



Title IX Training

June 2022

DEPARTMENT OF EDUCATION

Spartan College of Aeronautics and Technology is committed to providing a learning, working, and living environment that promotes personal integrity, civility, and mutual respect in an environment free of discrimination based on sex. The college considers sex discrimination in all its forms to be a serious offense. Sex discrimination constitutes a violation of Spartan policy. It is unacceptable and will not be tolerated.



Current Title IX regulations issued by the U.S. Department of Education took effect on August 14, 2020 and created a new specific process by which postsecondary institutions must manage covered sexual harassment complaints on campus.

Spartan College of Aeronautics and Technology uses the training resources of Thompson Coburn LLP to provide foundational training to those individuals who will help administer this required process. This will include Title IX coordinators, Associate Deputy Title IX coordinators, an investigator, a decision maker, and any individuals responsible for managing informal resolutions.

TITLE IX - BACKGROUND

Title IX prohibits **sex discrimination** (it does not specifically mention sexual harassment or sexual assault, but these are addressed in subsequent regulations).

The original Title IX regulations were issued in 1975, before the courts specifically addressed **sexual harassment**.

The original regulations required:

- Designation of at least **one employee to coordinate** efforts to comply with and carry out its responsibilities under Title IX, including investigation of any complaint.
- Dissemination of **a Title IX policy**.
- **Grievance procedures** providing for **prompt and equitable resolution** of student and employee complaints alleging any action which would be prohibited by the law.

AUGUST 2020 AMENDMENTS TO REGULATIONS

In August of 2020, new regulations went into effect and include:

- An updated definition of Sexual Harassment
- New mandatory procedures related to live hearings
- Provisions for cross-examination by an advisor
- Allowing for advisors of choice or else provided by the College
- Dismissal of cases under Title IX in certain circumstances
- New requirements related to supportive measures
- Informal resolution options
- Training requirements for Title IX administrators
- Allowing certain standards of evidence (Spartan uses the “preponderance of the evidence” standard)
- Specifying institutional accountability for deliberate indifference
- Preemption of conflicting state law, which means if there is any conflict between federal Title IX regulations and state law, the requirements of Title IX control.

SPARTAN TITLE IX POLICY OVERVIEW

Spartan is committed to creating and maintaining a safe and non-discriminatory learning, living, and working environment free from **Sexual Harassment, Dating Violence, Domestic Violence, Stalking, and Retaliation** (collectively “**Prohibited Conduct**”).

Spartan complies with Title IX of the Education Amendments of 1972 and its implementing regulations (34 C.F.R. Part 106), which prohibit discrimination based on sex in College educational programs and activities. Title IX and its implementing regulations also prohibit retaliation for asserting claims of sex discrimination.

Prohibited Conduct that occurs in the context of the College’s education programs and activities is a violation of this Policy and will be grounds for disciplinary action up to and including expulsion from the College and termination of employment.

Additional information about the Title IX Policy, definitions of Prohibited Conduct, grievance procedures, training and prevention programs can be found online at:

Tulsa Campus	https://www.spartan.edu/tulsa/consumer-information/
Inglewood Campus	https://www.spartan.edu/los-angeles/consumer-information/
Riverside Campus	https://www.spartan.edu/inland-empire/consumer-information/
Broomfield Campus	https://www.spartan.edu/denver/consumer-information/

SCOPE OF POLICY

The Title IX Policy:

- Applies to all faculty, staff, and students — as well as to third parties including vendors, visitors or volunteers
- A third party may report a violation of the Policy committed by a member of Spartan
- A third party may also be barred from a Spartan campus or events for failing to comply with the Policy
- Title IX violations can only occur in the United States and in an Education Program or Activity.

DEFINITIONS

Title IX prohibits conduct on the basis of sex that satisfies one or more of the following:

- “Sexual Harassment” includes employee of Spartan conditioning the provision of any aid, benefit, or service on an individual’s participation in unwelcome sexual conduct;
- Also includes unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Spartan’s education programs or activities;
- “Sexual assault”- an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the FBI
- Dating Violence;
- Domestic Violence;
- Stalking.

Spartan’s Title IX Policy refers to all of the foregoing as “Prohibited Conduct.”

DEFINITIONS

“Sexual Assault” includes:

- Rape – penetration without consent
- Attempted Rape
- Fondling – touching private body parts without consent
- Incest
- Statutory Rape

Effective consent consists of an affirmative, voluntary, conscious decision by each participant to engage in mutually agreed upon (and the conditions of) sexual activity. In order to give effective consent, one must not be incapacitated and must be of legal age and have the capacity to give consent. Consent is:

- Informed and reciprocal
- Freely and actively given
- Mutually understandable
- Revocable
- Specific
- Not valid if obtained through force or coercion

DEFINITIONS

Prohibited Conduct under Title IX:

- Must occur in the United States and as part of a Spartan education program or activity.
- At the time of filing a Complaint alleging a Title IX violation, a Complainant must be participating in or attempting to participate in Spartan's education program or activity.
- An education program or activity means the locations, events, or circumstances where Spartan exercises substantial control over both the Respondent and the context in which alleged harassment occurs. This generally includes all property owned or operated by Spartan and official events hosted by Spartan at off-campus properties.

RETALIATION PROHIBITED

Retaliation: No individual may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX or Spartan's Title IX Policy, including making a report or complaint, testifying, assisting, participating or refusing to participate in any manner in an investigation or proceeding under Spartan's Title IX policy.

Note, Spartan protects the privacy of all individuals involved in Title IX proceedings.

REPORTING TITLE IX VIOLATIONS

Prohibited Conduct and location under Title IX:

- Conduct must occur in the United States and as part of a Spartan education program or activity.
- At the time of filing a Complaint alleging a Title IX violation, a Complainant must be participating in or attempting to participate in Spartan's education program or activity.
- An education program or activity means the locations, events, or circumstances where Spartan exercises substantial control over both the Respondent and the context in which alleged harassment occurs. This generally includes all property owned or operated by Spartan and official events hosted by Spartan at off-campus properties.

REPORTING TITLE IX POLICY VIOLATIONS

Spartan strongly encourages all individuals who are the subject of potential Prohibited Conduct to seek supportive measures and consider filing a formal complaint.

Supportive Measures may be provided whether or not a formal complaint is filed.

All members of the Spartan community are strongly encouraged to report information regarding any potential incident of Prohibited Conduct to the TIX Coordinator.

Reports may be made to the Title IX Coordinator in person, by phone, by mail, or by email.

Anonymous reports are permitted, but Spartan's ability to respond to an anonymous report may be limited.

SUPPORTIVE MEASURES

Supportive Measures:

- Non-disciplinary, non-punitive individualized services offered to parties involved in a Title IX related matter, before or after the filing of a Complaint or even where no Complaint has been filed.
- Designed to restore or preserve equal access to Spartan's education program or activity without unreasonably burdening the other party.
- May include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence and other similar measures.
- Spartan will maintain as confidential any Supportive Measures provided to individuals to the extent that maintaining such confidentiality would not impair the ability to provide the Supportive Measures.
- The Title IX Coordinator is responsible for coordinating the effective implementation of Supportive Measures.

CONFIDENTIALITY

Complaints and investigations under the Title IX Policy are treated as confidential.

Spartan complies with the Family Educational Rights & Privacy Act (FERPA) and other applicable privacy laws at all times in the course of investigations.

Spartan will keep confidential the identity of any individual who has made a report or complaint of Prohibited Conduct, any individual who has been reported to be the perpetrator of Prohibited Conduct, and any witness, except as may be permitted by FERPA, or as required by law, or in order to conduct any investigation, hearing, or judicial Proceeding arising from the Policy.

Spartan complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and the Violence Against Women Act with respect to reporting and disclosure of campus security information.

Spartan will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence, as long as such conduct is not harassing or retaliatory.

The investigation, investigation report, and records of proceedings are considered confidential.

TITLE IX ADMINISTRATION TEAM

The college has designated the following individuals as Title IX Coordinator and Title IX Decision Maker for the entire college system to coordinate its compliance with Title IX, including complaints of sex discrimination, harassment, and hearing process:

- **Shonna Dent | Director, Internal Compliance**
Title IX Coordinator
Spartan Education Group, LLC.
Spartan College of Aeronautics and Technology
Office: (312)766-9156 | Cell: (719)671-0829

- **Keisha Sosias | Sr. Vice President of Human Resources**
Title IX Decision Maker
Spartan Education Group, LLC.
Spartan College of Aeronautics and Technology
Phone: +1 (303) 410-2428



TITLE IX ADMINISTRATION TEAM

The college has the following designated positions to assist with in coordinating Title IX compliance at each specific campus location and receive inquiries regarding Title IX, including complaints of sex discrimination and harassment:

- **Dean of Student Affairs / Associate Deputy Title IX Coordinator**
- **Associate Dean of Students / Associate Deputy Title IX Coordinator**

All inquiries or complaints that involve sexual harassment, discrimination, assault or violence will automatically be directed to Shonna Dent, Director of Internal Compliance.

In the absence of the above identified Associate Deputy Title IX Coordinators, the Campus President/Campus Director will become the interim Title IX Coordinator for that specific campus. This responsibility will remain in place until such position is available.



Continue

TITLE IX ADMINISTRATION TEAM

The college will recruit the assistance from Human Resources for the position of Investigator. The Investigator will assist and work with the Title IX Coordinator in conducting a fair, objective, and impartial investigation. They will differentiate related evidence, relevant evidence, and privileged evidence.

- **Jodi Elston | Sr. Human Resources Business Partner**
Title IX Investigator
Spartan Education Group, LLC.
Spartan College of Aeronautics and Technology
8820 E. Pine Street, Tulsa, OK 74115
Phone: +1 (918) 831-5233

EDUCATION AND TRAINING

The Title IX Coordinator disseminates information, education and training programs regarding this Policy, directly or with assistance of Deputy Title IX Coordinators or other designees, to:

- Ensure employees responsible for implementation of this policy are trained to respond to and investigate complaints;
- Educate the College community in understanding this Policy and Prohibited Conduct;
- Ensure that faculty, staff, and students are aware of the procedures for reporting and addressing complaints under this Policy; and
- Ensure that investigators, decision-makers, and any person who facilitates resolution to a formal or informal complaint are trained on the definitions and conduct prohibited by this Policy.

When the College receives a complaint of Prohibited Conduct, the College will take prompt action, including a review of the matter and, if necessary, investigate and take appropriate steps to stop and remedy any Policy violation.

TRAINING REQUIREMENTS

TIX Coordinator(s), Investigator(s), Decision Maker(s), and any person who facilitates an Informal Resolution process **will receive training on:**

- The definition of Sexual Misconduct, Title IX Sexual Harassment, and other terms;
- The scope of the University's Education Program or Activity;
- How to conduct an investigation and grievance process; and
- How to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Spartan also will ensure that Investigators receive training on issues of **relevance** to create an investigative report that **fairly summarizes** relevant evidence.

Decision Maker(s) will receive training on any **technology** to be used at a hearing, and on issues of **relevance of questions and evidence**, including when questions and evidence about the Complainant's **sexual predisposition or prior sexual behavior** are not relevant.

Any materials used to train TIX Coordinator(s), Investigator(s), Decision Maker(s), and any person who facilitates an Informal Resolution process, **will not rely on sex or gender stereotypes and will promote impartial investigations and adjudications** of Complaints of Sexual Misconduct.

Training materials are published on Spartan's website.

TRAINING OUTLINE

Training series includes the following six (6) sessions:



Training Provided by Thompson Coburn LLP

TITLE IX TRAINING – THOMPSON COBURN LLP

All Title IX Administrators are required to complete each of the training modules listed below. **Employees who are not involved in Title IX proceedings are not required to complete the training modules below, but any student or employee may complete the modules if desired.**

Module 1 – Fundamentals of the Law:

<http://content.thompsoncoburn.com/video/Module-1-Fundamentals-of-the-Law.mp4>

Module 2 – Formal Complaints: <http://content.thompsoncoburn.com/video/Module-2-Formal-Complaints.mp4>

Module 3 – Investigations & Informal Resolutions:

<http://content.thompsoncoburn.com/video/Module-3-Investigations-and-Informal-Resolutions.mp4>

Module 4 – Hearings: <http://content.thompsoncoburn.com/video/Module-4-Hearings.mp4>

Module 5 – Determinations: <http://content.thompsoncoburn.com/video/Module-5-Determinations.mp4>

Module 6 – Appeals: <http://content.thompsoncoburn.com/video/Module-6-Appeals.mp4>

KEY TAKEAWAYS

Spartan's Title IX policy prohibits Sexual Harassment, Dating Violence, Domestic Violence, Stalking, and Retaliation (collectively "Prohibited Conduct").

All members of the Spartan community are strongly encouraged to report information regarding any potential incident of Prohibited Conduct to the TIX Coordinator or Deputy Title IX Coordinator assigned to their campus.

Reports may be made to the Title IX Coordinator in person, by phone, by mail, or by email. A person impacted by Prohibited Conduct may choose whether or not to file a formal complaint, and the options and resources will be discussed and shared to help them make an informed decision.

If a formal complaint is filed, Spartan will conduct a prompt, thorough and impartial investigation. Spartan administrators involved in the investigation and hearing process are trained on all relevant steps in the process and legal requirements.

Supportive measure may be available regardless of whether a formal complaint is filed.

Spartan's Title IX Coordinator may be contacted as follows:

**Shonna Dent | Director, Internal Compliance
Title IX Coordinator
Spartan Education Group, LLC.
Spartan College of Aeronautics and Technology
Office: (312)766-9156 | Cell: (719)671-0829**

QUESTIONS

