



GRAND RIVER | SOLUTIONS

# Title IX Training for Employees

Baptist Health Sciences University (BHSU)  
Faculty & Staff Training -

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Grand Rivers Solution

# Training Goals

1. **Understanding Title IX**
2. **Reporting Protocols**
3. **What Needs to be Reported**
4. **Who Needs to Make a Report**
5. **Fulfilling Your Reporting Obligations**
6. **Responding to Disclosures**
7. **Supporting You and Our Students**
8. **The 2024 Title IX Regulations**

# Reminders

- This is a heavy topic. You have support on campus.
- Sexual harassment can happen to anyone. I try to alternate pronouns but remember that a person of any gender could be the person experiencing harassment or the harasser.
- It's ok to not be ok. If you need support, it's ok to ask for it.

# Key Terms

- **On the basis of sex**– includes sexual orientation, gender identity, and pregnancy
- **Complainant**– the person who has been allegedly harassed
- **Respondent**– the person accused of harassment

# BHSU - Our Values

## Sexual Misconduct Policy Statement

*"Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex in University programs and activities. Sexual harassment, including sexual violence, and retaliation are forms of sex discrimination prohibited by Title IX.*

*Baptist Health Sciences University is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment (including Sexual Assault, Dating Violence, Domestic Violence, and Stalking), Sexual Exploitation, and Retaliation."*

# To create an environment that is free of sexual harassment and discrimination, we must:

- Recognize when it occurs.
- Report it so that the University can have appropriate, trained staff respond.
- Collaborate to prevent, not only respond.
- Promote the safety, wellbeing, and empowerment of all students and employees.

# What is Title IX?

*Title IX is 37 powerful words:*

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.

**Title IX  
Applies to  
Everyone in  
the University  
Community**

**Students**

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**Faculty**

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**Staff**

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**Vendors**

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**Contractors**



# **Title IX Applies to All Forms of Sex Discrimination**

**Teaching and Learning**

**Research**

**Admissions**

**Financial Aid**

**Housing**

**Benefits**

**Pay and Promotion**

**Recruitment**

**Sports**

**Opportunities to Join Groups**

# Prohibited Conduct: Title IX

**Sexual Harassment**

**Sexual Assault**

**Sex-Based Stalking**

**Dating Violence**

**Domestic Violence**

**Retaliation**

# These Might be Sexual Harassment

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Suggestive or sexual comments

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Texts with sexual content or images

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Calling someone names with sexual connotations

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Comments about someone's body

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Compliments about someone's body

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Frequent touching

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Forcible touching

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Sexual assault

If in doubt, report it!

For Title IX, there are specific limitations:



The conduct occurred on campus, or in a program or activity;



The conduct occurred in the United States;



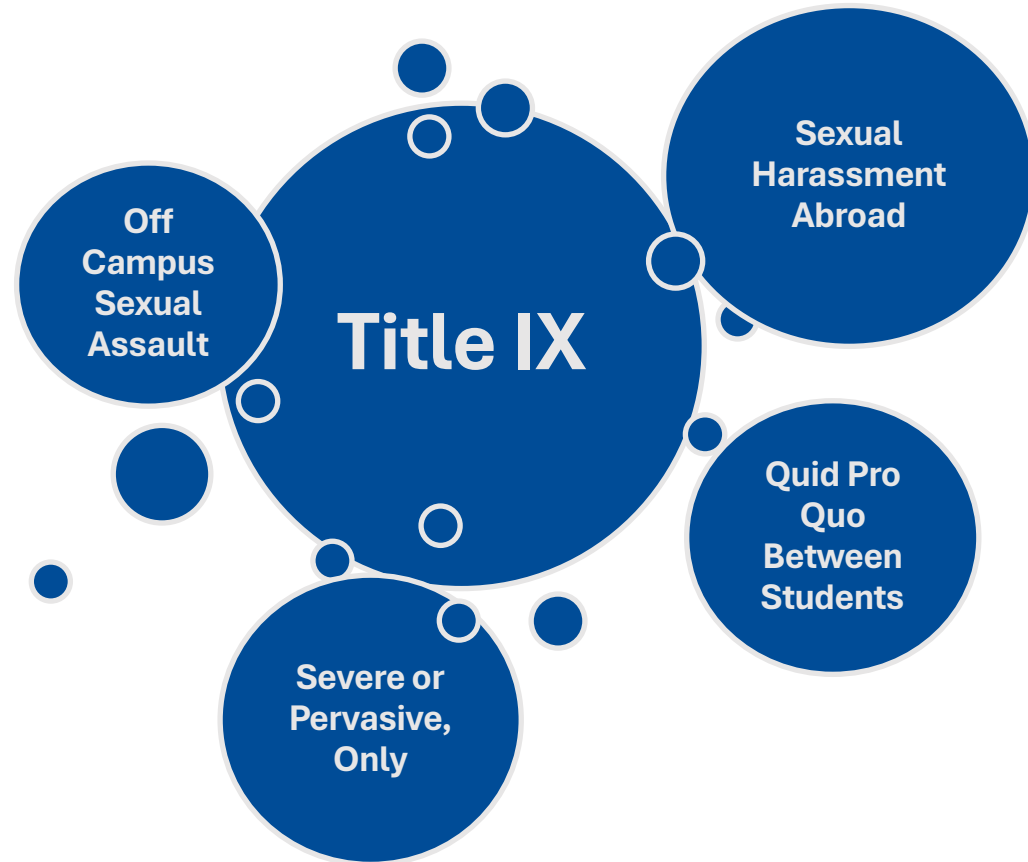
The Complainant is a current student or employee, OR is someone trying to be a student or employee;



The University has “substantial control” over the Respondent.

# Conduct Falling Outside the Scope of Title IX

- This leaves much misconduct **OUTSIDE** the scope of Title IX.
- This does not mean that the University will not address it. The University will still address all sexual misconduct, whether or not covered by the current definitions of Title IX.



# Behaviors that must be reported:

Quid Pro Quo Sexual Harassment

Severe, Pervasive & Objectively Offensive Sexual Harassment

Sexual Assault

Dating Violence

Domestic Violence

Stalking

Retaliation

# The Policy:

\*Find BHSU's Title IX Policy and other resources: <https://www.baptistu.edu/title-ix>



## EXPLORE

- Visit Campus
- Virtual Tour
- Parking & Facilities

## CAMPUS LIFE

- Office of Faith and Service
- Campus Housing
- Campus Safety & Security
- Baptist HealthCORE

## Title IX

- Know Your Title IX Rights
- Title IX Faculty and Staff Training
- How to Report
- Education and Prevention Programs

## STUDENT LIFE

- Student Events
- Student Organizations
- Student Policies
- Student Services

## God's Blessings

Commit your work to the Lord, and your plans will be established. — Proverbs 16:3

Home

# TITLE IX

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex in University programs and activities. Sexual harassment, including sexual violence, and retaliation are forms of sex discrimination prohibited by Title IX.

Baptist Health Sciences University is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from Sexual Harassment (including Sexual Assault, Dating Violence, Domestic Violence, and Stalking), Sexual Exploitation, and Retaliation.

For inquiries about the application of Title IX at BHSU, or to file a complaint, please contact the University Title IX Coordinator, Adonna Caldwell at [adonna.caldwell@baptistu.edu](mailto:adonna.caldwell@baptistu.edu), (901)572-2592, 920Collaboration Building, 20 South Dudley St., Memphis, TN 38104

For specific policies and procedures related to University guidelines, please see:

**[Baptist Sexual Harassment Policy and Procedures](#)**

**[Pregnancy and Parenting](#)**



# Responsible Employees:

Who?

What?

How to Report?



# Who are Responsible Employees?

Who?

Any employee of **campus** without legally protected confidentiality



Including:

Faculty, administrators, staff members, and Community Advisors.

# What is a Responsible Employee?

- A Responsible Employee has the obligation to report to the Title IX Coordinator any information learned about an alleged act of sexual misconduct, intimate partner violence, or stalking of which they are aware.
- This includes all prohibited conduct outlined in the Policy alleged to have occurred against any member of the community, including employees and students.

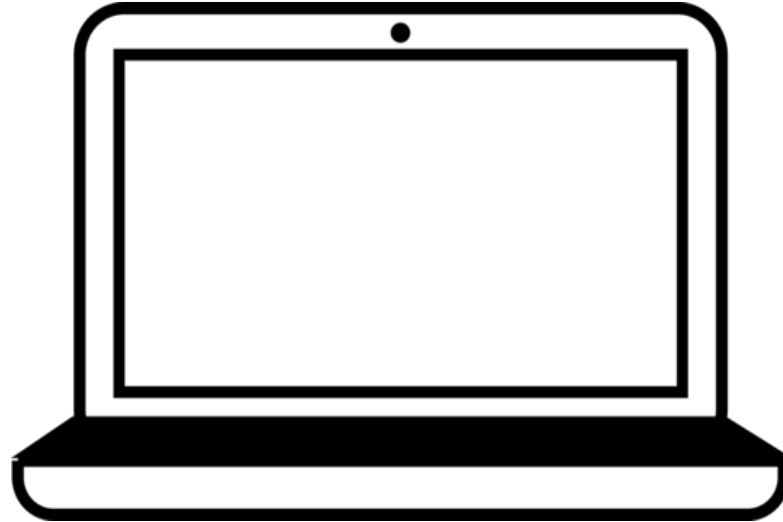
# BHSU: Responsible Employees

- **Section 2.7.**
- **Who Must Report 2.7.1.**
- Except for University-recognized confidential resources (previously listed), all Baptist employees (including student workers) are considered Responsible Persons and must therefore report to the Title IX Coordinator any sexual harassment allegations of which they become aware.

# BHSU: Confidential Resource

- **2.5. Reporting to Confidential Resources**
  - **2.5.1.**
- Confidential resources exist (listed below) and may be utilized in lieu of reporting. Tennessee law provides that communications with certain confidential resources such as licensed marital and family therapists, licensed professional counselors are privileged and not subject to further disclosure except as provided by law.
  - Baptist University Counselor
  - (On Campus) (901) 572-2660 (regular business hours) | (901) 572-2468 (after hours) |  
Counselor@baptistu.edu

# If You Hear It – Report It



# Reporting Information to the Title IX Coordinator



**[EMAIL JAMES.KNOX@BAPTISTU.EDU](mailto:JAMES.KNOX@BAPTISTU.EDU)**



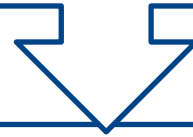
**ONLINE FORM AT  
[HTTPS://WWW.BAPTISTU.EDU/BASIC-PAGE/HOW-REPORT](https://www.baptistu.edu/basic-page/how-report)**



**PHONE (901) 572-2510**

# How do I report?

Reports may be made directly to the Deputy Title IX Coordinator at:  
James Knox, [james.knox@baptistu.edu](mailto:james.knox@baptistu.edu) | Room 143 Nursing Building



Please include all known information, including:

Names of parties involved	Type of misconduct	Date of the incident	Where the incident occurred
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# The Key Concepts Are Simple:

**Monitor your own behavior**

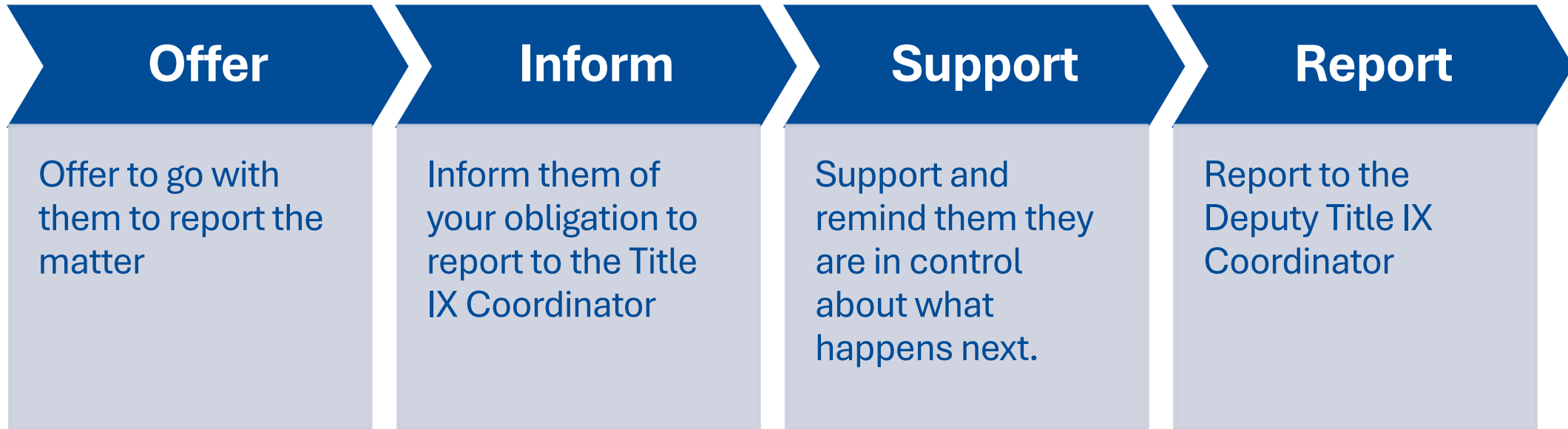
**Monitor your own behavior Forward  
any reports or disclosures to the  
Deputy Title IX Coordinator**

**If you see, it, if you hear it, if someone  
tells you: Report**

**[james.knox@baptistu.edu](mailto:james.knox@baptistu.edu)**



# How to discuss reporting:



# Responding to Disclosures

# What, exactly, do I need to do?



**Listen**



**Respond with empathy**



**Make the referral to Title IX Coordinator**

# If Anyone Reports Potential Harassment to You



**Respond by listening. You may take notes**



**Thank them for trusting you enough to share this information.**



**Allow them to share but avoid asking questions about what happened beyond what they tell you.**

# Confidentiality & Privacy

## Confidentiality

People who can keep information fully confidential and tell no one: therapists, doctors, lawyers, clergy.

## Privacy

You cannot promise confidentiality, BUT you cannot share the information with others beyond the Title IX Office. No sharing with colleagues within or outside the University.

## Private

The University keeps all information *private*, meaning no sharing unless absolutely necessary.

# Never the right response!

1

**Asking enough questions to find out what happened.**

2

**Making a determination about what happened.**

3

**Considering discipline.**

4

**Coming to an agreement about how to proceed.**

5

**Promising the actions that will be taken to correct the situation.**

# But What About...?

What if it was just a rumor?

What if they ask that I say nothing?

What if I know that it probably isn't true?

What if I just don't want to get involved?

The information still needs to be reported to the Title IX Coordinator.

# What happens when a report is made?

The Title IX Coordinator team will contact the Complainant to provide information and an invitation to meet to discuss options for support and resolution including:

Available resources

The right to make/not make a report to the University and law enforcement

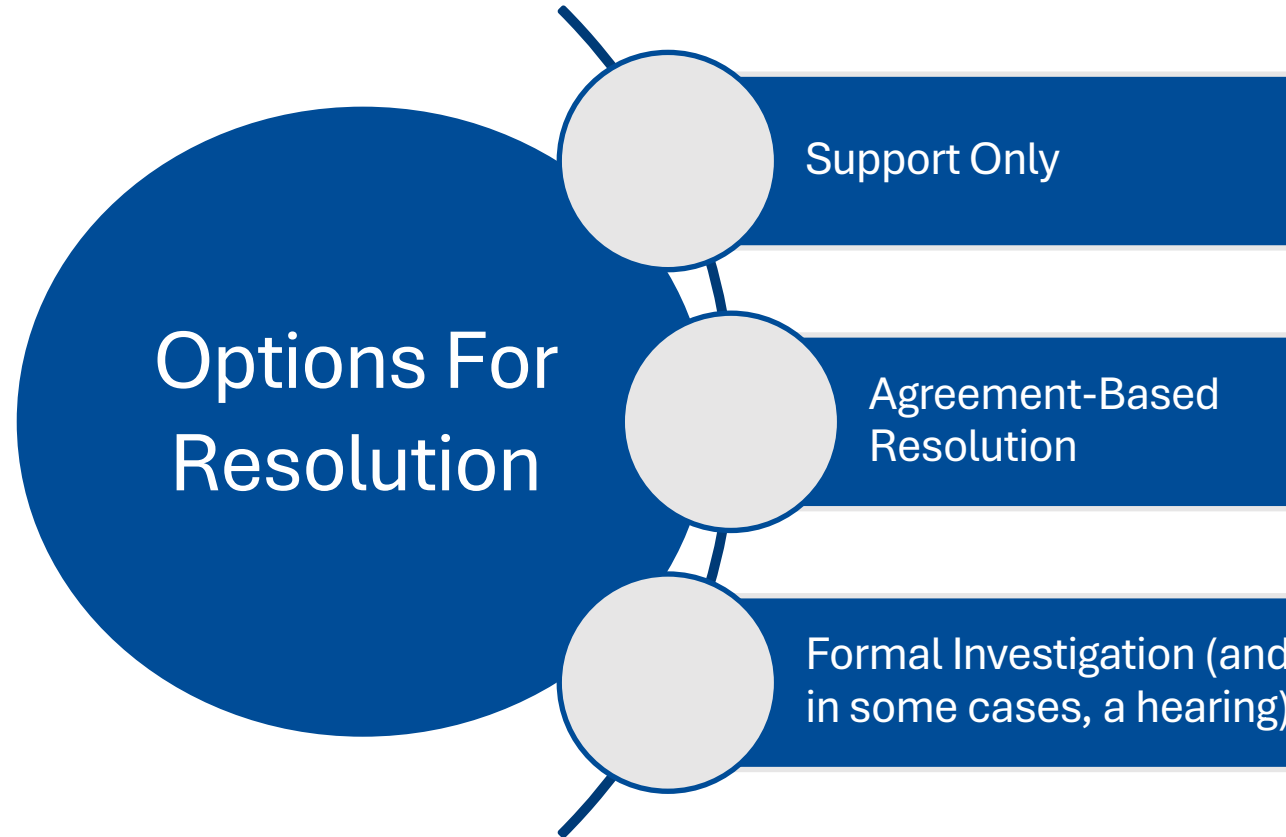
University procedures for resolution



The Coordinator has other legal obligations about specific information that must be provided. This is why it is critical that all reports go to the Deputy Title IX Coordinator.



# What Might Happen Next?



# Supportive Measures

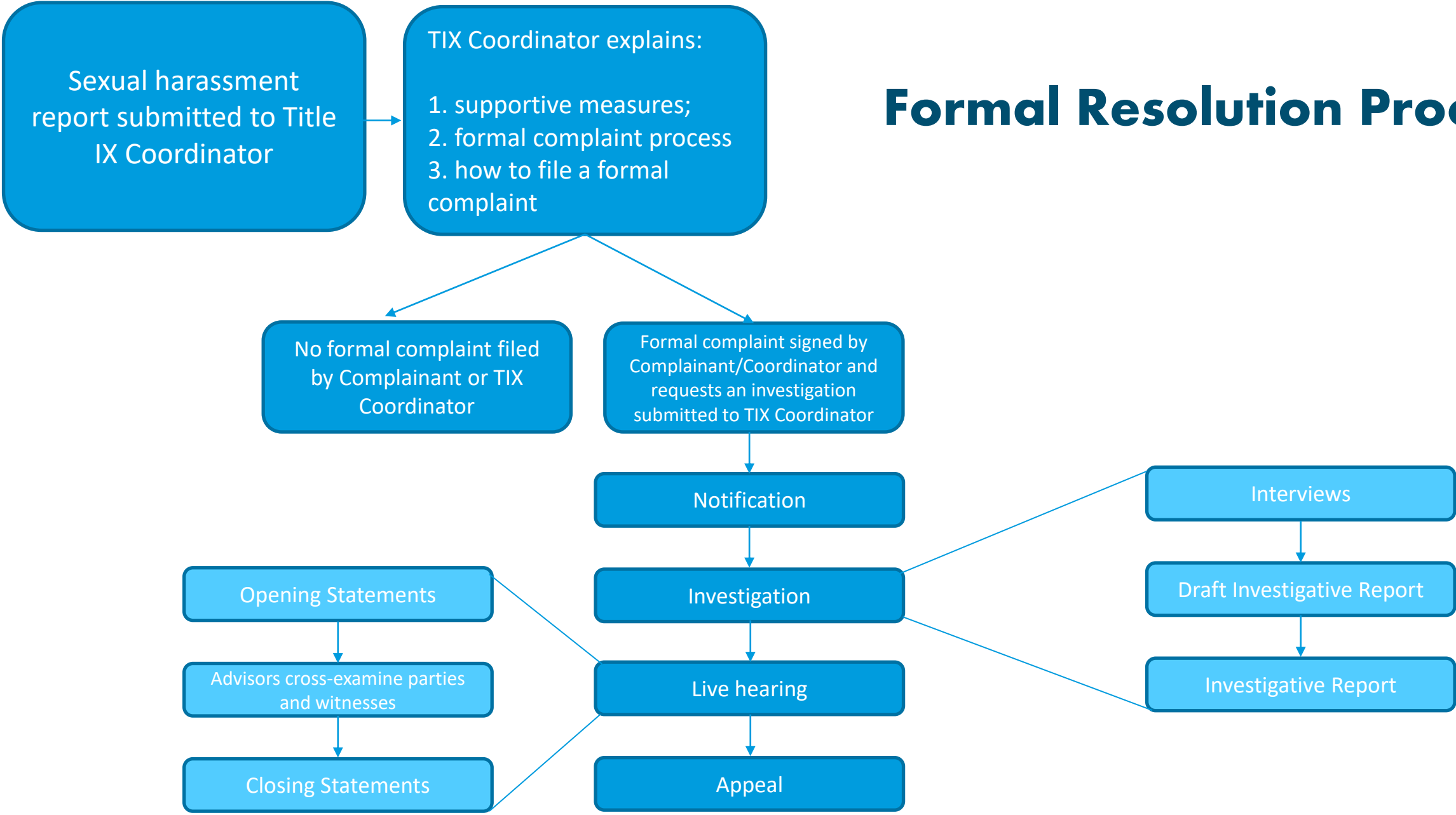
- Confidential mental health counseling
- No contact directive
- Employee Assistance Program
- Change in on-campus housing
- Change in academic classes or schedule
- Change in work, or work study, schedule
- Increased security in specific areas of campus or at specific times
- Security escorts around campus
- Adjustments to academic deadlines
- Tutoring or academic assistance
- Leaves of absence

*Supportive measures are available to Complainants and Respondents in a formal or informal resolution process. Supportive measures are available **before or after** a formal complaint is filed.*

# The Formal Grievance Process

- **Formal Complaint**
  - Signed by Complainant or Title IX Coordinator
  - If no complaint, then only supportive measures
- **Investigation**
  - Opportunity to review and respond
- **Live Hearing**
  - Opportunity for an advisor to question witness and parties
  - Opportunity to make opening and closing statement
- **Decision and Written Determination**
  - Respondent presumed not responsible until proven otherwise
  - Preponderance of the evidence standard
- **Appeal**

# Formal Resolution Process



# **Informal Resolution Process**

- Available after a formal complaint is filed and before a finding of responsibility
- Both parties must agree in writing
- Once started, consent to the Informal Resolution Process can be revoked at any time
- Not available if the complaint is made by a student against an employee

# What can happen if found responsible for violating the policy?

## Potential Student Sanctions:

- Loss of privileges
- Alcohol & Drug Education
- Healthy Relationships Education
- Apology Letters
- Mentoring Meetings
- Educational Projects
- Referrals to Campus Resources
- Dismissal from a course/class
- Probation
- Removal from housing
- Suspension
- Expulsion

## Potential Employee Sanctions:

- Verbal discussion
- Written warnings
- Termination

# Pregnancy

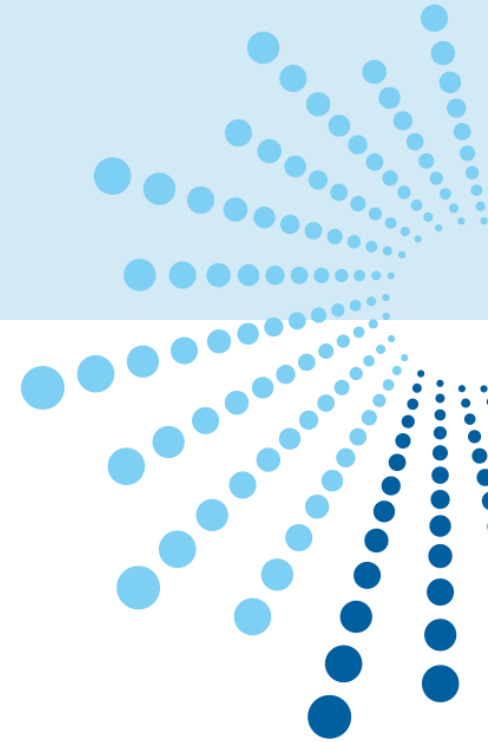
- Entitled to Reasonable **Academic Adjustments**
- Pregnancy and/or Parenting Status is Covered by Title IX
- How Do Students Request Academic Adjustments for Pregnancy/Parenting and/or Related Conditions:
  - Email [james.knox@baptistu.edu](mailto:james.knox@baptistu.edu)
- Pregnancy is NOT a Disability; therefore, it is not grounds for a disability (i.e., ADA) accommodation.
- Pregnancy-related or parenting-related conditions MAY be a covered disability under the ADA—and eligible for accommodations.

# Pregnancy (Cont.)

- Title IX protections and reasonable related academic adjustments include but may not be limited to the following:
  - • Guaranteed Access to Classes & School Activities
  - • Excused Absences and Medical Leave
  - • Protection from Harassment
  - • Access to Title IX Policies and Procedures
  - For detailed information relating to your rights as a pregnant or parenting student, visit the Office of Civil Rights' "Know Your Rights: Pregnant or Parenting? Title IX Protects You From Discrimination At School" webpage.



# Resources



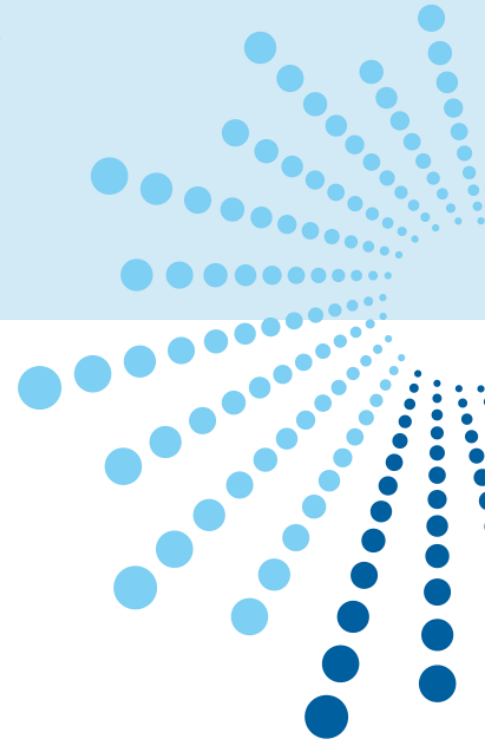
# Resources

- **Deputy Title IX Coordinator:** [james.knox@baptistu.edu](mailto:james.knox@baptistu.edu)
- **BHSU Campus Security:** 901-572-2911
- **BHSU On-campus Quick Number:** 22911
- **BHSU Information Center:** 901-572-2468
- **BUCOM Student Service:**
- **Baptist University Counselor [Confidential]**
  - On Campus: 901-572-2660 (regular business hours) | 901-572-2468 (after hours) | [Counselor@baptistu.edu](mailto:Counselor@baptistu.edu)
- **Shelby County Crime Victims & Rape Crisis Center**
  - 1060 Madison Avenue, Memphis, TN 38104
  - **24-Hour Sexual Assault Hotline:** 901-222-4350
- **CaseLuz Memphis:** [901-500-8214](tel:901-500-8214)
- **YWCA DV Crisis Hotline:** 901-725-4277



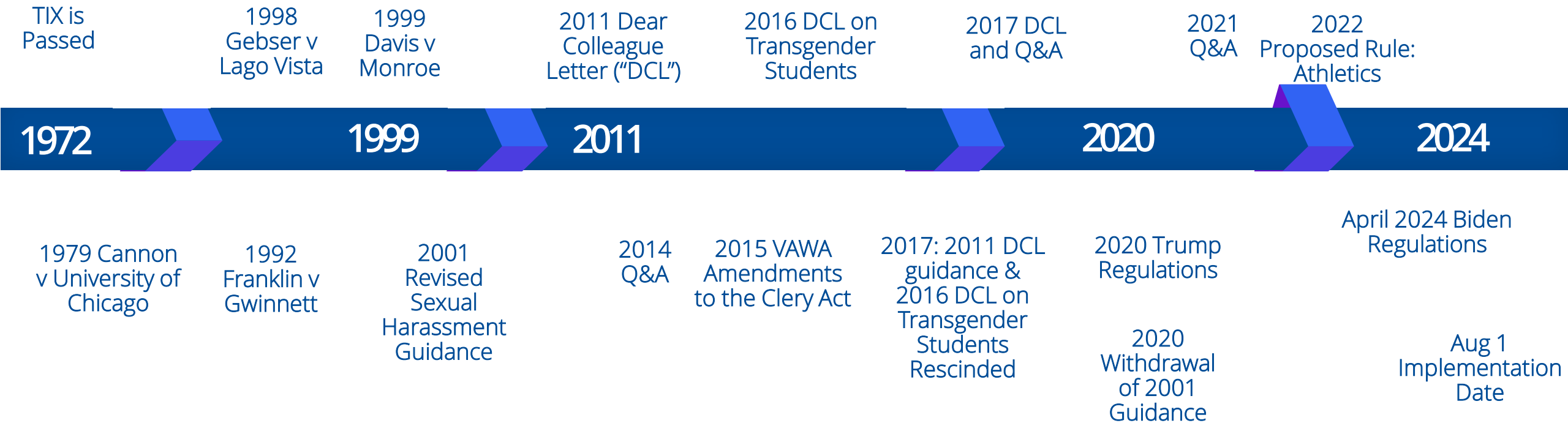
# Remember the Spirit of Title IX

# The New 2024 Title IX Regulations - In Summary

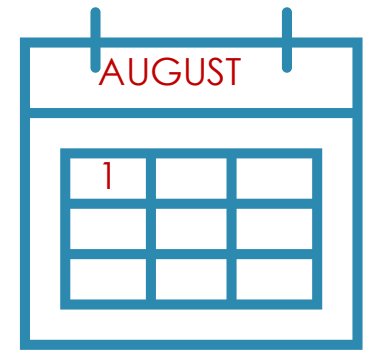


# The History of Title IX

## *A Timeline*



# FIRST THING'S FIRST - TIMING



- Implementation date is August 1, 2024—today!
- No retroactivity.
- "The final regulations apply only to sex discrimination that allegedly occurred on or after August 1, 2024."
  - Date of incident, not date of report.
  - Yes, you will have 2 (or even 3) simultaneous definitions.
- "With respect to sex discrimination that allegedly occurred prior to August 1, 2024, regardless of when the alleged sex discrimination was reported, the Department will evaluate the recipient's compliance against the Title IX statute and the Title IX regulations in place at the time that the alleged sex discrimination occurred."
- What about the injunctions?

# WHAT IS THIS ABOUT?

Creates framework to respond to sex discrimination other than sexual harassment

Consistent with previous regs and guidance in many ways, including pregnancy discrimination

Not strictly limited by geography; impact matters

Expands employee reporting obligations

Requires prompt and effective action to end sex discrimination and prevent its recurrence

# HERE WE GO AGAIN? NOT QUITE.

- Similar timeframe from publication to implementation
  - Last time: May 2020, pandemic
  - Where are we now?
  - How big are these changes?
  - Consistency with past guidance, including 2020
  - Discretion, based on the actual facts before you
- 
- Lots to do; good time to lead...



Where's Waldo Gathering



# Thank you!

If you have any questions, reach out to your Deputy Title IX Coordinator:



**EMAIL [JAMES.KNOX@BAPTISTU.EDU](mailto:JAMES.KNOX@BAPTISTU.EDU)**



**ONLINE FORM AT  
[HTTPS://WWW.BAPTISTU.EDU/BASIC-  
PAGE/HOW-REPORT](https://www.baptistu.edu/basic-page/how-report)**



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