

UNDERSTANDING AND APPRECIATING TITLE IX IN YOUR CLASSROOM AND BEYOND

New Faculty/Mentor Forum
March 5, 2021





AGENDA

- Overview of Title IX and Its Importance to You as an Instructor
- Supporting the Academic Success of Pregnant & Parenting Students
- Promoting Gender Equity through the Use of Preferred Names
- Discussion

NON-DISCRIMINATION AND NON-HARASSMENT POLICY STATEMENT

It is the policy of Indian River State College that each employee, visitor and student be allowed to participate in college programs, activities and employment in a discrimination and harassment free environment.

Discrimination and harassment of any nature based on one's race, color, national origin, ethnicity, sex, pregnancy, religion, age, disability, sexual orientation, marital status, veteran status, genetic information and any other factor protected under applicable federal, state and local civil rights laws, rules and regulations is strictly prohibited.



TITLE IX OF THE EDUCATION AMENDMENTS ACT OF 1972

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

Title IX of the Education Amendments of 1972 Implementing Regulations at:

20 U.S.C. §1681 & 34 C.F.R Part 106



TITLE IX OVERVIEW

- Essentially Civil Rights legislation that specifically addresses gender in education
- U.S. Department of Education Office for Civil Rights (OCR)
- Early impacts seen in Athletics gender equity
- April 4, 2011 *Dear Colleague Letter*-Sexual Misconduct
- June 25, 2013 *Dear Colleague Letter*-Pregnant and Parenting Students
- April 24, 2013 *Dear Colleague Letter* - Retaliation

WHAT YOU NEED TO KNOW:

- **Policy-** <https://www.irsc.edu/about/equity-and-diversity.html>
- **You are a mandatory reporter**
- **Rights, resources and more information available online!**

MANDATORY REPORTER OBLIGATIONS

Report all sexual misconduct related activity that you become aware of (relating to faculty, staff, or students)

Rape, sexual assault, fondling, sexual harassment, dating or domestic violence, stalking, sexual exploitation (full definitions available online)

FYI- New Fed Regs have limited the scope of Title IX definitions

Exempt from Mandatory Reporting = a faculty member learns of the sexual misconduct from a student during a classroom discussion, in a writing assignment for a class, or as part of a College-approved research project



HOW TO REPORT

Call

Email

Online report form

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772-462-7156

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What happens after a report is made?

Don'ts- If a student discloses an incident of sexual misconduct you should NOT:

Do not insist on calling the police

Do not involve more people than necessary. You may be tempted to get someone in your “chain of command involved”, think VERY critically of WHO truly needs to be involved (we recommend the Title IX Coordinator is your first call)

Do not investigate the matter. IRSC's standard operating procedure is to not ask any questions and to just listen. The questioning takes place if there is an investigation.

Do not ask victim blaming questions, i.e., “What were you wearing?”, “How much did you have to drink?”

Do not panic. Remember the 3 C's! Calm, cool, collected. An individual has determined that you are a safe person to speak with and that they are comfortable with you. Use that to reassure yourself that you have the ability to support the individual.

DO'S- IF A STUDENT DISCLOSES AN INCIDENT OF SEXUAL MISCONDUCT YOU SHOULD:

- Ask the student if they are in immediate danger (if they are then call the police)
- Ask the student if they need immediate medical attention
- Let the student know that you believe them and that you are there to listen non-judgmentally
- Ask if they would like to reach out to the Title IX Coordinator or have you reach out on their behalf (if the Title IX Coordinator is not available try the Office of the Dean of Students or Women's Resource Center)
- Encourage the individual to seek assistance regardless if alcohol/substances were involved- BU does not focus on any potential policy violations
- Report the disclosure to the Title IX Coordinator (call or email)



How can you help?

- Do not give out inaccurate information
- Support, supportive measures
- Spread the message, “Indian River State College Cares!”
- Encourage students to attend workshops and programs with my office and the Health and Wellness Center

The background features dynamic, flowing waves in shades of red, orange, and yellow, creating a sense of movement and energy. The waves are layered, with some appearing more prominent than others, and they curve across the frame.

SUPPORTING THE ACADEMIC SUCCESS OF PREGNANT AND PARENTING STUDENTS



TITLE IX & PREGNANCY

Every school must have a Title IX coordinator -Any school that receives federal funding must have at least one Title IX coordinator who oversees queries, complaints or reports of violations. Colleges must also ensure that all students can easily find the coordinator by providing clear information about their name, location at school and the hours they are available.

Pregnant or parenting students are protected by Title IX. Title IX states that no school that receives federal funding can discriminate against someone because of their sex, which includes discrimination due to pregnancy, giving birth, abortion, recovery from childbirth or any related conditions

TITLE IX & PREGNANCY

Specifically prohibits discrimination against a student based on pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery from any of these conditions.

Illegal to exclude pregnant students from participating in any part of an educational program, including extracurricular activities.

Title IX protections exist both inside and outside classrooms- Pregnant or parenting students are protected from discrimination in every aspect of their educational career, including coursework, extracurriculars, housing, financial aid, administrative services (e.g. career counseling, professional mentorships, etc.) and athletic pursuits



TITLE IX & PREGNANCY

School must excuse a student's absences because of pregnancy or childbirth for as long as the student's doctor deems the absences medically necessary. When a student returns to school, she must be allowed to return to the same academic and extracurricular status as before her medical leave began.



TITLE IX & PREGNANCY

Any special services provided to students who have temporary medical conditions must also be provided to a pregnant student.

A school may require a pregnant student or a student who has given birth to submit medical certification for school participation only if the school also requires such certifications from all students with physical or emotional conditions requiring the attention of a physician.



TITLE IX & PREGNANCY

Pregnant students are in a specialized circumstance and as such entitled to special Title IX protections

All parties involved in a report and investigation are covered by federal protections from retaliation

WHAT DO REASONABLE ACCOMMODATIONS FOR A PREGNANT STUDENT LOOK LIKE?

a larger desk

breaks during class, as needed

permitting temporary access to elevators

rescheduling tests or exams

excusing absences due to pregnancy or related conditions

submitting work after a deadline missed due to pregnancy or childbirth

providing alternatives to make up missed work

allowing excused absences for parenting students (both male and female)
who need to take their children to medical appointments or to take care of
their sick children



REASONABLE ACCOMMODATIONS (CONT.)

Reasonable accommodations for parenting students could include allowing students reasonable time for nursing and access to lactation rooms.

A pregnant student will be allowed to make up any work missed due to medically necessary absences for pregnancy.

A student will be offered acceptable alternative arrangements to make up missed work.

The student will not be required to complete make up work until the student's medically-necessary absences for pregnancy are completed.



LACTATION ROOMS

Health and Wellness Center (main campus)

Tomeu Center C139

Library L128

Kight Center V416

Brown Center Y309

Treasure Coast Public Safety Training Complex PS1-121; PS1-337

Chastain Campus A106

Clark Center D208

Dixon Hendry Campus B 141

Mueller Campus A 112

Pruitt Campus E-222

Blackburn 104A



What do I do if a student tells me they need to miss class due to a pregnancy?

We excuse all medically necessary absences for pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery. This includes doctor appointments. Via the Title IX Office, faculty members should excuse those absences deemed medically necessary by the appropriate medical professional. Students should be referred to Title IX for the purpose of documenting medical needs.

Can I ask a student to prove they're pregnant or provide a doctor's note?

- Faculty cannot ask for doctor's notes. Please refer the student to the Title IX office for documentation and support. Students are not required to inform faculty, staff or any member of the administration of their pregnancy or parenting status



What do I do if a student tells me they're pregnant?

- Ask them if they need any accommodations, and if they have met with the Title IX Office. If they have not, refer them to the Title IX Office for assistance.



DISCUSSION QUESTIONS

- What if some professors have their own (stricter) policies about class-activity and /or attendance?
- What procedures for filing complaints must a college have in place related to discrimination on the basis of pregnancy and parental status?
- I am in the Nursing program and have been told I can not proceed to clinical due to my pregnancy, is that legal?
- I have experienced students in my class making sexual comments or jokes about my pregnancy, could this constitute harassment?
- Are pregnant students required to inform faculty of their pregnancy or parenting status?



PROMOTING GENDER EQUITY THROUGH THE USE OF PREFERRED NAMES

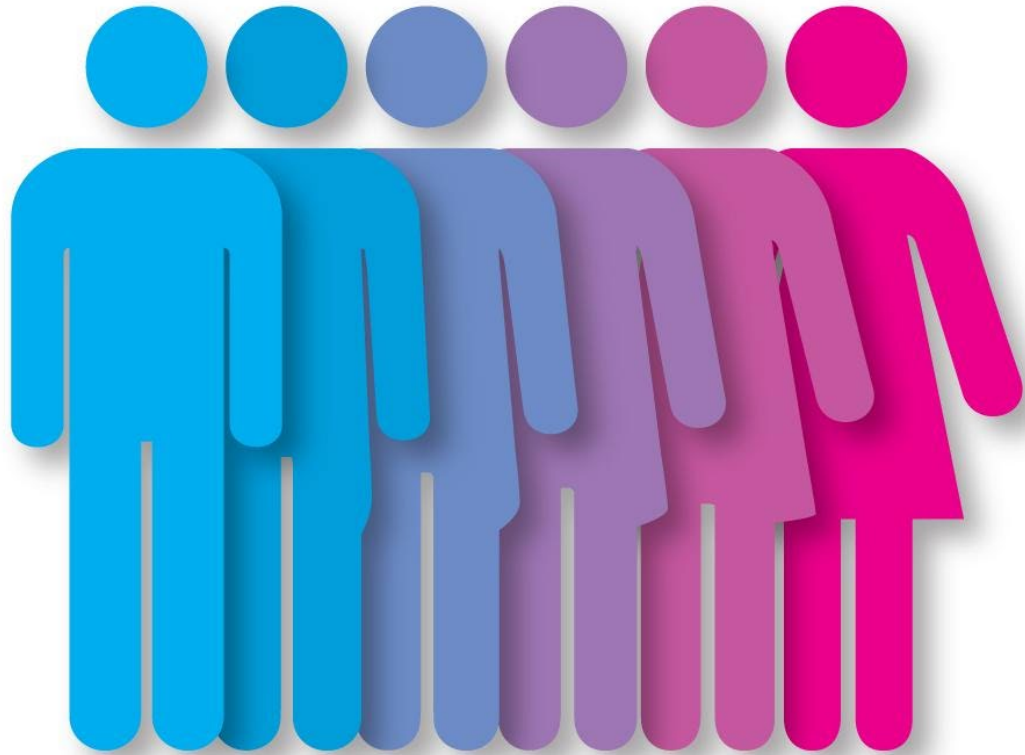
QUIZ TIME

CAN YOU MATCH A WORD FROM THE WORD BANK WITH THE FOLLOWING DEFINITIONS?

GenderIdentity
Pronouns
Bias
sex
Bigender Genderfluid
Polygender Transsexual
SexualReassignmentSurgery
GenderExpression
Heteronormativity Bisexual
GenderVariant Cisgender
Non-Binary Gender Binary
Femininity Pangender
Transphobia
orientation Transgender Transition
CrossDresser Androgynous gender
Trigender GenderQueer Transman
DenderDysphoria Masculinity
GenderNonConforming
Drag GenderConformity queer
Transwoman Intergender
expression Binary Intersex

- A. Describes someone who is comfortable with the gender identity & gender expression assigned to them based on their physical sex
- B. Either the male or the female division of species differentiated by social and cultural roles and behavior
- C. Something that is made of two pieces or parts
- D. A person's sense of being masculine, feminine or other gendered
- E. A person who lives as a member of a gender other than that expected of them based on anatomical sex
- F. The irrational fear of those who are gender variant and/or the inability to deal with a gender ambiguity

GENDER: A BINARY OR IS IT?



Gender Binary Rules of Thumb:

- Must identify as either “Male” or Female”
- Only two gender options
- Societal Institutions reinforce this binary (e.g. education, government, consumerism)

Non-Gender Binary Rules of Thumb:

- Can identify within the gender spectrum
- Multiple gender options
- Supported through policies and deconstruction of gendered institutions (e.g., gender inclusive restrooms, gender inclusive housing, gender neutral language)



WHAT LGBTQIA+ STUDENTS WANT THEIR PROFESSORS TO KNOW

- <https://www.youtube.com/watch?v=rnbnF8QAnsY>



PREFERRED NAMES

IRSC recognizes that faculty, staff, and students may use names other than their legal names to identify themselves for a variety of reasons. The ability to use a preferred name can be particularly important for transgender or gender non-conforming persons. Except when the use of an individual's legal name is required by law or policy, individuals will be identified in information systems by the preferred name in accordance with the designed use of the software.



REASONS ONE MIGHT DESIRE TO USE A PREFERRED NAME

Student's legal name is inconsistent with their gender identity

Student primarily uses their middle name instead of their first name

Student goes by a nickname significantly different from their first name

International students or other students who wish to adopt an English language nickname during their course of study

LEGAL NAME MUST APPEAR

- Financial Aid and Billing Records and Communication
- Official and Unofficial Transcripts
- Paychecks & Paystubs
- Registrar's Office Records (i.e., permanent student file records)
- Study Abroad (i.e., travel documents, signature documents)
- Some official forms or correspondence from the College such as financial aid awards, River Hammock contracts, departmental or program notices, new hire forms, etc.
- Transfer credit evaluation
- Tax Records
- Diplomas and certifications
- Medical records
- Admissions records
- Disciplinary records

WHY ARE PREFERRED FIRST NAMES IMPORTANT TO OUR STUDENTS?

Calling a person by their preferred name shows respect.

Honoring a student's preferred name contributes to the College's Commitment to Diversity and Inclusion. It is our goal to provide an empowering, safe, and nondiscriminatory educational environment. A name is an extremely important part of a person's identity. Using the wrong name can cause unintentional harm to a person by devaluing their identity and personal autonomy.

Many names and pronouns are gendered in their use. Using a preferred name that matches a person's gender identity helps prevent that person from being the subject of invasive questions about why they have a name that is inconsistent with their perceived gender expression.

Many transgender students adopt a preferred first name as an important step towards expressing their gender identity.



THANK YOU

ADRIENE JEFFERSON
EQUITY OFFICER/ TITLE IX COORDINATOR