



INSTITUTIONAL EQUITY OFFICE

The UNIVERSITY of OKLAHOMA

August 14, 2020

The U.S. Department of Education has issued new Title IX regulations that take effect today. All educational institutions that receive federal funds – including the University of Oklahoma – must comply with these new regulations, which primarily pertain to formal disciplinary processes. As mandated by the law, OU has updated some of its [procedures for addressing sexual misconduct](#).

Background

Title IX is a federal law that prohibits discrimination on the basis of sex in education programs and activities that receive federal financial assistance. The law also pertains to cases of sexual harassment and sexual assault. The U.S. Department of Education issued the new regulations on May 6, 2020, with the requirement that they be implemented on August 14, 2020.

OU Response

After the new regulations were issued in May, OU established a working group to review the new regulations and to determine how to implement them at OU in a way that aligns with the new law and the principles of the university. The group, comprised of representatives from Student Affairs; Human Resources; Title IX; Diversity, Equity, and Inclusion; Legal Counsel; and the Provost's Office, has met twice weekly since May. Listening sessions were also conducted with students, faculty, and staff from all three campuses.

Important Facts about OU's Title IX Policy

The University of Oklahoma works to provide the best possible educational experience for its students as it also creates a place of true belonging for all. We are committed to fostering and building a safe community where our core values of respect for all people and care for others is evident in every action. The university will not waver from this commitment.

A few of the important changes affected by the regulations include:

- **Definition of Sexual Harassment for Title IX Purposes** – Pursuant to the new Title IX rules, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:
 - An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual’s participation in unwelcome sexual conduct (quid pro quo);
 - Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient’s education program or activity; or
 - “Sexual assault” as defined in 20 U.S.C. 1092(f)(6)(A)(v), “dating violence” as defined in 34 U.S.C. 12291(a)(10), “domestic violence” as defined in 34 U.S.C. 12291(a)(8), or “stalking” as defined in 34 U.S.C. 12291(a)(30).
- **Intake Process** – During the intake process, individuals making a complaint to the Title IX Office will be informed of their options in filing a formal complaint, including [supportive measures](#) available, as well as information on a formal grievance process or an informal resolution process.
- **Grievance Process** – The Title IX rules emphasize a fair and equitable process when filing a formal complaint. As before, a university Title IX investigator will investigate complaints by conducting interviews to gather evidence and then will compile an investigative report. However, the investigator will not enter a finding of responsibility; that determination must now be made by impartial decision-makers after a live hearing.
- **Live Hearings** – Under the new Title IX regulations, the grievance process is required to include live hearings for formal complaints of sexual harassment. Such hearings will be conducted before a panel of unbiased and independent decision-makers, and the hearings will feature witness testimony and questioning, including cross-examination.
- **Informal Resolution Process** – If both parties to a formal complaint agree, they can consider another resolution option called the informal resolution process. Informal resolution is facilitated by a person outside the Office of Institutional Equity who is appropriately trained per the new requirements.

The university’s updated Title IX policies and procedures are [available here](#).

Resources

Outside of the formal complaint process, OU will continue offering a number of [supportive measures](#) for individuals impacted by sexual misconduct. Examples include assistance in filing a complaint with the university and appropriate law enforcement agencies, mutual no contact orders, change of class schedules, alternate housing arrangements, and counseling services. There does not need to be a formal complaint for a victim to receive supportive measures.

In addition, [OU Advocates](#) is a free, 24/7, confidential crisis line and support service for anyone in the OU community who experiences sexual assault, relationship violence, stalking,

or sexual harassment. Any student, staff, or faculty member in the OU community may utilize OU Advocates' services.

A complete list of OU campus-specific resources is [available here](#).

Training

The university's mandatory Title IX training is being revised to reflect these new regulations and will be available online to all students, faculty, and staff once revisions are complete.

In addition to policy training, [gender-based violence awareness and prevention education](#) from the Gender + Equality Center is required for all first-year students and is available on request from any student group or department.

Reporting

To report a complaint of sexual misconduct, contact:

Faustina Layne
Interim Institutional Equity Officer and Title IX Coordinator
Office of Institutional Equity
(405) 325-2215
ou.edu/eoo
[Sexual Misconduct Reporting Form](#)