

Intentional Compliance in Higher Ed Podcast

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Ronette	<p>Welcome to Intentional Compliance in Higher Ed, a podcast of the Office of Title IX and Clery Compliance at the University of North Carolina at Pembroke.</p> <p>I am Ronette Sutton Gerber, Director of Title IX and Clery Compliance; I am the university's Title IX Coordinator and its Clery Compliance Officer.</p> <p>I am joined by my Campus Investigator, Danielle Evans (we call her Dani).</p> <p>This is our inaugural podcast, and for those who have joined us, welcome.</p> <p>This podcast, Intentional Compliance in Higher Ed, will be a discussion about higher education institutions' efforts to comply with Title IX of the Education Amendments of 1972, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1990, and the Violence Against Women Act, as reauthorized in the Clery Act in 2013.</p> <p>So, Dani and I will talk about campus safety, sexual discrimination and harassment, and sexual violence. We will talk about investigations, hearings, rights and options, and supportive measures institutions provide to parties. We will talk about Clery geography, and Clery crimes and statistics. We will also talk about timely warnings and emergency notifications and the Annual Security and Fire Safety Report.</p> <p>And we will talk about Title IX regulations, again. Soon we will be given new, proposed Title IX regulations that will affect how colleges and university handle sex or gender-based discrimination and harassment, to include sexual violence. But we will get to that when we have to.</p> <p>While Dani and I will have a lot to discuss with you, we will also invite others to join us in these conversations. These folks may be our campus partners here at UNC Pembroke, they may be colleagues within the UNC System, or from our professional associations.</p> <p>As today, June 23rd is the 50th birthday of Title IX, we will spend this year highlighting a few of our former women student-athletes who because of Title IX were able to make their mark on this university. These women will join us to discuss how Title IX has affected athletics and where we go from here.</p> <p>Intentional Compliance in Higher Ed will be a monthly podcast released on the 23rd of each month (see how I connect it back to Title IX's birthday). So, each month we will invite someone from athletics or a former student-athlete to join us for that month's podcast.</p> <p>And again, since this podcast is about more than just Title IX, we will also springload in a few other podcast sessions about the other compliance issues in between these monthly 23rd release dates.</p>
Dani	<p>So Dani here: I briefly want to give a little introduction summary to Title IX and the Violence Against Women Act.</p> <p>There is so much to unpack with Title IX even though it is only 37 words long, so this podcast is going to illustrate how those 37 words have taken on so much meaning and have been so impactful. In describing Title IX, I like to start with those 37 words, which say:</p>

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	<p><i>"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 educational program or activity receiving Federal financial assistance."</i></p> <p>That's it. It is also one of those sentences that you have to read several times before you get the gist of what it's saying. To break it down, Title IX is a federal civil rights law. It applies to educational institutions that receive any kind of federal financial assistance such as federal student aid. And if those institutions receive federal aid, they must ensure people at their institution are protected against discrimination that is based on sex, gender identity, and sexual orientation.</p> <p>Note that the actual language of Title IX does not expressly say anything about gender identity or sexual orientation. That is because the protected class of sex has been interpreted to include not just biological sex, but gender and sexual orientation as well.</p> <p>So, Title IX is really expansive as to who it protects. And this is also what I mean when I say there is a lot to unpack, there is a lot of interpretation and defining done by courts as to what these terms mean within Title IX.</p> <p>Similarly, the word discrimination is very expansive. Discrimination under Title IX is an umbrella term that captures sexual harassment, and there are various forms of harassment including the Violence Against Women Act offenses: Dating Violence, Domestic Violence, Stalking and Sexual Assault.</p> <p>You will notice that Ronette and I will use the term "Sexual Violence" in these next episodes, and that's how we refer to those Violence Against Women Act offenses collectively.</p> <p>That is a very brief summary introduction of Title IX and the VAWA offenses.</p> <p>I will hand it back over to Ronette to talk more about the Violence Against Women Act and the Clery Act.</p>
Ronette	<p>Thank you, Dani. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, affectionally called the Clery Act, is a federal transparency law with many requirements. The Clery Act requires colleges and universities to report certain crimes and offenses that occur "on campus" and on property that the college or university owns or controls.</p> <p>Clery crimes that colleges and universities must maintain statistics for are:</p> <p>Criminal Homicide (which includes)</p> <ul style="list-style-type: none">• Murder and Non-negligent Manslaughter• Manslaughter by Negligence <p>Sexual Assault (which includes)</p> <ul style="list-style-type: none">• Rape• Fondling• Incest• Statutory Rape <p>Robbery Aggravated Assault</p>

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	<p>Burglary Motor Vehicle Theft Arson</p> <p>It also includes the Violence Against Women Act offenses that Dani mentioned: Dating Violence Domestic Violence Stalking</p> <p>We also maintain statistics for: Liquor law violations Drug-related violations Weapons possession</p> <p>We provide statistics for when any of these crimes and offenses occur and others, namely larceny/theft, simple assault, intimidation, and vandalism, when they occur because of the bias of the alleged offender. This means if the offender is motivated by bias against the victim's religion, sexual orientation, gender identity, nation origin, age, disability, and/or race. These crimes are characterized as hate crimes.</p> <p>We are also required to provide the campus community with timely warnings or emergency notifications when there is a known risk on campus. This will allow the campus community to make safety determinations for themselves.</p> <p>Incorporating the Violence Against Women Act, we also have to provide and make known our educational programming for sexual violence, our campus disciplinary process, and our victims of sexual violence rights and options.</p> <p>While this information is shared with victims of sexual violence, the information, to include the Clery crime statistics we just talked about, and so much more are also shared with the campus community and the public in our Annual Security and Fire Safety Report, which is always published by October 1st. This Report is sent to every student, faculty, and staff member at the university and placed on the university website on the webpages of the Offices of Title IX and Clery Compliance, Police and Public Safety, Human Resources, and the undergraduate and graduate Admissions offices.</p>
Dani	<p>There is so much more to be said about Title IX, the Clery Act, and the Violence Against Women Act. And we will in later podcast. And we will invite others to join us in these discussions.</p> <p>For now, our next scheduled podcast will be July 23rd when we will have our first guest to discuss Title IX and its impact on athletics.</p>
Ronette	<p>However, we anticipate the proposed Title IX regulations will be issued soon – real soon. So, there may be a podcast before July 23rd.</p> <p>Thank you all for joining Dani and me in our introductory Podcast, Intentional Compliance in Higher Ed. We look forward to our future discussions.</p>

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Ronette & Dani	<p>Go Braves!</p>