

# Faculty & Staff Title IX Newsletter

# Fall 2020

Bloomburg University

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that::

- ⇒ Defines the meaning of "sexual harassment" (including forms of sex-based violence) that are reflected in the definitions of Regulatory Quid Pro Quo or Hostile Environment Sexual Harassment, Dating or Domestic Violence, Sexual Assault and Stalking in this Policy
- ⇒ Addresses how the University **must** respond to reports of misconduct falling within the definitions of "sexual harassment" under this Policy, and
- ⇒ Mandates a grievance (or resolution) process the University **must** follow before issuing a disciplinary sanction against a person accused of "sexual harassment" under this Policy.

In addition to federal legislative requirements, Act 16 of 2019 of the General Assembly of Pennsylvania requires all postsecondary institutions of the Commonwealth of Pennsylvania to adopt a clear, understandable written policy on sexual harassment and sexual violence that informs victims of their rights under Federal and State law, including the crime victims bill of rights.

[www.bloomu.edu/Title\\_IX](http://www.bloomu.edu/Title_IX)

## Quick Q & A for the New Federal Regulations:

**Has my mandatory reporter obligations changed?** No, all faculty and staff remain mandatory reporters or what is also called "responsible employee". You must still report any and all incidents of sexual misconduct to the Title IX Coordinator that come to your attention.

**Have any of the campus services changed?** No, all of the support measures, campus resources, and off campus resources remain the same.

**Did the definition of sexual harassment change?** Yes, the new regulations create a more narrow definition for sexual harassment, but BU remains committed to providing a safe and productive environment for our faculty, staff, and students!

### **Do the regulations remain in effect if an injunction is filed?**

Yes, DOE OCR set an implementation deadline for the new regulations for August 14, 2020. Subsequently, various agencies filed injunctions against the regulations. Even though injunctions were filed, the August 14th deadline remains in place.

## Training

- \* The Title IX Office is always willing to come to classes or send Peer Educators to speak with students.
- \* In addition, the Title IX Office is currently working on new online training modules for the campus community.
- \* Don't forget to check the website for updated Faculty & Staff Toolkit information. If you would like a new hard copy Toolkit, please contact the Title IX Office.

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	Prior to 2014	2014-2015	2015-2016	2016-2017	2017-2018	2018-2019	2019-2020
STUDENT REPORTS	3	66	77	114	126	152	122* COVID
FACULTY/STAFF REPORTS	Data not available	4	4	6	3	10	2

