



August 5, 2020

Dear Xavier Community Member,

I am writing to follow up on my June 30, 2020 letter regarding the new Title IX rules issued by the U.S. Secretary of Education Betsy DeVos that go in effect on August 14, 2020.

As I previously shared, the new rules narrow the definition of what conduct is covered by Title IX (by content, jurisdiction, and regarding when a school is considered on notice and must respond). Xavier is committed to complying with the new rules and to addressing the full range of conduct we have historically. To accomplish this, conduct that may rise to discrimination based on sex (referred to broadly as “Sex Discrimination” in Xavier’s policies) will be addressed under two sets of policies: **Title IX Sexual Harassment** (covering conduct that falls under the new Title IX definitions) and **Interpersonal Violence** (covering conduct we have historically addressed that now falls outside of Title IX). Only those matters assessed to fall under Title IX Sexual Harassment will have the additional requirements of the new rules, which are summarized in the “Summary of New Title IX Rules & Top 6 Takeaways of Xavier Response” resource document below. Those matters assessed to fall outside of the new rules will be addressed under what have historically been our policies, now designated as Xavier’s Interpersonal Violence policies. Information and links to the final policies will be shared widely with the campus community before August 14. Xavier’s response to all matters will remain equitable, compassionate, and mission-centered. All students and employees that report experiencing any conduct related to these policies will continue to receive comprehensive information on their rights, options, and resources.

Both policies will be located in the Student Handbook and the Harassment Code and Accountability Procedures (HCAP). To promote student and employee understanding of the full range of their rights, options, and resources, both policies will address how one intersects and interacts with the other. The benchmark sanctions for students and employees found responsible for violating these policies remain unchanged by the new rules and will be applied consistently across both policies.

To further promote the campus community’s understanding of Xavier’s approach and response to the new rules, effective August 14, the Title IX Office will become the “Title IX and Interpersonal Violence Response Office.” Similarly, to capture the full scope of my work, and to comply with the requirements of the new rules that the individual ultimately responsible for an institution’s Title IX compliance must have “Title IX Coordinator” in their title, my title will become “Title IX and Interpersonal Violence Response Coordinator.” Title IX Program Director Talia Tuesta will transition to “Title IX and Interpersonal Violence Response Program Director.”

There will be **no change** in Xavier’s policy requiring all employees who do not have privileged communication protection due to licensure/position (e.g. counselors, doctors, clergy) or who have been designated as confidential by my office (e.g. the Advocacy & Prevention Coordinator) to

report all knowledge of sex discrimination impacting students and employees to the Title IX and Interpersonal Violence Response Office. This policy has been in place since 2013 and has been extremely effective in connecting individuals impacted by these issues to appropriate resources and receiving accurate, comprehensive information; lowering barriers to and increasing knowledge and comfort around reporting and accessing advocacy/support services; and driving critical, long term culture change at Xavier. I am certain continuing this policy will once again serve this role as we adjust to the new rules and policies together in the upcoming year.

As some of you may recall, Xavier established its first full-time, dedicated Title IX leadership position in 2013- a position which I had the privilege of taking on. Since 2013, as a community, through extensive collaboration, shared vision, and leadership- and with the Mission firmly anchoring our work- Xavier has established a strong, best practice, nationally recognized sex discrimination prevention and response system. There was a collective learning curve in 2013, which we moved through in solidarity, and there will be one now. I have full confidence that we will once again come together with patience, generosity, and shared commitment to adapt to these changes in the Xavier way.

To support our journey along that learning curve, I am sharing several resource documents here. Some will look familiar and have been updated to reflect our new policies and response systems; others were created in response to important, much appreciated feedback and suggestions from students and employees this summer. If you have any questions about these documents and/or anything I have shared here, please do reach out.

- [Summary of New Title IX Rules & Top 6 Takeaways of Xavier Response](#)
- [Title IX Sexual Harassment & Interpersonal Violence Reporting Responsibilities for Employees](#)
- [Title IX Sexual Harassment & Interpersonal Violence Reporting and Support Options](#)
- [Title IX Sexual Harassment & Interpersonal Violence Syllabus Language for Faculty](#)

A reminder that students experiencing any form of sex discrimination may receive confidential advocacy and support from Xavier's Advocacy and Prevention Coordinator, Susan Pelle, at 513-904-9013. Employees may receive confidential advocacy and support from Cincinnati's survivor advocacy organization, Women Helping Women (serving individuals of all sexes, sexual orientations, and gender identities) at their 24/7 hotline 513-381-5610.

Finally, I will host additional Zoom and physically distanced in-person Q&A forums this fall, the details of which will be provided to the campus community soon.

Best,



Kate Lawson
Chief Title IX Officer