

**OFFICE FOR INSTITUTIONAL EQUITY**

**RESOLUTION AGREEMENT**

August 13, 2020

**The Impact of the Title IX Final Rule on University Community Standards**

*Title IX of the Civil Rights Act of 1972* is a federal civil rights law that prohibits discrimination on the basis of sex in any educational program or activity. Under *Title IX*, schools must ensure that all students have equal access to education, regardless of gender, sexual orientation or gender identity. *Title IX* requires that schools prevent and respond to reported gender discrimination, sexual harassment or sexual misconduct whether it occurs on or off campus, when it affects a student. *Title IX* prohibits sexual harassment of students, which *Title IX* defines as including sexual assault, sexual exploitation, dating and domestic violence and stalking.

In May 2020, the United States Department of Education issued new regulations which define how schools implement *Title IX*. The new regulations require that all parties are treated fairly by schools, decisions that impact students are made without bias or conflict of interest, and that schools implement new processes for adjudicating allegations of sexual harassment or sexual misconduct, including cross examination, in some cases. The new regulations also require that all University officials who play any role in the adjudication of an incident of sexual harassment or sexual misconduct under Title IX receive training about the applicable definitions, avoiding bias and conflict of interest, standards of evidence, and other matters. Training programs are listed [here](https://system.suny.edu/sci/postedtraining).

To implement the new regulations, the University has created an [*Interim Title IX Policy*](https://www.csuohio.edu/sites/default/files/Interim%20Title%20IX%20Policy_1.pdf) and [*Grievance Procedures for Addressing Formal Complaints of Sexual Harassment Under the May 19, 2020 Title IX Regulations*](https://www.csuohio.edu/sites/default/files/Title%20IX%20Grievance%20Procedures_0.pdf). University officials involved in Title IX matters are obtaining the required training.

Under the new regulations, some conduct which constitutes sexual harassment or sexual violence under the University's [*Policy Against Discrimination, Harassment, Sexual Harassment or Retaliation*](https://www.csuohio.edu/sites/default/files/PADHSVR102019final.pdf) no longer falls within the definition of "sexual harassment" under *Title IX*.

The University is not changing its community standards of conduct. The University continues to prohibit discrimination and harassment on all legally protected basis, including race, sex, pregnancy, religion, color, age, national origin, veteran and/or military status, genetic information, disability, sexual orientation, gender identity and/or expression, marital status or parental status, and participation in protected activity. As of August 14, 2020, when the new Title IX regulations become effective, the University will have two processes for adjudicating sexual harassment and sexual violence, one under the *Interim Title IX Policy* and other under the *Policy Against Discrimination, Harassment, Sexual Violence and Retaliation*.

Which process applies to a specific situation will depend on what happened, where it happened, that status of the parties (*e.g*. current or former student or employee) and other factors. Both processes treat students fairly, offer increased opportunities for informal resolution and provide that students always have a right to an Advisor or support person in any proceeding. The Office for Institutional Equity and the Title IX Coordinators will help students understand the process, their rights and their options.

If you have questions, or to obtain more information, contact the CSU Office for Institutional Equity (OIE), which is the office of the Title IX Coordinators. OIE can

be reached at OIE@csuohio.edu or 216-687-2223.

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[Title IX Training](https://system.suny.edu/sci/postedtraining/) provided by:

[](https://system.suny.edu/sci/postedtraining/)