TITLE IX:

Lessons in Building a Community College Program
at the San Diego Community College District

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San Diego Community College District

- Service area coterminous with City of San Diego
- Three colleges, six non-credit continuing education campuses
  - Mix of urban and suburban locations
- Student population: 70,000 credit; 40,000 non-credit
- Extremely diverse—majority-minority student population
- Significant populations of students who are:
  - First generation
  - Immigrant/refugee
  - With dependents
  - Receiving DSPS services
External forces: 2016

- Major push on Title IX from Department of Education, including two significant guidance documents
- Media attention on sex discrimination at postsecondary institutions
- Administrators being held accountable for institutional missteps relating to sexual assault
District’s Initial Approach

• Districtwide Title IX team convened
• Vice Presidents for Student Services served as Title IX Coordinators as “other duties as assigned”
• Challenges with decentralized approach:
  • Maintaining clarity between requirements of Title IX and general District Policies/Procedures
  • Navigating overlap between California’s Title 5 (EEO) requirements and Title IX (federal)
  • Multiple points of communication with College Police
  • Maintaining consistency of response between District locations
Launch of Full-Time Title IX Team

- Holistic approach
  - Full support from Chancellor and Board of Trustees
  - Focus on student success and equity
  - Employee protection from discrimination
- Organizational structure
Launch of Full-Time Title IX Team

- Advantages of centralized approach
  - Consistency in: messaging; response; outcomes
  - Enables clear reporting lines (e.g., no jurisdictional dilemmas between Colleges)
  - Cost-effective
  - Efficient
  - Provides an institution-wide lens
  - Ongoing coordination and communication with Vice Presidents

- Located in Student Services
  - Vast majority of cases are student cases
Lesson Learned: Complexity of Cases

- **Multiple departmental responsibilities beyond Title IX:**
  - Interim accommodations:
    - Transfer to another course; late withdrawal; online attendance
    - Coordination with Instructional leadership
  - Investigation—clear demarcation in responsibilities
    - Title IX conduct v. non-Title IX conduct
    - Scope of Title IX’s involvement
      - Employment Agreements—may provide rights that cannot be addressed by Title IX team
      - Solution: Investigation is, in effect, outsourced to Title IX; those findings are then provided to the relevant supervisor for appropriate action

- **Example:** Student contacts Title IX alleging she has been involuntarily kissed by a tenured faculty member on multiple occasions; further alleges she has heard a rumor that he was terminated from a different institution for similar conduct
Navigating the Complexity: Clarity of Role

- **Title IX Coordinator is NOT:**
  - An advocate for victims
  - Counsel for the institution
  - A law enforcement officer

- **Title IX Coordinator’s Role:**
  - Neutrality is essential
  - Advocate for the requirement of nondiscrimination, not for specific parties
  - Collaborate institution-wide to achieve outcomes
    - Relationships are critical
LESSONS LEARNED IN IMPLEMENTATION

• Pillars of a successful, holistic Title IX program
  • Eliminating discrimination
  • Remediying its effects
  • Preventing its recurrence
  • Ongoing assessment
Eliminate the Discrimination

• What we see
  • 130-150 reports/year
    • Very few of these result in the completion of a formal Title IX investigation
    • Disproportionate numbers of domestic violence, stalking, and sexual harassment cases
    • Reports frequently involve behavior lacking an intent to discriminate

• Reports most frequently originate from:
  • College Police
  • Counseling
  • DSPS
Eliminate the Discrimination: Our Response

- Formal vs. informal investigations
  - Flexibility in what constitutes an appropriate resolution
    - Be careful when using mediation, restorative justice, etc.
- Conduct process was not created with Title IX cases in mind
  - Victim rights/considerations were not emphasized
- Parallel conduct process: Single investigator model
  - Minimizes revictimization
  - Ensures responsibility lies with trained personnel, including cultural competency and social justice considerations
  - Due Process-focused
- Ongoing policy development
Remedy its Effects

• Significant District impact from cases that (1) occurred off-campus, and/or (2) did not involve a District affiliated respondent
  • Jurisdictional limitations
• Key activity: Resources and accommodations
  • Recognition that student needs extend beyond academic
    • Counseling
    • Victim advocacy
    • Community resources
    • Protection orders
Remedy its Effects:  
Our Response

• External partnerships to supplement District resources
• U.S. Department of Justice grant to combat sexual assault, stalking, and intimate partner violence
  • Full-time victim advocacy for students and employees  
  • Wraparound services for students and employees including: safety planning; assistance with law enforcement and judicial processes; protection orders; housing, immigration

• Accommodations  
  • Leverage existing DSPS resources
• Training = key to implementation
Prevent its Recurrence

- Few situations in which students or employees are captive audiences
- District diversity—“one size fits all” training approach ineffective for our community of students and employees
- Equity-minded practices
- Continuous training and reinforcement
Prevent its Recurrence: Our Response

• Establish and support a dedicated prevention team
  • DOJ grant team representative of the diversity of the school
  • Training on cultural competency

• Enlist preexisting structures and groups whenever possible
  • Student leadership
  • Learning communities
  • Student success courses
Our Toolkit

• District Title IX webpage:  https://www.sdccd.edu/students/titleix.aspx

• Resource Guide:  
  https://www.sdccd.edu/docs/District/titleix/titleix_resourceguide_web.pdf

• IPV Resource Guide:  
  http://www.sdccd.edu/docs/SSDept/Title%20IX/SDCCD_IPV_Brochure.pdf

• Reporting Form:  

• Mandatory Reporting Prezi:  https://prezi.com/vtkx6powkg_t/sdccd-title-ix-presentation/

• AP 3100.2  
  https://www.sdccd.edu/docs/District/procedures/Student%20Services/AP%203100_02.pdf
NOTICE OF NONDISCRIMINATION

The San Diego Community College District is committed to a safe and equitable learning environment for all students and employees. It does not discriminate on the basis of sex or gender in its educational programs and employment. Any incident, including sex discrimination or harassment, but not limited to, sexual assault including rape, dating violence, domestic violence or stalking committed on district property, or at a district sponsored event or activity, should be reported to the Title IX Coordinator immediately.

Clery Act
Police Department Clery Act
Next Steps

• Ensure ongoing student success beyond Title IX process
• Refine jurisdictional responsibility
• Regional information sharing for severe conduct
• Continued responsiveness to legal flux
QUESTIONS?