

Office of Civil Rights & Title IX

A Quick Introduction:
What We Do & How We Do It

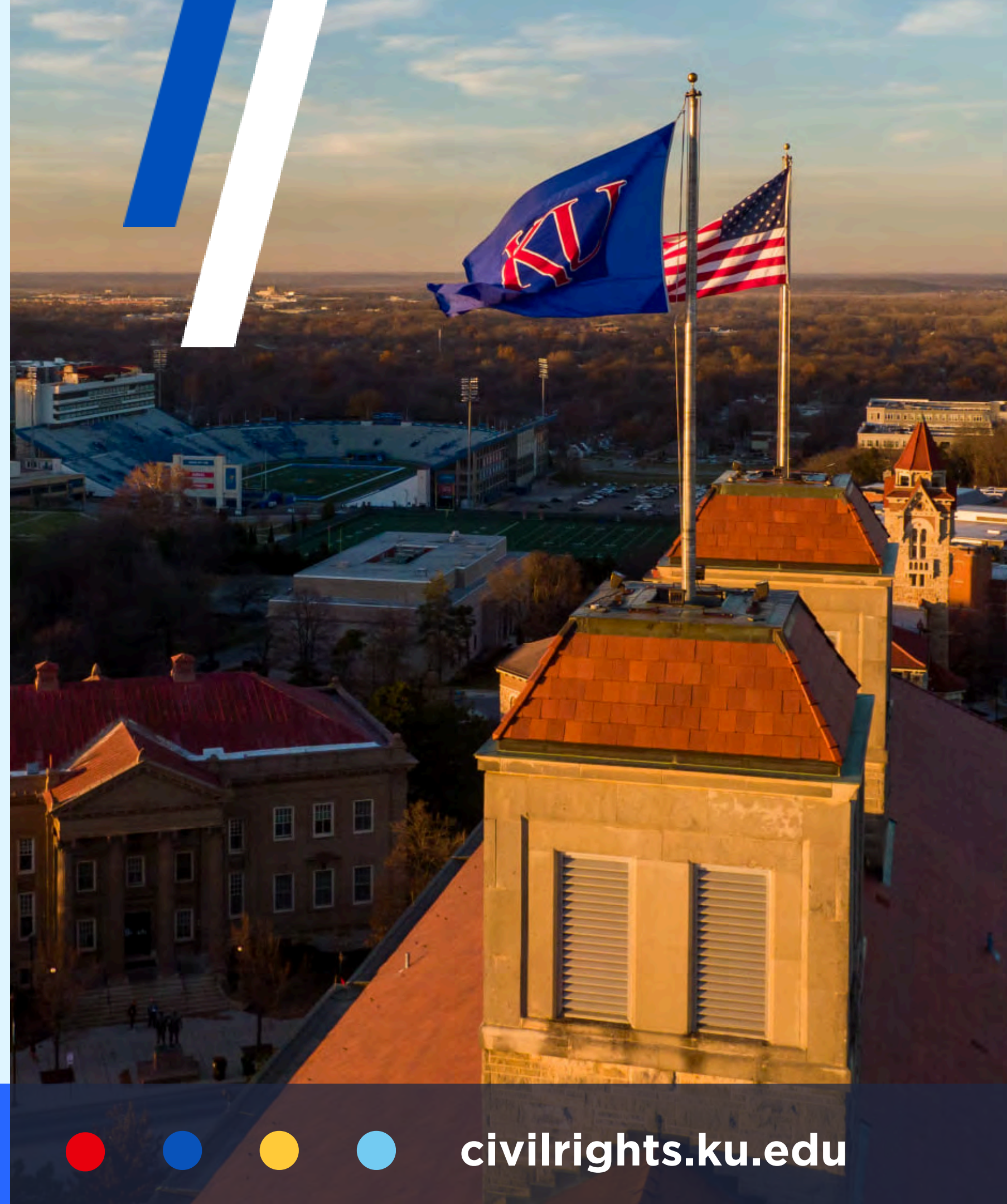
Group Presenting To
Presenter Names



Location | Date

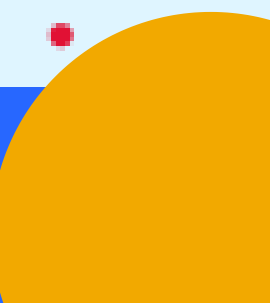
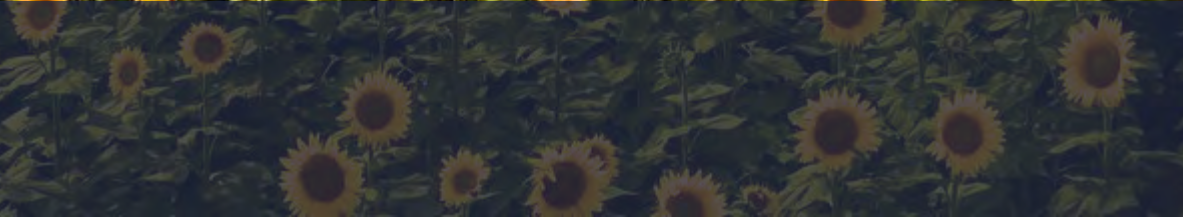
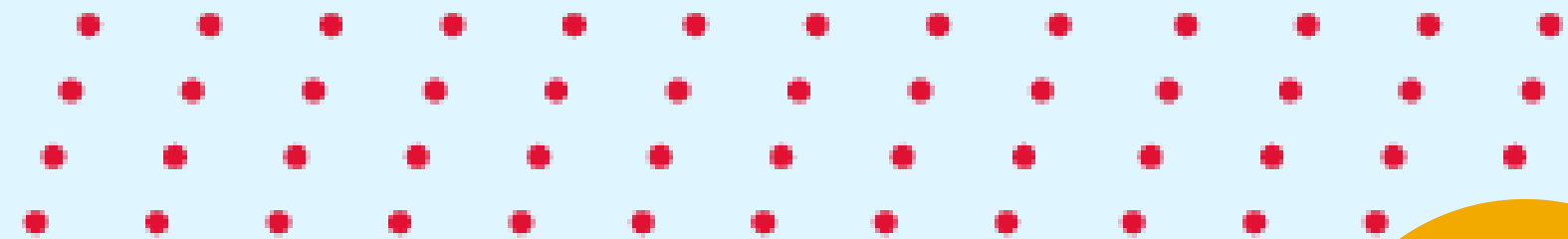
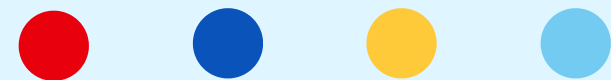


civilrights.ku.edu



Agenda

- 01** Our Office
- 02** What OCRTIX Does
- 03** Mandatory Reporting
- 04** How to Help
- 05** OCRTIX Processes
- 06** How to Respond
- 07** How to Report
- 08** How We Work Together



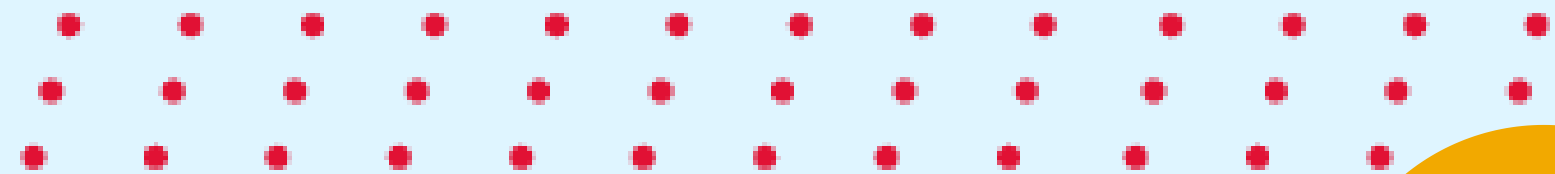
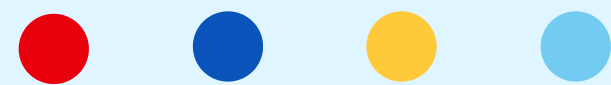


Content Warning

Some of the content on these slides and presentation may be challenging and evoke strong emotions from some people.

Most content involves conversations around harassment, discrimination, or sexual misconduct.

Please feel free to step out or take a minute if needed.



One University Office

- Lawrence - Dole Human Development Center, 1000 Sunnyside Avenue #1082
- Edwards - Regnier Hall 270 M,N,P,Q
- KUMC - Smith-West 1006



Reintroduce Office

OFFICE OF CIVIL RIGHTS AND TITLE IX - LEADERSHIP TEAM

Lauren Jones McKown

Associate Vice Chancellor for Civil Rights & Title IX
Title IX Coordinator
lauren_mckown@ku.edu
she/her/hers

[CLICK HERE FOR LAUREN'S FULL PROFILE →](#)

Maren Sheikh

Administrative Associate
she/her/hers
maren.sheikh@ku.edu

[CLICK HERE FOR MAREN'S FULL PROFILE →](#)

Karen Baddeley

Director of Investigations
Deputy Title IX Coordinator
k187b359@ku.edu
she/her/hers

[CLICK HERE FOR KAREN'S FULL PROFILE →](#)

Dorris Mbogo

Director of Civil Rights Informal Resolutions and KUMC Affirmative Action Plan
dmbogo@kumc.edu
she/her/hers

[CLICK HERE FOR DORRIS' FULL PROFILE →](#)

Jason Goodman

Director of Clery Compliance
Jason.goodman@ku.edu
cleryact@ku.edu
he/him/his

[CLICK HERE FOR JASON'S FULL PROFILE →](#)

Ash Wilson

Director of Intake and Outreach
Deputy Title IX Coordinator
ashwilson@ku.edu
they/them/theirs

[CLICK HERE FOR ASH'S FULL PROFILE →](#)

OFFICE OF CIVIL RIGHTS AND TITLE IX - INTAKE AND OUTREACH TEAM & SUPPORT MEASURES

Ash Wilson

Director of Intake and Outreach
Deputy Title IX Coordinator
ashwilson@ku.edu
they/them/theirs

[CLICK HERE FOR ASH'S FULL PROFILE →](#)

Sam Azzaro

Intake Specialist
samazzaro@ku.edu
they/them/theirs

[CLICK HERE FOR SAM'S FULL PROFILE →](#)

Alane Thomas

Case Manager
she/her/hers
alane.thomas@ku.edu

[CLICK HERE FOR ALANE'S FULL PROFILE →](#)

Scan for our staff and affiliated stakeholder page.

Includes decision makers for KUMC formal investigations.



OFFICE OF CIVIL RIGHTS AND TITLE IX STAFF - INVESTIGATIONS

Karen Baddeley

Director of Investigations
Deputy Title IX Coordinator
k187b359@ku.edu
she/her/hers

[CLICK HERE FOR KAREN'S FULL PROFILE →](#)

Molly Moreland

EEO/Title IX Investigator
m308m926@ku.edu
she/her/hers

[CLICK HERE FOR MOLLY'S FULL PROFILE →](#)

Brandon Melton

EEO/Title IX Investigator
brandonmelton@ku.edu
he/him/his

[CLICK HERE FOR BRANDON'S FULL PROFILE →](#)

Heather Shire

EEO/Title IX Investigator
Heather.shire@ku.edu
she/her/hers

[CLICK HERE FOR HEATHER'S FULL PROFILE →](#)

Hans Ojo

EEO/Title IX Investigator
hans.ojo@ku.edu
he/him/his

[CLICK HERE FOR HANS' FULL PROFILE →](#)

Casey Smith

EEO/Title IX Investigator
smith.casey@ku.edu
they/them/theirs

[CLICK HERE FOR CASEY'S FULL PROFILE →](#)

OFFICE OF CIVIL RIGHTS AND TITLE IX - CLERY COMPLIANCE TEAM

Jason Goodman

Director of Clery Compliance
Jason.goodman@ku.edu
cleryact@ku.edu
he/him/his

[CLICK HERE FOR JASON'S FULL PROFILE →](#)

Bonnie Wohler

Clery Program Coordinator
bonniewohler@ku.edu
She/her/hers

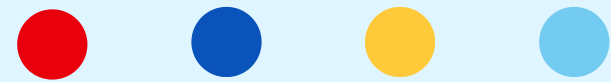
[CLICK HERE FOR BONNIE'S FULL PROFILE →](#)

Scan for our staff and affiliated stakeholder page.

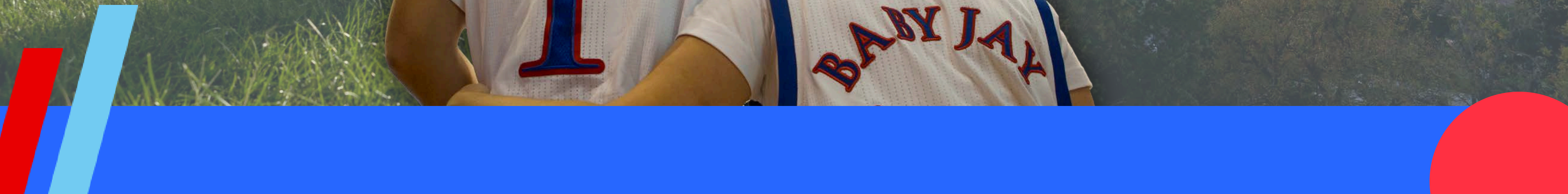
Includes decision makers for KUMC formal investigations.



What OCRTIX Does



OFFICE OF CIVIL
RIGHTS & TITLE IX



Title IX highlight! - New regulations are pending court decisions. Given that status, we may need operate under new regulations at a moment's notice. Because of the uncertain timeline, it's important all mandatory reporters (all of you) are aware of your responsibilities today under the 2020 regulations, as well as the potential responsibilities under the 2024 proposed regulations.

Office Highlight! - We address more than just sexual misconduct.



1. **We respond to reports** from mandatory reporters (and others) dealing with discrimination & harassment (based on 16 different identities), sexual misconduct, and related retaliation. All based on identities, including microaggressions.
2. **We conduct investigatory reviews** when we track a potential pattern related to harassment, discrimination, or sexual misconduct by specific schools, units, etc.
3. **We support pregnant and parenting students.**
4. **We oversee Clery compliance**, resulting in timely warnings, emergency notifications, and the annual security and fire safety report.

Mandatory reporters are staff and faculty (including graduate & undergraduate student-staff) who have a special obligation to share information pertaining to harassment, discrimination, and sexual misconduct with the OCRTIX.

Every employee when engaged in their KU capacity except:

- CARE Services
- CAPS Therapist
- Watkins Medical Providers
- Ombuds Office
- Student Legal Services
- Journalists
- Pastoral Advisors
- Some IRB approved research/climate studies
- KU's General Counsel's Office

Confidential Employees



Scan for mandatory reporting policy



“Mandatory reporting” means different things in different professions. Be careful to understand which definition applies to your settings.

We respond to reports from mandatory reporters (and others) dealing with discrimination & harassment (based on identities), sexual misconduct, and related retaliation. All based on identities, including microaggressions.

*If you wonder.
If it even whiffs.
If your spidey-senses tingle.
If your eyebrows move.*

16 Protected Classes



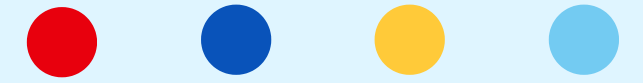
Examples of things to report:

- A resident tells you that their mezuzah was taken off their door frame.
- A resident tells you they are failing a course or their job performance is slipping because they were assaulted a month ago.
- You are made aware of harassment/discrimination between two roommates during a roommate conflict.
- A peer uses they/them pronouns and identifies as non-binary. You hear people misgender/deadname them frequently.
- You overhear a staff member say that protests on campus pertaining to a protected class are having an impact on their mental health.

Jurisdiction

- We respond to all on an case-by-case basis. All reports are kept for no less than 7 years.
- We assess our ability to take action, and what kind of action.
- We cover anywhere the educational opportunity extends.

To Be Aware Of



● **Sexual misconduct** is an act of violence, whether physical or emotional. It is the use of power and control to harm and/or intimidate another person.

Sexual misconduct includes but isn't limited to:

- non-consensual sexual intercourse
- non-consensual sexual contact
- sexual harassment
- sexual exploitation
- dating/domestic violence
- stalking

● **Domestic Violence** is felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner.

● **Dating Violence is violence committed by a person**

Who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship will be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of the relationship; and (iii) the frequency of interaction between the persons involved in the relationship.

● **Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person to 1) fear for their safety or the safety of others, or 2) suffer substantial emotional distress.

More information can be found in the KU Policy Library



How to respond when you receive a report - “back-pocket responses”

If you sense the direction of the conversation

“I want to pause you for a minute. Before you share, I want to let you know I’m a mandatory reporter. That means... .

Be trauma informed

- Think about tone. Slow down, be “soft”
- Think about lighting. Soft and low lighting can make things feel better.
- Allow for emotions to be present.

If you get a disclosure without being able to share context

“I want to pause you for a minute. Thank you for sharing that with me. It sounds like a really challenging experience. Before we move forward, I want to let you know I’m a mandatory reporter. That means...

- Know that trauma doesn’t allow for linear thinking.
- Acknowledge the challenging nature of the conversation.

Be thinking about options you can provide

- Ask questions about safety - “Are you feeling safe now?” “Would you like me to call *resource* with you know? - Resource: KUPD, Housing
- Talk about evidence preservation - “It can be helpful to keep any potential evidence so you can continue to make decisions in the future, even if you’re not ready to do that now. Would you like me to help connect you to *resource*? - Resource: SANE exam
- What other campus/community resources might be helpful?

Common concerns

- Losing trust with the person
- Removing agency from the person affected
- Getting someone in “trouble”
- “Taking sides”
- What to do next...

“I know this might be scary, and you deserve all the options available”

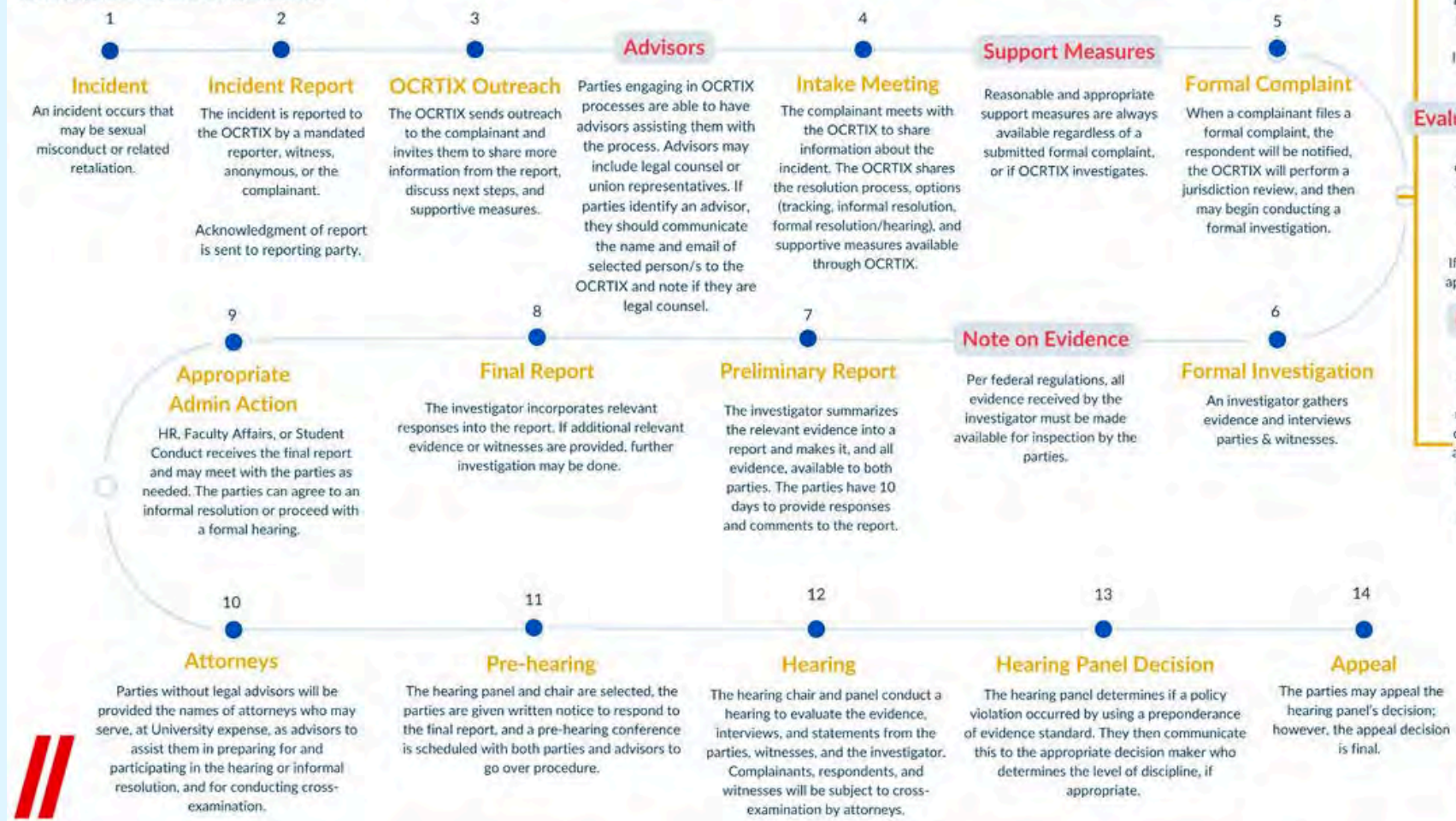
Be as comfortable and knowledgeable as possible.



TITLE IX - SEXUAL HARASSMENT RESOLUTION PROCESS

This is intended to be a simplification and visual representation of the larger and more detailed process. For the formal policy, please visit: <https://policy.ku.edu/civil-rights/title-ix-resolution-process>

L/E: 4/26/24, Incidents - Pre 8/1/24



NOIA sent to Respondent

The respondent is notified of the OCRTIX's investigation with the Notice of Investigation and Allegations ("NOIA").

Evaluation of Complaint

The OCRTIX reviews the complaint and allegations to determine appropriate next steps, which may include dismissing the complaint.

If dismissed, complainant may appeal decision to the Provost.

Informal Resolution

At any point after a formal complaint is received by the OCRTIX, an informal resolution (mediation, shuttle diplomacy) may be pursued, if appropriate and agreed upon.

Note: federal regulations will not allow informal resolution if the complainant is a student, and the respondent is an employee.

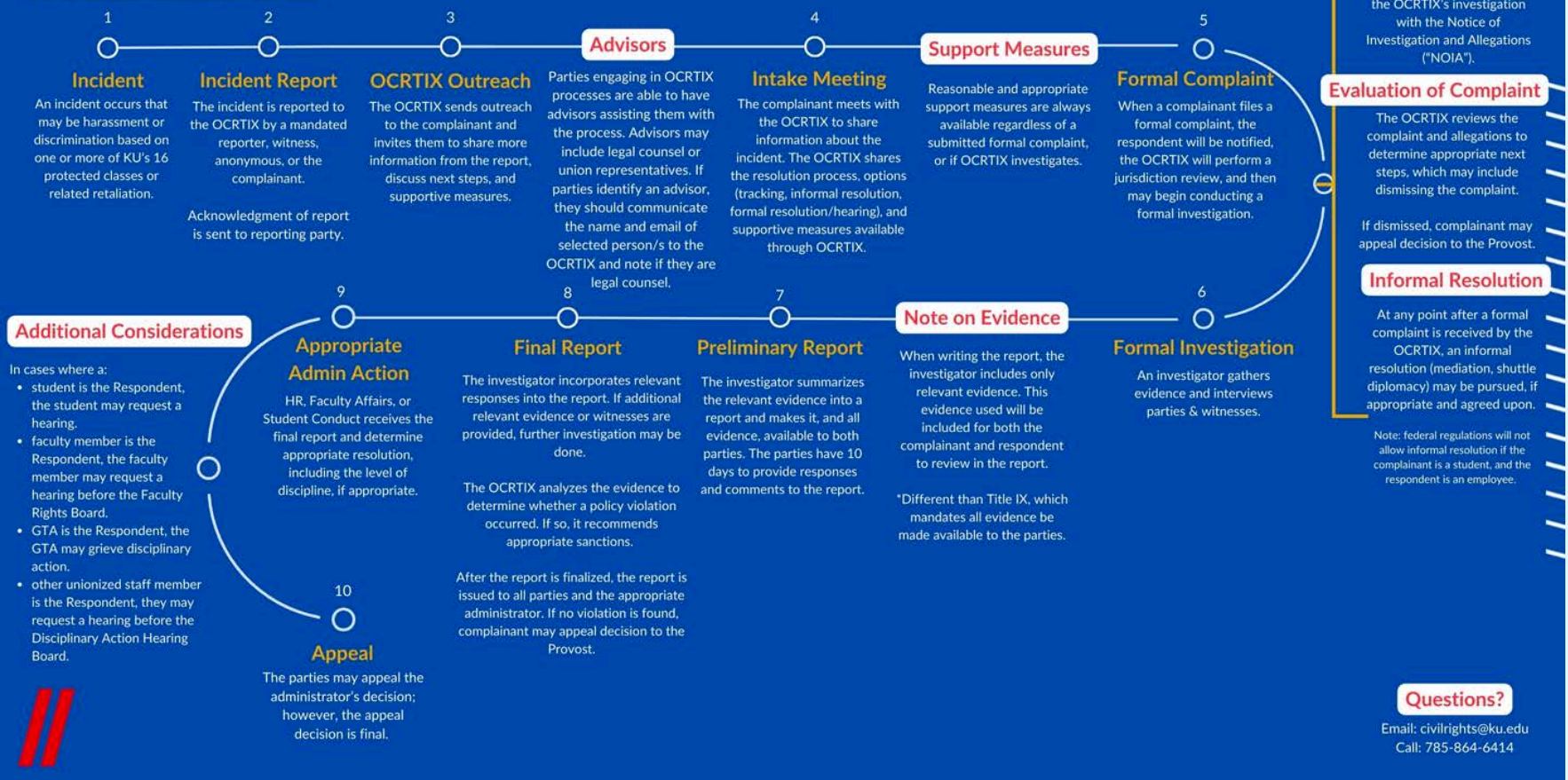
We have policies and processes we use to resolve reports.



DISCRIMINATION COMPLAINT RESOLUTION PROCESS (DCRP)

This is intended to be a simplification and visual representation of the larger and more detailed process. For the formal policy, please visit: <https://policy.ku.edu/qa/discrimination-complaint-resolution>

L/E: 4/26/24, Incidents - Pre 8/1/24



NOIA sent to Respondent

The respondent is notified of the OCRTIX's investigation with the Notice of Investigation and Allegations ("NOIA").

Evaluation of Complaint

The OCRTIX reviews the complaint and allegations to determine appropriate next steps, which may include dismissing the complaint.

If dismissed, complainant may appeal decision to the Provost.

Informal Resolution

At any point after a formal complaint is received by the OCRTIX, an informal resolution (mediation, shuttle diplomacy) may be pursued, if appropriate and agreed upon.

Note: federal regulations will not allow informal resolution if the complainant is a student, and the respondent is an employee.

Questions?

Email: civilrights@ku.edu
Call: 785-864-6414



Scan here to access our collection of materials!

We Respond to Reports

OCRTIX Myth - Once a report is made, OCRTIX opens a formal investigation

Fact - Once a report is made we reach out to the person who may have experienced harm, invite them to a conversation, and share options. A formal complaint is not opened.

Outreach to complainant (person experiencing harm)

- Invitation to a conversation
- Follow up if no response within 5-7 days.
- May attempt more outreach depending on severity of the report.

If invitation is not accepted, case is closed, but complainant can re-engage at any time.

Report only for tracking - helps OCRTIX recognize patterns.

OCRTIX Myth - The person experiencing harm has no say over what happens to their report. OCRTIX will take action without their permission.

Fact - Only in very rare cases that involve an ongoing threat to safety or egregious pattern of continued harassment, discrimination, or violence will OCRTIX take action without a complainant. In almost all cases, the complainant actively informs the process and actions taken. The person alleged to cause harm will not be notified without a formal complaint being submitted (later in process).

OCRTIX Myth - Meetings with complainants are intrusive, triggering, and feels like an interrogation.

Fact - Complainants get to share what they would like to and are not compelled to share any information about their case they do not wish to. Additionally, intakes are completed with a trauma informed approach. We've received feedback on our intake process that they are "therapeutic", allow the person to feel heard, and are overall helpful. Additionally, anyone is able to bring an advisor for support.

An intake generally includes:


- An overview of our office.
- The complainant sharing their experience. Staff may ask clarifying questions to best understand the nature of the report and the nuances involved.
- The complainant sharing their goals.
- The exploration of support measures.
 - Referral to resources (university, local, state, national).
 - Educational conversations/policy reminders.
 - Voluntary reassignments (units, supervisors, etc.).
 - Establishing accommodations (academic or workplace).
- Exploration of formal options

Support Measures must be appropriate to the situation and environment. They are not guaranteed.



OCRTIX Myth - Every time someone wants a formal investigation, it is granted.

Fact - In order for OCRTIX to investigate, the alleged incident must be in OCRTIX's jurisdiction. An analysis of jurisdiction is complex (informed by federal/case/case law). It includes variables such as where the incident occurred, if we have authority over the person alleged to have caused harm, if there was likely a violation of an OCRTIX policy, and more.



Only approximately 10% of our reports turn into formal complaints, which could result in a formal investigation.

Formal investigations

- OCRTIX investigators are trained as neutral fact finders. They collect information through interviews, document reviews, and anything helpful.
- OCRTIX investigators write a report and invite feedback from complainant and respondent.
- OCRTIX passes report to decision maker (processes may differ based on nature of incident).

We conduct investigatory reviews when we track a potential pattern related to harassment, discrimination, or sexual misconduct by specific schools, units, etc.

1. We are federally required to keep all reports received for no less than 7 years. This allows us to see patterns. When a potential pattern is identified within a unit/school, OCRTIX can conduct an investigatory review. The decision to do so is carefully weighed and often has input from university leadership.
2. We conduct the review and unit leadership receives the report and takes action on recommendations.

We support pregnant and parenting students.

When we learn a student may be pregnant, we send a letter with comprehensive options, examples of reasonable modifications students could request, the process to do so, and invite them to meet with a member of our team to talk more about any needs they may have.

Examples of reasonable modifications could include:

- Additional excused absences for medical appointments (including termination, delivery, check-ups, etc.).
- Larger desk/working area, larger seats.
- Permission to use the bathroom more regularly.
- Permission to bring water into labs.

If a partner/parent is a student and not gestational, they are entitled to reasonable modifications.

We oversee Clery compliance, resulting in timely warnings, emergency notifications, and the Annual Security and Fire Safety Report.

Clery is a federal law that requires institutions receiving federal funding to publicly report statistics concerning the occurrence of certain criminal offenses involving students, faculty, staff or visitors.

Simply put, it is a safety consumer law.

Campus Security Authorities (CSAs) must, however we encourage all to, report issues of safety. CSAs - anyone who has significant responsibility for student and campus activities.



Primary Crimes:
Murder/Non-Negligent Manslaughter
Manslaughter by Negligence
Rape
Fondling
Statutory Rape
Incest
Robbery
Aggravated Assault
Burglary
Motor Vehicle Theft
Arson

Hate Crimes:
Crimes motivated by perpetrator's bias against the victim's protected class.

Hate crimes include:
Larceny-theft
Simple assault
Intimidation
Destruction/Damage/Vandalism
and all primary crimes, except:
Manslaughter by Negligence

Arrests or Referrals for Disciplinary Action:
Liquor Law Violations
Drug Law Violations
Weapon Law Violations

VAWA Offenses:
Domestic Violence
Dating Violence
Stalking

CLERY CRIMES

Report here 

Reporting crimes allows for:

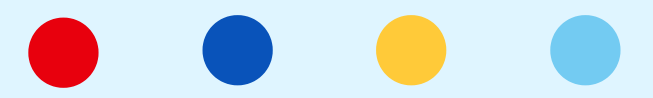
- Emergency notifications.
- Timely warnings.
- Accurate counts of Clery crimes.
- Accurate reporting of Clery crimes

The goal is increased safety for all using our campus and increased awareness of climate.

Scan for our Clery Postcard



Reporting gets people resources and options not available otherwise.



OCRTIX Myth - The office only cares about avoiding lawsuits and wants to keep things “quiet“.
Fact - Although our office cares about being in compliance and we use discretion, we do so because compliance means people experience a process with high integrity, the options and resources entitled to them, and everyone has their rights intact.

Mandatory reporters for harassment, discrimination, sexual misconduct, and related retaliation and CSAs should recognize the following benefits of reporting:

1. Gets the person experiencing harm access to resources and options otherwise not available.
2. Allows you to remain neutral and not be in the details.
3. Helps create a more informed, and likely safer campus environment.
4. Allows the university to be in compliance.



2017
\$220+ Million in various lawsuits between Penn State and Sandusky victims/incidents

2018
\$500 Million mediated settlement between Michigan State and Nassar victims

2024
\$14 Million Clery fine pertaining to Liberty University related to several Title IX related issues.

Ongoing
DOE is investigating several universities for Title VI compliance and their response to anti-Semitic incidents on campus.

Federal funding
(including the ability to accept financial aid) can be pulled, including research grants.

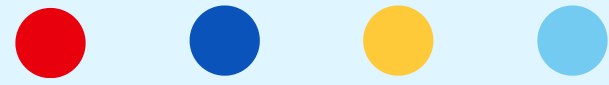


- You **do not have to report your own** incidents of harassment/discrimination/or sexual misconduct, but we encourage you to do so.
- You **do** have to report incidents you **hear about**, even if not directly.
- We recommend the person who has experienced harm be notified that a report will be made, although that is not a requirement.
- OCRTIX is a neutral fact-finder, not a decision maker. During an investigation, our goal is to gather information and provide that to a decision maker (HR, Faculty Affairs, Student Conduct, etc.).
- No such thing as overreporting!

Title IX highlight! - New regulations may require confidential employees (those not federally required to report) to provide information about our office to those potentially experiencing harassment, discrimination, sexual misconduct, and related retaliation. Given the injunction this is not a requirement, however we welcome this practice so people have all the options available to them, including OCRTIX services.



How to Report



Options to Report

- File an incident report on the OCRTIX website
 - <https://civilrights.ku.edu/reporting-incident>
- Email OCRTIX
 - civilrights@ku.edu
- Call OCRTIX
 - 785-864-6414
- Visit our offices
 - Lawrence - Dole Human Development Center, 1000 Sunnyside Ave, Suite #1082
 - Edwards - Regnier Hall, Suite 270 M, N, P, Q
 - KUMC - Smith-West 1006
- Contact Lauren, Karen, Ash, OCRTIX, or a Deputy Title IX Coordinator:
 - Nicole Corcoran in Athletics
 - Natalie Holick in Compliance



Connecting with OCRTIX

- Have questions about a case?
- Have questions about the process?
- Want to practice talking through help and resources?
- Want to talk about options for support measures?

We can help to provide status updates to cases or provide context. We can not always give an answer to your question.

Helpful for us to know:

- What information are you seeking and why?
- Clarifying information - We may even email you for this!
- Timeline information - Are you waiting on us for a process you are doing?
- Support Measures - What do you want to do for those involved?

**Email us at
civilrights@ku.edu
or connect with
Ash Wilson!**



Questions?



Contact Info

Ash Wilson

Director of Intakes and Outreach &
Deputy Title IX Coordinator

ashwilson@ku.edu

Other Opportunities

We're looking for ways to engage anyone on campus. If you have events for us to be present at, please let us know!

Departmental Contact and Info

civilrights@ku.edu

785-864-6414

civilrights.ku.edu

