



LONG BEACH COMMUNITY COLLEGE DISTRICT

Title IX Training: Awareness

September 14, 2023

Dr. Bill Boerner

Senior Solutions Specialist

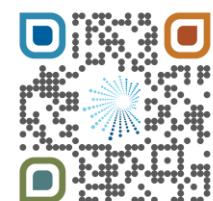
MEET YOUR FACILITATOR



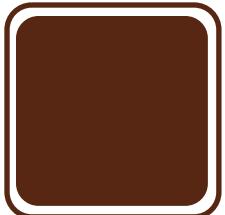
Title IX Coordinator & EEO
Director Services, DEI

Bill Boerner (he/him/his)

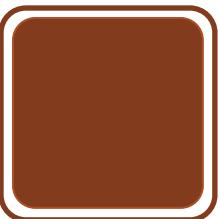
Dr. Bill Boerner serves as a Senior Solutions Specialist for Grand River Solutions. He previously served as the Interim Vice President and Associate Vice President of Diversity, Equity, and Inclusion and Title IX Coordinator at Hobart and William Smith Colleges. In his previous role, Dr. Boerner oversaw the Diversity, Equity, and Inclusion division, leading inclusion goals and visioning for the Colleges. As the Title IX Coordinator, he led sexual violence prevention and response, and maintained compliance training for all students, faculty, and staff. Dr. Boerner has experience leading training and workshops related to identity, DEI, Title IX, bystander intervention, social justice, inclusion, LGBTQ+, understanding bias, and navigating transitions.



SESSION AGENDA



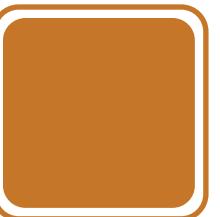
Check-in & Guidelines



Title IX, prohibited
conduct, and policy



Reporting expectations
and supportive
measures



Navigating difficult
conversations

WHO IS HERE?



GUIDELINES FOR TODAY'S SESSION:

Participate at your own comfort level

Share airtime

Personal stories are for their owners to share

Maintain respect for each other's values, beliefs, and backgrounds

It's okay to be at different places in managing Title IX related matters

Anything else?

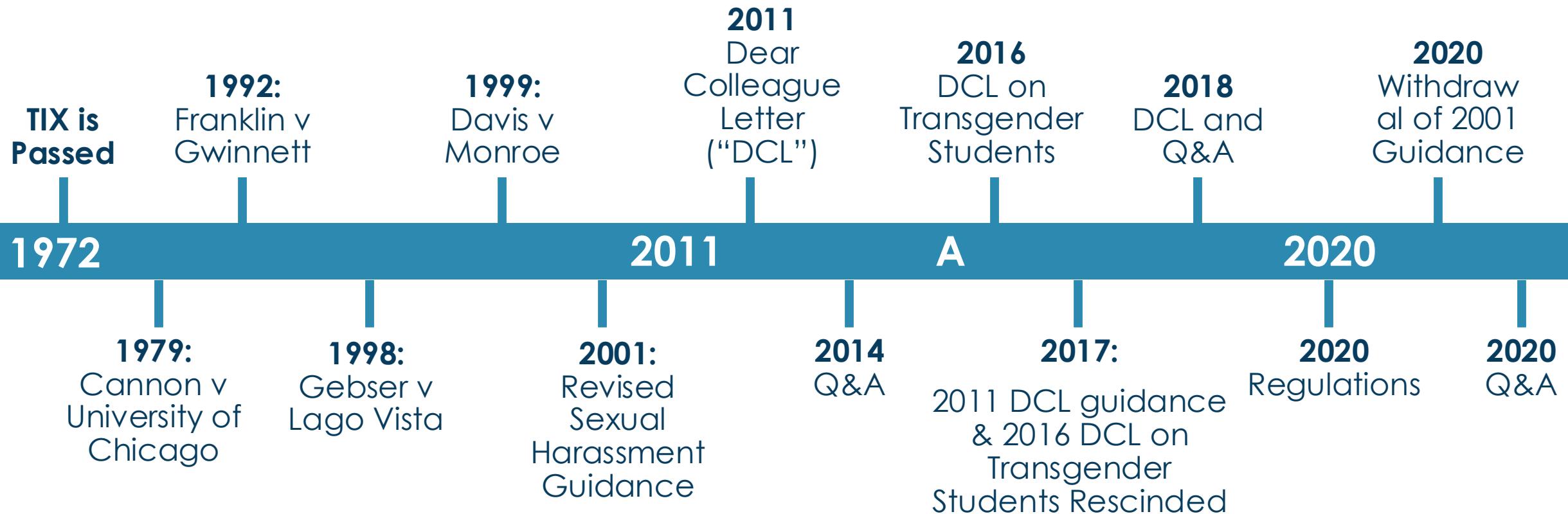
UNDERSTANDING TITLE IX

- *“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”*

- 20 USCA Sec. 1681



THE HISTORY OF TITLE IX



PROHIBITED CONDUCT: SEXUAL HARASSMENT UNDER TITLE IX

Occurred in the US, Occurred on or after August 14, 2020, & Educational Program or Activity

Quid Pro Quo

A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct

Unwelcome Conduct

Determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity

Sexual Assault

Includes: Sex Offenses, Rape, Sodomy, SA w/ object, Fondling, Incest, Statutory Rape.

PROHIBITED CONDUCT: SEXUAL HARASSMENT UNDER TITLE IX

Dating Violence

Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. Relationship determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence

By current or former spouse or intimate partner of the victim, by a person whom the victim shares a child in common, cohabitating with, or has cohabited with.

Stalking

Course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress.

PROHIBITED CONDUCT: SB 493

"Sexual harassment" means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions

- (a)** Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
- (b)** Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.

(c) The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

(d) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

Ca. Educ. Code § 212.5

PROHIBITED CONDUCT: SB 493

Sexual violence

Physical sexual acts perpetrated against a person without the person's affirmative consent, including:

- **Rape** - defined as penetration, no matter how slight, of the vagina or anus with any part or object, or oral copulation of a sex organ by another person, without the consent of the victim.

- **Sexual battery** - means the intentional touching of another person's intimate parts without consent, intentionally causing a person to touch the intimate parts of another without consent or using a person's own intimate part to intentionally touch another person's body without consent.

PROHIBITED CONDUCT: SB 493

Sexual violence

Physical sexual acts perpetrated against a person without the person's affirmative consent, including:

- **Sexual exploitation** - means a person taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent, including, but not limited to, any of the following acts:
 - (A) The prostituting of another person.
 - (B) The trafficking of another person.

(C) The recording of images, including video or photograph, or audio of another person's sexual activity or intimate parts, without that person's consent.

(D) The distribution of [such] images, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to the disclosure.

(E) The viewing of another person's sexual activity or intimate parts, in a place where that other person would have a reasonable expectation of privacy, without that person's consent, for the purpose of arousing or gratifying sexual desire.

Complainant



A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

Respondent



A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

GENERAL DYNAMICS OF SEXUAL ASSAULT

- Many victims are reluctant to report
- Delays in reporting
- Wavering levels of participation
- Respondent known to victim.
- Little to no physical evidence.
- Emotionally charged situation.
- Adjudicator decisions often based on credibility.
- Demeanor - “perfect victim”
- Habits and Reflexes (Hopper)
 - Victims questioning of events and actions.
 - Effect of victim’s own misconceptions.

POTENTIAL IMPACTS OF SEXUAL VIOLENCE

- Anxiety
- Depression
- Flashbacks
- Chronic Pain
- Substance Abuse
- Lower graduation rate



Individuals responding to accusations of sexual misconduct may also experience similar impacts.

CONCERN #1...

Avoiding Conflict



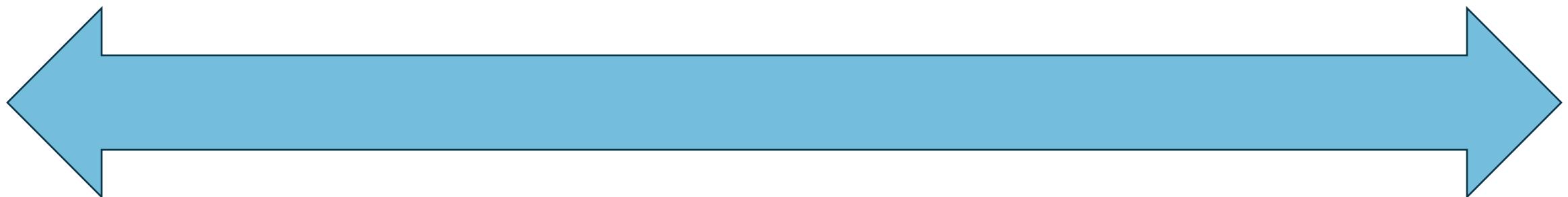
CONCERN #2...



Seeking Help

CONCERN #3...

Understanding Consent



CONCERN #4...

Miscommunication



CONCERN #5...

Boundaries





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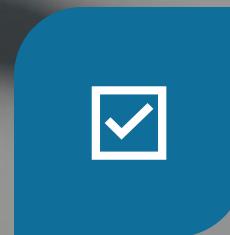
THINK, PAIR, SHARE

An Opportunity To Chat With Your Neighbors

- First.....think about your identities....
- Second.....Connect with a partner and discuss the following:
 - *Share at least one of your identities that you are most proud of and why*
 - *Discuss one or more of your identities that encourages others to talk about sensitive concerns, such as sexual assault (Open door)*
 - *Discuss one or more of your identities that discourages others to talk (Closed door)*
- Third.....share out with the larger group.



READ BETWEEN
THE LINES &
ASSESS THE
SITUATION



BACK-POCKET
PHRASE



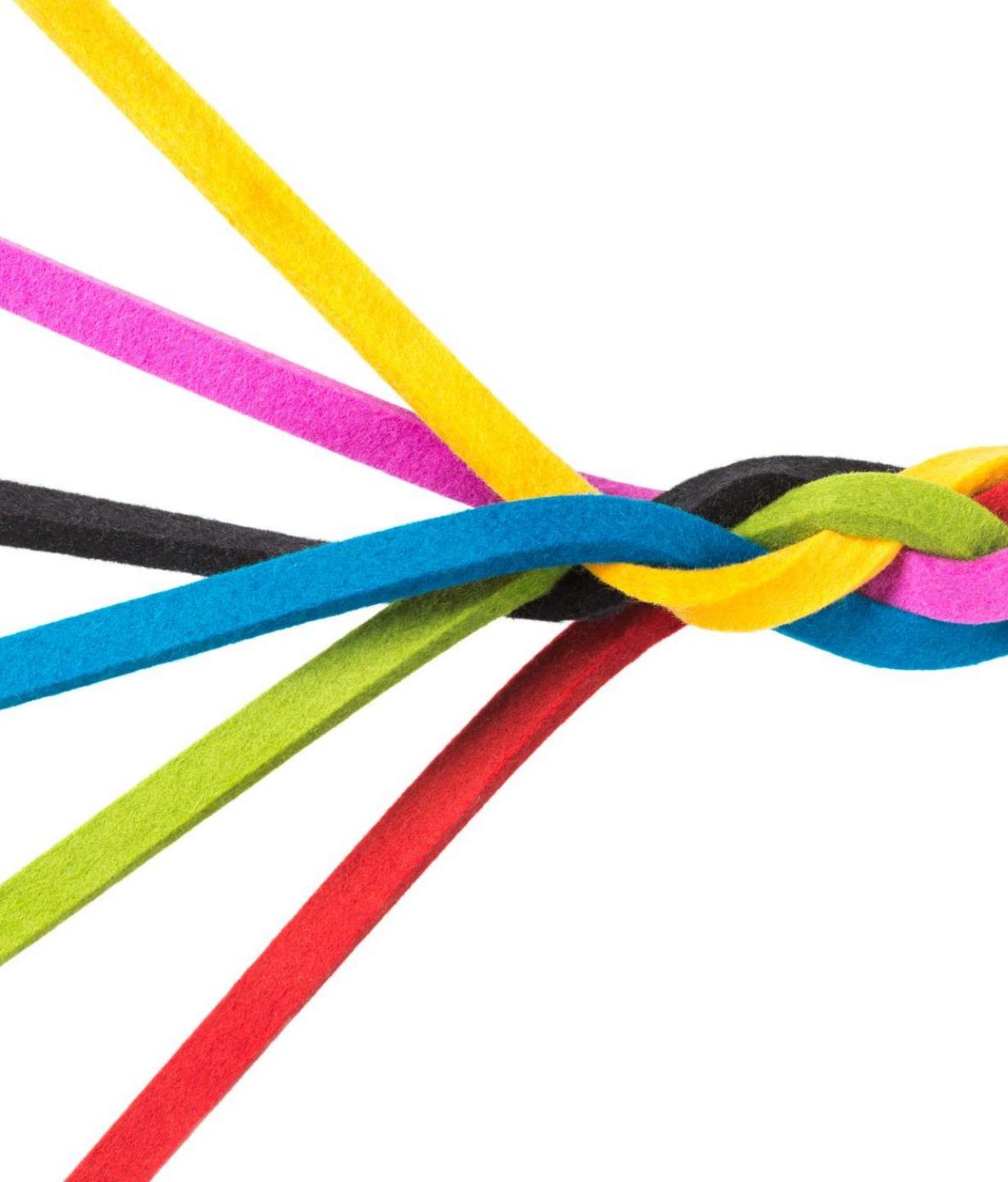
SAFETY CHECK



LISTEN TO
UNDERSTAND &
CLARIFICATION



ACTION
PLANNING &
FOLLOW-UP



Employee Reporting Obligations

OPTIONS FOR THOSE EXPERIENCING SEXUAL VIOLENCE:

- **Path 1: Seeking Support**
 - ✓ Counseling, Advocacy, & Crisis Services
 - ✓ Interim measures
- **Path 2: Seeking Treatment**
 - ✓ Evidence collection
 - ✓ Emergency contraception
 - ✓ Physical/Emotional care
- **Path 3: Seeking to Disclose**
 - ✓ Anonymous disclosure
 - ✓ Directly to Title IX
 - ✓ Others

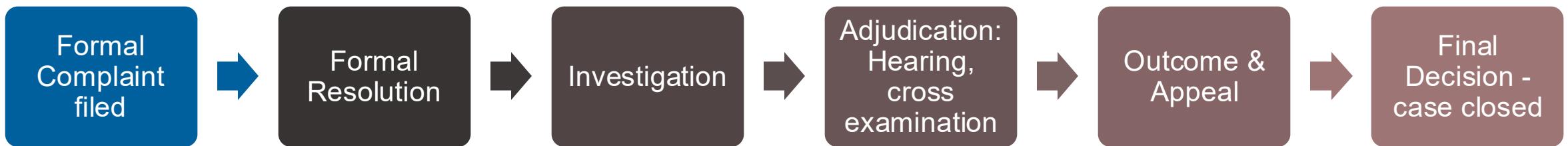
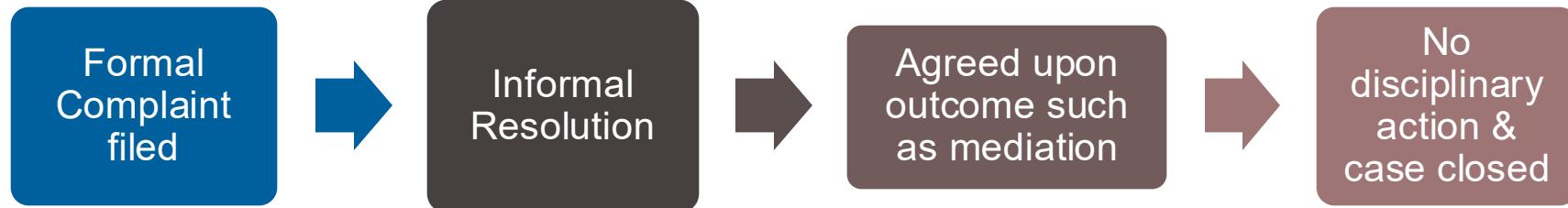


OPTIONS FOR THOSE EXPERIENCING SEXUAL VIOLENCE: (CONTINUED)

- Path 4: Seeking Action
 - ✓ Policy Investigation
 - ✓ Criminal Investigation
- Path 5: Exploring Options



FORMAL COMPLAINT PROCESS: *STUDENTS* *TITLE IX GRIEVANCE PROCESS**



SUPPORTIVE MEASURES

Extensions and
Course related
adjustments,
Modification of
schedules

No-Contact
Orders and other
restrictions

Safety Planning

Counseling
Support



COMMON CONCERNS

Pivot to remote

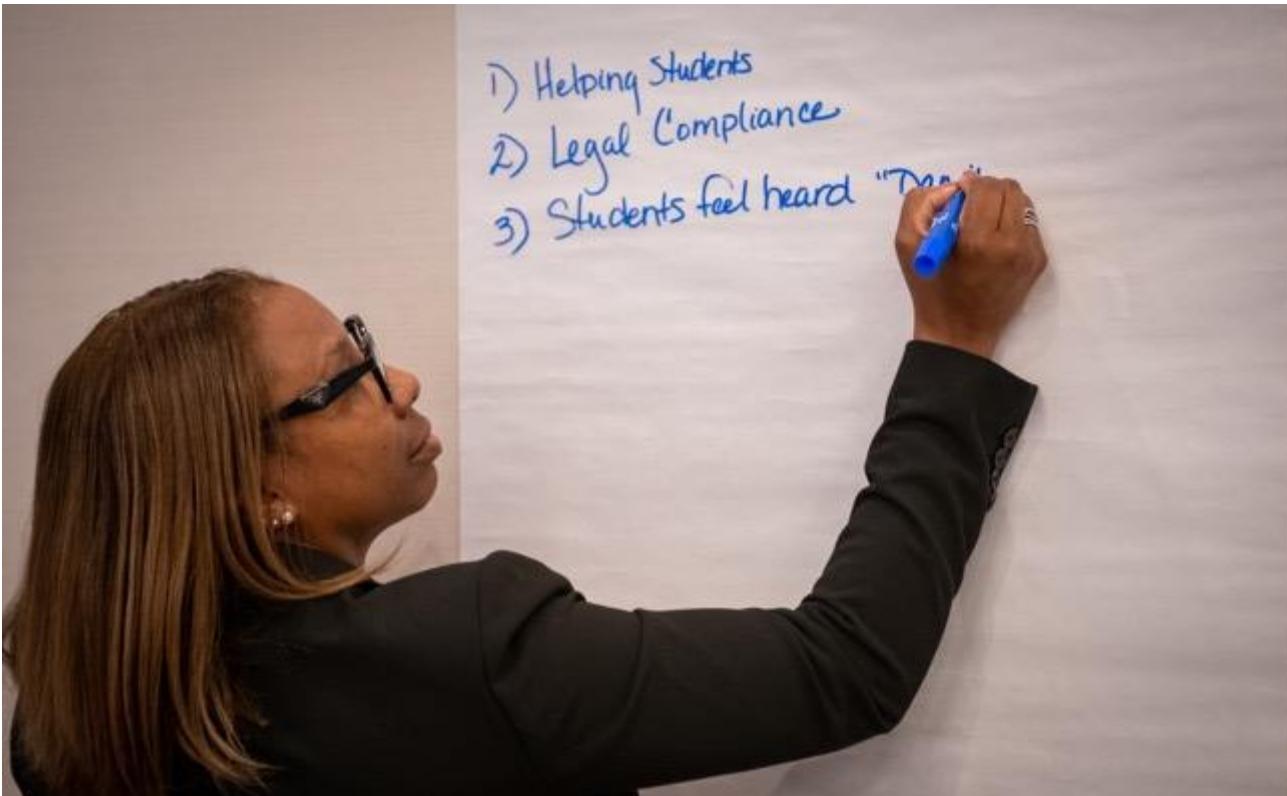
Punitive actions

Deadline
management
/adjustments

Modification
of class/work
schedules

Both parties
in the same
class/work
environment

NCO
modifications



TAKEAWAYS

You are protected by
and responsible to
follow policy

Most are required to
report to the Title IX
Coordinator

You can help provide
guidance and support

WHAT'S COMING UP NEXT MONTH: PREVENTION





ANSWER AND FILL IN THE REST OF THE SENTENCE:

As I leave today, I feel.....

One thing I have learned today is.....

As a member of this community, I will.....

One question I have is.....

What I've appreciated about the group today is.....

THANKS FOR JOINING US!

CONNECT WITH US



info@grandriversolutions.com



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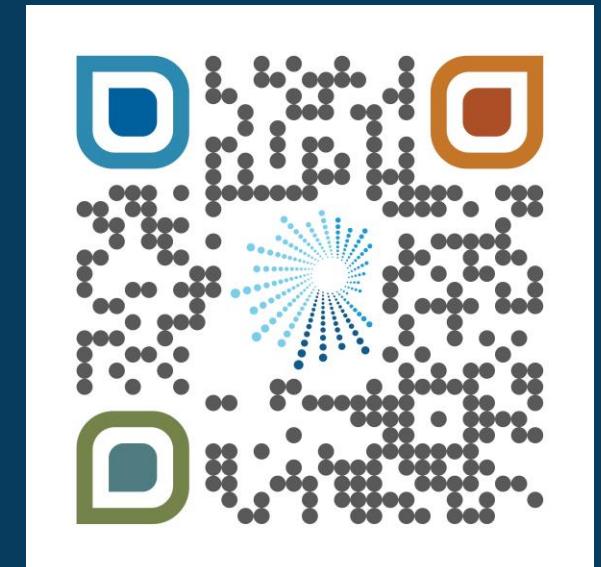
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WE LOVE FEEDBACK

Your Opinion Is Invaluable!



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