



TITLE IX BEST PRACTICES

These recommendations on Title IX Best Practices are made with the understanding that there should be appropriate training for faculty, staff, and students which acknowledges their different frameworks. Employees must be informed not only about resources but also about policies. Students need outreach from the university as well as access to policies and resources.

Best practices requires that colleges and universities have a “clearing-house” webpage. The Faculty Welfare and Professional Responsibilities Committee strongly recommends using the University of North Carolina’s Title IX/Sexual Assault/Nondiscrimination webpage as a model of inclusiveness: <http://sexualassaultanddiscriminationpolicy.unc.edu/about/>

The Committee further recommends that WKU’s page be easily searchable and provide links to WKU Health Services, Student Government Association, Housing and Residence Life, ILoveWKU app, Hope Harbor, and the WKU Police.

The Committee also found that current Title IX web-based training, while improved, focuses on reporting and avoiding liability. The FWPR committee recommends additional work be done to change culture and conversation on campus to discourage and change aspects of culture that may be conducive to sexual violence, harassment, and coercion. The Committee also observed the need for trigger warnings for the web-based Title IX training: some people doing training report being traumatized since they are survivors. Alternative certification is encouraged.

The Committee recommends that WKU continue good campus awareness/education campaigns such as “Get Consent” posters.

The following represents a summary of findings on Title IX Best Practices:

- Convene a Title IX team representative of all campus constituencies to review and revise policy and protocol, assess campus climate, lead education and prevention efforts, and assist the Title IX Coordinator. At a minimum, policies and protocol should address: definitions; statutory references; prevention and awareness; intervention practices including intake, reporting, investigation, due process hearing, discipline and appeals; training for faculty, staff and students; and external resources.
- Ensure that behavioral standards for the campus community are compliant with state law, Title IX and Violence Against Women Reauthorization Act.

- Ensure that Title IX policies and protocol comply with FERPA, HIPAA and other federal and state privacy laws.
- Develop appropriate technology to provide centralized reporting mechanisms for victims as well as to collect and maintain reporting records.
- Provide excellent, enhanced training that educates and trains to all administrators, faculty and staff on the basics of the campus policy, resolution process, and how to provide information to students about their options for support.
- Provide education and training to all students on assault prevention, the basics of the campus policy, resolution process, and their options for support. All freshmen and transfer students must complete workshops or training – conducted by peer educators – on healthy relationships, the meaning of consent and strategies for bystander intervention.
- Ensure that policies and procedures are clear, readable and accurate – including definitions and penalties. They must be disseminated utilizing a multimedia approach and should be readily accessible to all members of the campus community. Legalistic language (e.g., rape, judicial, justices, prosecutor, defense, guilty) should be removed.
- Ensure that reporting guidelines state when and where to file a complaint and/or pursue criminal charges and what each reporting procedure and ensuing investigation entails. Victims should be encouraged to report and it should be made clear that retaliation is strictly prohibited.
- Reporting should be easy.
- The processes by which reports are received and action taken need to be very clear, so that anyone reporting to a Title IX official understands what will happen during this process and why.
- Approach complainant with appropriate sensitivity to their emotions and needs while ensuring their rights are preserved.
- Use the preponderance of evidence (more likely than not) standard to resolve all allegations of sexual misconduct.
- Devote adequate staff, resources, and funding to manage cases. Investigators must be able to set aside other responsibilities to ensure that investigations are prompt and thorough.
- Follow national best practices for hearing models, being mindful that this aspect is under great scrutiny and best practices are currently in flux
- Sanctions must be intentional and appropriate in each given situation and procedures should be immediately in place to uphold sanctions and monitor future behavior.
- Afford both the victim and alleged perpetrator the opportunity to appeal.

- Outfit the campus physical environment with appropriate security cameras, personnel, and lighting.
- Develop and implement a memorandum of understanding of understanding with local law enforcement and crisis centers that will allow the University to meets its obligations to resolve complaints of sexual violence promptly and equitably.
- Collaborate with K-12 administrators and educators to develop and implement educational programming in anti-bullying and healthy relationships.
- Create a university task force to liaison with state officials to appoint statewide prevention teams and to develop guidelines for prevention.

This list is adapted in part from the Association for Student Conduct Administration; the New England Board of Higher Education; the First Report of the White House Task Force. It also represents input and suggestions from the Faculty Welfare and Professional Responsibilities Committee, as well as incorporating the findings from the faculty and student Title IX focus groups.

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