



Association of
Title IX Administrators

Responding to Stalking and Intimate Partner Violence in Education

An ATIXA Best Practices Workshop

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Strategic Risk
Management Solutions



Any advice or opinion provided during this training, either privately or to the entire group, is **never** to be construed as legal advice or an assurance of compliance. Always consult with your legal counsel to ensure you are receiving advice that considers existing case law in your jurisdiction, any applicable state or local laws, and evolving federal guidance.

Introduction



The primary focus of this training is to explore the complex issues related to allegations of sex-based stalking and intimate partner violence.



Resolving stalking allegations requires analysis of a continuum of behaviors and ongoing safety concerns to fulfill Title IX's mandate to stop, prevent, and remedy.



Our goal is to equip practitioners with a thorough understanding of stalking and IPV behaviors and considerations for responding to such allegations.

Content Advisory

The content and discussion in this course will necessarily engage with sex- and gender-based harassment, discrimination, violence, and associated sensitive topics that can evoke strong emotional responses.

ATIXA faculty members may offer examples that emulate the language and vocabulary that Title IX practitioners may encounter in their roles including slang, profanity, and other graphic or offensive language. It is not used gratuitously, and no offense is intended.

Regulatory Context and Definitions

A Note on Intimate Partner Violence

- The training uses the term Intimate Partner Violence (IPV)
- IPV is broader than the Title IX and Clery Act/VAWA definitions of Dating Violence and Domestic Violence
- As used in this training, IPV can include the full range of Title IX and VAWA-based offenses, though most will fall under the Dating or Domestic Violence definitions

Title IX Regulatory Requirements



- Applicable to both K-12 and higher education
- Obligations for responding to incidents involving students and employees
- Although the **Title IX regulations do not define IPV, itself, as a term**, many of the behaviors associated with IPV would be violations of Title IX policies

Violence Against Women Act, Section 304

- Applies to **higher education**; includes obligations for students and employees
- Requires educational programming, training, and response for the “Big 4”
 - Sexual Assault
 - Dating Violence
 - Domestic Violence
 - Stalking
- Procedures to address both sex-based and non-sex-based stalking and DV allegations
- VAWA rights are not limited to student or employee Complainants

Stalking

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

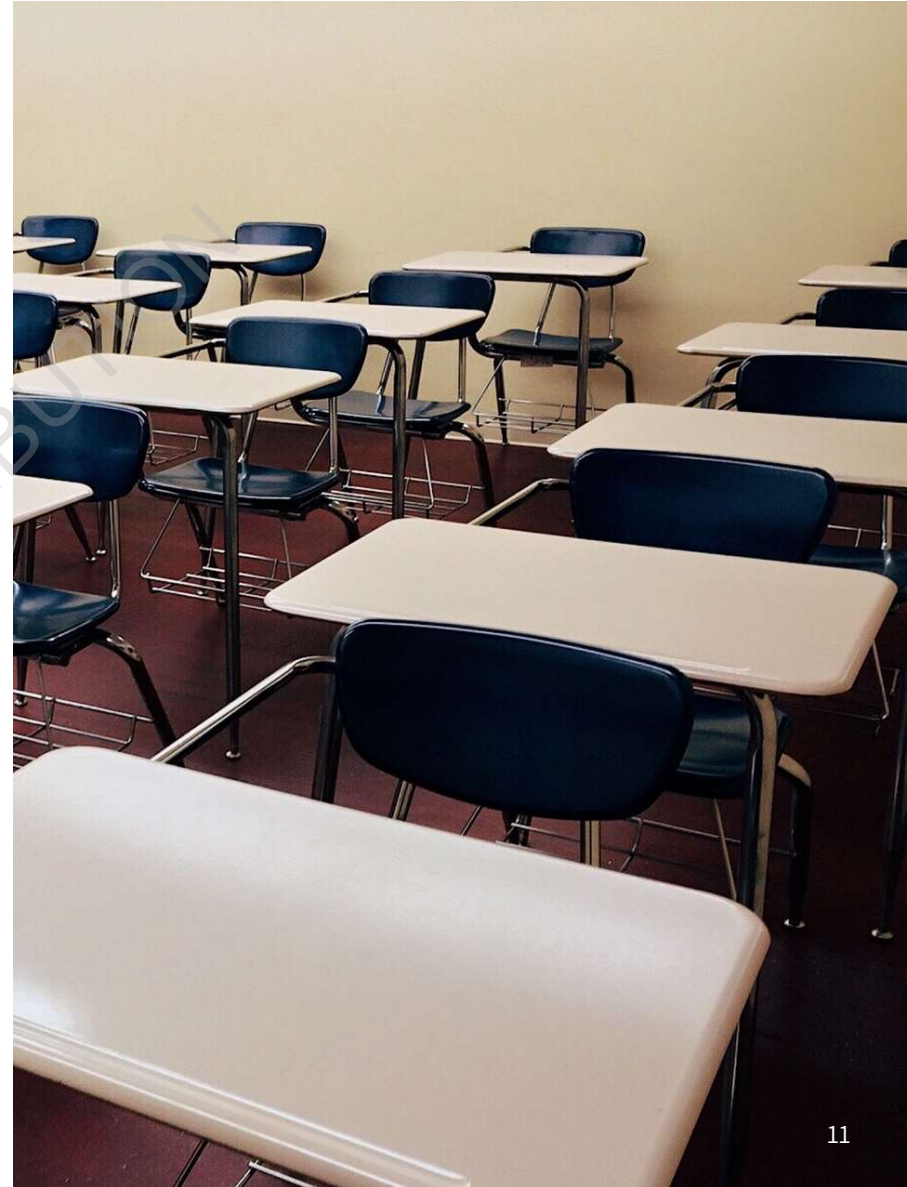
- Fear for the person’s safety or the safety of others; **or**
- Suffer substantial emotional distress
- **“Reasonable person”** and **“Substantial Emotional Distress”** are not defined in the Title IX regulations
- **Course of conduct** requires that there be more than one incident, and the conduct must be directed at a specific person
 - Can occur in person or using technology
- Should consider the duration, frequency, and intensity of the conduct

VAWA Definition

Course of Conduct*

- Two or more acts, including, but not limited to, acts in which the Respondent:
 - Directly, indirectly, or through third parties
 - By any action, method, device, or means
 - Follows, monitors, observes, surveils, threatens, or communicates to or about a person
 - Or interferes with a person's property

* 2024 Regs do not provide a definition



VAWA Definitions

- **Reasonable Person***

- A reasonable person under **similar circumstances** and with **similar identities** to the Complainant

- **Substantial Emotional Distress***

- Significant mental suffering or anguish
 - Subjective
 - Complainant does not need to seek medical or other professional treatment or counseling
 - Must only have experienced the suffering or anguish

* 2024 Regs do not provide a definition

Stalking Definition Considerations

- Stalking definition is broad and vague
 - Speech must be analyzed by policy definition
 - Title IX regulations caution to interpret consistent with the First Amendment
 - One person's protected free speech could cause anguish/suffering for another
 - Remember true threats are not protected under First Amendment
- Does not require a menacing or harmful intent
- Does not include reference to escalating course of conduct

Non-Sex-Based Stalking

- May still violate another school/institutional policy
 - Driven by fixation
 - Motives for stalking may vary significantly; may be numerous or mixed
- 2013 VAWA Reauthorization Act requires higher education institutions to **prohibit all stalking**
 - Non-sex-based stalking is not subject to Title IX procedural requirements, but must be addressed by institutional policy
- VAWA outlines procedures to address both sex-based and non-sex-based stalking allegations
 - Ensure all policies addressing stalking allegations are compliant

Intimate Partner Violence

- Intimate partner violence (IPV) is defined as:
 - Abuse or aggression
 - Occurring in a relationship
- Often encompasses:
 - Controlling behavior
 - Physical violence
 - Psychological violence
 - Sexual violence
 - Stalking
- Irrespective of sex/gender

Source: Centers for Disease Control and Prevention



Intimate Partner

- A person with whom one has a close personal relationship that may be characterized by the partners' emotional connectedness, regular contact, ongoing physical contact, sexual behavior, and/or identity as partners
- Includes current or former:
 - Spouses; married, common-law, civil union, domestic partner
 - Boyfriends/Girlfriends/Significant others
 - Dating partners
 - Sexual partners

Source: Centers for Disease Control and Prevention

Dating Violence

Dating Violence: violence, on the basis of sex, committed by a person who is in or has been in a social relationship of a romantic or intimate nature with the Complainant

- The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
 - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse
 - Dating violence does not include acts covered under the definition of domestic violence

Domestic Violence

Domestic Violence: violence, on the basis of sex, committed by:

- a current or former spouse or intimate partner of the Complainant,
- a person with whom the Complainant shares a child in common, or
- a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of <<state>>, or
- by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of <<state>>

Violence Defined

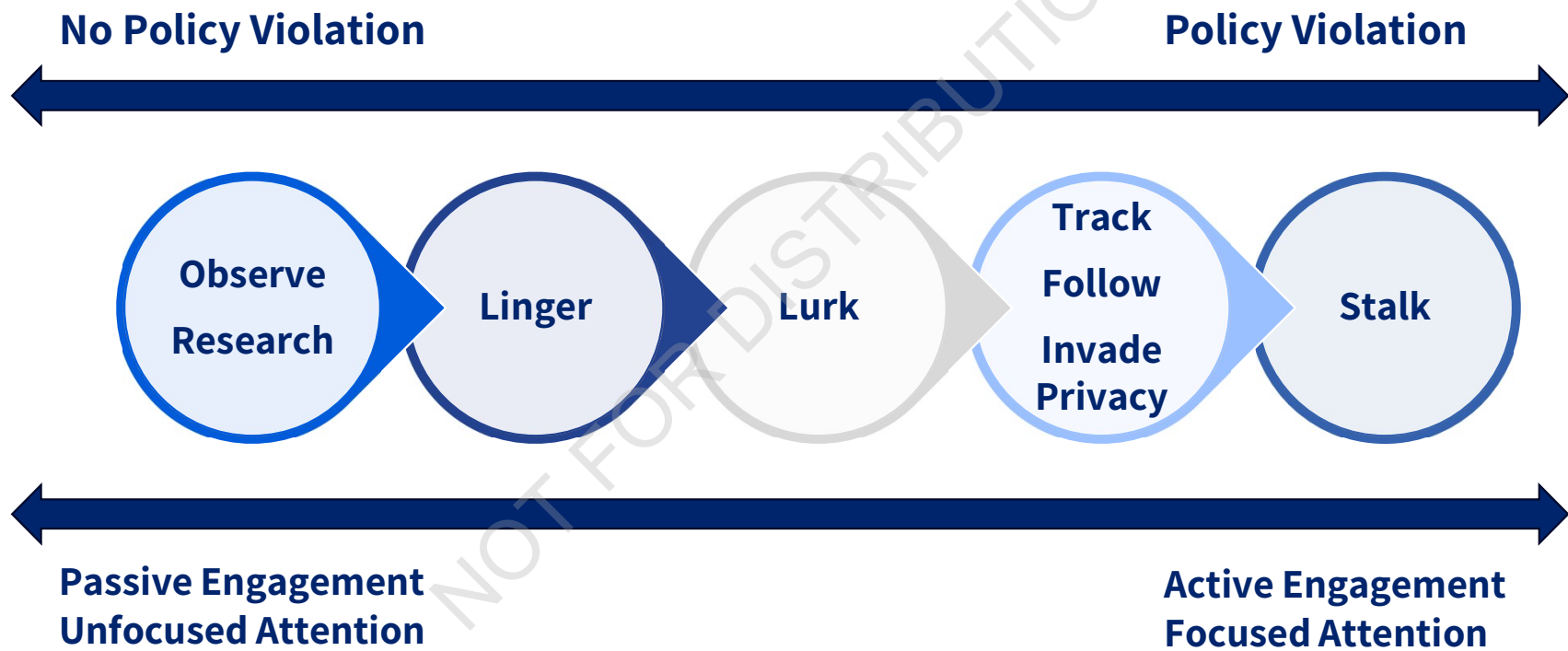
- For purposes of determining whether dating or domestic violence occurred, Recipients should define violence in their policies
 - ATIXA recommends the following definition:
 - **Violence:** intentionally or recklessly causing the Complainant physical, emotional, or psychological harm
 - Reasonable use of violence for self-defense is not a policy violation because the purpose is safety, not harm
 - Consensual use of violence, such as in kink relationships, would also not meet this definition, in most circumstances

Stalking as a Continuum of Conduct

Continuum of Conduct

- Broad and vague definition “catches” a range of behaviors
- Some individuals lack social skills to navigate interactions:
 - Unrequited romantic overtures
 - Boundary setting
 - Developmental issues affecting interpersonal relations
- Anything seemingly sex- or gender-based should be referred to the Title IX Coordinator (TIXC)
- Differentiate stalking vs. concerning behaviors

The Continuum



Behaviors on the Continuum

OBSERVATION

Action or process of watching something or someone carefully

LINGERING

Remaining present for a long time or slow to end an encounter

LURKING

Intentional encroaching, following, or bothering behavior

TRACKING

Research residence, vehicle, travel, patterns, associates, activities

STALKING

Engaging in a course of conduct that causes fear for safety or substantial emotional distress

Neurodivergence

- Common behaviors for neurodivergent individuals are often mislabeled as “stalking”
 - Other descriptors along the continuum may be more appropriate
 - Impacts response to behaviors
- Collaborate with specialists as needed
 - Disability services professionals
 - Special education professionals
 - Counseling and/or school counseling
- For K-12, manifestation determinations impact sanctions/remedies, not whether a policy violation occurred

Identification Exercise

Classify the following behavior:

Two students met at new student orientation. After hanging out for a few months, the Respondent tried to kiss the Complainant and told the Complainant they had developed romantic feelings. However, the Complainant does not have similar feelings for the Respondent. The Respondent continues texting the Complainant and visiting the Complainant's room. The Complainant does not respond or engage.

Unique Challenges of Cyberstalking

Cyberstalking

- Use of communication **technology**, or any other emerging technologies, to engage in a **course of conduct** directed at a specific person that would cause a reasonable person to –
 - Fear for that person’s safety or the safety of others, or
 - Suffer substantial emotional distress
- Most cyberstalking behaviors are **not** protected by the First Amendment
- If cyberstalking is sex- or gender-based, it may implicate **Title IX**



Forms of Cyberstalking

Passive

- Obtaining publicly available information without detection

Invasive

- Deliberate acts intended to infringe upon or violate privacy

Duplicitious

- Deceptive acts used to gain access to information without detection

Common Cyberstalking Tools and Tactics

- Artificial Intelligence (AI)-generated images and messaging
- Email
- Geo-positioning data or GPS via phones or cars
- Messaging apps
- Ransomware, viruses, spyware, and keystroke loggers
- Releasing personal data
- Sextortion
- Smart Home devices
- Surveillance via mobile devices
- Social media sites
- Social networking platforms
- Text messages

Unique Challenges

- Perpetrator anonymity
- Conduct outside of school/institutional control or jurisdiction, including mixed jurisdictional situations
- Long-term nature of stalking and ability of Complainant to access support services throughout
- Complainant retention
- Safety in online environments

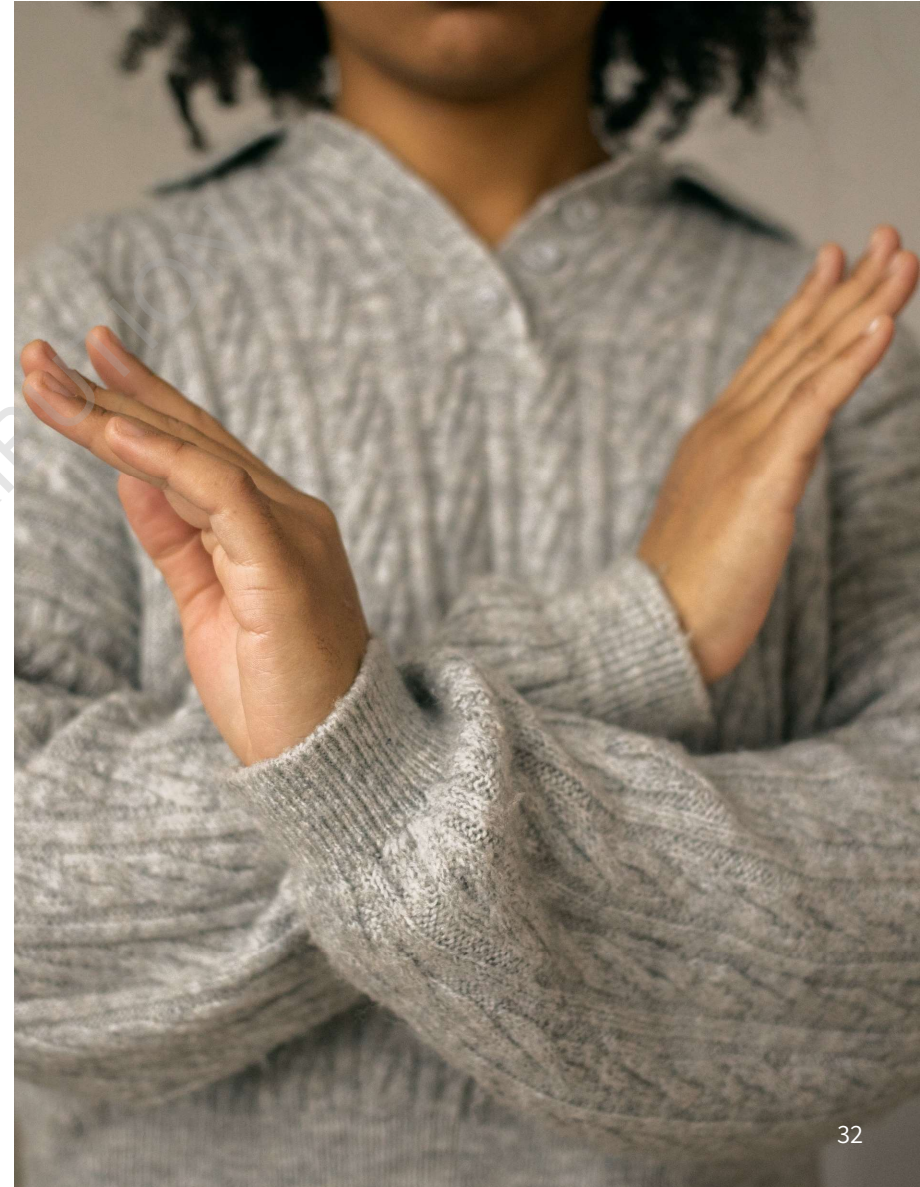


Understanding IPV

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IPV Characteristics

- IPV can range from one episode of violence to chronic or ongoing violence lasting over multiple months or years
 - Often cyclical
- Episodes of violence can vary in severity
- IPV is often connected to other forms of violence or serious health issues
 - Power and Control Wheel
- States may have different criminal definitions for forms of IPV (sexual assault, dating violence, domestic violence, stalking)



Suicidal Behavior and Self-Harm Threats in IPV Situations

- Suicidal behavior is often a deliberate and calculated action used by some individuals seek or maintain influence or control over their partners
 - Puts the Complainant in an unwinnable situation in which they feel responsible for the Respondent's behavior
 - Suicidality increases the risk for violence in nearly all cases of IPV
- Impact is often multi-layered depending upon the dynamics of the relationship
 - Financial means
 - Law enforcement and social service involvement
 - Removal of children from the home
 - Immigration status

Considerations for Specific Identity Groups

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Understanding Cultural Context

- Cultural context often shapes relationship norms, including:
 - Religious traditions
 - Socio-political climate
 - Family structures
 - Customs, attitudes, and beliefs
 - Regional ideologies
- Risk markers for IPV vary both across and within cultural groups
- Social and cultural norms may influence an individual's decision to report and seek help for IPV

Source: Satyen, L., Rogic, A., Supol, M. (2018).

Barriers to Reporting

- Genuine care for the Respondent
- Cultural traditions and family dynamics
- Gender stereotypes and misinformation related to IPV
- Strong ties and loyalty to cultural traditions and family
- Fear of what will happen if they report outweighs fear of the violence
- Distrust in law enforcement, the justice system, and social services
 - Fear of losing children
- Dependence upon Respondent
- Lack of service providers with similar identities or cultural background
 - Often true for male Complainants

Source: Community Overcoming Relationship Abuse (CORA)

Individuals with Increased Risk for IPV

Individuals with Disabilities

- Limited capacity to consent
- Possible physical and social isolation
- Inaccessible support services

Individuals Without U.S. Citizenship

- Undocumented or on a spousal visa
- Limited financial resource access
- Lack familiarity with available support resources

Underserved Racial and Ethnic Groups

- Mistrust of law enforcement and social services
- Historic roots of racism and sexism permissive toward IPV behavior

LGBTQIA+ Community

- Twenty-five to thirty percent of LGBTQIA+ individuals experience IPV in their lifetime
- Historical racism, sexism, homophobia, and transphobia make individuals particularly vulnerable to IPV
- Obstacles to reporting include:
 - Fear of not being taken seriously because of heteronormative culture
 - Fear of revictimization by law enforcement or those with a position of authority
 - Presence of ongoing structural discrimination
 - Threat of being “outed”
 - Threat of children being taken away in states without legal protection for same-sex partners

Source: Community Overcoming Relationship Abuse (CORA)

Male-Identifying Complainants

- IPV occurs in all types of relationships
- Limited research on male experiences with IPV
- Experience a variety of abuse types and tactics
- Minimize or trivialize their experiences
- May under report or not report at all based on concerns about societal expectations and gender norms
- Experience more barriers to reporting and accessing sufficient support

Source: Scott-Storey, K., O'Donnell, S., & Vincent, C. (2022).

Stalking and IPV Intersections and Impacts

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Stalking and Intimate Partner Violence

- Stalking can occur with IPV
 - Before, during, or after a relationship
 - Parties may have no pre-existing relationship
- Stalking is often accompanied by other forms of violence
 - Coercive control
 - Verbal degradation
 - Physical or sexual assault
 - Threats of harm
- Risk of physical violence is heightened when the stalker:
 - Issues direct threats of violence
 - Expresses jealousy about the Complainant's relationships with others
 - Uses illegal drugs

Impacts of Stalking and IPV

- Significant, ongoing anxiety
- Chronic physical health concerns
- Lost time for academic and co-curricular engagement or at work
- Decreased job or academic performance
- Relocation and/or disruption of normal day-to-day routines
- Increased risk of depression, anxiety, insomnia, social isolation, post traumatic stress disorder, and risk-taking behaviors
- Physical injury or death



Responding to Stalking and IPV

Complaint Intake

- Gather information from Complainant
 - IPV often reported by a third party
 - Complainants may minimize/excuse incidents and their impact
- Offer available supportive measures, including community-based options
- Ascertain safe communication methods that an abuser or stalker will not be able to access
- Assist the Complainant in reporting the conduct to law enforcement (if desired, for higher education)
 - K-12 may have mandated reporting responsibilities to law enforcement or protective services
 - Higher education employees may have additional reporting responsibilities for minors
- Provide opportunity to make a complaint
- Consider BIT/BTAM referral

Examples of Supportive Measures

- Classroom, housing, or work arrangement adjustments
- Emergency notification
- Housing relocation or on-campus housing option for an off-campus student
- Safety escorts
- Safety planning
- No Contact Orders
- Increased security and monitoring
- Referral to counseling or Employee Assistance Program
- Trespass or “be on the lookout” (BOLO) orders
- Emergency funding

Safety Plans

- **Safety Plan:** a personalized, practical set of actions that can help lower risk for harm while experiencing abuse, preparing to leave an abusive situation, or after you leave
 - Includes information specific to the Complainant and their life that will increase their safety at school, home, and other places they visit routinely
 - Outlines necessary actions and available resources
 - Accounts for children and pets as applicable
- Complainant should keep a printed copy in a safe place, if possible, and provide a copy to a trusted friend or family member
- May require revision as circumstances change

Safety Planning Considerations

TIXC should engage in safety planning that considers:

- Level of access to the Complainant
- Full history of the alleged behaviors and context of the relationship
- Available support person(s) and immediate school/institutional resources
- Community-based resources
- Law enforcement or civil support options
- Readiness to leave and not return to the relationship



Safety Planning Action Examples

General

- Consider physical exit/escape options (e.g., vehicle, classroom, home)
- Alter schedules and routes
- Cease communication with Respondent
- Inform support system
- Notify school resource officer (SRO), campus security, and/or police
- Secure an emergency protective order
- Seek victim services assistance

Workplace/School Specific

- Inform residence life, coaches, teachers, supervisor, or other key administrators
- Provide photo to campus security/police or school resource officer (SRO)
- Remove FERPA directory information
- Request supportive measures
- Use safety escorts while on school property
- Change workflow protocols

Behavioral Intervention/Behavior and Threat Management Team Collaboration

Behavioral Intervention Referral

- Stalking and IPV will likely result in a TIXC referral to the district/institutional behavioral threat assessment and management team (BATM)/behavioral intervention team (BIT)

Common Respondent Referral Concerns

- Mental health
- Substance use or abuse
- Threats of violence to self or others
- Weapons concerns

Common Complainant Referral Concerns

- Physical safety and well-being
- Mental health
- Self-harm or suicidal behavior
- Response behaviors associated with IPV allegations
- Basic needs support

Violence Risk Assessment

- TIXCs should consult with their BIT/BTAM for any violence risk assessment needs

Complaints with one or more of the following risk factors should be referred for a violence risk assessment (VRA):

- Incident(s) included violence resulting in injuries or significant safety risks
- Respondent has made threats of harm or to kill the Complainant
- Respondent has made threats of future violence that could result in harm to the Complainant or to those close to the Complainant, including animals
- Incident(s) involves the use of a lethal weapon

ATIXA Title IX VRA Referral Protocol

Stalking (excerpt):

	Points	Description
<input type="checkbox"/>	1 Point	The reported incident(s) is recent
<input type="checkbox"/>	1 Point	The Respondent has access to weapons
<input type="checkbox"/>	2 Points	The Respondent has engaged in spoofing, doxing, or other incursion to harm the Complainant
<input type="checkbox"/>	3 Points	The Respondent has violated a no contact order, restraining order, or order of protection related to this allegation

- **0-3 total points** = Potential non-imminent threat; refer to BIT/BTAM
- **4+ total points** = Potential imminent threat; initiate VRA as part of emergency removal process

ATIXA Title IX VRA Referral Protocol

Dating Violence (excerpt):

	Points	Description
<input type="checkbox"/>	1 Point	The reported incident(s) is recent
<input type="checkbox"/>	1 Point	The Respondent has access to weapons
<input type="checkbox"/>	2 Points	The reported violence has escalated and/or increased in severity and/or frequency
<input type="checkbox"/>	3 Points	The Respondent has violated a no contact order, restraining order, or order of protection related to this allegation

- **0-3 total points** = Potential non-imminent threat; refer to BIT/BTAM
- **4+ total points** = Potential imminent threat; initiate VRA as part of emergency removal process

Managing Responses

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K-12 Parent/Guardian Involvement

Parents/Guardians are critical stakeholders

- May make a report or initiate a complaint
- Must receive notice prior to any interview
- Permitted to:
 - Be present for all interviews and meetings
 - Review all education records related to their student (under FERPA)
- Be mindful of estranged parent relationships
- If parent/guardian is an abuser or supports the abuser, their role should be minimized



Law Enforcement Involvement

- School/Institution may initiate or assist with a report to law enforcement
- Law enforcement may be included in a safety plan
- Schools/Institutions and law enforcement may start investigations at the same time and may share information at various stages, but they should remain separate
 - Do not defer to the law enforcement investigation
 - Conduct a prompt, independent investigation



Initiating a Complaint for IPV

- In limited circumstances, such as the presence of an **imminent and serious threat**, a TIXC may need to initiate a complaint even if the Complainant declines to do so
- Those experiencing IPV are often placed in harm's way if they report the matter to law enforcement or school authorities
 - Abusers may blame and try to punish Complainants through additional violence
 - Abusers may view attempts to seek help as threatening, and because of feeling cornered, may act desperately
- Administrators should approach incidents of IPV differently than they approach other forms of sex and gender harassment or discrimination
- Consider whether correlated non-Title IX behaviors should be addressed (e.g., disruption in a residence hall)

Managing Concerned Parties

- IPV and stalking can create community impacts beyond the Complainant and Respondent, including:
 - Students involved in clubs, organizations, or sports teams with either party
 - Colleagues and supervisors who work or collaborate with one or all parties
 - Parents/Guardians
 - Roommates, classmates, or friends
- TIXC may need to coach concerned parties on how best to support the Complainant and/or Respondent



Investigating Stalking and IPV

Investigation Strategy

Incident log or timeline

- Detailed information for each alleged stalking incident or related behavior
 - Necessary to establish a “course of conduct”
 - Distinguish between stalking and other continuum behaviors
 - IPV may begin with subtle forms of control and increase in intensity and frequency over time
- Texts, voicemails, phone calls, photos, videos, social media messages
 - Timestamps and other data or corroborative testimony will help **verification and authentication** efforts
- Evidence on district/institutional networks or systems
 - Email, video, building access, computer lab access
- Law enforcement reports

Protection from Retaliatory Counter-Complaints

- Imagine counter-complaints where each party alleges dating violence by the other:
 1. Complainant makes a complaint of dating violence (A)
 2. Respondent then makes a counter-complaint of dating violence (B)
 3. Complainant alleges that B's counter-complaint is retaliatory (C)
- Need final determination of (A) and (B) to determine whether (B) could be retaliatory
- Alleging retaliation is sufficient
 - ATIXA does not recommend requiring the Complainant to make an additional complaint regarding retaliation
- Always screen for reports motivated by retaliation
 - Consult with legal counsel on any new allegations that seem retaliatory
 - Do not allow the school/institution to become instrument of an abuser's retaliatory intent

Policy and Analysis Considerations for a Self-Defense Defense

- Courts recognize that individuals have the right to protect themselves from harm **and** may use reasonable force to do so where a threat is:
 - Imminent **and**
 - Causes reasonable fear of immediate harm
- Includes words used to imply threat of force **or** show of force
 - Offensive language alone is not enough
 - Only available while the threat is ongoing
 - Requires that the force used is proportional to the threat faced
- Just because courts may recognize this does not mean school/institution will unless policy is clear

Activity: Identifying Response Options

Taylor and Jessie

- At the end of class, Taylor asks their biology lab instructor if he could walk Taylor to their car in the parking lot because Taylor is being followed by another student, Jessie
- Concerned by this, the instructor notifies campus security, who arrives on scene to interview Taylor
- Taylor reports the following to campus security:
 - Taylor has seen Jessie nearly “every single day all over campus”
 - Jessie is “always staring” at Taylor
 - Every Tuesday and Thursday for the past three weeks, while Taylor is eating lunch in the cafeteria, Jessie moves to a closer table when Jessie sees Taylor

Taylor and Jessie

- Jessie will also repeatedly stand up and walk past the table where Taylor is sitting and stare
- This past Tuesday, Jessie walked by the table at least six separate times
- Taylor tried to ignore Jessie's behavior at first, but then Taylor noticed that Jessie is now waiting for Taylor outside of biology lab when it ends
- Jessie sits at the bench across from the lab and "just stares" as Taylor exits the room and walks down the hallway
- Jessie is "freaking [Taylor] out" and they are scared to be on campus

Taylor and Jessie

- Campus security asked Taylor to explain how they met Jessie and the history of their interactions, to which Taylor responded:
 - Taylor’s first interaction with Jessie was over Facebook
 - They were both in a Facebook group for students who are trying to buy used books
 - Every time Taylor posts, Jessie comments on the post about how “good looking” Taylor is, or “how nice [Taylor] seems”
 - Taylor has never responded to Jessie or communicated with Jessie in person
 - Taylor is “pretty sure” Jessie has followed them in the parking garage and library

Taylor and Jessie

- Taylor pointed out Jessie in the hallway, and campus security approached Jessie
- When the security spoke with Jessie, Jessie shared:
 - Jessie has seen Taylor around and thinks Taylor is attractive and nice
 - Jessie has severe Autism Spectrum Disorder, so people often think Jessie is weird
 - Taylor is in the biology lab just before Jessie's biology lab, which is held in the same room
 - Jessie was “just trying to work up the courage to say ‘hi’ to Taylor so they could be friends”

Taylor and Jessie

- Jessie apologized repeatedly to the security staff for “scaring” people
- Jessie became upset during the interview and said that they would be more comfortable talking later when their mother could be present
- Campus security agreed to schedule a later time to discuss the situation and walked Jessie to the Disability Support Services office so Jessie could speak with the Coordinator, with whom Jessie is very close
- Campus security submitted a copy of their report to the Title IX office and noted that they have not yet been able to schedule another interview with Jessie

Wei and Lucy

- Wei and Lucy are both first-year students who live in the same residence hall and share a core group of friends
- The friend group often socializes in the building's common area where they play video games
- Wei has expressed romantic interest in Lucy, but she let him know that she only wants to be friends
- Wei often texts Lucy to ask where she is and then goes to that location, even when Lucy has told him not to come
- Recently, Wei left a teddy bear and a balloon outside of Lucy's door as a surprise for her birthday, but he did not leave anything to tell her who it was from

Wei and Lucy

- The friend group planned to have a video game tournament and then go out to dinner to celebrate Lucy's birthday
- When Wei arrived at the gathering, he overheard Lucy making fun of the gift he left her and referring to whomever left it as a "level ten creeper"
- This made Wei furious and embarrassed, even though it was clear that Lucy didn't know that he was the one who left the gift
- Wei noticed that Lucy's keys were sitting on the table behind her while she was playing a video game, and he decided to take them so he could go into her room and take the gift back since she didn't appreciate it
- Lucy noticed her keys were missing and assumed she had forgotten them in her room, so she asked her suitemate to let her into the suite before leaving for dinner

Wei and Lucy

- Lucy opened the door to find Wei in her bedroom and asked him what he was doing in there
- Wei stated that he came to get his gifts back because Lucy didn't appreciate them
- Lucy told Wei to leave her room and never contact her again, and he refused to leave
- Lucy made a Title IX complaint the following day
- Wei asked the Investigator what might happen if he was found responsible, and upon hearing the potential sanctions, Wei said, "I will just kill myself if that happens"

Alondra and Mr. West

- Alondra is a student in Mr. West's eighth grade theatre appreciation course
- Mr. West is active with local community theatre productions and tells his students which shows he is performing in if they are interested in attending
- Alondra has attended every production Mr. West was in this year, and she left him notes and flowers on his car for him to find after each performance
- As the end of the school year approaches, Alondra begins to get concerned that she won't see Mr. West anymore because she'll be attending the high school in the fall
- She begins asking him more questions about his out-of-school life and also starts researching him on the Internet
- Alondra learns that Mr. West attends a local church, and she asks her parents if they will allow her to attend the church; they agree to allow her to attend

Alondra and Mr. West

- Mr. West notices that Alondra has started attending his church without her parents
- Alondra's parents regularly review Alondra's cell phone to ensure she isn't engaging in any risky or harmful behavior
- Her mom found a "hidden" folder that was full of photos of Mr. West that seemed to be taken candidly
- When Alondra's mom asked about the photos, Alondra told her they were for a surprise end-of-year slideshow for Mr. West
- A few days before the end of the school year, Alondra left Mr. West a box containing 75 handwritten notes – one for each day of the summer – on the front porch of his home
- She also included gift cards to his favorite coffee shop and restaurant, neither of which he recalled ever discussing with his students

Alondra and Mr. West

- Mr. West speaks with his assistant principal about his increasing concerns about Alondra's behavior toward him
- The assistant principal said that it's so close to the end of the year, Mr. West shouldn't worry about it because Alondra won't be his student soon
- Mr. West agrees to push through to the end of the year, but he starts receiving strange messages on his social media accounts from what appear to be fake accounts, and once from an account that appears to belong to Alondra's mom
- Mr. West reports the concerns to the Title IX Coordinator

What steps should the TIXC take in response to the report?

Janelle and Mack, Part I

- Janelle and Mack met during new student orientation and are both first-year students living on campus in separate residence halls
- The students have a sexual relationship, but they are not exclusive
- The Title IX office has received several reports from resident assistants (RAs) documenting incidents between Janelle and Mack in the residence halls
- Incident 1: Mack was observed pounding on Janelle's room door and yelling for her to open the door and speak to him
- Incident 2: Janelle's roommate told their RA that they were scared for Janelle's safety because Mack was frequently "rough with her" in their shared space

Janelle and Mack, Part I

- The TIXC sends an initial outreach letter to Janelle, and while awaiting a response, receives a third incident report from a RA
- Incident 3: Janelle and Mack are observed arguing in Mack's residence hall, and Janelle pushes Mack and rips Mack's t-shirt during the argument
- The Director of Residence Life contacts the TIXC and requests that a No Contact Order be put in place between Janelle and Mack

How should the TIXC respond to this request?

What steps should the TIXC take at this point?

Janelle and Mack, Part II

- Campus police were called to Mack's residence hall room because of a disturbance
- Janelle received information that Mack had been engaging in sexual contact with other women and had locked Mack out of his room
- Janelle was throwing Mack's belongings out the window and had poured bleach on a pile of his clothing
- Mack attempted to kick the door into the suite-style bathroom open to access his room and broke the door frame
- Campus police arrested both students
- They were both released on their own recognizance and ordered to stay away from each other after making their first appearance the following morning

Janelle and Mack, Part II

- The Director of Residence Life wants to prohibit both students from living in the residence halls and asks the Director of Student Conduct to initiate an interim housing suspension
- The Director of Student Conduct waits to speak to the TIXC at the BIT meeting the following morning before taking any action
- During the BIT meeting, the team learns:
 - Janelle's permanent residence is three hours from campus
 - Mack does not have a permanent address; he aged out of the foster care system prior to enrolling at the institution
 - Neither student will be able to remain enrolled for the remainder of the term if they are unable to live in campus housing

Janelle and Mack, Part II

- Neither student wishes to initiate a Title IX complaint
- **Should the TIXC initiate a complaint? Why or why not?**
 - **If so, who is the Complainant? Respondent?**
 - **If not, what response options does the institution have?**

Chandler and Frankie

- Chandler and Frankie are second-year high school students, and they have been “talking” for several months
- Frankie is in Ms. Bell’s advisory period and Chandler is in Mr. Ford’s advisory period; Mr. Ford’s room is across the hall from Ms. Bell’s room
- Ms. Bell noticed that Frankie and Chandler are always together immediately before advisory, and they meet up again immediately after
- Ms. Bell recently overheard a conversation between Frankie and Chandler during which Frankie said, “Give me your phone. I’m blocking them. I told you I don’t want you talking to them anymore.”

Chandler and Frankie

- A few days later, Mr. Ford was collecting signed parent consent forms for an upcoming class trip, and Chandler explained that they didn't have theirs because Frankie had gotten mad at them on the bus and ripped it up
- Mr. Ford asked Chandler if Frankie has destroyed something of Chandler's before, and Chandler said, "Yeah, it happens a lot when Frankie gets mad"
- Students were working on their course requests for the following year, and Mr. Ford noticed that Chandler selected to take choir instead of continuing with the band, which they seemed to really enjoy this year
- When Mr. Ford asked about that change, Chandler told him that Frankie wanted them to be in choir together next year

Chandler and Frankie

- Ms. Bell noticed that Chandler had changed their appearance (hairstyle and clothing) since beginning their relationship with Frankie
- Ms. Bell asked Mr. Ford if he had observed anything concerning between the two students, and he shared what happened with the form and class selections
- Ms. Bell suggested that Mr. Ford mention their concerns to Chandler's parents during the upcoming parent teacher conferences
- Mr. Ford shared his concerns with Chandler's parents, and Chandler's father responded by telling Mr. Ford that he shouldn't be so involved with the student's social lives
- Mr. Ford reported back to Ms. Bell, and they decided to submit a report to the Title IX Coordinator

What steps should the TIXC take in response to the report?



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Questions?

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