



Title IX Compliance at the University of Northwestern - St. Paul

WHAT IS 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..."

20 U.S.C. § 1681

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a Federal law that prohibits discrimination based on the sex of students and employees of educational institutions which receive Federal financial assistance.

WHO IS COVERED BY TITLE IX?

Educational institutions that receive federal financial assistance are covered by Title IX. If only one of the institution's programs or activities receives federal funding, all of the programs within the institution must comply with Title IX regulations. In compliance with Title IX, The University of Northwestern prohibits discrimination in employment as well as in all programs and activities on the basis of sex.

MYTHS ABOUT TITLE IX

Myth: Title IX only applies to athletic programs.

This is perhaps the most widely held misconception about Title IX. Athletics are not the only component of academic life governed by Title IX. Other areas which fall within the scope of Title IX include:

- Recruitment, Admissions, Financial Aid and Scholarships
- Course Offerings and Access
- Counseling
- Hiring and Retention of Employees
- Benefits and Leave

Title IX prohibits sexual misconduct, including: sex discrimination, sexual harassment, sexual assault and/or violence, domestic violence, dating violence, or stalking. Additional information is available in the Sexual Misconduct Policy.

Myth: Title IX requires that male athletic opportunities be decreased to provide opportunities for female programs.

Title IX is designed to create parity in athletics, as well as other educational opportunities and experiences for men and women. Title IX does not require schools to cut men's athletic programs. Each school determines how it will comply with Title IX regulations.

Myth: Title IX applies only to discrimination against women.

While Title IX has been used mostly by women seeking to protect their rights, Title IX also serves to protect the rights of men. Title IX requires that males and females receive fair and equal treatment in all areas of education.

Myth: According to Title IX, all educational activities and programs must be co-ed and open to both men and women.

Title IX specifically allows for, or has been interpreted to allow for, single-sex programs in a number of categories. Included among those are: religious schools, traditional men's/women's colleges, social fraternities/sororities, youth service organizations such as, The Boy/Girl Scouts of America, and beauty pageants.

The under-representation of women in certain academic programs may violate Title IX. Educational institutions are required to provide women in all academic programs with resources, support, and promotional opportunities comparable to their male colleagues.

Myth: Advocates for victims of Title IX who file complaints of discrimination for others are not protected from retaliation under Title IX.

The U.S. Supreme Court has broadened the interpretation of Title IX to protect from retaliation whistle-blowers who accuse educational institutions of sex discrimination. The court is of the opinion that reporting incidents of discrimination is integral to Title IX enforcement and would be discouraged if retaliation against those who report it goes unpunished.

FAILURE TO COMPLY WITH TITLE IX

The penalty for failure to comply with Title IX in the most extreme circumstances can include the termination of all or part of an institution's federal funding. This includes grants, subsidies, and other program funds from the federal government. In addition to the loss of federal funds, universities may be sued by those seeking redress for violations of Title IX. It is essential that institutions receiving federal financial assistances operate in a nondiscriminatory manner.

To ensure the University's compliance with the law, adherence to Title IX regulations is everyone's responsibility. If Northwestern determines that an employee or student intentionally fails to comply with the Sexual Misconduct Policy, disciplinary action will be imposed - up to and including termination of employment or expulsion.

WHO ENFORCES TITLE IX?

The Title IX Coordinator is a University official who has been appointed to address issues of sexual misconduct within the University community. The Title IX Coordinator is responsible for overseeing the University's prevention of and response to sexual misconduct within the community, including overseeing the complaint process described in the Sexual Misconduct Policy (*Section VIII, Complaint Process*).

Also, the United States Department of Education's Office for Civil Rights (OCR) oversees enforcement of Title IX at the Federal level. Information can be found at www.ed.gov/about/offices/list/ocr/index.html.

If you have any questions or concerns involving Title IX or sexual misconduct, please contact:

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