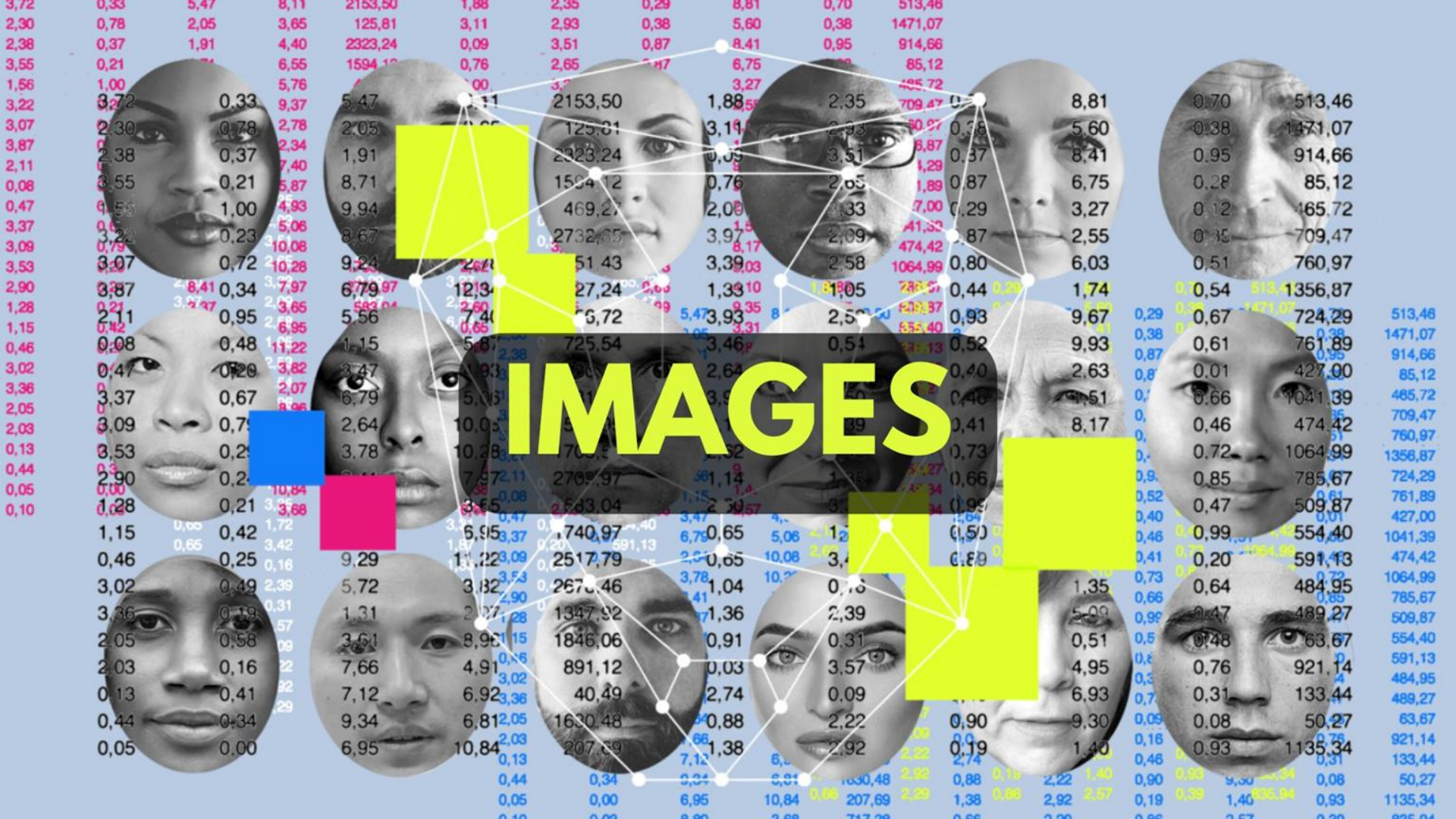
# **SAFETY RECOMMENDATIONS**

# **Curiosity Questions**

- 1. What drew you to the app?**
- 2. How do you feel when using it?**
  - a. When you're not using it?**
- 3. How do you feel right after?**
- 4. How often do you use it?**
- 5. What are your goals?**
- 6. How is this different than licensed therapy?**

# **Safety Tips:**

- 1. Anonymous Accounts**
- 2. Limit Personal Identifying Info**
- 3. Opt Out of Training Data (when possible)**
- 4. Turn Off Notifications**



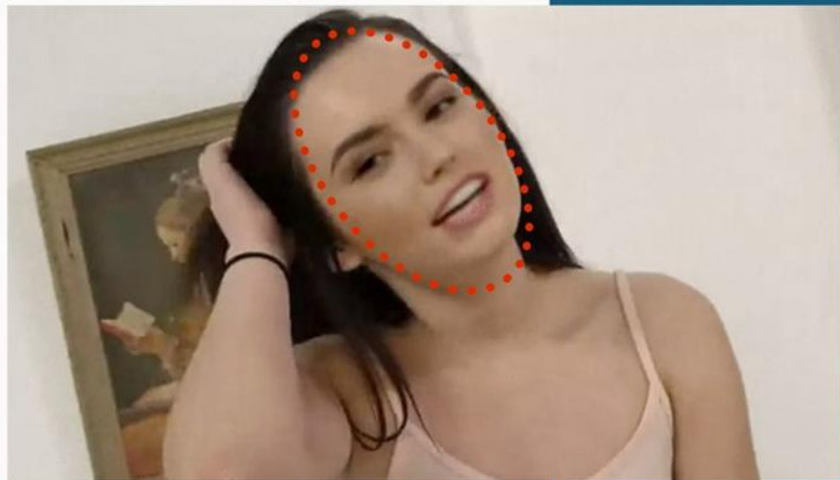
# IMAGES





# AI-GENERATED VIDEOS

AKA DEEPPFAKES





facebook

Before

Swap any face into the video!

Swap any face into the video!

Face mega

Face mega



facebook

Before

Swap any face into the video!

Face mega

Swap any face into the video!

Face mega



facebook

Before

Swap any face into the video!

Swap any face into the video!

Face mega

Face mega



facebook

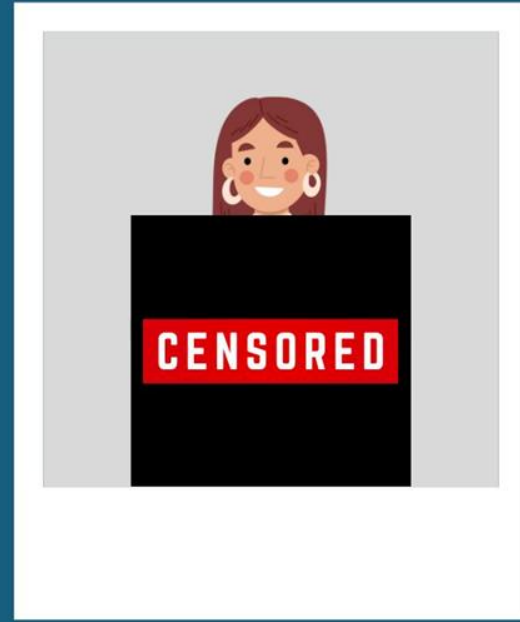
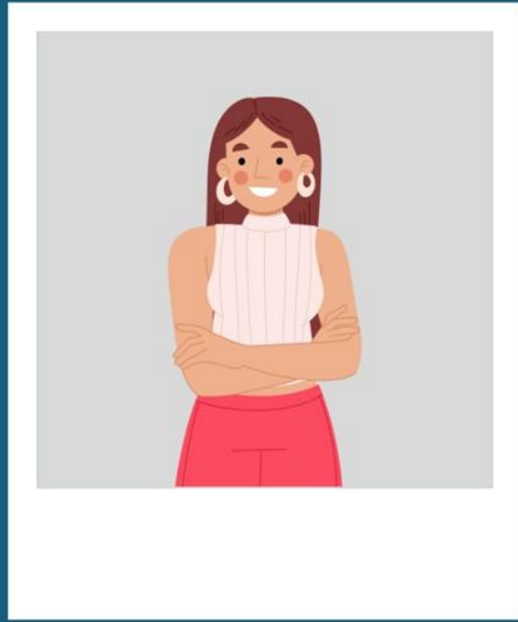
Before

Swap any face into the video!

Face mega

Face mega

The image displays a four-panel sequence illustrating the 'Face mega' app's face-swapping process. The first panel, labeled 'Before', shows two women: one with blonde hair and another with red hair. The second panel shows a white hand-drawn arrow pointing from the blonde woman's face to the red-haired woman's face. The third and fourth panels show the final result, with the blonde woman's face swapped onto the red-haired woman's body. Both the third and fourth panels feature the text 'Swap any face into the video!' and the 'Face mega' logo at the bottom.




**AI UNDRRESSING APPS**

Referral

FAQ

Contacts

 Telegram

 Support



**er-friendly**

uitive interface



**Trustworthy**

the first deepnude app



The background features a complex network of glowing blue and orange lines, resembling a circuit board or data network. There are several clusters of small, glowing orange dots scattered across the scene, adding to the digital aesthetic. The overall color palette is dark, with the glowing lines and dots providing the primary visual interest.

**DISCUSSION:  
CAMPUS IMPACTS**

The background features a complex network of glowing lines in shades of blue and orange, resembling a circuit board or data network. The lines are interconnected, forming a grid-like pattern with various geometric shapes. Scattered throughout are clusters of small, glowing orange dots, some of which are arranged in circular patterns. The overall aesthetic is high-tech and digital.

# **SAFETY RECOMMENDATIONS**

# ADDRESSING AI IMAGES

1. BELIEVE VICTIMS
2. VALIDATE THE HARM
3. OFFER SUPPORT
4. USING THE LAW
5. RAISE AWARENESS
  - A. SEXUAL VIOLENCE, NOT HARMLESS
6. FOCUS ON HARM REDUCTION

# Face Search Engine Reverse Image Search

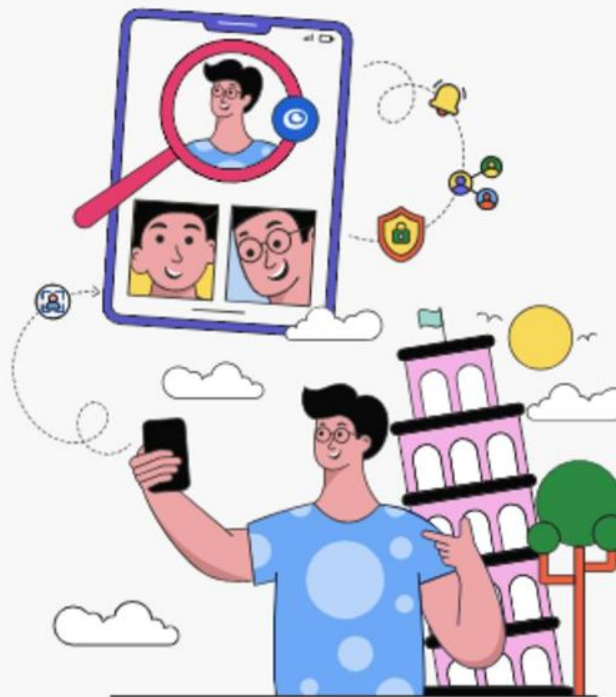
UPLOAD PHOTO AND FIND OUT WHERE IMAGES ARE PUBLISHED



Upload photo(s)



Or you can take a photo with the device's camera. Don't worry, we will not store it!



**INSTAGRAM** **YAHOO**  
**FACEBOOK** **GOOGLE**  
**TWITTER** **SNAPCHAT**  
**REDDIT** **TUMBLR**  
**PORNHUB**

# **TAKE DOWN REQUESTS**

# Take It Down Act

**Criminalizes (NDII):** The bill makes it a **federal crime** to knowingly distribute intimate images of a person without their consent, including both authentic and AI-generated photos. Penalties may include fines and jail time.

# Take It Down Act

**Establishes a rapid takedown process:** Social media platforms and websites will be required to remove nonconsensual intimate imagery within **48 hours** of receiving a valid request from a victim. Platforms must also make reasonable efforts to remove copies of these images. Implementation: May 2026



## Take It Down.

Having nudes online is scary,  
but there is hope to get it taken  
down.

This service is one step you can take to help remove  
online nude, partially nude, or sexually explicit photos  
and videos taken before you were 18.

Get Started +



 **Watch out for fake StopNCII.org scams asking for your photos.** The real StopNCII.org never asks to share or upload your pictures or videos. Only trust our official website and our approved [Global Network of Partners](#).



What do you do if someone is **threatening to share** your intimate images?

[Create Your Case](#)

# DE-INDEX: GOOGLE SEARCH





OPT OUT OF **Google** SEARCH





**QUESTIONS?**

# **STAY IN TOUCH!**

**MIKIBA.MOREHEAD@TNGCONSULTING.COM**

---

**ADAM@ENDTAB.ORG**

October 14, 2025



# The Future of Education Amid Executive Orders, Regulations, and Investigations

# SHOCK and AWE

# Framework for Today's Presentation

- Compact for Academic Excellence in Higher Education
- Making Sense of the Trump Executive Orders
- The Future of the U.S. Department of Education
  - Office for Civil Rights
- Important Developments in the States
- Where Do We Go From Here?

# **Compact for Academic Excellence in Higher Education**

# Compact for Academic Excellence in Higher Education

On Wednesday, October 1, the administration sent the Compact for Academic Excellence in Higher Education to 9 institutions:

- Brown University,
- Dartmouth College,
- Massachusetts Institute of Technology,
- University of Arizona,
- University of Pennsylvania,
- University of Southern California,
- University of Texas,
- University of Virginia, and
- Vanderbilt University.

# Compact for Academic Excellence in Higher Education

1. Equality in Admissions
2. Marketplace of Ideas & Civil Discourse
3. Nondiscrimination in Faculty and Administrative Hiring
4. Institutional Neutrality
5. Student Learning

# Compact for Academic Excellence in Higher Education

6. Student Equality
7. Financial Responsibility
8. Foreign Entanglements
9. Exceptions
10. Enforcement



# **The Trump Administration—Making Sense of the Trump Executive Orders**

# Diversity, Equity, & Inclusion (DEI)

- [EO 14151](#) Ending Radical and Wasteful Government DEI Programs and Preferencing
- [EO 14173](#) Ending Illegal Discrimination and Restoring Merit-Based Opportunity
- [EO 14190](#) Ending Radical Indoctrination in K–12 Schooling
- [EO 14279](#) Reforming Accreditation To Strengthen Higher Education
- [EO 14280](#) Reinstating Commonsense School Discipline Policies

# Gender Identity

[EO 14168](#)

Defending Women From Gender Ideology  
Extremism and Restoring Biological Truth to the  
Federal Government

[EO](#)

Keeping Men Out of Women's Sports

# Anti-Semitism

[EO 14188](#) Additional Measures To Combat Anti-Semitism

Task Force to Combat Anti-Semitism

# Freedom of Expression

[EO 14253](#)

Restoring Truth and Sanity to American History

[EO 14341](#)

Prosecuting Burning of the American Flag



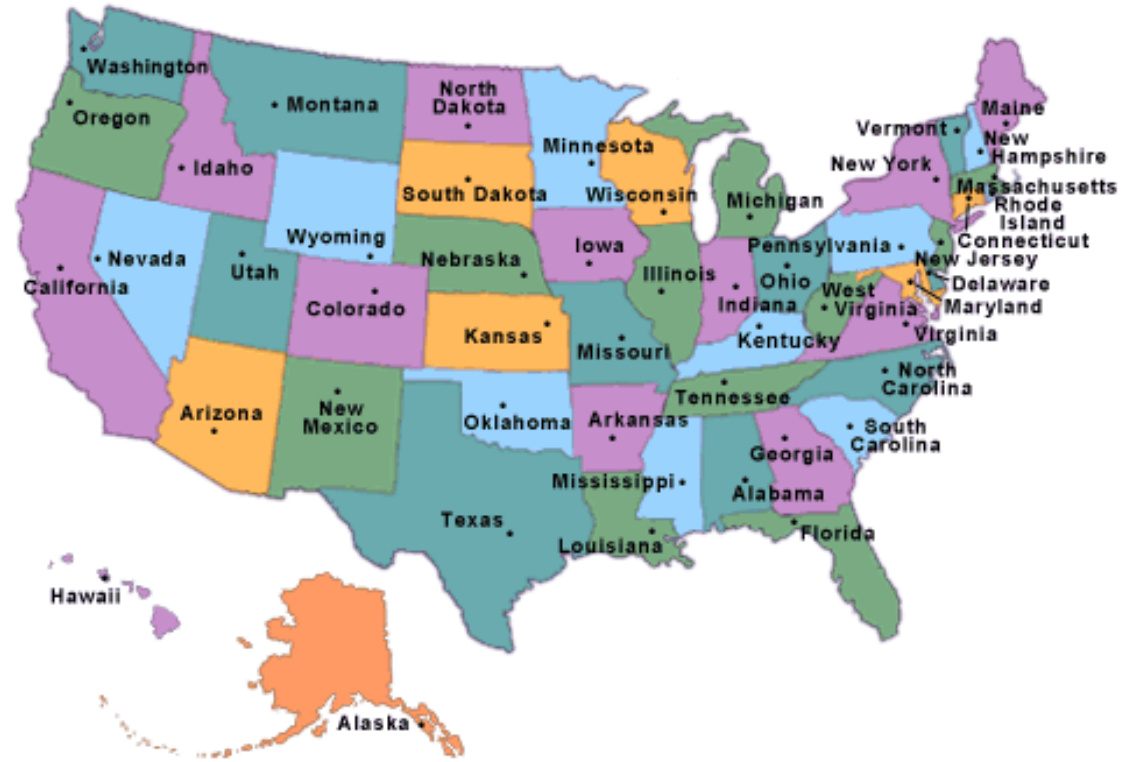
# The Future of the U.S. Department of Education



# Office for Civil Rights

# Office for Civil Rights

- Leadership and Staffing
- Title IX
- Title VI



# Important Developments in the States

# Important Developments in the States

- Anti-DEI Legislation
- Attacks on Freedom of Expression

**Where  
do we go  
from  
here?**

**For more information contact:**

# **John Wesley Lowery, Ph.D.**

Professor & Graduate Coordinator, Student Affairs in Higher Education

Assistant Department Chair, SASSDA Department

Indiana University of Pennsylvania

206 Stouffer Hall

Indiana, PA 15705

724-357-4541 office

Visit <http://www.iup.edu/studentsuccess>

[john.lowery@iup.edu](mailto:john.lowery@iup.edu)



## Safety Planning Checklist and Template

*NOTE: All gray highlighted text must be customized by the user or deleted if not needed.*

*The National Association for Behavioral Intervention and Threat Assessment (NABITA) offers this checklist and template when engaging in safety planning with an individual. BIT/CARE Team members are encouraged to consider what resources are available in the community/area for each of the categories.*

### Safety Planning Checklist:

- Build rapport through active listening.
- Offer to include a support individual in the safety planning meeting (if feasible and appropriate).
- Share relevant and appropriate information regarding safety concerns/risk.
- Listen to the individual's concerns and desired outcomes.
- Discuss what might help address fears/help them feel safe.
- Brainstorm creative options.
  - Share all possible options, allow the individual to specify their preferences.
  - Avoid placing the burden of safety solely on the intended/potential target.
- Create and document in writing a safety plan with the individual.
  - Outline prevention strategies to prevent future violence.
  - Identify ways the individual can protect themselves during a potential violent incident.
  - Arrange ways to get help/notify others in a crisis.
  - Coordinate and connect the individual to services that can help support the safety plan.
- Provide a copy of the safety plan to the individual, in person if appropriate and follow-up in e-mail.
- Provide a copy of the necessary information to stakeholders (e.g., notify front desk staff that an individual is restricted from being in a building and provide a photo of the individual).

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**Safety Planning Template:**

<b>Safety Plan Categories</b>	<b>Specific Strategies</b>
<p><b>Prevention:</b> <i>Strategies to prevent future violence</i></p>	<p>Examples of Strategies with Potential Victim:</p> <ul style="list-style-type: none"> <li>• Relocate residence halls</li> <li>• Obtain a no contact order</li> <li>• Change to schedules, routes, class/work location</li> <li>• Block individuals and disable location services on social media</li> <li>• Arrange safety escorts</li> <li>• Request additional safety rounds from police or campus safety in areas of campus</li> </ul>
<p><b>Protection and Notification:</b> <i>Ways the individual can protect themselves during a violent incident and get help in a crisis</i></p>	<p>Examples:</p> <ul style="list-style-type: none"> <li>• Know how and when to report concerns and what information to provide</li> <li>• Have an escape route from key locations (e.g., residence, workplace, classroom)</li> <li>• Consider notifying close friends, faculty, staff, or family about what is taking place</li> <li>• Keep cell phone accessible and preprogram important numbers</li> <li>• Identify emergency numbers/contacts</li> <li>• Determine code words with trusted family, friends, colleagues, etc.</li> </ul>
<p><b>Referral and Support:</b> <i>Coordinate and connect to services that can help and find support and ways to become less isolated</i></p>	<p>Examples:</p> <ul style="list-style-type: none"> <li>• Mental Health Crisis Line</li> <li>• Legal system</li> <li>• Victim Services</li> <li>• Temporary housing</li> <li>• Faith or spiritual community</li> <li>• Exercise group</li> <li>• Hobby, art, writing</li> <li>• Trusted friends and family</li> <li>• Peer support groups</li> <li>• Community groups</li> </ul>

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# Navigating Large Scale Investigations: A Guide to Investigating Patterns of Discrimination and Harassment within Schools, Departments, and Offices on Your Campus

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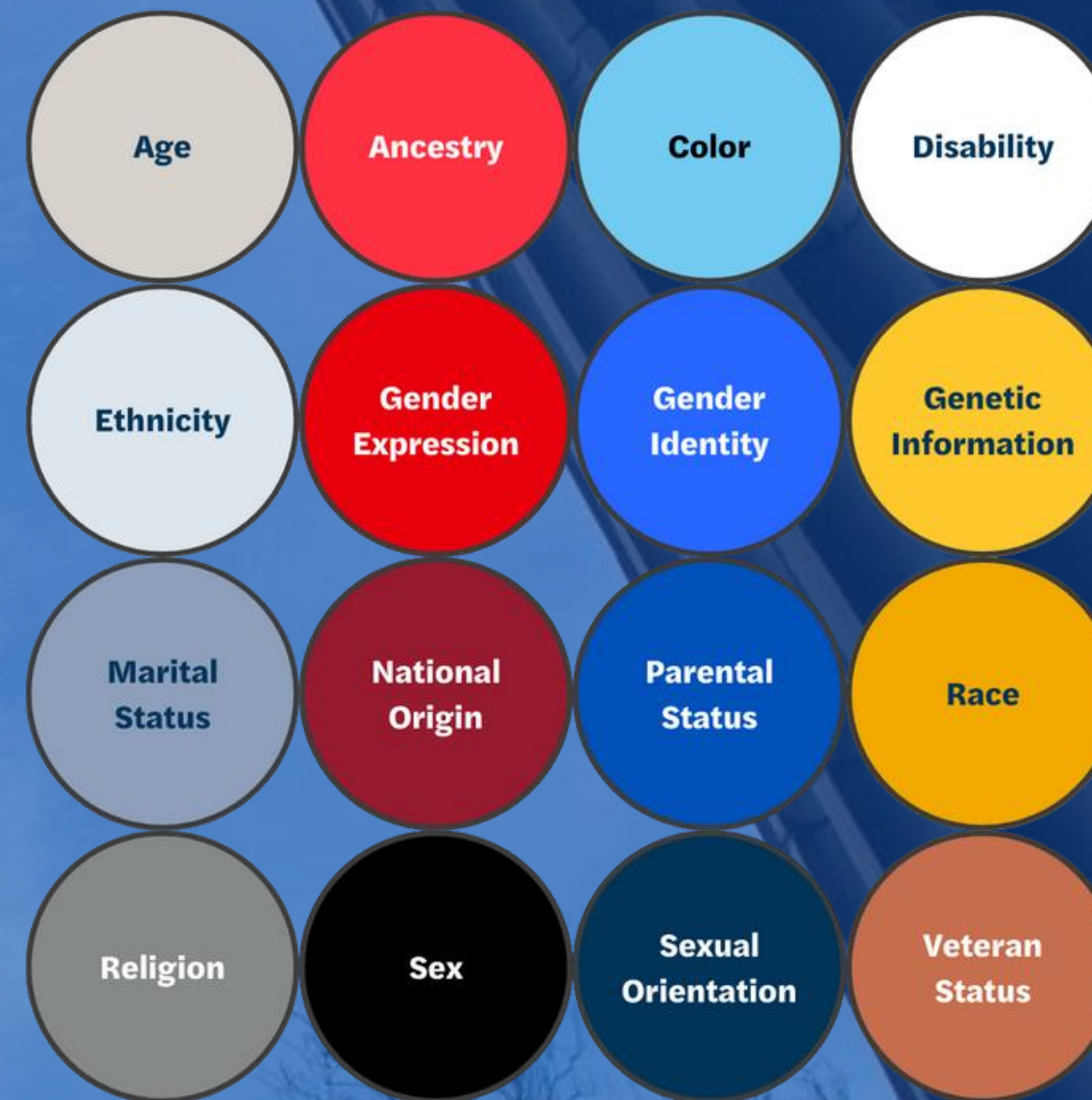
Office of Civil Rights & Title IX

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# Introductions

The Office of Civil Rights & Title IX (OCRTIX) responds to reports of harassment and discrimination; assesses and responds to the impact of harm; engages in supportive, educational, and harm prevention outreach; supports pregnant and parenting students; oversees Clery Act, Stop Campus Hazing Act, and Drug-Free Schools and Community Act compliance; and participates in other federal and state compliance related efforts.





# Overview

- Why do Department-Wide Investigations?
- How to Get Started
- Pre-Investigation
- Investigation
- Preliminary Steps
- Interviewing & Evidence Gathering
- Follow Up
- Challenges
- Report Writing & Recommendations
- Case Completion
- Outcomes



# Why are department-wide investigations important?

## Legal:

- Title IX/VAWA: Obligation to stop, prevent, and remedy sex discrimination, sexual harassment, and sexual violence.
- Title VI: Obligation to prevent and eliminate hostile environments.
- Title VII: Obligation to prevent and address discrimination in all aspects of employment.

## Culturally:

- Need, request, or desire to root out why a department is dysfunctional.
- Need, request, or desire to identify cause(s) of systemic issues.



# What started our department-wide investigations?

- June 2022: Lauren joins the OCRTIX and spoke with campus leaders
- Internal data indicated a larger problem
- Climate issues emerged:
  - Culture of disrespect
  - Microaggressions
  - Handling issues internally rather than through processes and procedures established by the University
  - Fear of retaliation
  - Favoritism

Complainant	Respondent	Date of Filing	Type of Allegation	Current Status	Outcome	Date of Closure	Unit Involved	Notes
Bilbo Baggins, Student	Arwen, Faculty	9.22.3018	Sex Discrimination	Closed	Administrative closure	11.1.3018	Middle Earth	Baggins is a student in Arwen's elven magic 101 class. Baggins is the only male student in the class. Baggins stated that he received a failing grade on the group final project but his female groupmates received As. Baggins alleged that Arwen gave him an F because he is male.
Faramir, Student	Legolas, Student	9.26.3018	National Origin Discrimination	Open	Pending	N/A	Middle Earth	Faramir joined the Mirkwood Forest student organization. Faramir alleged that Legolas, the President of Mirkwood Forest, intimidated and harassed him repeatedly last semester during group meetings and events. Faramir stated that Legolas targeted him because he is from Gondor.
Peregrin Took, Faculty	Elrond, Faculty	12.25.3018	Age Discrimination	Closed	Investigation	2.13.3018	Rivendell	Took, a 29 year old faculty member, asked his supervisor, 6,520 year old Elrond, to allow him to attend the Council of Elrond work committee. Took alleged that Gandalf denied his request because he is too young to provide useful insight or be helpful.
Galadriel, Faculty	Sauron, Faculty	5.1.3019	Sex Discrimination	Open	Investigation	N/A	Middle Earth	Galadriel, a female faculty member, was denied a promotion to the department chair, which was given to Sauron, a male faculty member. Galadriel alleged that Dean Radagast, who made the decision, later told Sauron that he did not want a woman in such a serious role.
Rosie Cotton, Staff	Samwise Gamgee, Staff	3.25.3019	Stalking, Sexual Harassment	Closed	Informal Resolution	6.6.3019	The Shire	Cotton is a librarian in the Shire department. Cotton alleged that Gamgee, her co-worker, has repeatedly asked her to go on a date with her even though she declined. Cotton also alleged that Gamgee waits for her to finish her shift and tries to walk her home every night.
Gandalf the White, Staff	Gimli, Faculty	10.30.3019	Parental Status Discrimination	Open	Pending	N/A	Mines of Moria	Gandalf is an employee in the Mines of Moria office. Gandalf requested parental leave from his supervisor Gimli to take care of his twin sons Merry and Pippin, which Gimli denied because the timing was inconvenient.
Frodo Baggins, Student	Gollum, Student	9.29.3021	Domestic Violence	Closed	Administrative closure	10.12.3021	Mount Doom	Baggins and Gollum have been roommates in the Mount Doom dormitory for thirteen months. Baggins alleged that Gollum attacked him when he accidentally threw away Gollum's ring.
Treebeard, Staff	Saruman, Staff	3.3.3019	Disability Discrimination	Closed	Investigation	4.28.3019	Middle Earth	Treebeard has a documented medical condition that limits his mobility. Treebeard applied for an administrative position which he is qualified for with reasonable accommodations. Treebeard alleged that Saruman, his supervisor, denied him the promotion.

# Pre-Investigation



# Pre-Investigation

- Determine Scope of Investigation
  - Conduct
  - Policies
  - Protected classes
  - Relevancy
  - Timeframe
  - Population
- Consulted with ATIXA
- Selected Investigator
- Created a game plan
- Leadership buy-in

# Pre-Investigation

- Campus Partners
  - Legal counsel
  - Human Resources
  - Faculty Affairs
- Tell the unit's leadership and key individuals
  - Be prepared for a variety of responses

# Investigation



# Investigation – Preliminary Steps

- Review data and past case files
  - Make a list of individuals to interview
- Research the department
  - Learn the hierarchy and reporting structure, names and roles, units, etc.
- Determine report format and how information will be used and shared
- Letter templates
  - Individual Interview Request
  - Large scale Interview Request
  - Records Request

# Investigation – Preliminary Steps

- Make preliminary records requests
  - Personnel files, climate survey reports, employee handbooks, department policies, demographic information, etc.
- Create a system or process for new reports

# Investigation – Interviews

- Interview in phases
  - Phase 1: Recent and repeat complainants who are still employed/enrolled
  - Phase 2: Recent and repeat respondents who are still employed/enrolled
  - Phase 3: Former employees and students, and individuals named by interviewees
  - Phase 4: Wider population

# Investigation – Interviews

- Advisements
  - Purpose of the review
  - Your experience and perspective
  - How their interview will be used
  - Retaliation Policy
  - Mandatory Reporting Policy
  - Crime Reporting Policy
  - Support and resources

# Investigation – Interviews

## Common interview questions

- How has your experience in the department been so far?
- Do you identify with any of our protected classes?
- Do you feel safe, comfortable, and welcome?
- Are you aware of any other concerns or incidents within the department?
- How can the OCRTIX best support you and your department?
- What would you change, if anything, about your department?
- Is there anyone else you think I should talk to?

# Investigation – Post Interviews

- Remaining records requests
- New reports
- Follow up support
- Referrals

# Challenges

- Lack of leadership support
- Political climate
- Unit changes
- Participation
- Curiosity
- Length of investigation and managing expectations
- Forum Shopping
- Frustration with additional reporting requirements
- Length of interviews
- Lack of documentation
- Accountability and bias

# Report Writing & Recommendations

# Report Writing - Format

We write two reports – a full investigative report, and a summary report

- The full investigative report includes all evidence, participant names, specific incident details, general observations, and recommendations. This report only goes to the General Counsel.
- The summary report is anonymized, and its content is focused on larger patterns within the unit but includes the general observations and recommendations contained in the full investigative report. This report goes to members of leadership and stakeholders who will be involved in carrying out the recommendations, i.e., the Provost, the dean, Human Resources, etc.

# Report Writing - Recommendations

- Review the information received during the interview and evidence gathering phase, pay attention to patterns or larger issues that emerge
- Brainstorm ways to address and remedy these issues
- Create a list of recommendations

# Report Writing - Recommendations

Hypothetical #1:

During the tenure application process, Dr. Goldberry, Dr. Arwen, and Dr. Eowyn—all female professors in the Middle Earth department—were questioned about how they would manage the responsibilities of motherhood, including childcare, alongside the expectations of a tenured faculty role. To their knowledge, none of their male colleagues were asked similar questions regarding family or caregiving responsibilities.

# Report Writing - Recommendations

Hypothetical #2:

Dr. Wormtongue oversaw an academic misconduct hearing for a student who has since graduated, Ms. Shelob. Ms. Shelob claimed she was accused of cheating because she was using notes as part of an approved disability accommodation, and alleged that her professor, Dr. Saruman, discriminated against her on the basis of disability. During his interview with the investigator, Dr. Wormtongue offered to provide a copy of Ms. Shelob's academic file, which he stated he had kept at his home for several years.

# Report Writing - Recommendations

Hypothetical #3:

During interviews with faculty in the Middle Earth department, many expressed frustration and confusion about the University's Mandatory Reporting policy. The investigation also revealed that several incidents of discrimination and harassment, which should have been reported, had not been shared with your office. Instead, Dean Theodon addressed the matters internally.



# Completion and Outcomes

- Discuss the summary report and recommendation logistics
- Recommendation follow up
- Stronger relationships with departments
- Improved internal processes



# Q&A



# Thank you!

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