

Title IX of the Education Amendments of 1972 20 U.S.C. 1681 & 34 CX.F.R. Part 106 (1972)

“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.”

The Title IX amendment has far-reaching implications for students; however, we concentrate on the protections offered to victims of intimate partner violence, sexual violence or stalking. Due to mandatory reporting guidelines, a Title IX report and/or investigation occur over the objection of the victim. Regardless of the victim’s level of participation, all schools have a duty to stop, prevent and remedy the behavior reported in an equitable manner.

Title IX Actions exist separately from any civil or criminal court proceedings; they are actions taken and managed by the school. Law enforcement may investigate an incident independent of any Title IX action or finding and determine if any criminal legal action is appropriate. A civil action may be filed by parties involved as well but that is not related to a Title IX action.

Title IX Implications for Intimate Partner Violence, Sexual Violence or Stalking

Title IX Includes Protections Against:

- All unwelcome sex-based and/or gender-based conduct - All unwelcome conduct of a sexual nature
- Sexual harassment resulting from a hostile environment Quid Pro Quo Sexual Harassment (“This for That”)
- Sexual Violence - Intimate Partner Violence - Stalking
- Harassment through severe, pervasive or persistent behavior

Title IX Applies to All Schools that Receive Federal Funding: K-12, Colleges & Universities

The law requires institutions to respond to intimate partner violence, sexual violence or stalking that:

- Takes place on campus
- Is connected to school programs, or
- Is perpetrated by anyone affiliated with the school

Off-campus misconduct matters as much as misconduct that occurs on campus, whether it takes place down the street, online, or overseas.

Title IX Applies to Nearly Everyone on Campus

- Students
- Faculty
- Staff
- Subcontractors/vendors
- Guests/Visitors

If You Have Been the Victim of Intimate Partner Violence, Sexual Violence or Stalking on Campus...

You have the right to:

- Not participate in the Title IX investigation/proceedings
- Not be discriminated against because of the complaint or level of participation
- Have an attorney or support person present during any interviews or hearings by campus staff
- Resolution of complaint in a timely fashion
- Access to community referrals or campus resources to support you after the incident
- A prompt, thorough and impartial investigation and/or hearing

If you are the victim of intimate partner violence, sexual violence or stalking and would like supportive advocacy services or legal support on a Title IX proceeding, please contact The Julian Center at 317-920-9320 for more information.

If you feel your school has mishandled your Title IX report, investigation, hearing or resolution, you have a right to file a grievance with the Office of Civil Rights (OCR) by emailing ocr@ed.gov or using their online form found at <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>