



Mental Health and the Title IX Process

Building a Partnership

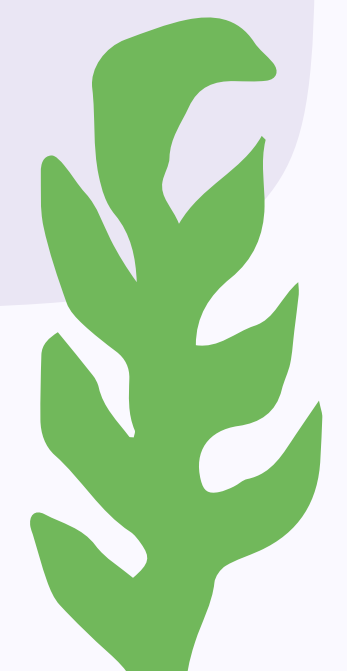


What is Title IX?

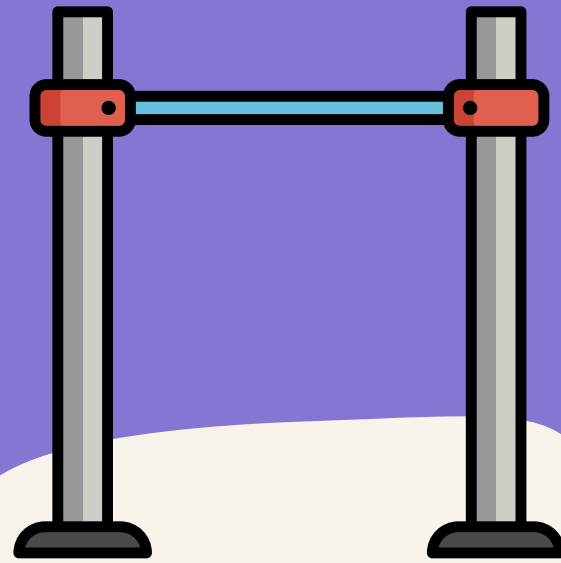
Legal Definition:

- Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in federally funded education programs.
- Enforced by the U.S. Department of Education's Office for Civil Rights (OCR)

Key Protections:

- Protection against sexual harassment, assault, dating violence, and retaliation
 - Applies to students, faculty, and staff
- 

2020 Regulations Key Components



Narrower Definition of Sexual Harassment

Unwelcome conduct
must be "so severe,
pervasive, and
objectively offensive"
that it denies equal
access.



Mandatory Grievance Process

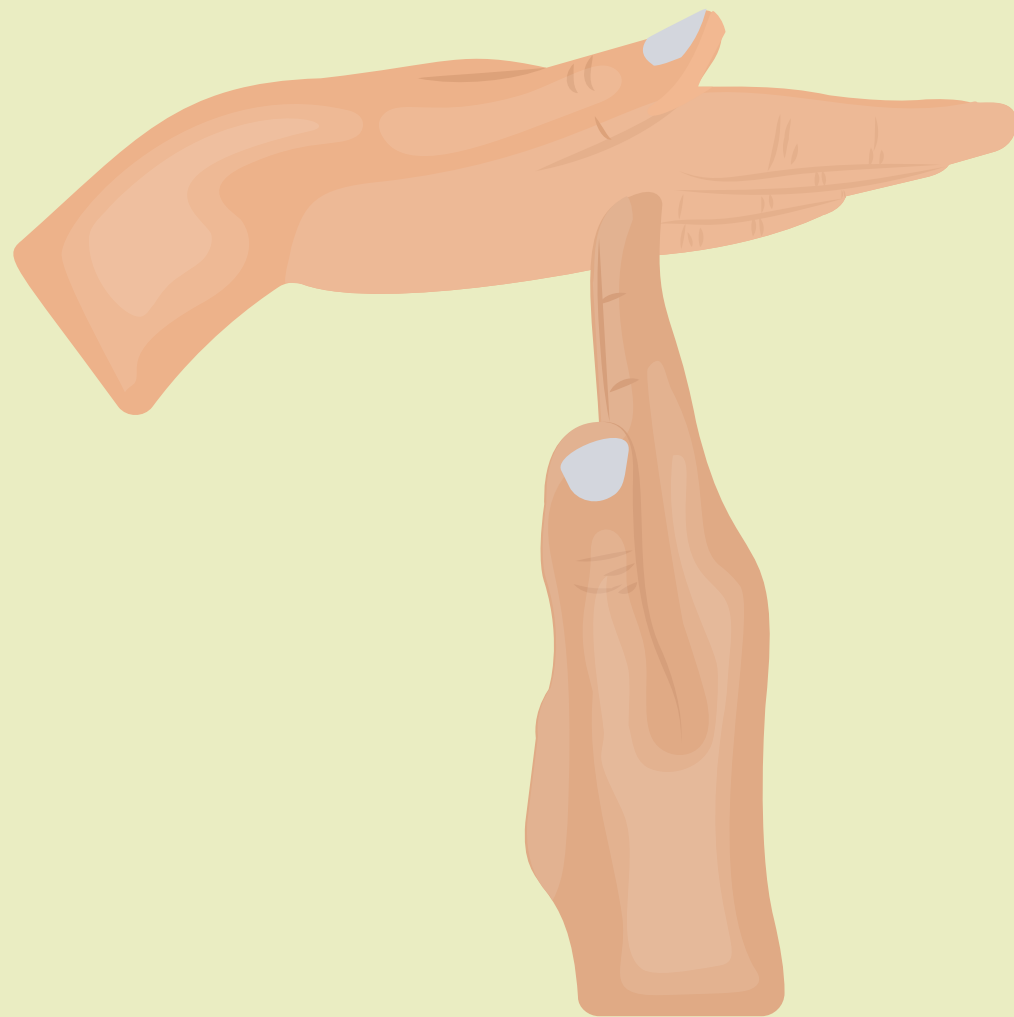
Due process
protections: formal
complaints, hearings,
and cross-examinations



Jurisdiction Restrictions

Must occur within a
school program or
activity in the U.S. and
must be "substantially
controlled" by the
college if off-campus

What Qualifies as a
Title IX
Violation?



01

Quid Pro Quo Harassment - "This for that" (e.g., professor offering a grade in exchange for a date).

02

Hostile Environment - Conduct so severe and pervasive that it affects education.

03

Sexual Assault, Dating Violence, Domestic Violence, and Stalking (per Clery Act/VAWA definitions).



Who Can Report?

Any faculty or staff member not bound by confidentiality or HIPAA must report Title IX concerns. Even if you are confidential, it would be best to present the individual with our information so they can choose whether or not to report it themselves.

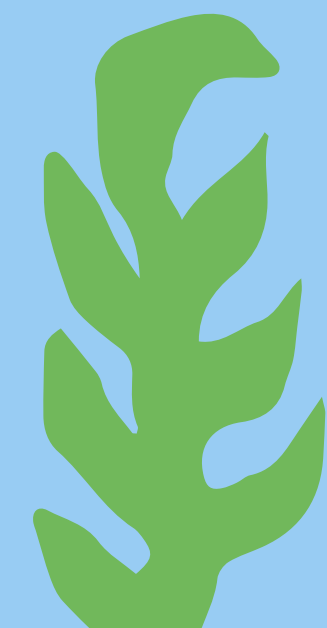
The community at large and students can also make a Title IX report.

How to Report


Phone: (707) 256-7198

Email: kelly.tomlinson@napavalley.edu

Location: 1500 Building, Room 1546



Initial Assessment





The complainant is allowed to request an advisor during this stage.

Do the allegations meet Title IX criteria?

Did the incident occur within the school's jurisdiction?

Are supportive measures needed?



Even if the allegations do not meet the Title IX criteria, supportive measures can still be offered, and the case may be transferred to Civil Rights.

Formal Complaints

Documentation

There must be a formal complaint made in writing.

It must:

- Allege sexual harassment
- Request investigation
- Be signed.



This process can proceed without the consent of the complainant, but that is rare

Investigation

1. A Notice of Allegations is sent to both parties which includes the allegations and the names of the complainants and investigator. After the notice is sent is the first time that the respondent may choose to have an advisor.
2. The investigator collects evidence and interviews witnesses, creating a report.
3. The investigator sends out a draft of the investigative report to the complainant and respondent at the conclusion of their investigation and both parties have 10 business days to respond with edits, and then a finalized document will be issued to both sides

Hearing

A live hearing is required. Both parties must have an advisor at the hearing who will ask cross-examination questions of the other side.

If one party chooses not to attend the hearing, nothing they said during the interview process will be considered, but the testimony of witnesses or physical evidence may be.

The outcome of the hearing could be sanctions for the respondent and supportive measures may remain ongoing

There is an appeal process

Partnership Opportunities

- Provide a safe space for students to talk
- Explain their options (without pressuring them to report)
- Refer them to Title IX staff if needed
- Help with supportive measures (e.g., accommodations, coping strategies)



Thank you from the
Title IX Team

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<https://www.napavalley.edu/about/title-ix/index.html>

Building 1500, Room 1546

