

TITLE IX TRAINING

Concordia Seminary, St. Louis

GOAL OF TITLE IX TRAINING

- Goal: To make every trainee a competent, knowledgeable professional in identifying sexual misconduct and subsequent reporting procedures
- Training Objectives:
 - To understand what Title IX is and its purpose at the institution
 - To identify responsible parties and the duties that are required when reporting misconduct
 - To recognize the various types of sex-based discrimination
 - To understand your rights if you are victimized
 - To recall the Seminary's procedures when an incident is reported
 - To recognize prohibited retaliation against victims

WHAT IS TITLE IX AND ITS PURPOSE...

- Title IX – the Education Amendments of 1972
 - Is... A federal civil rights law that prohibits sex-based discrimination in all educational institutions
 - Its Purpose... To protect and maintain an effective educational environment
 - Title IX applies to ALL students, staff, faculty, and administrators
- Discrimination Can Be In the Form Of:
 - Favoritism
 - Harassment

CONCORDIA SEMINARY SEXUAL MISCONDUCT POLICY

- Concordia Seminary is an institution of the Lutheran Church – Missouri Synod and as such, it adheres to the doctrines and practices of our church body. Students and employees are expected to lead lives that are consistent with the Holy Scriptures.
- Members of the Seminary Community and visitors have the right to be free from all forms of sexual harassment
- Following Are Prohibited:
 - Sexually harassing or assaulting any employee, student, visitor or applicant
 - Romantic or sexual relationships in which power differentials are inherent
 - Faculty-Student; Staff-Student; Administrator-Student; Supervisor-Employee
 - UNLESS the individuals are married

RESPONSIBLE PARTY

Definition:

- Responsible Party – persons required by law to convey any sort of sexual harassment report to the Title IX Coordinator or Investigators
- Responsible Party Examples:
 - Senior Administrators
 - EMT, SVP for Finance and Administration, SVP for Seminary Advancement
 - Departmental Supervisors or Deans
 - Human Resources, Campus Facilities, Residential Services, Library Services, Ministerial Formation, Advanced Studies, Information Officer, Campus Services, Health and Wellness
- **AND**
 - All Faculty and Staff
 - Title IX Coordinator and Investigators

NOT A RESPONSIBLE PARTY

Faculty/Staff Exemptions

- Due to confidentiality and counseling roles, certain persons in specific roles are not mandatory reporters
- Exemptions from Mandatory Reporting:
 - Campus Chaplain
 - Director of M.Div/AR Programs
 - Director of Deaconess Program
 - Director of Personal Growth

In these roles, there is a shared expectation of privacy

SEXUAL MISCONDUCT IS...

- A general term that includes the following forbidden behaviors:
 - Sexual Harassment
 - Non-Consensual Sexual Contact (or attempts to commit)
 - Non-Consensual Sexual Intercourse (or attempts to commit)
 - Sexual Exploitation

TYPES OF SEXUAL HARASSMENT

- Acts of **Sexual Violence**
 - Happens without Mutual Consent
 - Usually Forcible
- **Quid Pro Quo** Harassment
 - Request of Sexual Favors in Exchange for Something Offered
- A **Hostile Environment**
 - Workplace Characterized by Unwelcome and Offensive Behavior
 - Sufficiently Severe, Objectively Offensive, or Persistent or Pervasive

VICTIMS OF TITLE IX

If you are experiencing sexual misconduct, please see the recommendations below

- **Physical Harm or Dangerous Sexual Misconduct**

- Get Safe
- Get Medical Help
 - Dial 911
 - Contact Campus Security

- **Non-Physical Sexual Misconduct or Harassment**

- If Feasible, Ask the Person to Stop

- **Any Sexual Misconduct**

- Once Safe
 - Get Emotional Help and Support
 - Know You Have Options
 - Speak Confidentially to a Professional or Pastoral Counselor
- Report the Incident to Title IX Personnel, Anonymously or Confidentially
- You May File Police Report

SEMINARY PROCEDURES FOR TITLE IX REPORTING

- If someone reports an incident,
 - Disclose that CSL **MUST** investigate all reports and a Title IX Administrator will be informed
 - If safety is an issue, measures will be taken to provide separation
 - Maintain confidentiality if possible
 - Encourage confidential counseling
 - Notify that retaliation is not permitted by either party

AVOIDING RETALIATION

- If an incident arises, neither the complainant nor the respondent may retaliate or act in such a way as to appear to be retaliating
- For Example:
 - IF a student files a complaint against a faculty or staff member, he/she must be graded and/or treated in the same manner as other students
 - IF a student files a complaint against another student, he/she must be treated in the same manner as other students

REVIEW OF BASIC GUIDELINES

- Sex-based discrimination will **NOT** be tolerated on campus and **MUST** be reported to Title IX Investigators or the Title IX Coordinator
- Responsible Parties are Mandated Reporters of Sexual Misconduct
- Certain roles on campus with expected levels of privacy (e.g., Chaplain) are **NOT** responsible parties under Title IX law
- Three Types of Sexual Misconduct:
 - Sexual Violence,
 - Quid Pro Quo, and
 - Hostile Environment
- Retaliation against victims claiming sexual misconduct is prohibited