

The background of the slide features a close-up, vertical view of the spines of several books. The books are arranged in a row, with their spines facing the viewer. The paper appears aged and slightly yellowed. On the far left, there is a solid red vertical bar. The text on the spines is mostly illegible due to the shallow depth of field and the angle of the shot, but some words like 'first', 'legal', 'said', and 'pen' are visible. The overall lighting is soft, highlighting the texture of the book covers.

Title IX: Mandatory Reporting RA Training

Alexandria Salas, Dir. of
Title IX.

Federal Law: ~~Title IX~~

“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.”



Let's Talk About Title IX

(1) Updates (2) How to Report (3) Investigations



Texas Law: Texas Education Code, Chapter 51 (Senate Bill 212, 86th Legislature)



“An employee of a postsecondary educational institution who, in the course and scope of employment, witnesses or receives information regarding the occurrence of an incident that the employee reasonably believes constitutes sexual harassment, sexual assault, dating violence, or stalking and is alleged to have been committed by or against a person who was a student enrolled at or an employee of the institution at the time of the incident shall promptly report the incident to the institution's Title IX

Texas Education Code, Chapter 51

How does this affect me?

- Establishes reporting obligations of sexual misconduct starting September 1, 2019.
- Establishes that starting January 1, 2020, employees of the University who fail to report a Title IX incident must be fired from the institution regardless of their status.
- Additionally, they may face criminal charges and fines.

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**What happens if
I don't report?**

University **Action**

If a school determines that an employee failed to satisfy their mandatory requirement, the school “**shall terminate**” the employee “in accordance with the institution’s disciplinary procedure.”

Texas Education Code
§51.255(c)



Criminal Penalties

- Class B Misdemeanor

- For a person who “is required to make a report under Section 51.252 and knowingly fails to make a report.” Or
- “with the intent to harm or deceive, knowingly makes a report under 51.252 that is false.”
- Up to 6 months in county jail and/or \$2,000 max fine.

- Class A Misdemeanor

- “knowingly fails to make a report.” Or
- “with the intent to harm or deceive, knowingly makes a report under 51.252 that is false.”
- and, “The Actor intended to conceal the incident that the actor was required to report under section 51.252.”
- Up to 1 year in county jail and/or \$4,000 max fine.

What could happen to me if I report something that turns out not to be Title IX ?

- The Law bars institutions from disciplining or otherwise discriminating against an employee who in good faith reports an incident or cooperates with an investigation.

Tex. Edu. Code 51.257(a)

- This protection is not extended to the individual who perpetuates or allegedly perpetuates the reported incident.

Tex. Edu. Code 51.254 (b)

Who must Report?



All Employees
are Mandatory
Reporters!!!!

**WHEN IN DOUBT, REPORT
IT!**

Student-Employees

- Students who are employed by UIW and such employment is based on their student status do not face the Texas Law Sanctions.
- Examples: RA's and GA's
- **However, under Federal Law, some student employees (such as RA's) are Responsible Employees as defined in Title IX and are therefore required to report.**

How to Report via Maxient: A Step-by-step process

1. Go to www.uiw.edu/titleix.
or UIW webpage (bottom
of page)
2. Click on Report an
Incident
3. Click on the Report Title
IX/Sexual Misconduct
Violation Tab
4. Fill out the Form
5. Submit



What Must I Include in the Report

- You **MUST** include all information of an incident that is known or told to you or that you learn during your conversation.
- Only report what information you have, do not make anything up.
- **DO NOT** do your own investigation!
- You Must Promptly Report
- **REPORT AS SOON AS YOU KNOW TITLE IX MAY BE APPLICABLE!**
- When in doubt, report it to Title IX.

Confidential Reporters

- **Law provides for “Confidential Reporters.”**
- **ONLY 3 Designated by UIW:**
 - **Pastoral Counselors at Ministry and Mission**
 - **Licensed Counselors at UIW Counseling Services**
 - **Medical Professionals at the UIW Health Services**

QUESTIONS?

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