

Prevention Series

Barriers to Reporting

Part 1

TITLE IX
UNIVERSITY

PRESENTED BY INSTITUTIONAL COMPLIANCE SOLUTIONS



About Us



OUR MISSION

To provide the best Care and Support for our clients, Community Partners, employees, contractors, collaborators, vendors, and all others who encounter our company.



GOAL

To assist schools and districts in providing a safe and healthy learning and working environment for students, faculty and staff.



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BEFORE WE GET STARTED...

- ✓ Not legal advice
- ✓ Materials
- ✓ Questions

- ✓ Breaks
- ✓ Posting link
- ✓ Recording

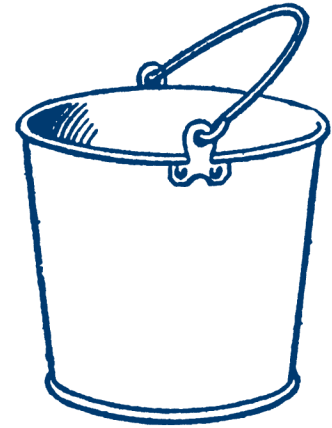
Obligations under 2024

(and why they still matter even if vacated)

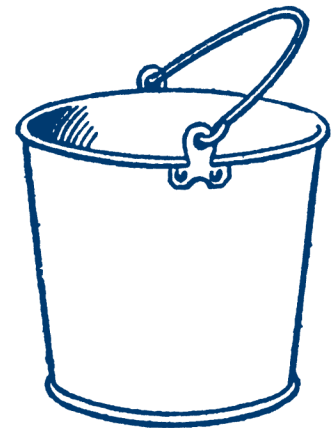
Monitor

Address

Two Buckets



INSTITUTIONAL BARRIERS



PERSONAL BARRIERS



Institutional Barriers

NOTE: THE REGULATIONS THEMSELVES CAN CAUSE INSTITUTIONAL BARRIERS

- Required signed formal complaint
- Informal resolution only if you have formal complaint
- Live hearing requirement (Higher Ed)
- Length of process (two review periods)



Examples of Institutional Barriers

Lack of Training

Inadequate Policies/Process

Issues with Title IX Team

Resolution Concerns

Lack of Support for Participants

- »» Training of Title IX Team
- »» Training of Staff/Responsible Employees
- »» Training of Students
- »» Parents (K12)

Lack of Training

INADEQUATE POLICIES AND PROCESS

- Not compliant with regs
- Lack of definitions (i.e., consent)
- No “Amnesty” language or explanation
- Retaliation concerns not addressed
- Lack of information regarding retaliation
- Unclear process

Issues with Title IX Team

Inaccessibility of Title IX Coordinator

Wrong people in wrong roles

Poor communication

Lack of privacy protections

Resolution Concerns

- Length of time for the process
- Not properly addressing violations of no contact or retaliation
- Perception of inadequate/harsh discipline or outcome
- Having to be in the same room with other party for hearing (Higher Ed)
- Institutional responses to a finding (i.e., record, removal from extracurriculars, etc.)
- Inadequate investigations
- Lack of consistency

Lack of Support for Participants

Lack of on-campus resources

Supportive Measures not implemented or communicated

Overall lack of communication

Reports not taken seriously



HYP01

Jess was at a party in the dorms and dancing with Sam. While dancing, Sam began to grope Jess' chest and buttocks. Jess left the party and started avoiding Sam in the dorms because of this interaction. Jess wasn't sure if what happened was wrong or not because they had consumed alcohol while at the party and were underage. Jess did not know who to talk to about what happened.

NOT FOR PUBLICATION



Personal Barriers



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Examples of Personal Barriers

- Perceived reputational harm
- Anticipated social reactions
- Fear of retaliation (particularly when there is a power imbalance)
- Fear of not being believed
- Membership in marginalized groups
- Past trauma or negative experiences
- Possible relational impacts
- Cultural and societal norms
- Internalized emotions (shame, guilt, anxiety, embarrassment)
- Perceived risk of discipline for other policy violations
- Privacy/confidentiality concerns
- Dissatisfaction with previous Title IX reports

HYP0 2

Terri had been dating Alex for 2 years. Alex is often physically abusive with Terri. Terri has previously received information about the school's Title IX policy, but is worried about Alex getting in trouble. Terri is also worried that there will not be enough evidence to show that Alex has been abusive, because there have never been any witnesses and Terri doesn't have any pictures of bruises. Terri also worries that Alex will become upset if a formal complaint is filed.



How to Evaluate Barriers

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Evaluating Barriers

- ✓ Talk to Complainants who have been involved in the process
- ✓ Surveys/climate surveys
- ✓ Focus groups
- ✓ Assess numbers and patterns in reporting
- ✓ Participate in Public Awareness Events and gather feedback from participants
- ✓ Anonymous email accounts to receive feedback
- ✓ Others?



**Don't let the numbers
fool you**

How to Explain Barriers to School/Campus Leadership

High Numbers: the data is your best friend

Low Numbers: list of barriers at your institution (helping leadership understand that this does not mean it isn't happening)

NOTE: *To address barriers, you may need institutional buy-in*





Strategies for Reducing or Limiting Barriers

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Compliance and Implementation



- Examine your policies and procedures
 - Are they compliant with the regulations?
 - Are they clear?
 - Can your team understand and explain them?
- Training

CARE AND SUPPORT

- Offer a variety of supportive measures
- Compassion and empathy from Title IX Team
- Offering resources in multiple forms (pamphlet, website, etc.)
- Interpretation and translation services; Accessible formats
- Utilize campus advocacy programs to help marginalized groups feel more comfortable to report



Transparency

- Both globally and throughout entire process (start meetings with information about steps of process)
- Clear and transparent policies and procedures posted online in accessible format
- QR Codes/Flyers/FAQs
- Title IX Coordinator on a “Billboard”

Trauma Informed Practices

Understanding trauma

Training entire Title IX Staff

Care and compassion

Clear process

Avoid re-traumatizing

Not adversarial

Equitable



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Preventing Future Barriers

**“Buy-in” from
leadership**

**Ongoing
assessment of
barriers**

**Annual evaluation
of webpage,
materials, policy,
etc.**



**YOU'VE
GOT THIS!**



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