

Hobe Sound Bible College

Title IX Training

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What is the purpose of this training?

Upon completing this training, you should be able to:

1. Recognize the fundamental aspect of Title IX
2. Identify sexual discrimination, harassment, and violence
3. Perform your responsibilities of reporting possible Title IX violations. (Don't be a bystander.)
4. Contribute to a culture of Christians caring at HSBC

Sections of Training

1. Introduction to Title IX & Title IX Coordinator
2. Recognizing Title IX Warning Signs
3. Reporting Title IX & Clery Act Violations
4. Legal Implications
5. Conclusion

Introducing Title IX

Section 1

Sex Discrimination

Title IX covers all sex discrimination in educational programs receiving federal financial assistance. For colleges, the federal funding is Title IV which covers student financial aid and is critically important for our students.

What does Title IX cover and protect?

Title IX protects students and employees from unfair treatment in academics, employment, and campus life including sex discrimination and sexual harassment.

Religious Exemption

Religious institutions, such as HSBC, may be exempt from Title IX to the extent that the law's requirements conflict with its religious tenets

In accordance with 20 U.S.C. § 1681(a)(3) and 34 C.F.R. § 106.12(a)

HSBC Title IX Prohibited Conduct

HSBC Policy prohibits seven specific forms of behavior, called “Prohibited conduct,” which comprise the Title IX violations.

1. Sex Discrimination
2. Sexual Harassment
3. Nonconsensual Sexual Intercourse
4. Nonconsensual Sexual Contact
5. Stalking
6. Intimate Partner Violence
7. Sexual Exploitation

Meet HSBC's Title IX Coordinator



Hi! My name is Lynn Weitbrecht. I am dedicated to helping you with Title IX concerns and violations. Feel free to report a Title IX Violation or concern by contacting me using one of the following methods

Tel: 772-546-5534 EXT 1033

Email: titleixcoordinator@hsbc.edu

Address: 11298 Gomez Ave

Hobe Sound, FL 33455

What is the coordinator's role?

The Title IX Coordinator

- oversees Title IX enforcement and investigation
- facilitates remedy development and implementation
- oversees Title IX team
- assists in contacting appropriate authorities and facilitates reporting and investigation of criminal matters
- coordinates training, prevention and outreach to ensure College community members are aware of their rights, responsibilities, and resources

Recognizing Title IX Warning Signs

Section 2

Disclosure

When someone discloses to you that they believe they were a victim of sexual discrimination, harassment, or violence, it may be a very emotional experience for them. There is typically pain and hurt involved.

It may be uncomfortable for you as well, but we pray you will have a caring Christian heart if someone discloses an incident to you. Realize they are being brave and trusting you a great deal since they chose to talk to you.

How to respond to disclosure

Following are tips on how you should respond if someone discloses to you:

- Believe the party bringing the allegation
- Use active listening skills
- Listen without judgement. Display empathy
- Be aware of nonverbal cues—yours and others
- Be open in your posture
- Let the individual lead the conversation
- Protect the individual's privacy
- Report to Title IX Coordinator immediately

Steps after a Disclosure

Depending on the disclosure details, you may need to consider the following:

- The individual who has made the disclosure may need medical care. Support them in obtaining care even if they do not want to make a criminal report. Preserving forensic evidence is time sensitive.
- Encourage them to seek help. The church offers counseling, and HSBC offers student, staff, and faculty access to confidential chaplains
- Direct them to the off-campus resources listed on the Title IX page such as
 - National Sexual Assault Hotline 1-800-656-HOPE (4673)
 - National Domestic Violence Hotline 1-800-799-7233
 - Florida Council against Sexual Violence 1-888-956-7273

Sexual Discrimination Scenario

The office of civil rights clarified that it would be a violation of both Title IX and Section 504 if a school discriminates against pregnant students or excludes them from participating in any part of an educational program.

Examples of Sex Discrimination

Examples of conduct that may form the basis of a Sex Discrimination complaint include:

- Offering higher academic grades to students of a particular sex;
- Silencing students of a particular sex in classroom discussion;
- Referring to members of a particular sex by a derogatory name related to their sex.

Sex Harrassment Examples

Examples of conduct that may form the basis of a Sexual Harassment complaint include:

- Making sexual propositions or pressuring for sexual favors
- Touching of a sexual nature
- Writing graffiti of a sexual nature
- Displaying or distributing sexually explicit drawings, pictures, videos, or other materials
- Performing sexual gestures or touching oneself sexually in front of others
- Spreading sexual rumors or rating other students or employees as to sexual activity or performance
- Circulating or showing emails or websites of a sexual nature
- Direct or implied threats that submission to sexual advances is a condition of employment, promotion, good grades, recommendations, etc.
- Sexually explicit jokes or statements, questions, or remarks about sexual activity or experience
- Physical assault of a sexual nature

Examples of What to Report

Ponder these examples of sexual misconduct which you have a duty to report

- Female student “sexting” pictures of herself to a male classmate
- Faculty members giving a student a back-rub
- Sending porn to a colleague
- Unwelcome sexual advances
- Request for sexual favors

In the next section, we will cover what you should do if you learn about sexual misconduct incidents, such as the above examples.

Reporting Title IX & Clery Act Violations

Section 3

Who should report?

Who should report when they recognize warning signs or when someone discloses a possible Title IX violation?

Any HSBC Employee who becomes aware of activity that may constitute Sexual Harassment.

Reporting

Report what?

Report or discuss all that makes you uncomfortable to prevent it from being a problem in the future

Report when?

If you believe a Title IX violation may have occurred, report it immediately.

Report to whom?

HSBC Title IX Coordinator
Student Life Office/Staff

Reporting Summary

- Report all observed, experienced or known sex discrimination, including sexual harassment and sexual violence
- Report no matter if the incident occurs on or off campus
- Retaliation is prohibited. Any individual who interferes will be subject to disciplinary action

Reporting Obstacles

Many times these incidents are not reported because people are

- embarrassed
- unaware of the law
- fearful of retaliation
- fearful of not being believed

What if?

What if the person who discloses an incident to me does not want to file a complaint? Do I still need to report it?

Can it be solved by students?

Can't they just resolve it themselves?

NO!

It is improper for a student who complains of sexual harassment or misconduct to work it out directly with the alleged harasser!

However, if all parties agree to an informal resolution, such as mediation, it is possible that HSBC may assist them in a voluntary resolution.

Protecting Confidentiality

- HSBC will protect privacy to the full extent possible under the law
- However, HSBC has to balance confidentiality with the safety of the HSBC community
- Confidentiality will be protected even if the victim elects not to pursue formal action

Prevention & Intervention Tips

Prevention

- Avoid compromising situations
- Be aware of your surroundings

Intervention

- Separate individuals involved
- Interrupt or redirect attention of individuals involved
- Get help from other individuals

Retaliation is Prohibited

Any member of the HSBC community who attempts to interfere with, restrain, coerce, discriminate against, or harass (whether overtly or covertly) any individual responsibly pursuing a complaint of sex discrimination of any kind, will be subject to prompt and appropriate disciplinary action.

Legal Implications

Section 4

HSBC's Liability

Under US Supreme Court decisions, a school district or college can be held liable for a student experiencing sexual harassment and/or misconduct, perpetrated by either an employee or fellow student.

This occurs when a school administrator has authority to stop the harassment, has actual knowledge of the harassment and is deliberately indifferent to the harassment.

What about the police?

Why not just call the cops?

There are two reasons:

1. Involvement of applicable law enforcement does not relieve HSBC from conducting its own investigation under Title IX.
2. There could possibly be a civil violation without a criminal violation.

What is the Clery Act?

Title IX and the Clery Act are separate distinct federal requirements. The Clery Act mandates the following:

- Institutions must publish an annual report disclosing campus security policies and 3 years of selected crime statistics for current students, new students and prospective students/families
- Institutions must make timely warnings to the campus community about crimes that pose an ongoing threat to students and employees
- Institutions with a police or security department must have a public crime log

Title IX crimes intersect with the Clery Act.

Clery Act mandates:

- The U.S. Department of Education centrally collects and disseminates reported crime statistics.
- Campus community sexual assault victims are assured of certain basic rights.
- Institutions that fail to comply may be fined or lose eligibility to participate in federal student aid programs.

Clery Act and Reporting Obligations

Who is responsible to report crimes according to the Clery Act?

1. Campus Security Authorities
2. Vice President of Student Life & staff who have significant responsibility for student and campus activities.
 - a. This includes coaches, residential advisors, student affairs administrators, mentors, student organization advisors, etc.

NOTE: No personally identifiable information needs to be shared by the reporter to satisfy Clery reporting requirements.

Reportable Crimes in Clery Act

The Clery Act requires that all of the following crimes must be reported:

- Murder/Non-Negligent Manslaughter
- Negligent Manslaughter
- Aggravated Assault
- Rape
- Fondling
- Incest
- Statutory Rape
- Robbery
- Burglary
- Arson
- Motor Vehicle Theft

Clery Act Reporting and the Law

- If the sexual offense occurred on campus, regardless of the victim's age, the incident **must** be reported to HSBC Security to comply with the Clery Act.
- If the victim requests confidentiality, the basic information (date, general location, nature of offense) must be reported, but the victim's identity need not be revealed.
- If the alleged offense occurred off campus, there is no legal requirement for HSBC personnel to file a police report. However, encourage the victim to report to local law enforcement.

Reporting and the Law

If the criminal events involve HSBC students, the incident must be reported to one of the following:

Title IX Coordinator

Chief Academic Officer

If an alleged sexual offense that involves a child under the age of 17 comes to light, Child Services should be alerted in addition to local police authorities.

Legal Consequences

Title IX violations can result in the loss of Federal Title IV funding (financial aid for HSBC students).

If Title IX issues are not reported, HSBC could face lawsuits.

HSBC could be fined if found in violation of a Title IX crime.

Crime Reporting Conclusion

Sexual discrimination, harassment, and violence occurring on campus or an HSBC site fall under Title IX and must be reported for a Title IX internal investigation to the following:

Title IX Coordinator

Chief Academic Officer

Sexual crimes that occur on campus must also be reported to HSBC Campus Security so they may be included in the Clery Act report. When appropriate, local police and state Child Services may need to be contacted.

Wrapping Up

Section 5

Title IX Wrap Up

HSBC has a duty to promptly address complaints of sex discrimination, including sexual harassment and sexual violence to limit the effects of the discrimination and to prevent its recurrence.

The best way to meet this requirement efficiently is to report immediately to the Title IX Coordinator using one of the following channels:

- In person - The Title IX Coordinator is located at The Herron Center, 11298 Gomez Ave, Hobe Sound, FL 33455
- Phone: 772-546-5534 EXT 1033
- Email: titleixcoordinator@hsbc.edu
- If you are in danger, CALL 911!

Conclusion

Hobe Sound Bible College is an institution built upon honor, integrity, trust, and respect.

Consistent with these values, the College is committed to providing a safe and non-discriminatory learning, living, and working environment for all members of the College community.

Don't be a bystander. When you see warning signs or someone discloses Title IX violations, make a report. It's your responsibility, it's the law, and it will help to preserve HSBC's caring and safe culture.