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Navigating Title IX and Gender Based Campus Violence:  
An Analysis of the Roles and Experiences of Title IX Coordinators

A dissertation submitted in partial satisfaction of the  
requirements for the degree Doctor of Education

by

Christine Paul

2016



## ABSTRACT OF THE DISSERTATION

Navigating Title IX and Gender Based Campus Violence:  
An Analysis of the Roles and Experiences of Title IX Coordinators

by

Christine Paul

Doctor of Education

University of California, Los Angeles, 2016

Professor Robert A. Rhoads, Co-Chair

Professor Linda P. Rose, Co-Chair

This dissertation examined the experiences and challenges that Title IX coordinators face at small and medium-sized private institutions. Since the Dear Colleague Letter of 2011, the position of Title IX coordinator has changed significantly and the expectations to aggressively address campus violence have increased. Through the use of an online questionnaire and semi-structured interviews with Title IX coordinators, this study explored the specific challenges they face in their positions, especially if they have another full time role at their institution. Furthermore, I explored their paths to this position and what professional experiences they utilize in these roles. Lastly, I

determined how they collaborate with the campus community on their campus and other Title IX coordinators on other campuses.

I found that Title IX coordinators face great challenges in their roles and because 12 out of 13 in this study had another full time role, these challenges varied greatly. Some of the challenges that the Title IX coordinators face are lack of time, lack of financial resources, difficulty setting up a solid infrastructure, and challenges with the highly emotional topics and decisions. Even though there are a large number of challenges associated with being a Title IX coordinator, I found that collaborations with stakeholders on campus are extremely beneficial to Title IX work. Other sources of support include access to legal council and upper administration, which was largely due to the political capital they had on their campus.

The Title IX coordinators that also held other positions on their campuses noted a lack of intersection of those positions in most cases. The largest lack of intersection between the Title IX coordinator role and their other position was in the area of student interaction. Those that rarely interacted with students on a regular basis found it difficult to relate to students and understand student development. However, there were benefits to the multiple roles for those that did have regular student interaction as well as those that read policy and conducted investigations on a regular basis.

This dissertation examined the role of Title IX coordinators and revealed several recommendations for how the position can be improved for those that hold multiple roles on their campuses. Implications for Title IX administrators and recommendations for those charged with addressing sexual misconduct with limited resources and time are also addressed.

The dissertation of Christine Paul is approved.

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2016

## **DEDICATION PAGE**

I dedicate this to my Mom and my three children, Eleanor, Owen and Grace. Thank you for your patience and love over the course of this journey. I also dedicate this to my Dad. Even though he is not here with me today, I have relied on the positive attitude he taught me from a very young age. I know he would have been incredibly proud of me.

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## CHAPTER ONE: INTRODUCTION

### Significance of the Problem

Nationally, one in five college women is sexually assaulted during her college years (Bradley, Yeater, & O'Donohue, 2009; Clement, 2015; Edwards, 2009; Exner & Cummings, 2011; Milhausen, McBride, & Jun, 2006; Suzuki, 2013) and over the past 20 years, the needle of sexual assault prevention and response has barely moved forward (Edwards, 2009). As of the last decade, Title IX is being cited as the basis for holding colleges and universities that receive federal funding accountable for their actions dealing with sexual violence. Title IX is the educational amendment of 1972 that prohibits discrimination on the basis of gender. Between the years of 2010 and 2015, over 100 colleges and universities underwent a Title IX review and investigation by the Office of Civil Rights for mishandling sexual assault reports and not providing sufficient prevention strategies (The White House Council on Women and Girls and the Office of the Vice President, 2014).

In 2011, the Office of Civil Rights (OCR) issued a "Dear Colleague Letter," also known as the DCL (U.S. Department of Education, 2011). The OCR issued this letter to all institutions that receive federal funding to provide recommendations, suggestions and guidance for handling sexual misconduct cases. One recommendation was that each institution name a Title IX coordinator that is responsible for *compliance*, *prevention education*, and *training*. Additionally, the DCL included a road map for ensuring proper internal investigations and the obligations of the institutions to fully investigate what could reasonably be known as a sexual violence occurrence. Furthermore, the DCL discusses prevention strategies and the relationship among Title

IX, FERPA, and the Clery Act. The DCL's publication in 2011 was a turning point for all institutions in terms of how they address sexual and interpersonal misconduct, especially for the position of the Title IX coordinator.

In addition to the legislated need to reduce sexual misconduct and violence on college campuses, there is a moral need to do so as well. To do this, Title IX coordinators as well as other staff have explored prevention strategies and implemented them to educate all students, including men, on how to help themselves and their friends avoid engaging in inappropriate sexual behaviors. These strategies have also sought to educate male and female students in what constitutes rape. Studies have shown that dispelling rape myths and educating students about what constitutes rape is a potential solution to preventing sexual assault (Edwards, 2009). According to Edwards (2009), there are two categories of prevention: reactive reduction, and proactive rape prevention. Reactive reduction encourages women to avoid situations where they have higher chance of being sexually assaulted. The proactive approach is one that encourages educating men and women about potential perpetrators and how to intervene. An example of a common proactive prevention program is Bystander Intervention Training (Edwards, 2009), which emerged as a process for students and student leaders to teach other students how to stop a possible sexual assault violation by taking care of friends and acting responsibly (Exner & Cummings, 2011).

In addition to prevention, there is a growing body of research and strategies aimed at consent. To that end, there is a demonstrated need to define consent in a clear manner and teach students what it means to give consent in a transparent manner prior to engaging in sexual activity (Lafrance, Loe, & Brown, 2012). In September of

2014, California passed SB 967, a bill that requires colleges and universities to develop an affirmative consent policy and identify victim advocates. The Title IX coordinator plays an integral role in creating the affirmative consent policy and educating students about what it means. The *yes means yes* approach is a paradigm shift from the *no means no* approach in that it requires all parties involved in the sexual activity to give affirmative consent. One of the controversial issues most recently brought up in court is the shifting of this burden of proof to the accused student (Mangan, 2015).

One of the issues in studying sexual misconduct is that each campus defines it in a different way and Title IX coordinators roles are also slightly different from campus to campus. Furthermore, the standards for sexual misconduct and for what constitutes violations of these policies have changed, as have today's students. For example, students who report a sexual assault to their colleges expect a clear and understandable process for investigation as well as appropriate sanctions. Another way that the landscape for sexual assault has changed is in the lives of students that are in college. Fifty or even 25 years ago, students did not have the Internet, Facebook, Instagram, or anonymous sites such as Yik Yak to share thoughts. Combined with this are current trends in alcohol and drug use such as *molly* (MDMA), prescription medications, and rohypnol, making this is a dangerous mix for this *hook up* culture. Among college students, the term *hooking up* has been used to describe casual sexual encounters that typically do not include a relationship or the suggestion of one. Today's college students have more access to information, expect more from the institution they attend in terms of holding their peers accountable, and have high expectations for clear and understandable policies and procedures (Koenick, 2014).



The use of alcohol and drugs plays an important role in sexual assault from a consent and risk perspective. Alcohol is involved in one-third to two-thirds of sexual assaults (Harnett, 2012). Consent can be confusing during heavy drinking episodes and consumption of alcohol, making it very difficult to determine the facts around sexual assault. Additionally, the role of GHB (gamma-hydro butyric acid) and other date rape drugs has played a significant role in sexual assaults among college students (Hensley, 2003).

Since 2000, sexual assault has been the most widely underreported crime on college campuses (Gonzales, Schofield, & Schmitt, 2005). One explanation and hesitancy for victims not reporting sexual misconduct is because they may know the perpetrator. *Acquaintance sexual violence* is defined as sex between two people who know each other. The barriers to reporting sexual assaults for both men and women have been studied over the past 30 years, but little has changed in terms of overcoming those barriers and increasing reports. In a 2006 survey of 215 college students, researchers found that the barriers to reporting were the same among men and women. Both groups reported that the main barriers to reporting a sexual assault were shame, guilt, embarrassment, confidentiality concerns, and fear of not being believed. Men reported the fear of being judged as gay as a top concern, while for women, there was a larger concern over retaliation (Sable, Danis, & Mauzy, 2006). Unclear reporting procedures, and the fear that reporting sexual misconduct might be made public, compound the victim's reluctance to report and potential feelings of embarrassment, shame, and guilt for the victim. If victims do not know what will happen if they report a sexual assault crime, it may be likely that they will not report it at all.

## Working with New Regulations

All federally funded institutions are obligated to comply with DCL and face challenges in responding to policy and procedural recommendations. At the forefront of these obligations is the Title IX coordinator due to the responsibilities of his/her position. First, colleges and universities must reform their sexual misconduct policies and conform to new regulations set out by the U.S. Department of Education and in response to the DCL. Institutions are also required to distribute a nondiscrimination statement for all community members and, as discussed earlier in the chapter, a Title IX coordinator must be designated to oversee the investigation procedures as well as ensure a fair and equitable process for everyone involved (Sieben, 2011). Additionally, institutions must disclose and be transparent about what information is considered confidential and who is required to report a case to the university should they learn or be informed of a possible case of sexual misconduct. Next, the OCR encourages institutions to provide educational programming for students. This can include bystander intervention and campaigns to dispel rape myths as well as other programs that assist male and female students to help their friends avoid sexual assaults. With each new regulation come challenges both for the institutions as well as the Title IX coordinators.

At a more local level, California Governor Jerry Brown signed into law SB 967, an affirmative consent bill. This bill, known as the *Yes means Yes* bill, requires that colleges and universities adapt their policies so that affirmative consent is a conscious and voluntary agreement to engage in sexual activity. Furthermore, this law states that if a person is under the influence of drugs or alcohol or otherwise incapacitated, by law, he/she is unable to give affirmative consent. This burden of proof often complicates

matters even further, creates tension for Title IX staff, and highlights the difficulties they face in determining sexual misconduct decisions. Lastly, this bill requires a comprehensive training program for faculty and staff and colleges as well as inclusive prevention programs. SB 967 mandates institutions to change their internal policies to adjust to affirmative consent language complicating the Title IX landscape even further (Senate Bill 967, 2014).

### **Problem Statement and Research Questions**

Mishandling of complaints of sexual misconduct has led to new government legislation and policies that mandate specific reporting and responses related to sexual violence. Ultimately, this large responsibility falls on the Title IX coordinator, who must revise sexual misconduct policies, as well as review and re-think the way the campus community, faculty, staff, and students are informed and taught about how to report sexual violence and stop it from occurring. With the changing landscape of sexual violence, colleges and universities are being held to higher standards of accountability in responding to and to handling sexual misconduct; this responsibility falls largely in the hands of the Title IX coordinator. Furthermore, due to violations of governmental policies and unclear policies and practices, a growing list of institutions is under review by the OCR, which puts even a greater amount of pressure on the Title IX coordinator. In *The Chronicle of Higher Education*, Daniel Carter, a national victims' rights advocate and director of the 32 National Campus Safety Initiative stated, "In the current environment being a Title IX coordinator can be a challenging assignment . . . But it's an important challenge for higher education to take on" (as cited in June, 2014, p. 13).

Small and medium-sized private institutions face challenges with Title IX work just as large public institutions do. Like large institutions, small and medium-sized private institutions face a lack of financial support for Title IX prevention, training, and education. Even though sexual misconduct prevention programming is mandatory, these programs are largely unfunded no matter what type of institution is involved. However, Title IX coordinators at small and medium-sized private institutions typically have more than one role; this may produce time difficulties and role confusion. For example, the Title IX coordinator at a small or medium-sized private institution might be a Director of Human Resources or even a Dean of Students. Of the 13 Title IX coordinators that were interviewed for this study, 12 of them have another role or position on their campus. With changing regulations and policies, Title IX coordinators also face specific challenges in their positions and in these dual roles. This research addressed the issues related to these dual roles, provided insight related to campus educational efforts, and highlighted the challenges that Title IX coordinators face on their campuses. As classified by the Carnegie Classification, the colleges and universities included in this study are small or medium, private, not for profit 4-year institutions located in the Western United States (“Carnegie Classification,” n.d.).

The following three research questions guided the study on these issues in small and medium-sized private colleges.

1. What challenges do Title IX coordinators face in their professional role and how have these challenges changed since the issuance of the Dear Colleague Letter of 2011?

- 1a. How, if at all, have Title IX coordinators overcome these challenges?

2. What professional experiences and competencies do Title IX coordinators believe they need to be successful in their present work?
  - 2a. How do other professional responsibilities they perform on campus intersect with their Title IX work? What are the benefits and challenges to that intersection?
  - 2b. What are the professional backgrounds of Title IX coordinators and how did they get into their roles in Title IX?
3. In what manner do Title IX coordinators collaborate within and across campuses in carrying out their professional obligations?
  - 3a. What professional networks do Title IX coordinators use to support their work and why do they consider it to be helpful?

### **Overview of the Research Design**

A multi-pronged approach was used to investigate the research questions. The sample for this study was generated, through Carnegie Classification, by identifying small and medium-sized private 4-year colleges in the Western United States (“Carnegie Classification, n.d.). Schools meeting the preceding criteria were used for both the questionnaire portion and the semi-structured interviews. I first sent out an online questionnaire using Qualtrics to all 34 Title IX coordinators in my sample, which was one per institution. Through the questionnaire, I was able to identify and gather interested participants for the interview portion of the study. By using a questionnaire with both closed and open-ended response options, I was able to gather responses about the professional work and competencies that Title IX coordinators perceived to be helpful to them in their roles as well as some of the challenges they face. The semi-

structured interviews with the Title IX coordinators provided rich data about their experiences in their roles and the challenges they face with multiple areas of responsibilities at their institutions. The qualitative interviews were the main sources of data collection for this study.

### **Significance of Research**

With changing regulations and challenges faced by colleges and universities around Title IX issues, this study was essential. Title IX coordinators have an important role at their respective institutions and this role has changed quite drastically since the DCL of 2011. It was crucial to study how institutions are working with the changes since 2011 and the challenges that Title IX coordinators face in specifically addressing sexual misconduct. Many institutions are doing their best to support students and victims, or survivors of sexual assault, and it is important to follow through on reports and take allegations seriously while using established policies and protocols. This takes diligence and an effort to maintain awareness for all parties involved as well as the community as a whole. This study highlighted the roles of Title IX coordinators at small and medium-sized private 4-year colleges and the challenges they face in trying to maintain Title IX compliance work on their campus. A study such as this has significance for Title IX coordinators and executive level administration in an effort to highlight the professional responsibilities of Title IX coordinators and how to overcome some of the inherent challenges they face in their multiple roles. Furthermore, this study informed and validated the tough position that Title IX coordinators are in and how their efforts affect students and the campus community as a whole. Additionally, I have documented the professional skills and competencies that Title IX coordinators say they have and their

path that lead them to this position. Lastly, the findings from this research identified the specific ways that Title IX coordinators collaborate both on and off their campus and how this has been helpful to them in their roles.

### **Summary**

This research is not only timely, but also critical. Sexual misconduct is widely underreported and takes a large toll on its victims. Furthermore, this research provides recommendations for supporting Title IX coordinators who are responsible for Title IX and have dual roles at their institutions. Title IX work is quite challenging, and it is difficult for Title IX coordinators to keep current with sexual misconduct policy and procedures in an effort to encourage students to once again trust the system of reporting. Furthermore, prevention education and teaching students about affirmative consent can be time consuming, and it can be difficult to reach all students. This timely research highlights these challenges and provides direction for Title IX coordinators to overcome the various challenges they face in their roles.

## **CHAPTER TWO: LITERATURE REVIEW**

Institutional and university responses to sexual offenses and how to educate students remain in the forefront of discussions amongst administrators, faculty, and staff. With the changing regulations for policies, procedures, and sanctions, combined with new legislation, Title IX coordinators are struggling to figure out what approaches will be the most helpful and beneficial for the community. Policy improvements, additional student resources, and clear investigation procedures are just a few of the several issues facing Title IX coordinators. The focus of this study was to examine the experiences and challenges that Title IX coordinators face especially when they have dual roles at their institution. Furthermore, this study explored the sources of support both on their campus and off campus as well as the professional competencies that Title IX coordinators use in their role.

As mentioned earlier, Title IX coordinators are responsible for compliance, prevention education, and training. Title IX coordinators oversee and are responsible for the entirety of Title IX work that occurs on each campus. Therefore, as a starting point, I discuss pivotal moments in the sexual misconduct history and highlight these trends in higher education. For historical context, the role of drugs and alcohol as well as changes in technology related to campus sexual offenses are included. Second, I discuss the educational programs that have been developed to educate students about sexual misconduct and how to prevent it. Third, I examine the role of the student conduct process as well as sanctioning for students that are held accountable for this type of policy violation. The role of the student conduct process is central to how institutions are adjudicating Title IX cases; therefore, it is important to understand those



processes and how they relate to sexual assault and misconduct cases. Because policy compliance is part of the Title IX coordinator's position, this literature review addresses the intersection of Title IX and the history of compliance with this law. Lastly, as the landscape of Title IX continues to change, this study will examine the challenges of implementing new policies, procedures, and programming.

As a means of understanding sexual offense policy and procedure, it is crucial to discuss the history of how universities handled such violations. Not only has the position of Title IX coordinator changed since the DCL of 2011, but also student demographics have also changed considerably in terms of technology and the types of drugs and alcohol that are accessible. Additionally, it is important to understand the institutional impact of changing regulations and how Title IX coordinators are responding to sexual misconduct cases. These discussions, and others, will be the basis for this study and this literature review.

### **Sexual Misconduct in Higher Education**

Sexual misconduct among U.S. college students remains a problem, with 20% of college age women and 5% of college age men being a victim (Clement, 2015; Fisher, Cullen, & Turner, 2000). Furthermore, there is a lack of reporting to law enforcement and/or campus officials, with less than 5% of victims coming forward in an official capacity (Fisher et al., 2000). According to the U.S. Department of Justice (2014), for the period of 1995-2013, females aged 18-24 had the highest rate of sexual assault of any other age range, and Koss, Gidycz, and Wisniewski (1987) found that a woman's risk for being sexually assaulted was 25%. Despite efforts to change this rate of assault

among this population, there has been little movement forward for reducing this number and increasing the amount of reports to either law enforcement or university personnel.

It is important to contextualize and define what is meant by sexual misconduct because this term will be used over the course of this study. Sexual misconduct refers to a set of policies and include sexual offenses. Therefore, offenses such as sexual assault, harassment, stalking, domestic violence, dating violence, and rape are commonly referred to as sexual misconduct and fall under Title IX regulations. Sexual assault is a term that is widely used to describe sexual misconduct and more specifically, according to Bohmer (1993), “is a general term that describes all forms of unwanted sexual activity” (p. 3).

As a starting point for sexual misconduct, in 1957, Kanin first discussed an aggressive relationship between members of a dating couple. Later, Title IX of the Educational Amendments of 1972 prohibited discrimination on the basis of sex. Then, in 1975, rape laws began to change in favor of victims, allowing for easier trials and convictions. Laws were revised so that there enabling greater sensitivity to what happened, a more gender-neutral approach, and a less punitive attitude toward women. Because rape had the lowest conviction rate of any felony, some states replaced the word *rape* with *sexual assault* as a way of establishing various degrees of seriousness. Unfortunately, colleges and universities have struggled to deal with sexual misconduct offenses since the 1980s. One of the first landmark cases involved a Syracuse football player who pleaded guilty and was charged by the university with rape and sexual assault (Bohmer, 1993). Surprisingly, the university did not charge him with any offenses.

Like the Syracuse case, another high profile example occurred in 1991 where St. John's University charged members of its lacrosse team with gang rape. Members of the team were acquitted in a court of law but the university expelled three of the men for violating the student code on sexual assault. This is one portrayal of how university response can differ from criminal court responses. These cases and others led to the need for changes in how institutions of higher education respond to sexual misconduct cases and how they are handled. Surprisingly, until the early 1990s, universities were not obligated to report these statistics to the public or campus community. For this reason, many cases are likely still unknown (Bohmer, 1993).

In response to sexual misconduct and the beginning of accountability in higher education for crime, the Right to Know and the Campus Security Act was enacted in 1990. Renamed in 1998 after Jeanne Clery, a student who was raped and murdered in her residence hall room, the act requires institutions to report crime in and around campus. Institutions are required to publish an Annual Security Report (ASR) each fall and make it available to all campus community members including prospective students and employees. The Clery Act was instrumental in the movement towards accountability and compliance for crimes occurring on college campuses ("Summary of the Jeanne Clery Act," n.d.).

Furthering measures of accountability, in 1992, an amendment was made to the Clery Act that required schools to provide certain assurances and rights to victims. Additionally, this amendment mandated prevention program efforts on college campuses aimed at education and strategies for preventing sexual assault. Amended again in 1998, institutions were further held accountable for their ASRs with regard to

sexual crimes. In March of 2013, the Jeanne Clery Act was amended with the Campus Sexual Violence Elimination Act (SaVE), a reauthorization of the Violence Against Women Act (VAWA.) VAWA is a federal law signed by Bill Clinton in 1994 that provides resources for investigations of violent crimes against women. Campus SaVE has three main objectives. First, this amendment requires transparency with sexual offense cases on campus by reporting them in the ASR. Second, there is a set of victim's rights followed by clear disciplinary proceedings for sexual assault. Lastly, institutions are required to provide educational programs to all students in an effort to prevent sexual offenses. The Campus SaVE act solidified accountability amongst institutions that were underreporting sexual offense cases and therefore lacking in transparency for prospective students ("Summary of the Jeanne Clery Act," n.d.).

More recently, and arguably most importantly, the DCL issued by the OCR in 2011 called for colleges and universities to take "immediate and effective steps to respond to sexual violence in accordance with requirements of Title IX" (U.S. Department of Education, 2011, para. 5), including several recommendations surrounding investigations, grievance procedures, interim protective measures, and notifications for all parties involved. Additionally, colleges and universities have always had to have someone assigned to Title IX compliance; however, the DCL stipulated that the identity of the Title IX coordinator must be explicitly clear, with name and contact information available to the campus community. The Title IX coordinator is responsible for overseeing all matters of compliance, addressing patterns of complaints and systemic issues, and must be trained on sexual misconduct and sexual violence (U.S. Department of Education, 2011).

## **Influential Risk Factors**

Even though colleges and universities have strived to decrease the rate of sexual misconduct through changes to policy and prevention programs, the rate of these occurrences remains largely unchanged from the results described by Koss et al. (1987). Furthermore, the focus has shifted to the identified risk factors that have played a role in how these offenses are being examined. Through careful examination, much can be learned about how to prevent sexual misconduct and how to educate students to avoid potentially bad situations or circumstances.

Prior victimization is one of the predictors of sexual misconduct in the college setting. In a mixed methods study of 330 first year women conducted by Himelein, Vogel, and Wachowiak (1994) during freshmen orientation, he found that women who were sexually victimized prior to entering their college years were more likely to be a victim during their time as a college student. Using a 120-item questionnaire, Himelein et al. measured dating history, sexual victimization, sexual history, and child sexual abuse history. Sexual victimization was measured through a known instrument, the Sexual Experience Survey (SES), while the other variables were measured through questions from the researcher. Following the questionnaire, participants were asked if they wanted to participate in a follow up study, but it is unclear how many were willing to participate in the follow up. This study indicates that prior sexual victimization before college is a strong predictor of sexual assault for women in higher education. However, Himelein et al. stated, "It is important to emphasize that the search for risk factors is motivated by the goal of prevention. Evidence that these variables heighten a woman's vulnerability in no way mitigates the offender's responsibility for his sexually aggressive

behavior” (p. 414). This study sought to understand how prior sexual victimization can be a risk factor, thus informing content for prevention education programs.

According to Abbey and Harnish (1995), alcohol plays a role in one-third of sexual offenses. Alcohol use has been widely studied among students and how it is linked to possible crimes such as sexual offenses. Alcohol use by both the perpetrator and the victim are often discussed by administrators because of the inability to give consent and understand the situation while intoxicated (Lafrance et al., 2012). Alcohol combined with drug use provides an environment that is predictably the most influential precursor to sexual victimization (Abbey & Harnish, 1995).

In the Campus Sexual Assault (CSA) study (Krebs, Lindquist, Warner, Fisher, & Martin, 2007), researchers found many factors that contributed to sexual victimization that corroborate findings from other studies in regard to prior victimization and substance use. The CSA study, prepared for National Institute of Justice, was a web-based survey conducted over the course of 3 months during the winter of 2005-2006 and given to a sample of 5,446 women and 1,375 men attending two large public universities. Respondents were not asked to identify themselves. All participants were undergraduate students, first year students through seniors, and were asked about their college experiences in relation to their sexual history.

One of the limits of the CSA study was that seniors had more college experience than a first year student, giving them more overall time to experience sexual misconduct. To better understand prevalence and nature of sexual assault, as well as reporting sexual misconduct, subjects were given a survey developed by the researchers, that measured alcohol and other drug (AOD) use and dating history, as

well as experiences, behaviors, and attitudes related to sexual assault. Findings from this study point to risk factors that contribute to victimization in college such as AOD use, year in school, and prior victimization. The findings also suggest that targeted programs aimed at these risk factors are essential for prevention efforts at the university level. The researchers in this study extensively analyzed the data using descriptive analytics and analyzed the results weekly throughout the 3-month period. Due to the web-based nature of the survey, the response rate was fairly low, but conducting interviews would not have provided anonymity to the participants in the way the survey did. Additionally, another limit to the study is that the researchers did not fully examine how the risk factors were related to each other (Krebs et al., 2007).

One of the major findings of the CSA study in regard to prior victimization was an identified risk factor of prior history of victimization. Notably, 15.9% being victimized prior to coming to college and 19% of those have been victimized since starting college (Krebs et al., 2007). These findings align with the findings of the 1994 Himelein et al. study that prior victimization is a risk factor of being a victim of sexual misconduct during the college years. Additionally, Himelein (1994) found that students who belonged to sororities as well as those in their first few years at the university were more likely to be victims of some type of sexual assault. Conversely, the CSA study showed that only 14% of the sorority members were not victims of sexual assault (Krebs et al., 2007).

Just as class standing and member status are influential factors in sexual offenses, the location of where the incident occurred is also a factor. In the CSA study, it was discovered that 58% of the sexual offenses occurred when the victim was incapacitated at a party at an off campus location. Furthermore, the timing of these

offenses was found to be statistically significant for Fall (September, October, and November). Lastly, the women in this study were asked if they viewed the offense as rape. Of the women that reported a forced sexual assault, 40% stated yes, it was rape. For the women who reported an incapacitated assault only 25% viewed it as rape (Krebs et al., 2007). This research suggests that there is considerable variation in how women understand what rape is and what incapacitated assault is.

Based on the findings of the CSA study and suggestions gathered from the literature about risk factors, two areas warrant further research and examination. First, prevention programs should target specific audiences: for example, a program targeted toward AOD use as a form of incapacitated assault, groups that were found to be the most at risk such as first years and sophomores, and those belonging to sororities. The second area relates reporting rates. Due to the small amount of reported sexual misconduct cases, Krebs et al. (2007) suggest that strategies should be employed to encourage reporting as a means for the victim to recover and heal. My study took an in-depth look at prevention programs and their target audience, as well as the resources available that encourage students to report sexual misconduct. Students would benefit from knowing more about rape and incapacitated assault and how they are defined by the university and by law.

### **Sexual Assault Educational Programs**

Prevention programs aimed to educate students about sexual offenses on college campuses are developed from varying perspectives. Banyard, Plante, and Moynihan (2004) suggested the need for efforts that are focused on theoretical models, models free from victim blaming, and models that employ a larger community of



support. Furthermore, research suggests that the community must be ready to change and there is no one-size-fits-all approach, meaning that different programs will work for different types of people and the same is true for different campuses. Just as the list of prevention programs and ways to educate community members varies, so do the types of community members and campuses.

### **Bystander Intervention**

Sexual offense educational programs vary in terms of effectiveness, delivery, and audiences. Past prevention programs have focused mainly on females and the use of self-protection as a technique to avoid being a victim of a sexual offense (Banyard et al., 2004). Moving away from this type of technique, bystander intervention programs were developed to educate male and female students about how to intervene and prevent a sexual offense from occurring (Banyard et al., 2004; Banyard, Moynihan, & Crossman, 2009; Exner & Cummings, 2011; Moynihan et al., 2014). This type of program offers a way for students to recognize a potentially dangerous situation, preparing them with the tools and capacity to intervene. In this prevention program model the focus is on the belief that someone who is present can step in and interrupt a potentially dangerous situation (Banyard et al., 2004; Burn, 2009). One important piece that is critical to the success of someone acting as a bystander is that the person understands the need to intervene and has the ability to do so (Banyard et al., 2004).

Along with providing community members with tools to intervene in a possibly dangerous situation, bystander intervention moves the focus away from victims and to the community as a whole (Banyard et al., 2004, 2009). Furthermore, Banyard et al. (2004) suggested that if bystanders have the “appropriate capacity and beliefs,” they

would be more likely to intervene (p. 68). Banyard et al. are suggesting that key components to bystander training are the specific skills needed for intervention and what the bystander can likely expect from the situation. When training bystanders, it is preferred that the training includes the types of situations and issues they may encounter in a real life situation.

Bystander intervention training is important for sexual misconduct prevention in a way that is different from other programs by involving the community in an active and participatory way. Banyard et al. (2004) stated,

They [bystanders] need to have an awareness of the problem and its negative impact on the victim. They will be more likely to help if they are asked to make a commitment to help and to see themselves as partially responsible for solving the problem. (p. 69)

Lastly, bystanders need to feel as though they can intervene and have the skills to do so effectively.

Whereas the outcomes of bystander intervention remain largely unstudied, this multi-faceted prevention approach has benefits that extend beyond assisting a victim during a potential dangerous situation. Bystander intervention teaches community responsibility and gives a broader context of the problem to its members through training and education (Banyard et al., 2004). Through bystander training, rape myths and common misconceptions are discussed and affect views of those receiving the training. Additionally, Banyard et al. (2004) expressed the need for more empathy for victims and recognition that this is a community issue that needs to be addressed. Through the bystander approach students are essentially learning leadership skills that

will ultimately help them have the confidence to act as bystanders and intervene in a possible assault.

This combination of community responsibility and leadership approach prevention strategy is helpful in mitigating one of the most influential risk factors of sexual offenses: the role of alcohol. As pointed out earlier in this chapter, the CSA study found that 58% of the participants reported a sexual assault occurring off campus and one in three of these sexual assault reports involving alcohol (Abbey, 1995; Krebs et al., 2007). With the high risk of off-campus parties involving alcohol, it is believed that students who are taught bystander behaviors over time are more likely to help a friend or stranger that may be in a potentially difficult situation.

Bystander training can be tailored for any community member, student, faculty, or staff member. Often student leaders receive training at the beginning of the year and then again throughout the year in relation to parts of their job and their role on campus. Banyard et al. (2009) studied a group of resident advisors (RAs) and student staff from the student center. The RAs were responsible for their peers in the residence halls and the student staff in the center were visible employees who were more likely to witness a possible sexual assault situation. In this study, student leaders were taught how to stand up for one another and use their positions and community knowledge to the advantage of other students and as a means of intervention. The participants were given a pre- and post-test to analyze whether or not the bystander intervention training affected their attitudes about behavior and the intent of their behaviors of bystanders. Of the 196 student leaders that participated the researchers found that because of the program, the participants had a reduction in rape myth acceptance attitude, an increase

in their willingness to assist a victim or potential victim, and greater confidence in being a bystander. Participants were also asked open-ended questions about the program; in one of the questions they were asked if they would recommend the program to other campus community members. An overwhelming 89% of the student staff and 86% of the RAs stated they would. Even with the sexual misconduct training the students had already received, this study showed that the RAs learned a great deal about how to be active bystanders and play that role in their student leadership capacity on their campus.

Through the bystander prevention approach students are learning leadership skills that will ultimately help them have the confidence to act as bystanders and intervene in potentially dangerous situations. With the high risk of off-campus parties involving alcohol, students who are taught bystander behaviors over a period of time are more likely to help a friend or stranger that may be in a potentially difficult situation. Furthermore, the bystander approach can be adapted to different types of students and situations.

### **Improv Prevention Programs**

Rutgers University has been administering a peer interactive improv group focused on relationship violence, sexual assault, and harassment since 1991. SCREAM (Students Challenging Realities and Educating Against Myths) performs plays over 70 times a year to various audiences such as high schools, conferences, and other universities. This theatrical group covers a broad range of issues and incorporates elements of bystander training in its message (Koenick, 2014). Through the use of theatre, actors can portray scenes that display what sexual victimization is and how to

combat rape myths. Because this type of program is interactive, the audience is able to ask the actors questions to try to understand what is going on in their minds and how they feel being a victim or perpetrator.

Twenty years after the start of SCREAM at Rutgers, the institution received a grant from the Centers for Disease Control and Prevention (CDC) to study the effect of a peer educational program that was administered to college freshmen in up to four sessions. Student leaders, athletes, and fraternity and sorority members attended a seven-session course. The most important aspect of this program, according to the CDC, was whether or not the participants' attitudes, beliefs, and behaviors changed as a result of this prevention program. Although this program is only 4 years old, early results from the CDC indicate that the students improved their bystander skills and the more sessions they had, the better their behavioral outcomes were (Koenick, 2014).

### **Focus on the First Year**

Although student leaders are the focus of bystander training, certain prevention programs focus on educating first year students when they arrive on campus. Kress, Shepard, and Anderson (2006) conducted a 2.5 hour rape myth acceptance educational program for 234 incoming first year students. Rape myth acceptance is defined as "attitudes and beliefs that are generally false but are widely and persistently held, and that serve to deny and justify male sexual aggression against women" (Lonsway & Fitzgerald, 1994, p. 134).

In the study conducted by Kress et al. (2006), the first year students were required to attend the program, and if they did not, they were unable to register for their classes. Prior to the start of the program, the first year students were asked to complete

the Illinois Rape Myth Acceptance Scale-Short Form (IRMAS-SF) as a pre-test. Next, the main facilitators of the program, two counselors from the campus counseling center, introduced the topic and data related to sexual assault. Next a theatrical group performed skits where they portrayed sexual assaults followed by a large group discussion about reactions to the skits. The freshmen were then split into groups and were led by peer facilitators for about 45 minutes to discuss their feedback about what they had seen. Lastly, prior to the posttest, the students reconvened with the Dean of Students who reviewed the severity of this issue, covered policy related to sexual misconduct, and asked the participants to provide feedback for the program assessment.

Given the different elements of this program, the first year students that completed the program showed a decrease in rape myth acceptance attitude. Furthermore, no matter the participants' age, gender, race, etc., the program was still effective, regardless of whether they had received prior training or not. One advantage of this program is that it did not require a large budget. The use of student facilitators and actors for the skits as well as already trained university staff kept the costs down for the university (Kress et al., 2006).

The format for prevention programs for first year students is key to providing an effective method of delivering a message and discussing sexual misconduct. Because Krebs et al. (2007) found that college students are more likely to be victims of sexual misconduct during their first 2 years in college than any other group, it is especially important to educate first-year students when they first step onto campus. Rothman and Silverman (2007) conducted a quantitative study of the effectiveness of sexual assault

training and education programs on 1,892 first year students. *Sex Signals* was a 2-hour sexual assault education program conducted at a liberal arts college orientation with large group and small group discussions for the intervention group. This presentation was led by the director of the college's Sexual Assault Prevention office, a rape crisis center director, a sexual assault survivor, and a group of administrators. The comparison group was the graduating class of 2006 who had not been exposed to any type of prevention program. During their respective sophomore years, each class was contacted and asked to participate in an anonymous web-based survey using a modified version of the SES developed by Koss et al. (1987). Because the comparison group was asked about their experiences 1-year prior, this could have influenced their responses and was a limitation to this study.

The researchers compared the frequency of reports of sexual victimization with those that had been exposed to the program and those that had not. They found that those that attended the program (12%) during orientation were less likely to have been victims of sexual assault than those that did not attend a program such as this (17%) (Rothman & Silverman, 2007). The researchers' findings support the need for sexual misconduct prevention programs and for more research about these programs for new students.

### **Engaging Men**

The need for allies and intervening bystanders is crucial when discussing educational programs geared towards preventing sexual offenses. Men are a group identified as being key to this movement. In a White House report released in spring of 2014, President Obama called for universities to start engaging men as allies,

partnering with them to reduce sexual assault (The White House Council on Women and Girls and the Office of the Vice President, 2014). Although research about prevention programs is still lacking, the same is also true about programs targeting men. Long before the White House report was released, Fabiano, Perkins, and Berkowitz (2003) conducted a study about engaging men as allies in violence prevention. The study was conducted at Western Washington University, where 2,500 students were randomly selected to receive a mailed packet with the National College Health Assessment Survey in it. Of the sample of 2,500, 618 responded to the survey for a 21.5% return rate. The researchers concluded that men were more likely to intervene if they thought other men would intervene. This is a social norms approach to engaging men both in intervention as well as in conversation about how to successfully interrupt a sexual assault and become an ally for women.

Given the risk reduction strategies and the prevention programs to address these risks, no one prevention program will cover all topics for all people; it is not a one-size-fits-all type of prevention approach (Banyard et al., 2009). Bystander intervention is one of the most easily understood and used prevention programs for college students because of the leadership skills it employs. No matter what prevention program is used, knowing the audience and possible students who may be more at risk for victimization is key to prevention programming. Understanding the campus culture combined with meeting the students, faculty, staff, and leaders where they are is most effective (Banyard et al., 2004; Katz & DuBois, 2013). Identifying core beliefs and tailoring the messages and prevention strategies targeted towards each group are two strategies that the literature suggests.



As evidenced in the literature, sexual misconduct prevention programs range widely in target audience, delivery, and content. Furthermore, the CSA study corroborated findings about risk factors for college students, providing guidance for prevention program content and delivery. Because there is no one size fits all approach to prevention efforts, universities are able to tailor their programs to university culture and target specific audiences.

### **Student Conduct Administration**

Consistent with other student services on college campuses, the office of student conduct, or judicial affairs, arose out of the need to deal with student behavior or misbehavior. In the simplest sense, student conduct serves two purposes: first, to educate students by holding them accountable to a conduct code and university policy, and second, to provide a safe learning environment for the campus community (Lancaster & Waryold, 2008; Ottens & Hotelling, 2000). Although colleges and universities must adhere to local, state, and federal laws, each campus has its own set of unique policies and standards that students are expected to follow. Usually situated in a student affairs division or department, student conduct offices are responsible for the adjudication of incidents that may involve student code violations and often for development and communication of the student code of conduct.

Even though student conduct codes have similar components such as initial hearings and sanctioning, colleges and universities have nuances in their conduct system that makes them unique. Generally, students that violate a campus policy are often notified in writing of the charges and violations. Next, the student is given the opportunity to discuss the charges with a student conduct officer and to present his or

her side of the story. Furthermore, students have rights that are afforded to them through the hearing process. The student has a right to an impartial hearing, a right to bring forth witnesses at the direction and discretion of the hearing officer, and the right to an advisor of some sort. The advisor role varies from institution to institution and students are made aware of their rights by the advisor. Some institutions provide an advisor that has been trained about the student conduct process and other institutions allow the student to have any advisor, including a peer, of his/her choosing (Ottens & Hotelling, 2000).

Adding an additional layer of complexity are sexual misconduct cases that further confuse students and staff alike around issues of evidence and rights to privacy. Cases brought through the student conduct system and the difference between university judiciary processes and the legal system are quite broad. For example, university judicial processes do not require anyone to remain under oath, and there is no judge or jury. Additionally, privacy laws preclude universities from disclosing or confirming details about the case (Wilson, 2015).

Recently, California and New York put into law a new *yes means yes* consent standard, meaning sexual activity must be affirmed and can be revoked at any time (Misner, 2014). Some opponents of this standard state that it puts a burden of proof on the accused, whereas others believe the institution investigating the claim still needs to weigh the statements from all parties involved (Mangan, 2015). These nuances provide further confusion for adjudication of sexual misconduct cases, even for trained investigators.

Another difference between the criminal system and university student conduct is the standards of evidence. Student conduct offices has written documents such as incident reports as well as written statements available for review by the hearing officer or hearing board (Ottens & Hotelling, 2000). In criminal hearings, these types of documents are not admissible. Second, during criminal hearings, the standard is *beyond a reasonable doubt*. In contrast, the standard that is used by student conduct is two pronged: clear and convincing or preponderance of evidence. This standard means that the board or hearing officer only has to feel that there is a greater than 50% likelihood of the conduct occurring (Lancaster & Waryold, 2008; Ottens & Hotelling, 2000; U.S. Department of Education, 2011).

### **Judicial Sanctioning**

Students who are found in violation of a conduct code infraction receive sanctions. Sanctions vary considerably in level of severity based on the type of infraction. Universities may regard sanctions as educational in nature, not punitive, and are given to further the students' understanding of the violation. Conduct code violations may require that students take online educational programs, provide restitution, and do a reflection paper or some sort of restorative justice component. Sanctions for a sexual offense can include several facets, such as warnings, probation, suspension, expulsion, and loss of privileges, as well as other options determined by the conduct officer (Lancaster & Waryold, 2008).

Recently, several court cases have highlighted the complex nature of adjudicating sexual misconduct on college campuses. Due to federal pressures, accused students claim that the scales have tipped in the favor of the complainant

(Wilson, 2015). In a case against the University of San Diego, a court held that the accused student should have had the right to cross-examine his accuser. However, student judicial proceedings are not based on a court of law and are nuanced to each institutional code of conduct. In a case against the University of Tennessee, Chattanooga, a judge decided that the university placed the burden of proof on the accused student to obtain consent for sexual activity. The judge ruled that the Chancellor violated the student's due process rights and stated that the burden of proof was on the complaining party (Schmidt, 2015). The complexities of the intersection of law and student conduct code, as demonstrated in these two cases, continue to be a source of pressure for Title IX staff.

### **Legislation and Policy Development**

In conjunction with transparency and creating clear and understandable policies, colleges and universities face policy amendments. The student code of conduct describes the policies by which all students must abide. Each institution decides when and how to amend their policies. As a result of federal laws and the DCL of 2011, all institutions were required to amend their sexual offense policies, including dating violence, stalking, and domestic violence. Creating these policies poses a great challenge for many universities that are trying to align with the mission of the institution, support student expression, and balance competing priorities (Lancaster & Waryold, 2008).

In response to institutions struggling with policy development and language, the National Institute of Justice (NIJ) released a checklist that is helpful when looking at changes in sexual assault policy (McMahon, 2008). McMahon (2008) stated, "Achieving

these nine parameters demonstrates the Institutions of Higher Education IHE commitment to promoting a campus climate that does not tolerate sexual violence” (p. 362). McMahon described several parameters of policy compliance. A definition of sexual misconduct must be clearly stated and can be portrayed in a descriptive scenario for understanding. Second, specifics must be given about the sexual offenses policy, such as where to find it and what it means. Next, the university must have personnel that are trained to respond and clearly state who can keep it confidential and who will need to notify the Title IX coordinator. Additionally, trained administrators must be able to provide resources as soon as a student reports that he or she has been a victim. The methods for reporting and what the adjudication process will look like need to be outlined clearly. The next parameter is prevention efforts and resources for victim’s on-campus and off-campus. Where can students turn if they have been victimized? Next, IHEs should remove any barriers to reporting such as loose policies and lack of confidentiality. In a recent case against the University of Oregon, a student who was raped by three basketball players sued the university for mishandling her case. As a defense, the University of Oregon sought out records from the Student Counseling Center and used them as a defense in the case (New, 2015). Questions of what information can remain confidential and what can be released complicate cases and further the need for clear and consistent policies and practices. Lastly, student conduct guidelines should be included as a means to hold perpetrators accountable through appropriate sanctions. The combination of parameters described by McMahon creates a template for federal policy compliance as well as moving beyond that scope into a supportive and affirming environment for victims.

Whereas policy development and change can take months, institutions are not required to review policies regularly. Rather, it is suggested as a best practice to review policy annually and at least every 1-3 years (Lancaster & Waryold, 2008). In reality, policies and practices can be reviewed continuously as sexual conduct standards evolve. According to the Association for Student Conduct Administration (ASCA, 2014), “Policies and procedures must be transparent for the campus community and reflect the campus culture” (p. 10).

### **Summary**

Sexual misconduct on college campuses continues to be a challenging and evolving issue, one with which Title IX coordinators continue to struggle. Title IX requires institutions to respond to complaints in a fair and timely manner through clear policies and procedures. In addition to transparency, institutions face difficulties in seeking to balance victims’ rights and needs with basic rights afforded to the accused. This study sought to investigate the key changes in and components of sexual misconduct policies and procedures. Furthermore, I examined the sexual misconduct prevention programs being implemented, the stated goals of these programs, and the resources available to the campus community. Lastly, with changing federal regulations and the complicated nature of Title IX, this study sought to understand the challenges that Title IX coordinators face at small and medium-sized private colleges and universities.

## **CHAPTER THREE: RESEARCH METHODS**

The purpose of this study was to take an in-depth look at the experiences of Title IX coordinators and the challenges they face in their roles at small and medium-sized 4-year private institutions. Further, this study examined the professional competencies of Title IX coordinators and how they collaborate for Title IX work both on and off their campuses. Based on the review of the literature, research about the role of Title IX coordinators is scarce. This study provides Title IX coordinators and administrators with valuable information about the ever changing and important role and how it has evolved since the DCL of 2011 (U.S. Department of Education, 2011).

In this Chapter, I first discuss the research questions, theoretical framework, and research design. I then discuss the population that formed the basis for the study. Next, I provide the data collection strategies and detailed analysis methods as well as the ethical considerations of this type of research. Lastly, validity and reliability are discussed.

### **Research Questions**

The following three research questions guided this research:

1. What challenges do Title IX coordinators face in their professional role and how have these challenges changed since the issuance of the Dear Colleague Letter of 2011?
  - 1a. How, if at all, have Title IX coordinators overcome these challenges?
2. What professional experiences and competencies do Title IX coordinators believe they need to be successful in their present work?

- 2a. How do other professional responsibilities they perform on campus intersect with their Title IX work? What are the benefits and challenges to that intersection?
- 2b. What are the professional backgrounds of Title IX coordinators and how did they get into their roles in Title IX?
3. In what manner do Title IX coordinators collaborate within and across campuses in carrying out their professional obligations?
- 3a. What professional networks do Title IX coordinators use to support their work and why do they consider it to be helpful?

### **Theoretical Framework**

Feminist epistemology “requires the fusion of knowledge and practice” (Hesse-Biber & Leavy, 2007, p. 5). Combining what is currently known about sexual misconduct and the effects of this violence against women with how students view institutional response gives rise to a framework for this research. By definition,

Feminist standpoint epistemology is a unique philosophy of knowledge building that challenges us to (1) see and understand the world through the eyes and experiences of oppressed women and (2) apply the vision and knowledge of oppressed women to social activism and social change. (Hesse-Biber & Leavy, 2007, pp. 4-5)

Based on this methodology, this study sought to understand the experiences and challenges that Title IX coordinators face by providing data to more closely align this position to the needs of victims of sexual and interpersonal misconduct. Although women by far face the greatest threats of sexual misconduct, Title IX is not about



women only; it is about gender and the hostile, unsupportive campus climates that Title IX coordinators are tasked with addressing. Feminist standpoint theory first started because the needs of women were not being addressed. However, in the broader context, this theoretical framework oriented my research to center the lives and work of Title IX coordinators that seek to address the marginalized population of those victimized by sexual misconduct on their campuses.

It was not until the 1960s and 1970s that the voices of women were consciously being considered in social science research. Particularly in the classroom, women were expressing their frustration with male-centered theories and the lack of connection between their experiences and the theories they were studying. Thus, new models that were developed for women by women to portray real experiences lived by women. Feminist standpoint theory has attempted to transform inquiry and practice by placing “women at the center of the research process: Women’s concrete experience provide the starting point from which to build knowledge” (Hesse-Biber & Leavy, 2007, p. 6).

Sandra Harding (1991) argued that science is socially constructed and “in a society structured by gender hierarchy, starting thought from women’s lives increases the objectivity of the results of research” (p. 150). Harding went on to suggest that starting research with “the perspective from the lives of the systematically oppressed, exploited, and dominated” (p. 150) allows for more in depth analysis of knowledge about these groups. Therefore, by exploring the lived experiences of Title IX coordinators through the lens of marginalized peoples, and in this study, victims of sexual and interpersonal misconduct, we are led to understand how to center this vital position of Title IX coordinator. Through this understanding, both Title IX coordinators and their

institutions can increase support of sexual assault victims and provide an educational landscape for community activism to end sexual violence.

The idea of double consciousness and how it relates to women but ultimately how Title IX coordinators perform Title IX work was important to this study. Double consciousness is described as “a heightened awareness not only of their [women] own lives as well as the lives of the dominant group (men)” (Hesse-Biber & Leavy, 2007, p. 14). Often, in contrast, men are not aware of the lives of women and their daily activities. For example, women are conscious of the happenings in the world and navigating corporate structures in addition to what it takes for the family to function in the home. They are aware of both lives and what it takes to be successful in both areas. Ultimately, this gives women a perspective on the world as a whole (Hesse-Biber & Leavy, 2007).

To improve a given society, it is necessary to comprehend how that society functions as a whole, become familiar with everyday lives of the dominant groups and the oppressed groups, and understand the interrelations between them.

Thus, the knowledge gleaned from women’s double consciousness can be applied to diagnose social inequalities and injustices and to construct and implement solutions. (p. 17)

Even though this example is applied to double consciousness of women, Title IX coordinators, some of whom are men, require this concept of double consciousness as well. Therefore, research that begins from the lens of the dominant group leads to further understanding about the oppressed group (victims of sexual assault) and provides perspective for the Title IX coordinators that are charged with addressing

sexual violence. Therefore, this perspective will ultimately lend itself to understanding the gaps of support and where the focus should be placed to improve institutional response and support for sexual misconduct victims.

Sandra Harding (1987) discusses the contributions of men's perspectives and research that contributes to the body of knowledge not only for women but also for marginalized groups such as victims of sexual misconduct as well. Harding went on to say, "more men, in fact, are teaching in women's studies programs and producing analyses of women and gender" (p. 11). Not all Title IX coordinators are women (and in fact, in this study, four of the 13 participants were men); both women and men can be successful in this position. Furthermore, there is evidence that feminist standpoint research can and has been conducted successfully by men.

Based on the need for research knowledge to be acquired by women, this study was oriented to better understand the issues that Title IX coordinators face in their professional roles and was also oriented from a feminist inquiry standpoint. Patton (2002) described feminist orienting methods as "participatory, collaborative, change-oriented, and empowering forms of inquiry" (p. 130). Because this study focused on the stories of Title IX coordinators and their lived experiences, alignment with this inquiry process produced rich data. Through the use of qualitative methods, the semi-structured interviews and questionnaire data from the Title IX coordinators explored these challenges and experiences. Using Sandra Harding's (1987, 1991) feminist standpoint theory and examining these issues by centering the work of Title IX coordinators that are involved in addressing hostile environments largely for women, but

also for men and gender ambivalent people, yielded further information about the critical issues and challenges of Title IX work.

### **Research Design**

This study employed a mainly qualitative analysis with some descriptive statistics of Title IX coordinators at 34 small and medium-sized 4-year private institutions in the Western United States. Given the nature of Title IX work, this design was chosen to understand the complex roles of Title IX coordinators and the challenges they face in their roles. Due to the sensitive nature of the data collected, the questionnaire provided participant anonymity in the event that the Title IX coordinator was not able to meet with me in person. However, of the 15 questionnaire responses, 13 of the Title IX coordinators met with me for a semi-structured interview. In both the questionnaire and the interview, I was able to gain a detailed understanding of the Title IX coordinator role, the issues facing their position at their institutions, and how they attempt to overcome the challenges they face. All respondents provided a detailed understanding about their role, how it intersects with the other position they hold, how they work with others both on and off their campus, as well as the skills and competencies they say are helpful to them being Title IX coordinators. This qualitative, exploratory study served to help the field because very little research has been conducted thus far on the roles of Title IX coordinators (Merriam, 2009).

This study was multi-faceted, employing two methods of data collection. I first sent out a questionnaire to all Title IX coordinators in my sample of small and medium-sized private institutions in Western United States. The questionnaire included both Likert scale items as well as open-ended questions. I chose to administer a

questionnaire to provide further anonymity for the Title IX coordinators and so that I could develop some descriptive statistics for their experiences. The questionnaire concluded with a lead to the second qualitative data collection method, the semi-structured interview. Near the end of the questionnaire, respondents were asked to participate in a 1-hour interview about their experiences with Title IX work either over the phone, through Skype, or in person. These interviews yielded rich data and stories about the challenges the Title IX coordinators face as well as how they collaborate with others both on and off their campuses.

### **Population Selection**

The population for this study was limited to Title IX coordinators at small and medium-sized 4-year private institutions in the Western United States as categorized by the Carnegie Classification (“Carnegie Classification,” n.d.). The reason I chose to study this group of institutions was critical to this research. Like all institutions of higher education, small and medium-sized private colleges face challenges such as limited access to resources and personnel. While large public institutions typically are able to hire several administrators for Title IX work, small and medium-sized private institutions largely do not have that luxury. For example, Title IX coordinators at large colleges are typically full-time employees with Title IX as their only focus. At small and medium-sized private colleges, the Title IX coordinator has at least one or two other functions as part of her/his role. Janet Napolitano, President of the University of California (UC) system, created a task force composed of 29 members of varying campus positions to create a system wide effort to fight sexual misconduct (Gordon & Watanabe, 2014). This significant movement assisted the UC system in moving their Title IX efforts forward.

Unfortunately for small and medium-sized private institutions, task forces such as this were not created officially nor clearly defined or communicated. Although it is possible that task forces have been created at small and medium-sized private institutions, arguably it would not be on the same scale as the UC system wide efforts. Studying this population allowed me to answer the research questions from the perspective of those in the positions and those who are putting Title IX work into practice on their campuses. Furthermore, this study has allowed me to identify how Title IX coordinators in their dual roles are supported and how they manage their tasks in collaboration with others.

### **Participants**

The participants in this study were all Title IX coordinators at small and medium-sized private institutions in the Western United States. Title IX coordinators oversee the landscape of Title IX compliance, deploy resources when necessary, and identify and address campus climate issues. Specifically, the functions and responsibilities of a Title IX coordinator, as described by the federal government, are as follows:

- Providing training for faculty, staff, and students.
- Overseeing all aspects of investigations.
- Providing remedies, including interim measures such as no contact order, change of residence, or change in class session.
- Monitoring campus climate and response to sexual misconduct and advising campus community about such violations. (“Sample Language,” n.d.)

To maintain confidentiality, the participants were given pseudonyms and the institutions for which they work will remain anonymous. The following table is included to in order to fully describe the participants in this study.

Table 3.1

*Participant Information*

Pseudonym	Length as Title IX coordinator	Other Role
Cindy	1.5 years	Human Resources
Frank	3 years	Student Affairs
Julie	3 years	Student Affairs
Layne	3 months	Human Resources
Mason	1.5 years	Other
Matt	5 years	Other
Pamela	7 months	None
Perry	9 months	Other
Sally	7 years	Student Affairs
Samantha	6 months	Human Resources
Stacey	3.5 years	Human Resources
Tara	3.5 years	Human Resources
Taylor	7 years	Human Resources

**Data Collection Strategies**

**Questionnaire**

The first part of the study aimed to answer each of the research questions. The questionnaire was conducted using Qualtrics, an online survey tool. It was sent out via email and piloted with two colleagues that are involved in Title IX work but not a part of the sample population. Given the sensitive nature of Title IX issues, the anonymous online questionnaire was more likely to elicit responses than solely conducting face-to-face interviews, even though anonymity and privacy were promised. By using a questionnaire with a few open-ended questions, I was able to ask questions that allowed the participants to expand on their answers and provide examples. Through the

various types of questions, I was able to gather data that were specific and relevant to the research questions as well as generate descriptive statistics.

## **Interview**

The second part of this study was the semi-structured interview. Most of the data that contributed to the findings resulted from these interviews. The interview participants were able to speak candidly about the challenges they face in their role. By using a semi-structured model, I was able to ask clarifying questions as well as probe further into their answers. The semi-structured interviews were conducted both in person and over the phone and were recorded using an iPhone voice memo. The transcripts were then generated using Rev.com transcription service.

## **Data Analysis**

Merriam (2009) discusses the importance of analyzing data simultaneously with data collection. Therefore, the questionnaire and interview transcripts were analyzed as the interviews were taking place. To analyze the data collected through the questionnaire and the semi-structured interview, I relied on a step-by-step process as described by Merriam. First, I constructed broad categories by identifying phrases, ideas, and notions by reading through the questionnaire results and the interview transcripts. These broad categories were then made more specific using deductive analysis based on the theoretical framework, feminist standpoint theory. I also utilized an open coding technique described by Merriam and remained open to any possible themes or categories that emerged and fit my research questions.

Second, I refined the categories and the data that go with them through sorting the evidence. Through this process the categories became more precise. Third, I



named the categories to reflect the data and findings within them. Through this analysis, Merriam (2009) suggested that categories should be “responsive to the purpose of the research,” “exhaustive,” “mutually exclusive,” “sensitizing,” and “conceptually congruent” (pp. 185-186). I used these criteria to define and name each category. The last step for data analysis was to determine how many categories to have. Merriam discussed the need for a *manageable* amount, and to derive this, I utilized reliability methods of peer reviewers and assessed the categories given the data I collected.

### **Ethical Considerations**

The most important ethical consideration for this study was to ensure confidentiality and anonymity for the participants, the Title IX coordinators. This was especially important given the nature of the data that I collected. To protect anonymity of questionnaire respondents, I have excluded any information that identifies the individuals or their institutional affiliation in the findings for this study. Furthermore, I did not ask what institution for which they work, which provided additional anonymity for the questionnaire.

For the questionnaire, I provided an electronic consent form using an Institutional Review Board template that consisted of the goals of the research. By providing information about the goals of my study, the respondents were able to understand the scope of my project and why I conducted this research. The informed consent form was the first portion of the questionnaire and also included a statement that participation in the study is voluntary. Lastly, I provided details about how I would not request any personally identifying information to protect the data they provided

For the semi-structured interviews, I provided each participant with an informed consent form. This form included the goals of the study and the benefits of participating. The participants did not need to sign the consent form but they were allowed to keep a copy for themselves. To protect their identity, I created pseudonyms and did not include their institution name. These measures were taken to keep their responses anonymous.

Just as there were ethical considerations for the site and participants, there were also ethical considerations for data collection. First, I removed any responses from the questionnaire that revealed institutional information. Second, throughout the data collection and analysis process, I kept the data password protected on a home computer. Lastly, I have provided a summary of the findings to interested participants but confidentiality of the data sources will be maintained.

### **Reliability**

As a Title IX administrator at a medium-sized private institution, my own bias was monitored throughout this research project. My assumptions were that Title IX coordinators face several challenges on a daily basis and that those with dual roles face difficulties maintaining balance in those duties. Additionally, I assumed that because the Title IX coordinators had multiple roles, their other position suffers at times because of the time commitment associated with Title IX compliance. Because this study was situated to address some of the key issues that Title IX coordinators face and I do not serve as a Title IX coordinator, my knowledge about these issues strengthened the data analysis because of my ability to notice nuanced pieces of the Title IX coordinator position.

I piloted my questionnaire and interview protocol with colleagues who are Title IX coordinators at two institutions not in my study. This peer review provided further credibility to my study and a way of checking my biases. Because these peers were knowledgeable about Title IX they were able to provide feedback about the questions both in the questionnaire and for the interview.

To ensure validity of the data, I employed two main strategies to check for accuracy of the findings (Creswell, 2007). First, triangulated the data that I received through the questionnaire analysis and the interview analysis. According to Maxwell (2012), data triangulation helps the researcher connect the conclusions through the strengths and weaknesses of the data collection techniques. As a second strategy, I utilized evidence that contradicted or went against a theme. Creswell (2007) describes this as *negative information* and a strategy for increasing validity that confers a realistic view of the data.

Reliability, as described by Merriam (2009), refers to the idea that given the data collected, the results make sense. Therefore, to check for reliability, one strategy I utilized was a peer review, as described by Merriam. For the peer review, I contacted a colleague who was familiar with Title IX and was not a part of my study to review the data collection process and emerging themes that I was noticing. Through data triangulation and peer review, I was able to provide further reliability for the study.

### **Summary**

This two-part, primarily interview based study aimed to understand the challenges and experiences of Title IX coordinators at small and medium-sized private institutions in the western United States. Furthermore, this study identified the

professional backgrounds and competencies of Title IX coordinators. Lastly, this study was able to identify the sources of collaboration that Title IX coordinators utilize both on their campus and with those on other campuses and in the surrounding areas.

## CHAPTER FOUR: FINDINGS

During the early spring of 2016, I administered an online questionnaire using Qualtrics and conducted 13 semi-structured interviews, both in person and over the phone, with Title IX coordinators at small and medium-sized private institutions in the western United States. The online questionnaire consisted of a small set of questions focused on the experiences of Title IX coordinators and the challenges they face in their positions as well as questions about preferred competencies for this type of position. The semi-structured interviews provided me as the researcher with stories regarding the challenges of this position, especially if Title IX coordinator was not the participants' primary role. The focus of this study was to gain an understanding of the experiences of Title IX coordinators, the challenges they face, and how, if at all, they overcome those challenges. I pursued answers to the following questions:

1: What challenges do Title IX coordinators face in their professional role and how have these challenges changed since the issuance of the Dear Colleague Letter of 2011?

1b. How, if at all, have Title IX coordinators overcome these challenges?

2: What professional experiences and competencies do Title IX coordinators believe they need to be successful their present work?

2a. How do other professional responsibilities they perform on campus intersect with their Title IX work? What are the benefits and challenges to that intersection?

2b. What are the professional backgrounds of Title IX coordinators and how did they get into their roles in Title IX?

3: In what manner do Title IX coordinators collaborate within and across campuses in carrying out their professional obligations?

3a. What professional networks do Title IX coordinators use to support their work and why do they consider it to be helpful?

Being a Title IX coordinator at a small or medium-sized private institution in the Western United States is quite challenging. In fact, during four of the interviews, the word “beast” was used to describe the amount of work and responsibility the Title IX coordinators hold. Not only is Title IX a “beast,” but also, 12 out of 13 Title IX coordinators in this study are in charge of Title IX on top of another full time position at their institution. Having these dual roles creates great challenges not only for Title IX coordinators but also for their other role as well; those that can overcome the challenges receive support from upper administration as well as their colleagues in their department.

In this chapter I discuss the findings that emerged from the questionnaire and interview via deductive coding. First I identify the ways in which Title IX coordinators have assumed their role and the experiences and skills that have helped prepare them. Then, and perhaps most importantly, I discuss the challenges that Title IX coordinators say they face in their positions, how these challenges have changed since the issuance of the DCL of 2011, and how, if at all, they have overcome some of these challenges. Third, I describe the intersection or the lack thereof of the dual roles that Title IX coordinators experience. In addition, I identify several benefits and challenges that

emerge from this dual role. I then describe the sources of collaboration for Title IX as well as the support that Title IX coordinators receive from within and outside of their institution. Finally, I will identify some unanticipated findings that emerged through the research process that are critical to understanding the Title IX coordinator role.

### **Title IX Coordinators and Their Diverse Backgrounds**

The interview and questionnaire participants, 15 in total, come from a wide variety of professional backgrounds and expansive experiences. Of the questionnaire respondents, five (33%) have worked in Student Affairs and four (27%) have worked in Human Resources. Two (12%) of the questionnaire respondents have worked in athletics, and one (6%) each in diversity and inclusion, academic affairs, and finance and operations. Four respondents chose the *other* category and stated that their previous experience was in a faculty position, Equal Employment Opportunity (EEO), admissions, and outside of higher education. Questionnaire results showed that only three respondents (20%) have been Title IX coordinators for more than 4 years, with the remaining 12 (80%) having been in the Title IX coordinator role for less than 4 years. Since the DCL was issued in 2011, this means that 80% of the questionnaire respondents assumed the role of Title IX coordinator after that letter was published.

### **Past Experiences Assist with Navigating the Title IX Role**

Interview participants described several different types of leadership roles that they say helped them with their Title IX responsibilities. These leadership positions varied greatly from academic affairs to athletics to outside of higher education. One of the Title IX coordinators had a long-standing career in the Navy (over 20 years) and another was in the Army. Another Title IX coordinator was previously a provost at his

institution, and when he stepped down to be a faculty member, he was asked to be the Title IX coordinator. Another Title IX coordinator has approximately 6 months of Title IX investigation experience at a previous institution. Each of these experiences not only shows the diverse backgrounds of these Title IX Coordinators but also highlights the diverse types of professionals in these roles.

Surprisingly, only two out of the 13 interview participants had any experience with sexual misconduct and both of these experiences were from previous military careers. One of the Title IX coordinators was a victim advocate in the Army for sexual assault and another was part of the Sexual Assault Victim Intervention (SAVI) program in the Navy. In reflecting about her experience as a victim advocate in the Army and her prior training with trauma informed care, one of the Title IX coordinators said:

I received education as a victim advocate as to why people acted the way they did, so now I'm better able in my job now to interview victims of sexual assault and stuff like that, and understand why perhaps they act the way they do or things that they say.

Her formal training was helpful to her in her Title IX role even though her prior experience with this type of position was foreign to her.

In addition to work in sexual violence, four of the interview participants discussed experience in interpreting law and working with policy. One participant in particular has previous experience as a Certified Public Accountant and has her Juris Doctorate (JD). When asked to reflect on how her previous experiences have helped her in her Title IX role, she stated, "If I didn't have the understanding of policy creation, policy analysis, the law itself, and regulations, those things had been the strongest things that I have been



able to depend on.” One of the Title IX coordinators felt that her background as a police officer was critical to her success as a Title IX coordinator. She said, “I can explain a lot of the law that most people don’t know.”

Over the course of the interview with Matt, he discussed how his background has helped him in his Title IX role. He stated “A lot of the following the process, following the law, interpreting the law, all the discrimination and inequality aspects of Title IX have pretty strong parallels in laws that govern employment.” Another participant, Tara, also stated that her background in interpreting law and reading regulations helped her to understand Title IX policies and procedures even though she didn’t have direct experience. The process of reading regulations from a Human Resources background and then transferring that knowledge in a way that is understandable to the campus community definitely helped her. Tara stated, “So I think as an HR person, I know how to look at legal issues and analyze them and do investigations, and that’s kind of all the same in Title IX.”

Although most Title IX coordinators do not actually carry out investigations, their knowledge of this aspect of the position varies. Five of the 13 interview respondents stated they had previous experience with investigations, with one having direct experience in Title IX investigations. Three of the five Title IX coordinators with previous experience conducting investigations were from a Human Resources perspective with employees. In a previous role, one of the Title IX coordinators was a compliance officer, so her job was to conduct investigations. Of the five with investigation experience, previous to her work in Title IX, Samantha came from a Residence Life and Student conduct background. She stated, “Res Life was a great starting ground...I had done a

lot of Student Conduct as well, so within Res Life and Student Conduct, the whole investigation and overseeing processes certainly became helpful.” Investigations from a Human Resources and Student Conduct laid the foundation for these Title IX coordinators.

### **Role Inheritance**

An emerging theme that arose from the data was the idea of role inheritance. Over the course of the interviews, Title IX coordinators stated that they were appointed or that they absorbed the role for various reasons. Those that inherited the role, 10 out of 13, were not relieved of any of their other duties. Therefore, on top of their full time positions, they also took on this major role. Three Title IX coordinators in particular stated that they took on the role without any increase in pay. Even though one of the Title IX coordinators did not receive a salary increase, he wanted to make sure that he was properly trained for the job. Therefore, when he took the position, he said,

I told them I would take it [Title IX coordinator role] on and not ask for a raise, they have to invest in training, because it is a safer reach getting trained. That was a good deal for them and they knew it.

In another interview, one of the Title IX coordinators discussed the benefit to the institution was only having to pay one salary. She went on to say that it could be that Title IX is not seen as a full time position, but “when you’re in the midst of having to do it, it is more than full time.” Three of the participants discussed the economic benefit to the university. I did not specifically ask about pay and salary in all of the interviews, but these three in particular mentioned it even though I didn’t specifically address it. In one interview, one of the Title IX coordinators said, “I know how much, at universities this

size, how much you've got to pay somebody who is going to do a good job of Title IX. It's a lot of money." So rather than hiring a new person, these small and medium-sized private institutions have added the Title IX responsibility to existing staff who they feel will do a good job.

Because 10 out of the 13 participants inherited the role, I wanted to know why each participant thought he or she was right for taking on this important position and how that discussion transpired. During an interview with one of the Title IX coordinators, I asked how he came into the role of Title IX coordinator. He stated that the President, his supervisor, asked him to do it and he said "...sure, sure. Not knowing all that was involved with it really. I had a brief idea of it. Really, it was just that he asked, and I said yes." In Julie's interview, she stated that when she was approached to take on the Title IX role, the amount of work was downplayed. She said, "We just need to identify someone who can be listed as this person but all the processes are already well tapped institutionally so you are really going to just be the point person." However, Julie felt that in order to shift the culture around sexual misconduct, there needed to more investment in organizational learning than just naming a person.

Over the course of the interview, Julie discussed aligning her work with the mission of the institution. Shifting culture and mission alignment are the reasons why she stated that being a Title IX coordinator is not just a figurehead for the institution, but someone who can shift institutional culture around sexual and interpersonal misconduct. It was apparent that she cared deeply about shifting culture and that she took this part of her position very seriously. She was not just a "figurehead."

Other factors for why this role was inherited emerged during the interviews. Of course Title IX coordinators saw a connection with their previous experiences, as discussed earlier in this chapter. In discussing why Matt thought he was right for the Title IX role, he stated “Being in HR, I lived and breathed discrimination laws and rules and stuff for, literally, my whole career. From that aspect, it was just a natural fit.” The institution’s legal council had suggested him for the Title IX coordinator role when it became too overwhelming for the Dean of Students. Perry was stepping down from the executive leadership team at that time and when he took on the Title IX coordinator role he felt as though this was an advantage to him. He stated, “I think a lot of Title IX coordinators are at a disadvantage because they haven’t had that executive level leadership experience to be able to say alright, I am going to make this happen.” Because he has been at his institution for nearly 20 years and that experience combined with his previous position on the leadership team gave him political capital to navigate the institution and communicate the importance of this topic.

### **Transferable Skills**

Since the inception of Title IX in 1972, institutions have had to name a Title IX coordinator, so this is not a new position. However, this position has changed significantly since the DCL of 2011, and because this position has changed, institutions are trying to balance budget constraints with maintaining compliance. With no real precedent about the skills and abilities of a successful Title IX coordinator, certain skills have emerged among those in the position. All 13 of the interviewees had worked in positions that dealt with people. With that, they discussed a certain level of understanding human behavior and how to help others. In the interview with Layne, she

stated, “just the skills that I’ve developed just dealing with human behavior, people and problems, helped me.”

In addition to people skills, the ability to have compassion and empathy emerged from the data. Because Title IX can be emotionally charged and heavy at times, Samantha discussed how her background in Residence Life helped her deal with that aspect of the Title IX role. Samantha stated:

Res Life is such a great area to begin any career in Higher Ed or Student Affairs in that you’re able to stay in the field for a number of years. You do that through your own coping and compartmentalizing that you need to do while still having compassion but knowing that you can’t take everything home with you so that it impacts you so so much.

Samantha was describing how her previous experiences have helped her to deal with the heavy topics and situations she experienced in working with sexual and interpersonal misconduct. During one of the interviews, a Title IX coordinator stated that because she is a Vice President of Student Development she has also learned how to compartmentalize. Both of these Title IX coordinators in their previous roles have learned skills that have been helpful to them in their Title IX coordinator role.

In conducting the interviews it became apparent that several of the Title IX coordinators had been at their institutions for several years. In conjunction with the number of years, many interviewees were discussing how their abilities to build relationships, navigate institutional culture, and work across multiple levels of the organization were important. In one interview, one of the Title IX coordinators who has been at her college for 20 years and in response to how her longevity at the institution

has helped her in this role, she stated, “It helped me a lot because I know all the players on campus and I have relationships built already.” She went on to discuss that reporting to one of the Vice Presidents helps her gain access to upper administration. Another interviewee, who was previously a part of the executive leadership team and has been at his institution for 18 years discussed the importance of “knowing how to work the political system in terms of getting resources, making things happen.” Both of these Title IX coordinators discussed the importance of how to work within the campus community with both institutional longevity and positional power.

Conversely, two of the Title IX coordinators were new to their institutions and their positions. This was seen as both a benefit and a challenge for them. Ideally, the Title IX coordinator should be well known by the campus community, and therefore communicating who that person is requires diligence when they are new to the institution. Stacey stated, “Now we’re just educating everyone on who I am, and how to get a hold of me. That is the challenge I am having right now.” In another interview, Pamela also talked about how being new was challenging, but she was also able to see it as a benefit. She discussed the importance of leveraging her lack of experience at the university, but was also able to leverage her background in law and previous experiences to gain credibility with the campus community.

In addition to institutional longevity, the Title IX coordinators described previously learned management skills that helped them in their role. For example, Julie and Tara describe themselves as strategic thinkers. Tara went on to say that she has good communication skills that allow her to work across multiple levels at the institution. Tara stated that she had been at the institution for 20 years and upon asking her to reflect

how that might help her in her role, she stated, “It’s helped me a lot because I know all of the players on campus and I have relationships built already.” Having built previous relationships, Tara knows how to navigate institutional culture, which she claims has been helpful to her.

In additional to management skills, two of the Title IX coordinators thought that having strong organizational skills and the ability to get things done was a skill they had developed earlier in their careers that was transferable to this role. Perry stated:

Negotiation skills, people skills, management skills, understanding how to get things done, meeting deadlines; all those things are really relevant in this because you usually have some sort of time sensitivity to these things. You’ve got to make stuff happen quickly. You’ve got to be able to marshal resources.

You’ve got to be able to convince investigators, yes, you are the one that will do this.

In this previous leadership role, Perry learned these organizational and management skills that he thought were essential to his role as Title IX coordinator.

In another interview, Frank discussed the importance of having a previous role on campus and how that was advantageous for him in his Title IX role. Because of this leadership role and because he works at a small institution where most people know one another and therefore know him, he feels that people are comfortable approaching him about Title IX issues. Frank stated:

So by holding this role [Title IX coordinator] and having held various roles, people have dealt with me in different situations, and so they felt comfortable coming to

talk to me about these things. It wasn't a huge leap, because I was not a new person coming in from the outside, I was here at the school already.

Frank clearly feels as though his position at the institution as well as not being new has been helpful as he navigates Title IX issues. Of the 13 interviewees, only one was brand new to the institution; however, the amount of experience and types of experiences varied greatly across the Title IX coordinators.

### **Professional Challenges in Meeting Title IX Responsibilities**

The role of the Title IX coordinator is quite challenging because their job is to ensure that their institution is in compliance with regard to reporting sexual and interpersonal violence as well as offering a solid educational programming structure for the campus community. In this section, I discuss the various challenges that these Title IX coordinators say they faced in their roles and how, if at all, they have overcome these challenges.

#### **Setting Up a Solid Infrastructure**

Title IX has several components that tend to be complex in nature. Over the course of the interviews, six reported that setting up the infrastructure was challenging for them. Part of these challenges resulted from complicated state and federal laws as well as guidance from the OCR. Equally challenging for them was communicating that Title IX investigations and the Student Conduct systems are not legal systems.

In addition to confusing guidelines, the Title IX coordinators found it challenging to set up strong reporting and investigation procedures. Stacey stated, "It's just putting a system together that's a challenge." Because there are numerous investigators, both on a single case and over the course of multiple cases, the Title IX coordinators found it



challenging not only to decide if there should be a uniform summary report but also set up the flow of information.

Three of the Title IX coordinators discussed the difficulty of serving multiple campuses. Universities that have satellite campuses are still required to provide all of the Title IX resources, services, and trainings at those locations. With the time constraints inherent in the nature of their jobs, they discussed how it was difficult to find time to get to those locations. In asking Stacey about what would she need in order to provide better services, she stated that if she had more time, she would be able to go out to the satellite campuses to get to know people there, provide training, and speak about Title IX. Pamela is also challenged for time to reach multiple campuses for her institution. She said, “They want me to look over all three campuses. If it has taken this long for one, I told them, I’ve said, ‘I’m going to need somebody else.’”

Laying a foundation for Title IX at her institution was challenging for Pamela. She is new in her position, which provides its own set of challenges, but she feels that setting up the institution for these changes is demanding. Pamela stated:

There’s the programming. You have to have materials. You have to have an office. You have to have an address. You have to have contact information for the Title IX coordinator at the same time. It just takes a lot to establish it period.

Establishing an infrastructure is challenging for Title IX coordinators, but when asked to reflect on how they might overcome that challenge, they discussed the importance of sharing the load among stakeholders on campus. With a Title IX “working group” that gathers throughout the year, the Title IX coordinators stated that it was helpful to be able to discuss new initiatives, best practices, updates in legislation, and

other important topics. Although many campuses have this type of group or committee, the meeting structure varied, as did the number of times they met. Some met only twice a year, some once a month, and others met weekly. The frequency depended on the issues at hand and where the institution was in establishing the infrastructure. As a source of support, the Title IX stakeholders meeting will be discussed more in depth later in this chapter.

Lastly, since there is a lot to learn with Title IX, it is difficult to attend sufficient trainings, meetings, and keep up to date with the field of sexual misconduct. In discussing the challenges of having two positions, Matt said, "If Title IX was my full time position, I'd have time to go to more conferences to get more education and more time together with Title IX coordinators. It's just not in the cards juggling two jobs." Because Matt finds it hard to get to these trainings and participate in professional development, he is missing opportunities to learn more about Title IX and how to be a better resource on his campus.

### **Working with Financial Challenges**

Although financial and budget challenges do not seem to be particular to Title IX, Title IX coordinators face specific challenges in this area because of the new requirements for training and prevention programming. Stacey discussed the challenge with having enough funding to afford her the proper training to do her job and the tough decisions she has to make about where to allocate the money she has. When asked about prevention education, she stated that if there were enough money left over, it would be put toward a program for the students. She feels apprehensive about the

decision to spend budget on training so that she can perform her job or provide an educational program for students. Stacey stated:

That [Association of Title IX Administrators (ATIXA)] 2-day training is \$2,000, which I got a scholarship for, but it still costs a lot of money to fly there, put myself in a hotel, and all that stuff. I kept going back and forth because I don't have enough money to do this more than once, and if I take money from that, which I am, then in essence, I don't have money to produce materials to hand out. I'm sure every school is telling you the same thing. The money, I just hate money. It's my hardest.

Because there are such big expenses for Title IX, coordinators need to figure out what is most important and where to allocate the funds.

Four of the Title IX coordinators stated that they had small budgets, but that they were specifically for Title IX and not tied to their other roles. Another four Title IX coordinators stated they had no dedicated budget at all. The other five did not mention it or they stated that they used the money from their budget from their other position (e.g., Human Resources, Student Affairs, etc.). Although Pamela does have a Title IX budget, she mentioned that it is quite small. When it was created prior to her arrival, her predecessor did a good understanding of the amount of funding that was necessary for what she needed to do, which included annual trainings and programs that would be engaging for the campus community. Even though Pamela's budget is minimal, at least she has a dedicated budget number so that she can charge expenses and decide how to spend the money. This will be helpful to determine spending trends in years to come and is a benefit that others without dedicated Title IX budgets do not have.

In addition to the budgets being small, Pamela also discussed the difficulty of setting up a budget when there is a lack of historical data. Pamela stated, “This [year] has opened their eyes for the next school year as they’re now creating a budget . . . even though it is not big, I believe next year it will be greater.”

Having a stand-alone Title IX budget is rare, and there are instances where Title IX coordinators utilize the budget they have for their other positions. Pamela stated, “That’s the one thing I have to say is that, we’re not sharing money with any other entity on campus, which is a rare thing. That has been a really good thing. It’s independent.” Recognizing the ability to control and manage a Title IX budget is rare, as Pamela noted, but also difficult to navigate if one doesn’t have a budget at all or if one has to share resources with another department. This puts the burden of paying for Title IX on the budget of a non-affiliated entity.

Having limited resources may seem like a challenge that is difficult to navigate and overcome; however, one Title IX coordinator stated that he feels like he is able to garner resources through his relationships with executive level administration on his campus. His Title IX budget comes from the Student Affairs budget. When asked if the budget was adequate for what he needed to do, Perry stated “Oh yeah, it’s fine. Again because I’m friends with the VP for student services, if I need more money, ‘Hey, Greg [pseudonym], I’ve got to have this.’ He’ll find it. It’s just different.” Because he has worked at the institution for over 18 years, he believes that he has the political capital and strong relationships to garner resources necessary to educate the campus community about Title IX.

## **Investigative Challenges**

Each of the Title IX coordinators mentioned that investigations were difficult to navigate at their institution, and the role that social media plays was discussed as a challenge to investigations. Even though sexual assaults have been happening on college campuses for many years, the role and importance of technology has changed the landscape. One of the Title IX coordinators affirmed this by saying “Technology, media and all has really put the spotlight on it [sexual assault].” For some institutions that are in the media because of OCR investigations, it gets even more complicated. They went on to say, “When that article became public and of course misinformation in the article, accusing us of asking inappropriate questions, and all these things, there were banners up on the wall. There were protests.”

Another challenge that surfaced turned out to be quite difficult for many of the Title IX coordinators: the issue of their not being able to tell their side of the story due to confidentiality. For example, a student who is involved in the investigation can choose to share his/her story and what happened. However, no one involved administratively can speak about any details. The result of the community hearing only one side of the story is that they may question the decisions that were made. One Title IX coordinator communicated the difficult position she is put in during these investigations and decisions that are made as a result of what is found, stating:

I think the other thing is, as Title IX coordinator we are held to the standards, and we have to keep this confidential, but they can blast it to whomever. Once the story gets told and retold, I look like the villain.

Given the difficult decisions these coordinators have to make, what makes their job more difficult is the criticism that they receive. Criticism can come from all angles, including faculty and staff. While receiving criticism is part of the nature of the position, this element was discussed by several of the Title IX coordinators. Matt spoke to the challenge of criticism thusly:

People will judge those decisions that don't have the evidence that you have at your disposal. You can't tell them the evidence. There's criticism. We may find the respondent not in violation of Title IX and people think "Oh they're not supporting the poor victim."

Matt went on to express more about the criticism and difficulties of his position, stating, "They're just drawing a conclusion and you've just got to take it because you can't tell them what you know."

Another challenge with investigations is the timeframe for the process. Investigations need to be completed within 60 days of the school going on notice. This means that once an institution finds out about a possible Title IX policy violation, the Title IX coordinator must determine how to move forward and then complete the entire investigation within that 60-day timeframe. Given that 12 of the 13 Title IX coordinators have other positions, this can be difficult to accomplish.

The lack of investigators is also problematic for various reasons. One major issue that the Title IX coordinators discussed was that there were not enough investigators. In Mason's interview, he discussed challenges with assigning investigations to staff that potentially are already busy with their full time position. Having more investigators would be helpful to him in case others are busy and unable to take on a Title IX case.

As mentioned previously, each investigation must be completed within the 60-day window. These challenges can be extremely difficult for Title IX coordinators to manage as part of their position. An alternative to adding investigations to existing staff is outsourcing this portion to a third party. However, only one Title IX coordinator that I interviewed stated that at their institution they use outside investigators and this comes at a high cost to the institution because they are professional investigators or lawyers.

Like Title IX coordinators, investigators also have full time positions in various departments in the university and their time is limited depending on the time of year. While discussing this Pamela stated, "That's the greatest challenge is that all the investigators have another full time position. Not even part time. All of the investigators have salaried full time position." Like Title IX coordinators, this investigator role is often inherited and therefore when an investigation surfaces, they have to prioritize what is most important at that time.

Unfortunately these cases can become overwhelming for investigators thus causing turnover. One Title IX coordinator said:

There was one case that has taken quite a few months because they had 15 witnesses and it has a lot of elements to it and it's legit Title IX case. This other person [investigator] is actually a director. They have a lot of responsibilities on campus. When the case was closed, she said, "I don't want to be an investigator anymore. I need to opt out." The university has already invested in her training and they're not going to let go, but that's one of the things is how to keep them vested in their position as investigators, just as much as they are in their other positions.

Turnover is not just an investigator issue; it can also mean that these investigators would leave their other position due to the added Title IX responsibility. Just as I mentioned previously the need for more investigators, this could help overcome some of the issues with turnover. Pamela said, “The more people I have, then the more I can rotate them.”

Investigator training was also mentioned as a specific challenge that Title IX coordinators face. Investigator training costs, just like other Title IX expenses, are quite expensive. Additionally, experience was discussed as being very important because of the nature of the position. During the interview, Pamela was contemplating how the investigators were chosen and then trained. The training was of course important to her, but it was also important to her to have investigators that had previous experience doing investigations. She said, “Outside of being a nice person, what experience do you have to be able to handle these types of cases?” The way investigators are chosen varied widely amongst the Title IX coordinators. However, the importance of both the investigator and the investigation itself was discussed as being important to the Title IX process.

### **Connecting with Faculty**

Another dominant theme that emerged through the course of the interviews with the Title IX coordinators was a disconnection they experienced with faculty at their institution. Questionnaire results revealed that 15 out of 15 Title IX coordinators felt the ability to communicate with faculty was either a “very important” or “extremely important” skill for their job. Even though the skill is important, nine of the Title IX coordinators interviewed discussed challenges in working with faculty. Stacey discussed how it is



important to have time to build relationships, stating, “Time, though, also to build that rapport and that relationship with them because I feel like they’re the hardest nuts to crack, but they knew that. Time. Yeah, time for them to know me and trust me.”

Mason also discussed the ability to work with faculty and time to get in front of them. He said “Working with the faculty, training them, keeping it out there, keep them understanding how important it is. That’s a slow process. It’s not a process that is going to happen overnight.” Mason also noted how he has been present at faculty meetings and how this has helped to get his name and discuss Title IX. One suggestion that Mason had was for faculty to put a statement about Title IX on their syllabus. He felt that this was well received by the faculty and a method that let students know what their responsibilities were if they were to report this type of incident to them.

Two of the Title IX coordinators felt that in working with faculty, they needed to show their credentials and demonstrate why they are the experts. Samantha stated that having her PhD really helped her with building those relationships. One Title IX coordinator, who had previous sexual assault advocacy training as well as experience with law enforcement, expressed this sentiment by stating:

I sometimes will give them [faculty] my resume of experience in the hopes that, not that they’ll think I’m impressive, but that somehow they’ll think that I’m not this young whatever, and why should I listen to you? Because the fact is that they have to listen to me, but sometimes they really don’t want to.

In addition to time with faculty at their meetings and trainings, bringing in outside experts was another helpful strategy. Frank feels like the faculty and staff at his institution do a good job and are informed. Through constant reminders at meetings as

well as bringing in outside experts, Frank feels as though he has bridged this gap between himself and the faculty. Frank asserted this by responding:

We bring him [outside expert] in every year. He does a full day of presentations to our first year students, our faculty, our staff, Title IX Committee, everyone. He goes and talks for a full day and just lays out everything very clearly, and it's helped tremendously.

Two other Title IX coordinators mentioned training as important in overcoming the disconnection with faculty. Both Perry and Matt thought that the more time they had to train the faculty the more they would understand their responsibilities and what they need to do if a student were to tell them something that could be related to a Title IX violation.

Being visible and vocal is critical in trying to communicate with faculty about Title IX. They attain visibility through faculty collaborations as well as getting in front of them during meetings. Pamela felt that "As their [faculty] learning more, they're supporting more." The fear of the unknown can be overcome through educating the faculty about how Title IX affects them. Taylor also agrees that getting in front of faculty helps develop buy in and creates an understanding about what their obligations are as responsible employees. When asked how Taylor is able to create faculty buy in, she stated, "Talking a lot, explaining a lot, face to face a lot."

Even though working with faculty was difficult for many of the Title IX coordinators, they felt that it was not an insurmountable challenge. Several themes about overcoming this challenge were apparent, such as building relationships with them, which included getting to see them on a regular basis; asking faculty to sit on the

Title IX committee; and even using faculty as investigators. Stacey uses the law to back up what she is telling the faculty and she feels that works well for her, stating, “This is the law, and the law says that you need to [report], and if you don’t, then you or the school or me could be held liable.”

One Title IX coordinator discussed how she overcame this issue on her campus in a very unique way. She reported that she uses faculty in their CARE Advocate program as ambassadors. CARE is an acronym that campuses use to describe the team that assists students of concern. The faculty has volunteered for this role and she meets with them on a regular basis. Then, during department meetings, faculty members remind each other about Title IX and reiterate who the Title IX coordinator is. This Title IX coordinator felt that this was very helpful to her on her campus as a way to overcome disconnection with the faculty.

### **Dealing with Emotionally Charged Issues**

It is not surprising that another challenge the Title IX coordinators discussed was dealing with highly sensitive and emotionally charged issues. Furthermore, the amount of information that is available is difficult to sort through, especially in large cases with several witnesses. Because the issues are difficult for Title IX coordinators, the Title IX coordinators themselves suspect that people will experience burn out in their positions. When discussing this topic, Pamela stated, “It’s [Title IX] very taxing.” Julie also articulated this sentiment about how hard the job can be by saying, “It’s [Title IX] such a high octane position and there’s so many pressure points, and then you’re hearing a lot of really challenging narratives about what’s happening in your community. It’s just hard. It’s very hard.” In discussing the role of a Title IX coordinator and the challenges they

face in terms of intense issues, Taylor stated, "It's not transactional work. It's emotional. It's highly charged. There're very high stakes. You're at the mercy of when stuff comes across the desk." Lastly, Samantha communicated the nature of the work by saying, "It's some pretty heavy topics and heavy work emotionally."

In addition to the highly emotional topics, Title IX coordinators emphasized that support for all parties involved was critical. Frank communicated how he felt that the situation is very difficult, no matter what side you are on. He said,

Because what I always find in Title IX investigation is nobody wins. It's a horrible situation, and everybody is ultimately, it's just a lose-lose situation. So you do the best you can, but it's just a bad situation all around.

Support for all of the parties involved is critical and one of the hard components of the position. No matter the situation, the college and the Title IX coordinator have a duty to provide support and resources for everyone involved. Matt discussed the difficulty of this by saying:

When somebody's a victim, you have the ability to make that less painful for them rather than more painful for them. When somebody's made a mistake and done some behavior that they shouldn't have, you can make it into something that's a building thing for them versus a destroyer to them.

The opportunity to have an impact is one of the ways that the Title IX coordinators move through some of these heavy topics.

Several of the Title IX coordinators discussed compartmentalizing what they hear in order to deal with these types of issues. Past experience has helped them with that, as has the ability to separate work from other parts of their lives. Matt stated, "It could

become very depressing if you couldn't divorce yourself from those things when you go home." Samantha also articulated the importance of compartmentalizing the work she does by saying, "You do that through your own coping and compartmentalizing that you need to do while still having compassion but knowing that you can't take everything home with you so that it impacts you so so much." Compartmentalization is just one of the ways to overcome this challenge, but it was still very difficult for the Title IX coordinators to do.

### **Lack of Time**

Since 12 of the 13 Title IX coordinators have other job responsibilities, the issue of time came up frequently during the interviews. Because Title IX is so nuanced and complex, Title IX coordinators felt that a lot of time was necessary to devote to the position. Even though her Title IX caseload was smaller, Stacey stated, "I would say it [Title IX] takes up equal time to employee relations because of just training, learning, preventive training for everybody else. It takes up a lot of time in that way." Conversely, questionnaire results revealed that of the Title IX coordinators that have other job responsibilities, five of them spend less than 20% of their time on Title IX. Furthermore, seven of the respondents said they spend between 21-80% of their time on Title IX, leaving only one respondent spending over 80% of his/her time on Title IX.

Due to time constraints with both the investigation timeline and his/her other role, Layne stated, "I'm spending a lot of time at home one weekends writing reports at night, staying up until the wee hours of the morning, working weekends." Layne's other role requires a lot time to manage people and employee relations. She discussed how her

time is limited with these two positions and due to the lack of time, feels unbalanced in her roles.

Layne discussed the enormity of Title IX and how it is difficult to manage and keep up with every new law, recommendation or regulation. She stated:

There's so much. Not only that, I don't have time to read it. We get emails all day long about this [Title IX]. The only time I have to read it is on my spare time, and I've made the conscious [decision], I'm just . . . I can't do it 24/7.

Additionally, Julie found it challenging to make time to gather with others and discussed the importance of not just writing a policy for compliance but rather “trying to do good work” and move beyond compliance, which she says “just takes time.” The workload and the complexity of laws and regulations takes some adjustment, and when there is another full time position competing for priority, Title IX coordinators who do have other roles feel that strain that is not necessarily understood by the campus community. Cindy communicated this by saying, “There's a lot of workload here, and trying to figure out how to articulate that workload to institutions is difficult because it doesn't happen everyday.” Not only do Title IX issues arise everyday, but also, due to confidentiality, the campus community would not know about it.

Even though Taylor does not conduct investigations on her campus, she stated, “It's more of the time suck of knowing what's going on all the time and the tracking. Are there patterns developing, are there issues going on?” The Title IX coordinator is responsible for making sure the campus is in compliance, which takes more than just checking in on a few administrators around campus.

## **Developing and Implementing Prevention Education**

Questionnaire results showed that 67% of participants felt prevention education was either a “moderate challenge” or “serious challenge” for them. Even though they have oversight of all things related to Title IX, they aren’t the ones necessarily steering the programs. These programs typically come out of the Student Life or Student Activities office because of their close contact with students. Sally believes that their institution “is not doing enough prevention education” and that this piece is not “institutionalized” in any formal and ongoing way. Conversely, Taylor discussed how she feels that her institution does an amazing job, but “it’s just a big job. It’s a massive job and its designing and finding ways to educate in a way they hear it.” She went on to say, “You can’t just lecture at people. It does not work. Having somebody with the expertise of knowing how to speak to students.” Taylor feels that at her institution prevention is handled very well, but she also has dedicated staff to produce these educational opportunities. Conversely, Tara feels like this is an area where her institution struggles and she attributes the lack of prevention education to a “lack of time and manpower.”

In addition to not having enough time and staffing to produce quality prevention programs, Julie discussed the idea of deep learning. She said:

The greatest challenge is helping people move along their spectrum of learning. We can give a training session and we can even send out to faculty sexual harassment training. In terms of learning and practice and really shifting perspective, to me, that is one of the greatest challenges. I think it’s the deep learning that I feel is needed and it just doesn’t come with a single training

session or an event or a compliance email. I think because institutions are so challenged with time and so many demands, that important conversations get truncated. Not everybody shows up to the things that would really shift perspective but they can check off the list that “I’ve done that.” I think it’s the deep learning that is the real challenge.

The challenge to help students really understand and apply what they have learned is prevalent. Perry also stated, “I don’t think it [prevention] sinks in.” It takes time and the right programs to really reach a deep level of understanding. Most of the Title IX coordinators are either marginally involved or still trying to figure out how to reach most or all students instead of just checking a box for compliance sake. Julie reported that a “multi-pronged approach” seems to work for their institution in an effort to reach most students, but most of the Title IX coordinators felt that this was a challenge they have yet to overcome.

In addition to challenges that are related to a deeper understanding of sexual misconduct, Title IX coordinators also face challenges reaching different groups of students. Graduate and international students were identified as populations that were harder to reach than the traditional undergraduate students in terms of prevention and education around Title IX. Pamela talked about her experience teaching international students about Title IX and the fear that they may not understand what they hear. She expressed concern that there was no real assessment tool that she uses to gauge the understanding of the international students about Title IX. Given that they may not understand, communicating the severity of the issue and the possibility that they might encounter sexual misconduct was important for Pamela to communicate at her



institution. One way that Pamela has tried to overcome challenges with International students is by attending their orientation. She will present the information herself and even if they do not attend a program, at least they have the information and can meet her face to face.

Reaching adult students creates challenges when Title IX programming largely focuses on undergraduate students. Cindy said that, at her institution, “We’re still struggling to figure out how we’re really going to address adult students.” Most programs are geared towards 18-22 year olds, so the struggle to appeal to older students remains challenging. Cindy also stated that due to time constraints, she has to rely on online training programs or videos “because I can’t face-to-face train that many bodies.” She cannot dedicate time to create new programs that will reach adult students, but she understands the needs and importance of reaching this population.

Consent is an area of challenge for Title IX coordinators as well. Since affirmative consent is a fairly new concept to students and there is a need to educate students about what it means. Stacey discussed how most of her cases involve alcohol and if consent was given, stating, “It’s just helping them understand sometimes that you might have sex, you might even regret having sex, but that doesn’t mean necessarily that you were sexually assaulted, and trying to define that.”

Challenges with prevention education span from not having enough time and money to a lack of personnel to create and execute such programs. Additionally, Title IX coordinators face challenges with programs not being applicable to international and adult students. Finally, getting to a level of deeper understanding and learning is something for which they strive but that they feel is harder to reach.

## **Building and Sustaining Campus Community Partnerships**

Creating partnerships among faculty and staff surfaced as another challenge for Title IX coordinators. Pamela discussed the idea that people on her campus tend to work in silos, which is not helpful to her for her Title IX work. For example, while examining handbooks from three distinct departments, she found they were in direct conflict with one another in terms of policy. She brought this issue to light and is currently working through changes to make the handbooks coalesce. Julie also expressed the same concern that she is facing at her institution. She said, “Getting folks who are accustomed to working in isolation in their territory to work together both internally to a college but then across the institution is just an extraordinary effort and it’s ongoing.” Title IX coordinators feel that it is the best approach to share the load of responsibility among campus community members. One way that 11 of the Title IX coordinators have overcome this is by creating a Title IX stakeholders committee that meets regularly throughout the year and will be discussed in the third section of this chapter as a source of support.

A dominant theme across the interviews was that there is a lack of understanding about the role of a Title IX coordinator. Not only is it confusing when the person has another full time job at the institution, but also the campus community in general, according to the Title IX coordinators, does not understand what the position entails. Moving beyond understanding the role, Pamela stated, “Not only do I want them to know what my role is, but the importance of valuing and respecting that role within the university.” In an effort to overcome this she went on to say, “I’ve emailed faculty. I’ve emailed staff. I’ve introduced myself all over the place, so that they know that I’m here,

but they won't know the importance of it, unless it implicates them, or impacts them directly." Title IX is complex enough, but another added element is communicating the importance of the issue as well as who to go to when a potential problem arises.

### **Keeping Current with State and Federal Legislation**

Title IX coordinators experienced challenges in keeping up with state and federal legislation as well as understanding how they all intermix. Often they are confused or receiving conflicting information related to Title IX regulations. Stacey stated:

There are a lot of different laws and guidelines that we have to follow and they're all slightly different. Whether it's Clery, Title IX, State SB 967, [AB] 1433, all that stuff. They say sometimes slightly conflicting things, but you need to do this to be in compliance with this one, but it has nothing to do with this one...I think that's a challenge.

Stacey went on to say "In normal criminal law, you follow that, and that's what you follow, and here, you're trying to follow one, two, three, four, five, six different things, and they all say or want different things." Title IX coordinators have to understand not only Title IX laws, but also how they intersect, which can be quite challenging.

Mason believes that it is hard to keep up with changing regulations. He said, "The target keeps moving. The rules sometimes keep changing. The interpretation of things is changing. It's not always black and white, so that's one of the challenges." It is hard to keep up with changing regulations and the complex issues of Title IX.

Layne discussed the enormity of Title IX and how difficult it is to manage and keep up with every new law, recommendation, or regulation. She said, "For me, Title IX is more than just doing investigations. I don't have the bandwidth to do all of the OCR,

training, the climate surveys, and all those things. I don't have the bandwidth to do that." Because nearly all of them have another full time position, they encounter great challenges in devoting enough time to read and interpret law.

When asked about how the Title IX coordinators overcome this challenge, Sally stated, "Reading, getting good colleagues around the table and comparing our understanding." Other methods that were identified to surpass these challenges included to work with legal council as well as rely on professional networks like ATIXA (Association of Title IX Administrators). Lastly, utilizing the Title IX stakeholder groups when they felt unsure about legislation was a major resource for Title IX coordinators.

### **Adjusting to a Post Dear Colleague Letter Environment**

Since the release of the DCL of 2011, a spotlight has been cast on this issue for the public as well as students. Julie stated, "It's in the public consciousness and so I think they come with certain kinds of knowledge and concerns and questions about it [Title IX], which has shifted post Dear Colleague Letter." Because sexual misconduct is in the public eye, there is greater pressure to ensure that the campus is doing all it can to create and maintain a safe environment.

Layne stated, "Since the April 4, 2011 'Dear Colleague Letter,' this has just mushroomed into something much bigger than any administrator or provost or college president ever knew it could be." She went on to say:

Number one, trying to figure out how we're going to manage it, everything that we're supposed to do, and we still don't have that figured out yet, quite frankly. I think institutions large and small are scrambling trying to figure it out.

Some positive changes also occurred after the DCL was released. Julie discussed one such change; “A heightened sense of awareness by senior administrators has shifted.” As a result of this awareness, she has been able to garner resources that were not as readily available prior to the DCL. Another positive change was access to legal council. In the questionnaire, all 15 Title IX coordinators felt that access to legal council was either not a challenge at all or a minor challenge. Attributing this access to the DCL, Samantha said, “Having in house general council is priceless.”

Another positive change that Taylor and Cindy highlighted was that the DCL provided needed guidance. However, Samantha feels that there is still a lot of gray area. She said,

It’s gray area because we are people. There’s a lot of gray with each one of the cases, so it’s hard to sometimes put a one size fits all when that isn’t always serving complainants and alleged offenders in the best way.

Matt stated, “The fact that we’re having more cases I don’t think means there’s more incidents, I think it’s more commonly reported.” Although he did not speculate why he believes this to be true, he suspects it is a result to the changes post DCL of 2011. Over the course of the interview, Matt considered that it could be that the spotlight on sexual and interpersonal misconduct has helped students figure out how and where to report, whereas before DCL that was unclear.

Another positive change noted through the interviews was that OCR guidance was welcomed. Taylor stated, “There wasn’t clarity around expectations. There weren’t the regulations that are out there. OCR wasn’t as involved.” Moreover, Taylor feels that

through the issuance of the DCL, Title IX coordinators feel the OCR is trying to do the right thing and provide guidance on how to manage Title IX.

Lastly, in Sally's interview, she discussed how the responsibilities of the Title IX coordinator have increased since the DCL. She said that she thought they were in compliance but "it's just a lot. It's just a lot." Additionally, she discussed how the position almost became a whole new role with increased expectations after the letter was published.

With the additional expectations added to Title IX, Sally felt that it became its own position and was a lot for her to handle. Cindy also indicated that more people resources were required at this point in her position, stating, "You're spending a lot more people resources managing situations and the whole educational piece. It's just a whole different world." According to these Title IX coordinators, their positions have evolved quite significantly since the issuance of the DCL.

### **Intersection of Professional Roles**

#### **Benefits for Dual Role Are Few But Do Exist**

At small and medium-sized private institutions, administrators typically wear multiple hats and oversee several processes. Title IX coordinators are no different. Of the 13 Title IX coordinators that were interviewed, only one (Pamela) does not have any job functions related to any other part of the university. However, in order to pay her a full time salary, she is listed as having another role but does not actually have any functions in that position. Although this is not a surprising statistic, there are few benefits but often more challenges for Title IX coordinators that have this dual role.

During the interviews, three Title IX coordinators stated that there are no personal benefits to them for operating in multiple roles. Layne, Tara, and Sally all were very clear that the Title IX coordinator was a big job and one with which they struggled along with their other full time job at the institution. When asked about any possible benefit, both Sally and Layne stated that there was a cost savings for the institution with having one salary. Sally stated, "The only advantage I think is really economic for the institution. We do it in small institutions out of necessity, out of economic necessity. Not because it is the best model." Although this does not benefit Sally directly, she did admit that she saw the benefit to the institution.

In addition to an economic benefit, several Title IX coordinators discussed a similarity in tasks. Those that work in Human Resources or with Equal Employee Opportunity (EEO) complaints experienced a familiarity with the administering the processes. It was something with which they felt familiar because it was closely aligned with their other full time role. In my interview with one of the Title IX coordinators, who is also an EEO compliance officer, she stated,

Title IX still encompasses the EEO component because of the gender and sex discrimination within it, so I think its good to have all of that being housed in one area because what both roles really mirror with one another in that my office is here to ensure that people have an equal opportunity for being at work, towards their education, all of the opportunities. In that sense, having it housed in one area when there could be multiple components to any case, so I think having it combined is helpful.

She reflected on the similarity between the roles and how it helped her in her EEO role. Of the 13 interview participants, five were housed in the Human Resources department. This was the largest group, with the next largest being Student Affairs (only two out of the 13).

Two interview participants discussed a benefit to having both roles as a welcome challenge. After stepping down from the executive leadership team, one of the Title IX coordinators took on the Title IX coordinator position because he was reducing his workload. Because his previous position was so time consuming, he described juggling his roles now as “balanced.” He might be rare in that he is in the place in his career where he is not trying to get promoted or move forward, in fact having stepped down from the executive leadership team, it is quite the opposite. He went on to say that he would not have been able to take on Title IX if he were trying to establish himself as a researcher.

Matt stated that taking on Title IX created a new challenge for him. In fact, Matt attributed his ability to manage multiple roles to having been at his institution for many years. Matt stated,

It probably would not have been doable to absorb this had I not already been here for [x] years and knew my job really well and how to get things done really well. I’ve just been doing it [Human Resources] for so long.

Matt felt that the addition of Title IX was a benefit to him personally because it created a new avenue to learn something else.

One participant stated that he would not want to just be a Title IX coordinator and that his other position allowed him to do other tasks. He has been at his institution for



almost 4 years and in his other role he is part of the executive leadership team. He disclosed that he enjoys having another role because it would not be preferable to him to just do Title IX all day long. He viewed being a part of other groups on campus and interacting with various groups in his other role as a benefit for him. Therefore, he felt that having multiple roles was good for him personally.

Another benefit that two Title IX coordinators described was the cross over of students and student interactions within their multiple roles. Two of the Title IX coordinators both have roles in Student Affairs, which creates opportunity for student interaction. As part of her role in Student Affairs, one of them chairs the CARE team. She states, "Because of my chairing of the student CARE team, it allows me to create a veil of privacy that I think is also helpful." She went on to say, "The cross population, I think, helps structurally to manage it more effectively." This Title IX coordinator is describing the benefit of having these dual roles beyond an economic benefit to the institution. Another Title IX Coordinator, who works in Student Affairs, stated that he saw a cross over in students with whom he works and with knowing and understanding what is happening on campus. He described how his Student Affairs role was helpful in dealing with Title IX issues because he likely had a previous relationship with the student. Both of these Title IX coordinators described benefits to having the dual role because of their work in Student Affairs.

### **Difficulties Arising From Lack of Intersection**

Having dual roles and essentially two full time positions can be challenging for Title IX coordinators. Earlier in this section I described benefits and challenges experienced by Title IX coordinators who are also in Human Resources. As the Director

of Human Resources, one Title IX coordinator stated, “I’ve got a pretty big job without having this [Title IX coordinator].” On top of having another big job, there is a lot to learn with Title IX and with employee regulations. He went on to say, “There’s so many law changes or changes in guidance with both areas [Human Resources and Title IX] that your head just spins sometimes with what’s changing at this time with the fear of missing something.” Both areas have a lot of policy and procedural guidelines that can be challenging when one person is trying to keep up with all of it. Layne stated,

There’s so much. Not only that, I don’t have time to read it. We get emails all day long about this. The only time I have to read it is on my spare time, and I’ve made the conscious decision not to, I just can’t do it 24/7.

In addition to the massive amount of information, several interviewees described experiencing strain on their “other” job. One Title IX coordinator said,

So as long as I don’t have a case I can manage it but right now, I’m not. I just counted, I’m on my 39th day of an investigation and that’s pretty much all I’ve been doing. So my other job has suffered for the last 39 days.

She described competing priorities with the dual roles. When there is strain in either or both areas, she has to make a choice about which issue to tackle first. Sally, whose other role is a leader in Student Affairs, discussed her large scope of responsibility. In this role, she is in charge of many areas and she states that she is able to handle it all because she has a strong staff of Directors. However, Sally stated, “If I were to turnover two of them, maybe even one of them it would really throw my life into disarray in terms of balance and being able to manage everything.”

Three Title IX coordinators discussed a challenge with their dual roles as a lack of interaction with students on a regular basis. One Title IX coordinator, whose other role is in Administration and Finance, sees a definite disconnect with her work. She stated, “Yeah, it’s been an enlightening aspect to learn about the world of our traditional students, and kind of what motivates them and gets them interested, and how do you get them interested and motivated?” This lack of student interaction was described as a lack of intersection between their Title IX coordinator role and their other position; simply put, students who are experiencing some type of sexual or interpersonal violence do not think to go to Human Resources to report or get resources. Additionally, since she does not have regular student interaction, it is harder for her to truly understand what the climate is and how to work with them on a developmental level.

Another challenge to having dual roles is confusion within the campus community about Title IX. In discussing the challenges with dual roles, Sally stated,

I think people in student development get it, the blended role or the dual role but I think people outside of student development its not intuitive for them that one person has both of these roles. That just requires some additional explanation.

In addition to have having to explain the dual role, Cindy and Tara discussed the issue of credibility. Both felt it was important especially when trying to communicate the importance of the topic with the campus community. Cindy stated,

I still don’t consider myself a good expert yet, but there was a lot of trying to figure out what it was all about, what skills I needed to have . . . . It’s hard to pull off when you’re sitting in front of an audience of people.”

In addition to the lack of student interaction, four Title IX coordinators described how they felt unbalanced at critical times. With two roles competing for time, this left Julie feeling like she is unbalanced. She said:

It doesn't feel balanced to me. I feel frenetic. I feel literally scheduling a 15-minute meeting is really hard so a lot of things that are important have to be put on the backburner to deal with the urgent. I feel like I live in an urgent world. I feel like I am constantly triaging.

Julie is describing what feels like a constant battle for her time and the nature of her positions in that sometimes there is urgency and work that needs to be done even if it's after traditional work hours.

In addition to feeling unbalanced, one Title IX coordinator described how a rising Title IX issue can completely pull her away from her other role in Human Resources. For example, she discussed how she is currently working on a case and has been for 39 days. She went on to say, "So my other job has suffered for the last 39 days." Because Title IX cases are time sensitive, they take priority over other tasks. Once a school is on notice, Title IX cases need to be addressed from start to finish in 60 days. This creates a time frame for Title IX coordinators to which they must adhere.

Because of the time constraints in Title IX tasks, Matt reported that parts of both positions would not be done perfectly. When discussing his ability to keep up with changing regulations, Matt stated, "In terms of the minutia, there's so much minutia there that you are going to inevitably not be perfect." Similarly, Julie's interview, she talked about not being able to do other parts of her job that she would like. Julie has a leadership role in Student Affairs in addition to her Title IX coordinator role, so she

values her interaction with and connection to students. However, she stated that she is continually challenged with not having time to mentor or meet casually with students.

Julie said:

I feel like I always have just made whatever my role connecting directly with students a part of my reality. Frankly, it gets harder and harder to do that. There are some students who would love to, “Hey, can you take me to coffee? I want you to be my mentor.” I don’t get to do as much of that as I used to because of the Title IX piece to my job.

With both parts of her job, it seems as though student interaction and connection would be central to success; however, because of the nature of the positions, she is less able to mentor students freely due to lack of time in her day. The dual role that these Title IX coordinators experience is difficult for them to manage and the ability to conduct their business in their non-Title IX role can and does suffer due to the multiple positions.

### **Collaboration and Support**

Even though the job of Title IX coordinator is challenging, throughout the interviews it was clear that there were several areas of support that were critical to their work. The areas of support ranged from access to upper administration to resources on campus. Additionally, staff support in the form of direct reports as well as the students themselves was highlighted.

### **Political Capitol**

Certain professional experiences, as discussed earlier in the chapter, set Pamela up for success in the Title IX coordinator role. However, because she was new to the institution and did not have the political knowledge as someone who had been at

his or her college for years, she had to figure out how to navigate the institutional culture. Pamela stated, “Yeah those two things [policy and law experience], I think really set me up for certain aspects of this, but not necessarily to navigate what I said before, which is the politics of the institution itself.”

Of the Title IX coordinators that I interviewed, nine of 13 have been at their institutions longer than 7 years and six of them had tenures of 15 years or more. With longevity at an institution come trust, respect, and relationships that help with difficult topics. Earlier in the chapter I discussed the disconnection with faculty. Although that was a dominant theme, two Title IX coordinators did not share this viewpoint. Matt articulated this sentiment by saying, “Our faculty when I’ve needed them to cooperate have been very cooperative. Part of that is because I’ve been here 20 years and they know me pretty well.” Perry also did not feel like he had a hard time garnering support or resources from upper administration. Due to their longevity at their institutions and trust they have built on the campus, this could be why they did not experience any issues connecting with faculty.

One benefit to Title IX coordinators having been on their campuses for some time is that trust has already been established. This was a dominant theme throughout the interviews. One Title IX coordinator, who has been at her institution for over 9 years, communicated this theme by telling a story about how others were excited that she was in this role:

They’re [colleagues] like, “I’m just so happy that you’re in this role. I’m so happy that you’re taking this on, and I know that I can trust you, and I believe in what

you can do.” I think that helped, having been here for a little while, to really know the culture and to have that [trust].

Having the trust of her colleagues from the beginning of her role as Title IX coordinator was helpful to her, politically.

### **Community and Staff Support**

As discussed earlier, investigations provided challenges for Title IX coordinators. However, one approach that four participants discussed was using a team of two people to conduct investigations. In communicating the importance of team investigations, Perry stated, “I always assign a male and a female [investigator]. There’s always two investigators, so that helps in terms of people won’t feel quite as overwhelmed when they’ve got somebody else suffering with them.” Using a team approach seemed helpful for these Title IX coordinators as a way of providing support to the investigators.

Because 12 out of the 13 Title IX coordinators have another full time position, the support of staff surfaced as a dominant theme that was critical to their success. During the interviews, it became very clear that the Title IX coordinators valued and appreciated the staff that they have working with them and around them. Because this job is so difficult and time consuming, Layne discussed how valuable it was to have her supervisor’s support. She said, “Just being there, just being a sounding board. Very, very supportive of me not doing this anymore. Very protective of me.” Layne was open and clear about how much she appreciated the support of her supervisor and that if she did not have it, the job would have taken a toll on her as an employee at her institution.

Without the support of staff both above and below the Title IX coordinators, it is challenging to be able to manage both positions. Matt said, “Any time you’re in a top

leadership role, you're going to be balancing difference priorities. It's a matter of prioritizing and have a good staff that you can delegate to." Sally also discussed the importance of the staff with whom she works and how important they are to her success and for her to manage both positions. She said, "If I were to turn over two of them [direct reports], maybe even one of them it would really throw my life into disarray in terms of balance and being able to manage everything."

In addition to support from supervisors and other office staff, support from the campus was critical as well. Pamela stated, "In order to launch this [Title IX], it needs to be supported by other people, students, everybody." Pamela, who is new to her institution, really felt that she needed to gather the support of everyone on her campus in order to fully launch her Title IX office and resources. Creating a culture of change also requires effort from the campus community. Julie communicated the importance of this effort during her interview and emphasized that she did not see her role as Title IX coordinator as being the sole person responsible for this work on her campus. In order to truly make a difference, she felt it should be a collective effort. The Title IX coordinators felt that collective support from the campus community and staff support within their own offices was extremely helpful to them in their roles.

### **Access to Legal Council**

Having access to legal council, either on or off campus, was a dominant theme across the interviews as a main source of support. When asked about access to legal council, Stacey stated, "Full access to her. I can call her right now. She's great. Her office is right over there and she's knowledgeable, so that's helpful." Stacey was able to



call on her legal council for advice and help when she needed it and she felt very supported in this way.

Julie said, “They [legal] have just been incredible and totally embedded from the beginning and they also recognize their role as consultative, and they’re not trying to dictate decisions.” At Julie’s institution, she has legal council on her campus. Legal council has helped her think through decisions and make policy changes. She went on to say, “We spend a lot of time together.”

### **Executive and Presidential Support**

Support from upper administration is also critical to the success of the Title IX coordinators; 12 out of 15 questionnaire respondents felt that this was “not a challenge at all” and only three found it to be a “minor challenge.” Having the access and ability to communicate to upper level administration provides opportunity for the Title IX coordinator to garner resources necessary to do the job and provide what is needed for the campus. One of the Title IX coordinators was previously on the executive leadership team and had already developed trust and relationships with cabinet members. He said, “I think a lot of Title IX coordinators are at a disadvantage because they haven’t had that exec level leadership experience to be able to say, ‘All right, I’m going to make this happen.’” He felt that because of his previous position, he had already built other’s trust and was able to get what he needed in terms of funds and people. Advocating for resources and staff is often a challenge for Title IX coordinators, but he has not experienced this due to his previous position.

When asked about whom or what has been most helpful to her in her Title IX coordinator role, one of the Title IX coordinators said without hesitation, “The Associate

Provost.” She went on to discuss that because the Associate Provost was new to the institution, she was able to analyze critically what was going on, where the gaps were, and how to leverage her position to make changes. The ability to have the ears of upper administration is a key to success in the Title IX coordinator role. Because so much of the position is politically charged and largely unfunded, these Title IX coordinators must advocate for everything they need and support from upper administration is critical.

### **Professional Networks**

Professional networks are vital to the work of any professional; Title IX coordinators feel that way as well. ATIXA (Association for Title IX Administrators) is the professional organization that all 13 of the interview participants said were helpful to them. Additionally, questionnaire results show that 53% relied on other Title IX coordinators and 60% relied on other colleagues on campus. Stacey said, “I think their training is the most valuable training I’ve ever been to, ever, for any job I’ve ever had.” Even though one of the Title IX coordinators has a background in law enforcement and the military, she stated that the ATIXA training was the best training of which she has ever been a part.

Although 87% of the Title IX coordinators surveyed stated that they relied on ATIXA and found the organization helpful, interviews revealed that the volume of daily emails was overwhelming. Layne reported, “When you’re on their listserv, you’re getting like 100 emails a day. I was like ‘I don’t have time to look and read and the things that people were talking about, holy moly.” Sifting through all of this information to find the really important issues that apply to her campus was difficult for her.

However, on the other hand, while discussing what has been helpful to her in this position, Pamela discussed the ability to view the chat board through ATIXA. She felt it was helpful because one can pose questions and others will answer them based on how they handle situations on their campuses.

Another dominant theme that arose was certain professional organizations, such as those associated with Human Resources, have added the Title IX component to their conferences and publications. AICCU (Association of Independent California Colleges and Universities) have an HR council that Matt attends. He said, "Because so many of us have Title IX under our belts, it's kind of unofficially, we also sometimes talk about Title IX stuff." The Human Resource organizations realized that many of their professionals were suddenly taking on Title IX responsibilities, so they saw an opportunity to dedicate time and resources during the annual conferences and meetings to assist with their professional development.

### **Title IX Stakeholders Collaboration**

As mentioned earlier, at 11 of the 13 institutions, the Title IX coordinators held group meetings of stakeholders and committee members. These groups ranged in size and scope as well as in the amount of meetings that were held throughout the year. The Title IX coordinators identified several benefits of having a group like this on their campuses, such as a shared responsibility and making the job of the Title IX coordinator easier as well as building trust and relationships amongst the members of the group. Additionally, other themes that were identified as benefits to this group were sharing best practices, working through policy and process changes, and ensuring

communication about Title IX issues. Julie discussed the “collectivist approach” to working with others on her campus to make Title IX better.

At her institution, Stacey has a solid team of people that assist with Title IX. She sees this as a benefit to her in her role. Stacey said,

It’s like a partnership and I work with them, and I feel like the product becomes better because it’s not just me. Peter [pseudonym] has been like “That’s a bad idea. Let’s do this,” so I say, “Oh, that’s a better idea.” The product is better, which means ultimately our program is better for students in place, so that’s good.

Pamela stated, “I have found that I need more partnerships on campus, but also having the support of the ones that I already have, like HR and faculty has been really good. It has allowed me a voice with administration.”

One obvious challenge to collaborating on campus is time. While working with others to establish a strong foundation for Title IX, everyone at the table has other job responsibilities. For Julie, the challenge is definitely finding a time to get everyone together. While this was not a major theme, some of the Title IX coordinators felt that they had to communicate the importance of the group. Lastly, Title IX coordinators identified a challenge as navigating institutional culture within the group of stakeholders.

One Title IX coordinator discussed the idea of a “happy triangle,” instead of the “Bermuda Triangle.” The happy triangle, which includes Public Safety and Student Affairs, has helped her build relationships within that group so that they can work together to solve the issues on her campus. For examples, she said:

If you try to write a policy and you don't include public safety, then you don't understand where they're coming from. If I'm trying to think about programming or training for staff and I don't know what public safety's protocols are, or I don't know at the end of the day what judicial needs are, that doesn't work.

Samantha also discussed the importance of collaborations she has on her campus. She said, "When you come to work at a university, you're not a researcher, but you're part of that community, so that does mean helping students and being a partner on campus." Working together as a collective group was essential for the Title IX coordinators in their roles.

### **Off Campus Collaborations with Other Title IX Coordinators**

The importance of talking and learning from other Title IX coordinators was identified as important but nearly impossible. In fact, questionnaire results showed that only 27% of participants relied on other Title IX coordinators. Through the interviews, I discovered that because 12 out of the 13 had another full time job, the reason they were unable to rely on others was time. Additionally, they reported that getting together was just as hard as managing their multiple jobs. Two of the Title IX coordinators simply stated that they did not get together with others and two said they did not think it would be helpful to them. Perry discussed the difficulties of trying to collaborate with other Title IX coordinators. He said,

What I've found with a lot of these trainings is that every institution is so idiosyncratic in terms of the way they approach this. At some institutions, Title IX offices handle everything in terms of adjudication. That would not work well here.

Due to process differences and the dissimilarities with other institutions compared to his, he felt that he would not gain any knowledge working with other Title IX coordinators.

However, in addition to learning about new concepts and sharing best practices, Julie sees the benefits of collaborating with other Title IX coordinators regionally, but with everything she has to do it is impossible to find the time. She discussed how roundtables with other Title IX coordinators would be helpful to her. Other than sharing best practices, Julie said, “I think that would frankly help to be in a space where other people understand your work.” Sharing these same sentiments, four of the Title IX coordinators discussed the idea of being able to “commiserate” with other Title IX coordinators. When discussing these collaborations, Cindy said, “I think you get a sense that you’re not alone. Other people are struggling with whether it’s the same incident or another incident.” The ability to discuss the emotional parts of the position with others who completely understand their work was helpful to them in trying to cope with the challenges they face.

Even though it is challenging to get together with other Title IX coordinators, Matt also reported that these types of meetings are beneficial. He gave an example of a time of when he had a meeting with other Title IX coordinators where they had a speaker that talked about trauma and how victims respond to trauma associated with sexual assault. He felt that this presentation was important to him in his role as Title IX coordinator and really added to the skills he already has.

In addition to working with other Title IX coordinators on other campuses, the Title IX coordinators also work with local organizations and resources. Partnerships with

local rape crisis centers and organizations allow the Title IX coordinators to utilize resources that do not have to come from their limited budgets. At his institution, Frank is part of a consortium of other similar institutions. He stated that they get together once per year, and it has been helpful to him to discuss issues with other Title IX coordinators that worked in the same system he did. Utilizing local resources or a consortium seems to be helpful to supplement what the institution can offer and in turn provides more services for students and professional development for Title IX coordinators.

### **Unanticipated Findings**

My motivation for conducting this research was to give a voice to the Title IX coordinators that have previously not been asked how they feel about their positions or given the chance to discuss their experiences. Since the DCL of 2011, the position of Title IX coordinator has changed and grown significantly. This research revealed many other aspects to their experiences that I did not set out to find.

While I described my data analysis process as largely deductive, additional findings emerged in more of an inductive manner. The themes that emerged inductively were not tied to my assumptions and questions that I brought to the study but instead emerged from the study itself. One such theme that emerged was the interview process itself, which was a helpful and reflective activity. Pamela said:

This was actually really good, because I was able to kind of pinpoint some things. There are days where I'm like "Oh my goodness, am I even moving forward?" I've made some progress since September to this point that I think is pivotal. I think the fact that we're sitting in here is a big deal.

Samantha also found the activity to be reflective for her and quite helpful. She said, “This was actually a very nice reflection activity for me and also just motivating to think, ‘Ok, what are the areas where I think we might need to then improve upon?’”

I was also surprised at how much the topic of “self-care” came up during the interview process. Discussing heavy topics, which emerge frequently when in Title IX, can be emotionally draining. Although the topic of self-care was important, the Title IX coordinators that were not in Student Affairs did not think that their colleagues would understand this concept. During the interview Taylor talked about the position and how difficult it can be. She said, “I think this kind of work attracts a certain kind of person. You don’t do this if you don’t like it and if you don’t like it, you don’t do it very long.” Due to the heavy and emotional topics, another theme that arose during the interviews was that of turnover. It was clear through several of the interviews that the enormity of the dual roles and the emotional issues that arise from Title IX is taking a toll on these Title IX coordinators. There was a feeling that maintaining this level of responsibility was not going to be feasible for a long period of time.

Lastly, another theme that arose from the interviews and the questionnaire is the difficulty that religious institutions face in developing Title IX policies and programs. For example, discussing consent and alcohol is challenging if students have agreed to not drink and not engage in pre-marital sex. Issues with students not reporting these experiences out of fear that they might face sanctions are a real concern. In addition, one Title IX coordinator in particular discussed challenges with having to navigate new policies with the board.



Even though these Title IX coordinators face great challenges in their roles and especially with having multiple roles, there was a deep feeling of importance in what they do. Stacey said:

I think it's an important job, and I don't think any Title IX coordinator takes on lightly, because it's a beast. That's my word, and I think to be in this role, it has to be important to you. It's a job, but it's more than just a job. It certainly helps to care about it.

Julie stated, "In a perfect world, I know that we'll never be free of sexual violence but I hope we can certainly reduce the incidences of those occurrences. That would be my desire." Since the majority of these Title IX coordinators are not paid extra for this responsibility, they find importance in the work they do especially for the students they serve. When asked who or what has been a main source of support, Julie said:

I think students, themselves, that come forward with concerns. I learn a lot from what they've experienced, what they report. At the end of the day, that's what I'm trying to keep in mind most importantly is that we're talking about our students and it helps me to be connected to what they are experiencing so that this doesn't become an abstract, theoretical type of problem. That's a very real campus concern and we need to hear from our students and they have very diverse experiences. They, themselves, are very diverse. It just helps me to be able to understand from their point of view what has been going on.

Even though the political landscape of Title IX is fraught with media attention and the position of Title IX coordinator has its challenges, at the end of the day, Title IX

coordinators felt strongly about the students they serve and striving to reduce the amount of sexual violence on college campuses.

### **Conclusion**

The decision to conduct this study was quite intentional because research on Title IX coordinators is extremely scarce. Furthermore, I set out to gather stories and examples about the struggles that Title IX coordinators face in their positions. There were several similarities among their experiences but also several differences. Since this position is fairly new, there is a need to cultivate stories in a way that enables researchers to catalog best practices, and I feel as though this study accomplished that goal.

Interestingly, this study's Title IX coordinators arose from diverse backgrounds, and the way they inherited their roles varied from institution to institution. Inheriting the role of Title IX coordinator was a common theme. Someone, likely a President or a member of upper administration, saw a certain set of skills that would help each participant be successful in this role. Some of the Title IX coordinators had investigation experiences but others did not. However, similar experiences of dealing with people and management skills were quite prevalent. Additionally, the Title IX coordinators were organized and had the ability to complete tasks and gather support from others. The Title IX coordinators used these skills in their roles, and likely these are qualities that others at their institutions see in them as well.

The Title IX coordinators with whom I spoke overwhelmingly have other positions and roles on their campuses. There are several reasons for this, but for the institution, having one salary to pay someone is a financial benefit. After the DCL, institutions were

mandated to name one person that was responsible for stewarding the Title IX process. While some thought this person would just be a name, it was clear through the interviews that this was not the case. First, the Title IX coordinators that were told they were in the role in name only found out very quickly that this was not the case. Second, because they had other positions on the campus and because the Title IX role grew rapidly, they began to feel pressure in both of their positions.

It was clear through the interviews that having dual roles was both tiresome and problematic to most participants. The problems arose when the Title IX coordinators were faced with challenges such as complicated investigations, adequate training, and dealing with the intensity of the issues that were brought to them. Since they have full time positions in other areas, the Title IX coordinators talked about how the support they receive from those around them was extremely helpful. Working with the staff that they trust and that will support them in their other roles was crucial to their success in both of their positions.

The Title IX coordinators faced other challenges with their dual roles that are related to both of their positions. One issue they discussed was a lack of time to perform all of the necessary tasks for both of their positions. Because most of the Title IX coordinators are high-level administrators (i.e., Associate VPs, Directors, etc.), their other positions require a large amount of time in terms of supervision, planning, and program administration. In addition to time, there is a severe lack of financial resources. There is an expectation that the Title IX coordinators provide educational opportunities and training for the campus community but are not given a specified budget. Additionally, training and professional development is quite expensive, and if they do

not have a Title IX budget, the funding will be sourced from their other budget for their other position.

In addition to challenges, the Title IX coordinators found it necessary to collaborate with others on their campus and on other campuses. Overwhelmingly, the Title IX coordinators found that developing a group or committee on their campus was effective and helpful to them in their roles. Whether the groups met frequently or infrequently, there were far more benefits to this type of collaboration than challenges. The value of this Title IX team was in incorporating different viewpoints and creating knowledge in the community. Additionally, creating a shared responsibility was also advantageous. Because the Title IX coordinators have other full time positions, having the ability to share the responsibility with others was crucial to them.

The challenges that arose from Title IX groups were few, but did exist. The obvious challenge was that it was hard to get the group together, which is why some only met once per semester. In addition to time, challenges arose from navigating institutional culture among the members of the group. Because the groups were diverse in terms of positions, directors, coordinators, and others had varying influence. Navigating these group dynamics was challenging for the Title IX coordinators but not an insurmountable issue.

### **What I Found**

Title IX coordinators are extremely important to their institutions but largely, they are not paid for the work they do or recognized in a significant way. Small and medium-sized private institutions likely do not have the funds to pay for a full time Title IX coordinator; however, there are ways to mitigate the issues they face. First, having a

Title IX stakeholders group was a huge support for them and helps disperse the responsibility. Second, having access to legal council was overwhelmingly a source of support. Third, having a budget that is dedicated to Title IX training and programming is crucial not only to administering the program but also so that the other budget doesn't have to bear the load. Lastly, Title IX coordinators listen to and deal with emotionally draining issues and stories on a daily basis. The ability to practice self-care is extremely important and should be encouraged by supervisors and the campus community.

## **CHAPTER 5: DISCUSSION, IMPLICATIONS AND RECOMMENDATIONS**

This study examined the experiences of Title IX coordinators at small and medium-sized private institutions in the western United States by employing a mainly qualitative approach. The goal was to understand the challenges that Title IX coordinators face and how they overcome these challenges. In addition to challenges, I examined their professional competencies and the skills they bring to the position and how, if at all, they collaborate with others both on and off their campus. The main purpose of this study was to give a voice to Title IX coordinators in terms of how they view their roles within their institutions.

This chapter begins with an overview of the main findings, followed by a discussion of the implications for research and practice for higher education and Title IX specifically. Limitations for the study will be discussed and the need for future research will conclude the chapter.

### **Major Findings**

My findings may be understood in terms of seven key matters:

1. Title IX coordinators came from various positions and roles within and outside of the university; however, their professional competencies are quite similar.
2. Title IX coordinators who have dual roles at their institutions face great challenges in their positions.
3. Title IX coordinators experience vast benefits from collaborations with faculty, staff, and students on their campus, but do not really rely on Title IX coordinators from other campuses.

4. Title IX coordinators rely on several professional networks to increase their knowledge and provide support in their role.
5. Title IX coordinators who have dual roles experience a substantial lack of intersection between their two roles.
6. Title IX coordinators who have been at their institutions for a long period of time have strong relationships and trust amongst community members which has helped them in their role.
7. Title IX coordinators experience a lack of connection and support with the faculty in particular.

**Finding #1: Title IX Coordinators Came from Various Positions and Roles within and Outside of the University; However, Their Professional Competencies Are Quite Similar**

One of the goals of this study was to determine if there was a clear path from which Title IX coordinators come. Both the questionnaire and interview data revealed that in fact, Title IX coordinators come from many different backgrounds and have varied experiences. Moreover, not all Title IX coordinators have come from a Higher Education background, and instead one that is more of a legal background. A majority of the Title IX coordinators in my sample had another role at their institution in addition to Title IX. Their backgrounds and other roles ranged from Human Resources to Student Affairs; additionally, one that was a faculty member and another was a Director of Finance and Administration.

Even though their backgrounds were different and they had different experiences in terms of areas they have worked in at a university, certain skills and characteristics

that I observed appeared to help them be successful in their Title IX roles. Relationship building was a skill that was apparent and one that they discussed over the course of the interviews. The ability to work with others on campus and to build relationships to engage students in a dialogue about sexual misconduct was evident. Additionally, the ability to build relationships with other colleagues on campus in an effort to work together on Title IX related issues was also important.

Another skill that the Title IX coordinators valued was the ability to understand law and policy as well as how investigations work. The experiences of the Title IX coordinators varied greatly in this way, but nearly all of them had some legal experience in their previous roles. For example, one of the Title IX coordinators was in litigation prior to working in Title IX. Several others that came out of Student Affairs had experience with Student Conduct systems and understood how to write, interpret, and follow policy guidelines. The Title IX coordinators perceived these experiences and skills to be an asset to them in this role.

### **Finding #2: Title IX Coordinators who Have Dual Roles at Their Institutions Face Great Challenges in Their Positions**

My study was mainly focused on Title IX coordinators who had other roles at their institutions. Because small and medium-sized private schools largely do not have the funding or the caseload for a full time Title IX coordinator, I anticipated that some issues and challenges would arise out of having a dual role. In fact, 12 out of 13 Title IX coordinators in my sample do have dual roles at their institutions and do face great challenges.



One challenge that nearly all of the Title IX coordinators faced was financial challenges, which included a lack of budget or a very small one, lack of staff or investigators, and lack of funding for prevention and educational programs. It is not surprising that there are financial challenges associated with administering Title IX work; however, it was surprising to hear how many of the Title IX coordinators did not have a budget. It was also surprising how many of the Title IX coordinators did not actually get paid for the work they do. They are paid for doing the other job they perform but because most of them inherited the role, they were not given extra compensation for their work with Title IX.

Another major challenge was that of time. Title IX coordinators in dual roles don't have sufficient time for both positions. There are challenges with managing both roles and the tasks that are associated with them as well as challenges with time to read policies and legislative updates and attend the necessary trainings for Title IX. The lack of time was also a challenge when trying to get together with other Title IX coordinators. Most of them felt like they barely had enough time to do their jobs and were not able to develop relationships with other Title IX coordinators or get together with them to discuss best practices.

Lastly, a challenge that arose from having a dual role was establishing a solid infrastructure for Title IX work. Since the DCL of 2011, the role of Title IX coordinator has shifted and changed. The DCL explicitly stated that institutions must take "immediate and effective steps to respond to sexual violence in accordance with requirements of Title IX" (U.S. Department of Education, 2011, para. 5) and the Title IX coordinators are responsible for these immediate actions. Because of the

recommendations that came from the DCL, many institutions had to change the way they investigated sexual and interpersonal misconduct. The Title IX coordinators reported that a challenge they were experiencing was setting up the infrastructure in terms of policies and investigations as well as the process of followed when there is a report made and who plays what role. In addition, they discussed the challenges of having a solid infrastructure in place so that if they have one investigation or 20 investigations, the same process and procedure would be followed.

**Finding #3: Title IX Coordinators Experience Vast Benefits from Collaborations with Faculty, Staff and Students on Their Campus but Do Not Rely on Other Title IX Coordinators from Other Campuses**

The Title IX coordinators reported that the collaborations they have on their campuses are extremely helpful to them in their roles. As stated before, Title IX coordinators that have dual roles face challenges with time constraints. Therefore, relying on others on their campuses has helped them be successful. For example, having a Title IX committee or stakeholders group was helpful to them to discuss new ideas, share in Title IX updates, and increase communication and to discuss best practices. Each Title IX coordinator had varying practices related to how often they met with their stakeholders even though the topics were very similar. Some of the meetings are held twice a year, some are held monthly, and some are held weekly. The amount of meetings depended on what the institutional needs were for Title IX work and the availability of the members. The Title IX coordinators that met regularly with other stakeholders reported that it is extremely helpful for them in their roles and that it helps to have shared responsibility for this type of work.

Although the Title IX coordinators reported that they benefit from working with others closely on their campus for Title IX work, they did not report that they worked regularly with Title IX coordinators on other campuses. Although a small group of locally situated Title IX coordinators have gotten together a few times, there is no formal arrangement in place. In fact, several Title IX coordinators reported that they did not have time to focus on their own campus much less have time to meet with others on another campus. In addition to time, another challenge to collaborating with other Title IX coordinators is that each campus is different and what might be helpful and apply on one campus might not work for another campus.

Working with other Title IX coordinators that understand the work they do was discussed throughout the interviews. Due to confidentiality, the Title IX coordinators are not allowed to discuss specifics about their positions to others, which can lead to a lack of understanding about what the position truly entails. If the Title IX coordinators were able to gather together, they would be able to discuss the challenging parts of their positions and how they overcome these challenges on their campus. They would be able to commiserate with one another because they all understand what is required for their roles.

As stated earlier, the time constraints of getting together with other Title IX coordinators is challenging. However, several of the Title IX coordinators discussed the ability to communicate over the phone or through email with a smaller number of local and like institutions so that they did not have to physically all be in one space.

#### **Finding #4: Title IX Coordinators Rely on Several Professional Networks to Increase their Knowledge and Provide Support in Their Role**

Because Title IX coordinators find it difficult to get together with other Title IX coordinators on other campuses, they often rely on professional networks for professional development and information about Title IX. ATIXA (Association of Title IX Administrators) is the professional network that nearly every Title IX coordinator reported belonging to and utilizing to inform their work. ATIXA offers many resources, such as trainings in different parts of the country, publications, an email listserv, and a website with countless resources. Through ATIXA, Title IX coordinators are able to utilize the listserv for questions, and even though the amount of emails is overwhelming at times, information presented and the questions that are posed and answered are quite helpful to them. ATIXA was reported as the most utilized professional network amongst the sample of Title IX coordinators in this study.

I also found that certain professional networks that Title IX coordinators utilized were primarily the focus of their other role at their institution. For example, CUPA-HR (College and University Professional Association for Human Resources) has started offering professional development for Human Resources professionals in Title IX because so many of them are either Title IX coordinators or involved in Title IX some other way. The Title IX coordinators that are also in Human Resources stated that it was helpful for them when they went to conferences through their other role on campus that they were able to discuss the issues they were facing with Title IX as well.

Since the participants' backgrounds and other roles are so widespread, several of the Title IX coordinators discussed how other professional organizations to which

they belong offer Title IX sessions at the annual conferences, on listservs, and in publications. Title IX is such a popular subject and one that is at the forefront of discussion in Higher Education; therefore, many organizations are providing opportunities for their members to discuss issues facing college campuses. These discussions at conferences and meetings are quite helpful to Title IX coordinators and other administrators so they may have a better understanding of sexual and interpersonal misconduct compliance issues facing colleges today.

**Finding #5: Title IX Coordinators Who Have Dual Roles Experience a Substantial Lack of Intersection Between their Two Roles**

The Title IX coordinators in this study came from several different departments on their campuses. As part of the experiences with the dual roles, I really wanted to figure out how, if at all, their dual roles intersected with one another. For some of the Title IX coordinators, there was a lack of intersection in their dual positions in the area of student interaction. Almost half of the Title IX coordinators were located in Human Resources (HR). From a student's perspective, they would not likely think they needed to go to the HR office to report an issue of sexual misconduct. Rather, the HR department is one that largely deals with employees at the institution and less with students; thus, this was a major lack of intersection of their dual roles.

In HR, for example, there is not a lot of, if any, student interaction. The Title IX coordinators that are in those departments, as a part of his or her other job felt a huge disconnect between the two positions. Because these administrators do not have a lot of student interaction, they do not have experience talking with students about Title IX complaints. Without having the experience or the background regarding student

development, the Title IX coordinators that did not have a great deal of student interaction in their other role saw a severe lack of intersection in their multiple roles. However, they never questioned why they were placed into the role during the interview, nor did they express a lack of understanding about why they were placed in the role.

In addition to a lack of student interaction, there is a possibility that the campus community members are confused about their dual roles. According to the DCL, the Title IX coordinator must be explicitly clear, with name and contact information available to the campus community (U.S. Department of Education, 2011) Most of the Title IX coordinators reported that there might be confusion amongst the campus community about their roles that doesn't align with the DCL guidance. Title IX coordinators should be well known by everyone at the institution so that if there is an issue that involves any type of sexual or interpersonal misconduct, everyone knows who to go to first. When Title IX coordinators have dual roles, it could cause some confusion.

**Finding #6: Title IX Coordinators Who Have Been at Their Institutions for a Long Period of Time Have Strong Relationships and Trust Amongst Community Members Which Has Helped Them in Their Role**

It became very clear from the interview and questionnaire results that several Title IX coordinators have been at their institutions for a long period of time. Several themes emerged when digging deeper into their time at their institution and how they became the Title IX coordinators. First and likely most importantly, the Title IX coordinators feel that they have strong relationships with upper administration and trust amongst their colleagues. Because they have been at their institutions for so long, coming into the Title IX role was easier because they did not have to forge new

relationships but instead relied on previous ones. Title IX coordinators need the support of the campus community to do their jobs and to already have established relationships was extremely helpful.

Another benefit to the Title IX coordinators having longevity at their institution is that some of the challenges they face in terms of budgeting and support are minimal. Getting support for an increase in budget or for the adding more investigators was not as challenging for the Title IX coordinators that had been at their institutions for over 9 years due to the trust and relationships they had established previously.

Lastly, the Title IX coordinators that have longevity at their institutions were chosen by upper administration for a reason. Because this is a high profile role and one that is extremely important to the university, when the President was choosing who would fill the role, he or she likely chose someone that the community already knew and trusted. Navigating institutional culture is such an important piece of Title IX, and if the person that was chosen to fill this role already knew the institutional culture, he/she would be able to understand what is needed, where to go for support, and how to garner Title IX resources.

### **Finding #7: Title IX Coordinators Experience a Lack of Connection and Support with the Faculty in Particular**

Title IX work takes the efforts of several staff members on each campus, especially at small and medium-sized private institutions where the Title IX coordinator is doing other tasks. As discussed earlier in this chapter, Title IX coordinators benefit from support of the campus and, in particular, the stakeholders who have a shared responsibility for the work. However, the Title IX coordinators reported that there was a

significant lack of support and understanding amongst the faculty at their institutions about Title IX related matters.

Likely, the lack of understanding by faculty comes from a lack of time to discuss Title IX with them. The Title IX coordinators reported a difficulty in trying to reach faculty. Often faculty retreats and meetings are packed with other important agenda items and to get even 5 minutes to present information is challenging. Because there is a lack of time to get the information to the faculty, the Title IX coordinators felt that it was hard to get them to understand their responsibilities as faculty and how to communicate any issues or concerns they may hear about. For example, because students see faculty as authority figures in an official role for the university, the students may believe that discussing a sexual misconduct incident was how they needed to file a report. If the faculty is not informed about their obligation, the institution could be held liable for not addressing a potential issue. It is imperative that the Title IX coordinators have ample time to reach the faculty so that they know what their reporting obligations are and are clear about to whom they must report.

In addition to a lack of understanding, Title IX coordinators reported that the faculty is not readily available to provide support for Title IX. For example, the stakeholders that meet regularly to discuss Title IX issues on their campus rarely have faculty members as a part of those groups. If one faculty member could participate in this committee, then it would show support and likely increase understanding about the Title IX issues that are facing the campus.

Gathering support and educating faculty was discussed in every interview with the exception of the Title IX coordinator that was a faculty member. The Title IX



coordinators recognize that faculty is an important part not only of the institution but also in supporting students and the issues they may be facing. Therefore, educating the faculty about what Title IX is and their responsibility therein was a high priority for the Title IX coordinators.

Finally, as a broader methodologically related finding, this study helps to reveal the ways in which a feminist standpoint might be brought to bear on the work of Title IX coordinators, particularly related to women's issues. The findings from this study centered around the lived experiences of Title IX coordinators that are tasked with addressing campus climate issues related to sexual misconduct. Using the feminist standpoint theoretical framework oriented this research and ultimately the findings that revealed the challenges and experiences of Title IX coordinators, their professional competencies, and how they collaborate with the campus community and other Title IX coordinators.

### **Recommendations for Small and Medium-sized Private Institutions**

A few recommendations for small and medium-sized private institutions that have Title IX coordinators in dual roles emerged from my findings.

#### **Recommendation #1: Title IX Coordinators Would Benefit from Having a Funded Budget that Would Allow for Them to Make Decisions about Where to Allocate Funds**

Surprisingly, Title IX budgets are either non-existent or are too small to sustain Title IX efforts. Unfortunately, following the DCL recommendations, there were no suggestions about funding for the educational programs, training of staff, and materials, so there is a lack of understanding of what financial resources are needed. If the Title IX

coordinators had budgets that they oversee and have the ability to allocate funds where they are necessary, this would provide a more comprehensive Title IX program. While I do know that higher education in general is facing financial difficulties, this budget does not have to be a new line, but money could potentially be pulled from existing budgets and into a dedicated Title IX budget. For example, if the Director of HR is also the Title IX coordinator and currently using the HR budget for Title IX, I recommend pulling the money they are already using out of that budget and creating a Title IX budget with those funds. Furthermore, money can be pooled from various departments that are part of the Title IX stakeholders' group so that the budget is made up of existing budgets. Because financial difficulties were overwhelmingly discussed as a challenge, having significant funds as well as a dedicated budget would allow the Title IX coordinators to overcome this challenge.

**Recommendation #2: If Title IX Coordinators Have another Full Time Position at the University, it Would Benefit Them to Have Their Responsibilities Reduced in that Area to Allow for Title IX Work**

Understandably, small and medium-sized private colleges do not have endless financial resources or significant caseloads, and therefore the need for a full time Title IX coordinator is likely out of reach. Because there is a cost savings for the Title IX coordinators to have another role on their campus, it would be beneficial for the responsibilities of that role to be examined fully. Title IX coordinators that have a large staff to supervise or a large department struggle to maintain both roles. Having a reduction in the other role's responsibilities would relieve the Title IX coordinator to focus on Title IX responsibilities.

It is possible that the work of a Title IX coordinator may not be perceived as a large task. However, even though the caseload is less at small and medium-sized schools, the infrastructure still needs to be in place. This means that even if an institution only has one case over the course of the academic year, all policies and procedures need to be in place and the investigators need to be trained. In addition, prevention programming is necessary no matter how many cases there are. The number of cases really doesn't determine the amount of work that a Title IX coordinator has to do; however, if there is a surge in caseload, it does create difficulties for them in terms of their workload.

**Recommendation #3: Support Staff for Title IX Coordinators is Critical to Their Success; therefore, to Have an Assistant that Helps with Scheduling or Administrative Tasks Would be Extremely Beneficial**

The data revealed that those participants that had a good support staff person or an assistant were much more confident in their abilities as Title IX coordinators. Having a support staff member who is able to manage schedules and appointments allows the Title IX coordinator to focus on other areas of the job instead of focusing on administrative tasks. Additionally, the staff person can catalog the annual Title IX training that the investigators attend as well as the prevention programs so that there is a record of what the Title IX work the campus is doing. The Title IX coordinators that had been in the role without a support person and then acquired one later on stated that it made a huge change in how they were able to do their job and that it was much easier to manage with someone supporting them.

#### **Recommendation #4: Title IX Coordinators Should Be Compensated for the Work They Do and Given the Opportunity to Practice Self-Care to Avoid Burnout and Turnover**

As stated earlier, it is understandable that small and medium-sized private institutions are largely unable to hire a full time Title IX coordinator. However, they should be compensated for their work. I found that most took on the role with little to no increase in their compensation. Because Title IX is such a high profile position, being compensated adequately for the amount of work they are doing is crucial. Adding additional compensation would not cost as much as hiring a full time Title IX coordinator but would provide validation for the amount of work and emotional topics they encounter.

Through the interviews with the Title IX coordinators, it was clear that the emotionally charged topics and stress were on their minds. *The Chronicle of Higher Education's* article "Overseeing Sexual Assault Cases Is Now a Full-Time Job" corroborated this finding by stating that the "Title IX coordinator is a high-stress position even at a college not on the federal investigation list" (June, 2014, p. 13). Although the OCR is investigating over 100 schools, even at a small school, the position of Title IX coordinator can be quite stressful and lead to burnout and turnover. Title IX coordinators could avoid burnout through taking care of themselves during times of high stress and upper administration can and should support them to do so.

**Recommendation #5: Title IX Coordinators Should not Conduct Investigations and Should Have Access to Enough Investigators to Avoid Overuse and Burnout**

While it is not a best practice, some Title IX coordinators conduct investigations. It is my recommendation that investigations not be conducted by Title IX coordinators but instead Deputy Title IX coordinators or other investigators. Because the Title IX coordinators are too close to the issues, to then be an investigator is not only time consuming, but also emotionally draining. Title IX coordinators that conduct their own investigations were under a great amount of stress and pressure due to the large load of responsibility placed on their shoulders.

Another recommendation is to have enough trained Title IX investigators so that when assigning investigators to cases, there is a large pool of investigators to be able to rotate to avoid burnout. Because Title IX investigators at small and medium-sized private institutions also have other full time positions, if there are a significant amount of cases, the Title IX coordinator can assign these cases based on workload and timing of the investigation. Additionally, if there were several investigators, it would be easier to conduct team investigations. In order to accomplish this, there are two recommendations. First, additional investigators can be trained at that particular institution. The second recommendation is to work with a consortium of colleges or universities in the surrounding geographical location. Pooling investigators with like institutions can be more cost effective solution, but confidentiality and privacy must be addressed.

## **Recommendation #6: Title IX Coordinators Should Be Supported to Develop a Professional Network with Other Local Title IX Coordinators and Staff to Discuss Best Practices and Title IX Work**

The data from this study revealed that Title IX coordinators were largely unable to meet with other Title IX coordinators. Most thought that it was a good idea in theory, but that beyond their dual positions, they were unable to dedicate time to travel to another campus for a meeting. My recommendation is that there should be support for Title IX coordinators, especially those at small and medium-sized private institutions, to have time away to discuss rising Title IX issues with other local institutions. Collaboration with other Title IX coordinators would be helpful to them to discuss best practices and the parts of the position that no one else understands. Self-care was a topic that kept coming up during the interviews. If Title IX coordinators are able to meet and discuss what they are going through with others that understand what they do, this could be helpful to them and serve as part of their self-care.

The ability to have a network of Title IX colleagues has been helpful for those that are a part of a university system. One of the participants was part of a system of colleges and he discussed how much this helped him in his role. In a *Chronicle of Higher Education* article, Dawn Floyd, a newly hired Title IX coordinator at the University of North Carolina at Charlotte, stated “it helps to be a part of a public-university system with an ‘automatic network’ of counterparts” (as cited in June, 2014, p. 13). Because private institutions largely do not have access to a system wide network, they should be supported to create a system that parallels a helpful network of institutions like a state system.

**Recommendation #7: Each Campus Should Have a Title IX Working Group or Stakeholders Committee That Meets Regularly to Discuss Campus Issues as well as Other Title IX Issues Facing College Campuses**

While participants mentioned several Title IX committees, some Title IX coordinators do not have a group like this or a formal committee structure. Because the Title IX work needs to be spread among the campus community, it is extremely advantageous for the Title IX coordinator to have a group such as this. This group would not cost the institution additional funds and would create a panel of experts on the topic. Members should include the Title IX coordinator, Deputy Title IX coordinators, investigators, prevention programming staff, campus police or campus safety, faculty, and possibly Residence Life and Student Conduct staff. Because each campus is so different, the players at the table might be slightly different; however, the point is that there needs to be a comprehensive approach to forming this group with the idea in mind that this committee will not only strengthen Title IX work but also create relationships and a shared responsibility.

**Recommendation #8: Title IX Coordinators Should Not Only Focus on What Isn't Working, But Also Regularly Review What Title IX Work Is Effective**

One of the unanticipated findings from this study was the reflective process that the interview produced. Several of the Title IX coordinators that I interviewed were appreciative of the time to discuss what they were working on and reflect on the work they had done. I think naturally it is easy to focus on what programs and policies are not working. However, based on this study, I feel as though it is important to review and assess the Title IX work that seems to be effective. The purpose is two-fold. First, this

allows the Title IX coordinator to review all of the areas of Title IX. Second, highlighting what is going well can serve as a measuring stick of where the institution is and the direction they are headed in terms of Title IX work. In the *Chronicle of Higher Education*, Karen Williamson, Title IX coordinator at Swarthmore College, stated, “A lot of national attention is focused on what’s not working, but I also try to pay attention to what’s working” (as cited in June, 2014, p. 13).

### **Study Limitations**

There are a few limitations to this study that should be considered. The first limitation is sample size. Since I only talked to Title IX coordinators and there is only one at each institution, this limited the amount of interviews I was able to conduct. Since I only spoke with 40% of the Title IX coordinators in the entire sample, the study would have been strengthened if I could have interviewed other Title IX coordinators.

Beyond sample size, another limitation is that these data are not generalizable to large public institutions. Because large institutions likely have at least one full time Title IX coordinator and, in some cases, multiple Title IX coordinators, the challenges they face would likely be very different than what I found with the sample. However, because there is a lack of research about this position and more importantly, there is no research about Title IX coordinators with dual roles, the results are very useful for administrators in higher education.

### **Direction for Future Research**

Future research can explore the experiences of Title IX coordinators in a few ways. In an effort to expand these findings, a similar research study should be conducted again in 5 years. Because this position has changed so drastically since the



DCL in 2011, it is likely that it will only evolve even more over time, as will the regulations and new legislation.

In addition to conducting this study again in 5 years, research in this area could be conducted longitudinally with the Title IX coordinators. Because self-care was a theme that kept emerging during the interviews, Title IX coordinators fear that institutions will face turnover of these roles. Title IX coordinators discuss heavy and emotional topics on a daily basis and likely they will not be able to do the work for long periods of time, especially if they have another full time role. A longitudinal study would reveal any turnover and likely uncover the rate at which they leave their positions.

Another direction for future research is to assess the efforts of the Title IX coordinators. A study that examines if the policies are effective, if students feel heard on their campus, and if the prevention programs are working would contribute to this body of research. Unfortunately right now, Title IX work on each campus is too new to assess its effectiveness and if the efforts of the Title IX coordinator who works diligently to educate the campus is effective.

For the purposes of this study I did not interview faculty or Deputy Title IX coordinators because it was my intention to document the experiences only of Title IX coordinators. However, future research could focus on Deputy Title IX coordinators to gather data about their experiences with their multiple roles as well. After conducting the interviews it was clear that there were some challenges related to garnering support from and creating understanding with the faculty. To add to this body of knowledge, speaking with faculty members could reveal some findings about why there is a resistance to reporting obligations and a lack of understanding of Title IX amongst

faculty. The data from these groups could provide a more comprehensive picture of Title IX work on each of the campuses beyond the perceptions and experiences of the Title IX coordinator.

Lastly, there is a need for future research to examine the experiences of Title IX coordinators at small and medium-sized private institutions that only have one role. The challenges they face could be compared to that of their counterparts that have two roles to uncover the similarities and differences thereof. Additionally, it is likely that their experiences could be quite different because they are able to focus only on Title IX.

### **Conclusion**

This study explored the experiences and challenges that Title IX coordinators face at small and medium-sized private institutions. In addition to their experiences, I examined sources of support as well as their professional competencies and skills. I was surprised to find out how many of the Title IX coordinators had inherited their roles and that a majority of them had been at their institutions for 9 or more years. Although most of the Title IX coordinators experience significant challenges related to budgets, time, support, highly emotional topics, and balancing their multiple roles, each of them discussed how important this work was to them and the student body.

I expected to hear that the Title IX coordinators saw a connection between their two positions. However, that was not the case. Very few of the Title IX coordinators saw a connection between their multiple roles and, in fact, most observed quite a disconnect that brought on several additional challenges, especially balancing their disparate roles. Some of Title IX coordinators reported a lack of connection because they do not have regular student interaction nor were they ever educated about student development

theory. Because of this lack of overlap between their two roles, the Title IX coordinators felt pressed for time and experienced difficulties balancing the two roles. Wearing multiple hats was largely problematic for these Title IX coordinators. There are many difficulties with having two positions and inevitably, they cannot be fully invested in either role. Title IX is complex and takes time and training to fully understand the nuances of the law and what is necessary not only for compliance, but to address the sexual violence on the campus.

I also expected that it was going to be difficult to get the Title IX coordinators to talk with me and fill out the questionnaire. Because Title IX is such a highly charged subject and one that typically is highly confidential, I expected that it would be difficult to gather the data. This was not the case, and I was excited to learn that the Title IX coordinators that I interviewed were very interested in my results and appreciative of me doing the study to allow for their voices to be heard. Additionally, I was not expecting them to thank me. However, several of the Title IX coordinators thanked me for sitting down and asking them questions. They were excited to share what they had been doing on their campuses and they felt the interview process was helpful in examining their program. With the interview being a reflective process they were able to feel proud of their accomplishments and reflect on where they see gaps in their work on their campus.

It was clear to me early on in the data collection process that this research would be significant. After completing the study, I believe Title IX coordinators can benefit from this data whether they have another position on their campus or not. I plan to not only disseminate this study to the research participants but also other Title IX coordinators. I

also plan to write journal articles that highlight the major findings for student affairs and human resource practitioners so that there is a larger understanding about the landscape of the Title IX coordinator position. Finally, I plan to present my findings to ATIXA, the Association for Student Conduct Administrators (ASCA), and College and University Professional Association for Human Resources (CUPA-HR). Each of these professional organizations has Title IX coordinators in their membership and I know they would benefit greatly from seeing the results of this study.

Early in this paper I discussed the Dear Colleague Letter (DCL) of 2011. This letter was produced to motivate institutions of higher education to take an in depth look at how they were handling sexual violence, make some drastic changes to address the violence and develop better policies. Since the DCL was released, and based on the data I collected, it is clear the position of Title IX coordinator has grown into a role that is beyond what it was before the letter. It was clear through the interviews I conducted that the Title IX coordinators are very passionate about the work they do. However, I don't think the intention of the DCL was for institutions to "shoulder tap" administrators that had no prior experience in Title IX or to place an extra responsibility on someone who already had a full time role. It seems as though Title IX coordinators are definitely concerned about making sure they are following the law but I think that the spirit of the DCL has been lost. Title IX coordinators should be doing more than just checking boxes on a list of things to do however there are great challenges because they are so busy with their multiple roles. I think the objective of the Dear Colleague Letter was to change the landscape of sexual misconduct but instead, I think the very purpose has been lost. My hope is that Title IX coordinators, especially those in this study, and the colleagues

that support them are able to overcome the challenges they face and reduce the amount of sexual violence that occurs on our college campuses.

## Appendix 1: Questionnaire

\*This questionnaire will be conducted using Qualtrics, an online survey tool, and sent out via email to respondents.

What is the size of your institution?

- Small (enrollment of 2,999 or less) (1)
- Medium (enrollment of 3,000-9,999) (2)
- Large (enrollment of 10,000+) (3)

How long have you been the Title IX Coordinator at your current institution?

- Less than one year (1)
- At least one year but less than four years (2)
- Four to five years (3)
- More than five years (4)

What areas at a college or university have you worked in prior to your role as Title IX Coordinator? (Please select all that apply)

- Student Affairs (1)
- Athletics (2)
- Human Resources (3)
- Academic Affairs (4)
- Diversity & Inclusion (5)
- Finance & Operations (6)
- Other (7) \_\_\_\_\_

Do you have other job responsibilities other than Title IX?

- Yes (1)
- No (2)

What is/are your other role/roles on your campus?

On average, what percentage of time do you feel you spend on Title IX related work?

- 1-20% (1)
- 21-40% (2)
- 41-60% (3)
- 61-80% (4)
- 81-100% (5)

How does your role as Title IX Coordinator intersect with your other role/s on your campus? What do you see as the benefits and challenges to the role intersection?

Below is a list of challenges you may face in your role as Title IX Coordinator. Please select the answer that best describes your current experience with each statement.

	Not a challenge at all (1)	Minor challenge (2)	Moderate challenge (3)	Serious challenge (4)
Time to perform Title IX related tasks amongst other job duties (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Financial resources (prevention education materials, publications, marketing, etc) (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Staff resources (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Working with the campus community (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Keeping abreast of federal regulations (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Working with outside agencies (Office of Civil Rights, Dept. of Justice, etc) (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conducting investigations (training for staff, knowledge of, etc) (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Policy development (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Prevention Education for	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

campus community (9)				
Access to President and/or upper administration (10)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Access to legal advice and council (11)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Your personal professional development (12)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Understanding student needs and general campus climate (13)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (14)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (15)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>



Below is a list of skills and abilities. Based on your experience and perceptions, how important are the following to the job of Title IX Coordinator?

	Not at all Important (1)	Very Unimportant (2)	Neither Important nor Unimportant (3)	Very Important (4)	Extremely Important (5)
Ability to teach staff and faculty about sexual misconduct (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to teach students about sexual misconduct (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to perform Title IX investigations (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to collect data (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to analyze data (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to communicate with students (6)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to communicate with faculty (7)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to communicate with staff (8)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to communicate with parents (9)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Ability to communicate with outside agencies (OCR, DOJ, etc) (10)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to conduct campus climate study (11)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ability to write policy (12)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other (13)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

What professional networks do you rely on in your role? Select all that apply

- ASCA (Association of Student Conduct Administration) (1)
- ATIXA (Association of Title IX Administrators) (2)
- NASPA (Student Affairs Professional in Higher Education) (3)
- Other Title IX Coordinators (4)
- Campus Colleagues (5)
- Colleagues on other campuses (6)
- Legal council (7)
- Legal groups (8)
- Other (9) \_\_\_\_\_

Of the professional networks you rely on, which one is the most helpful to you and why? Please be as specific as possible.

How prepared do you feel you are at this time for your position as Title IX Coordinator?

- Extremely prepared (1)
- Somewhat prepared (2)
- Neutral (3)
- Somewhat unprepared (4)
- Extremely unprepared (5)

Please explain why or why you don't feel prepared in your position.

What were the challenges related to how prepared you felt for your role early on in your position? How did you overcome these challenges?

Is there anything else you would like us to know about your experiences as a Title IX Coordinator that we have not asked?

This is the end of the questionnaire. By clicking next, you will be submitting your responses. After submitting your responses you will be redirected to a separate questionnaire that will record information for the incentive. Your responses will be anonymous and not connected to your name or institution in any way. Thank you for participating in this research study.

## Appendix 2: Interview Protocol

### ***Interview Protocol (semi-structured)-T9 Coordinators***

\*Explain the goals of the study and the purpose of the interview. Explain the consent form and obtain a signed copy. Ask for permission to record and answer any questions they may have about the study or the interview itself.

1. How long have you been in the T9 Coordinator role at your institution? (B)
  - a. Did you have any previous roles at your institution? If yes, what were those? (B)
2. What is your professional background? (2b)
3. How did these roles help you get into your T9 Coordinator position? (2b)
4. How did you assume the role of T9 Coordinator? Did you apply for the position or were you asked to step into the role? (B)
5. What other role/s do you currently have on your campus? (B)
  - a. What are the functions of that role? (B)
  - b. How do you balance the two (or three) together? (2a)
  - c. Where and how do the roles you play intersect? (2a)
  - d. What do you see as the benefits of having dual roles? (2a)
  - e. What do you see as the challenges of having dual roles? (2a)
6. What other professional positions or significant experiences have you had in the past? (RQ2)
  - a. How have these positions or experiences prepared you for your T9 work? (RQ2, 2b)

- b. What specifically did you learn from those positions that help you with your T9 role? (2b)
- 7. Given the nature of Title IX work and the challenges that are facing schools today to be in compliance, from your perspective, what you see as the major challenges of your position? (RQ1)
  - a. What are the challenges related to:
    - i. Working with faculty? Staff? Students?
    - ii. Working with outside agencies such as OCR, DOJ, DOE?
    - iii. Policy development?
    - iv. New regulations?
    - v. Prevention Education?
    - vi. Investigations?
    - vii. Working with legal council?
  - b. How do you feel these challenges have changed since the issuance of the Dear Colleague Letter of 2011? (RQ1)
  - c. What are the sources of these challenges? (1a)
  - d. How do you overcome these challenges? (Ask about each challenge they discuss and specifically, how they address it) (1b)
- 8. Tell me how you collaborate with others on your campus for T9 work? (RQ3)
  - a. What specifically do you collaborate on? (RQ3)
  - b. Tell me about the benefits of this collaboration? (RQ3)
  - c. What are the challenges? (RQ3, RQ1)

9. Tell me how you collaborate with other T9 Coordinators on other campuses?  
(RQ3)
- a. What specifically do you collaborate on? (RQ3)
  - b. Tell me about the benefits to this collaboration? (RQ1, RQ3)
  - c. What are the challenges? (RQ1, RQ3)
10. Do you utilize any professional networks to inform your work? (3a)
- a. If so, what are those professional networks? (3a)
  - b. Do you consider them helpful? (3a) If so, how are they helpful to your work? (3a)
11. What or whom do you feel has been most beneficial to your position as T9 Coordinator? (RQ1)
- a. Why?
12. In an effort to serve the following groups better, what do you as the Title IX Coordinator need? (RQ1)
- a. All students
  - b. Victims/Survivors
  - c. Faculty/Staff
  - d. Other groups
13. Do you think the campus community at your institution understand your role?  
Why or why not?
14. Is there anything else that you would like to say that I have not asked about?

## **Appendix 3: Consent Form**

### **CONSENT TO PARTICIPATE IN RESEARCH**

#### **Navigating Title IX and the Implications of Gender Based Campus Violence**

Christine Paul, graduate student from the Graduate School of Education at the University of California, Los Angeles (UCLA) is conducting a research study.

You were selected as a possible participant in this study because of your work with Title IX on your campus. Your participation in this research study is voluntary.

#### **Why is this study being done?**

This study is being conducted to gain an understanding of Title IX work as it relates to policy development, procedures, prevention programs and the role of Title IX staff.

#### **What will happen if I take part in this research study?**

If you volunteer to participate in this study, the researcher will ask you to do the following:

- Provide answers to a questionnaire sent via email.
- If willing, provide a recorded in person or Skype interview lasting one hour or less at the convenience of the participant.

#### **How long will I be in the research study?**

Participation will take a total of about 30 minutes for the questionnaire and possibly one hour for the interview.

#### **Are there any potential risks or discomforts that I can expect from this study?**

- There are no anticipated risks or discomforts associated with this study.

#### **Are there any potential benefits if I participate?**

You will not directly benefit from your participation in the research.

The results of the research may inform future practice around Title IX work and the role of the Title IX staff.

#### **Will I be paid for participating?**

- Should you choose to participate in a random drawing, your name will be entered in to win one of four Amazon gift cards. If you participate in the drawing, your

information will not be linked to your answers and you will be prompted to enter your information into a different questionnaire . You will be notified by email if you have been selected as a recipient. Additionally, should you choose to participate in the interview, your name will be entered twice.

### **Will information about me and my participation be kept confidential?**

Any information that is obtained in connection with this study and that can identify you will remain confidential. It will be disclosed only with your permission or as required by law. Confidentiality will be maintained by means of destroying all recordings after transcription and redacting respondent's names or identifying information from data. Recordings and data will be used solely for me, the researcher.

### **What are my rights if I take part in this study?**

- You can choose whether or not you want to be in this study, and you may withdraw your consent and discontinue participation at any time.
- Whatever decision you make, there will be no penalty to you, and no loss of benefits to which you were otherwise entitled.
- You may refuse to answer any questions that you do not want to answer and still remain in the study.

### **Who can I contact if I have questions about this study?**

- **The research team:**

If you have any questions, comments or concerns about the research, you can talk to the one of the researchers. Please contact:

Christine Paul, [REDACTED] or

Rob Rhoads, Faculty Sponsor, [REDACTED]

- **UCLA Office of the Human Research Protection Program (OHRPP):**

If you have questions about your rights while taking part in this study, or you have concerns or suggestions and you want to talk to someone other than the researchers about the study, please call the OHRPP at (310) 825-7122 or write to:

UCLA Office of the Human Research Protection Program  
11000 Kinross Avenue, Suite 211, Box 951694  
Los Angeles, CA 90095-1694

**You will be given a copy of this information to keep for your records.**



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