

Updates Regarding 2020 Title IX Regulations

August 17, 2020

Dear Members of the GVSU Community,

Welcome to the Fall 2020 semester! As GVSU's Title IX Coordinator and Director of the Office for Title IX and Institutional Equity, I join other administrators in sharing a welcome message with you—and there certainly is much to share about what is new regarding Title IX. As the Title IX Coordinator, I work to address issues of sex/gender equity, sexual harassment (including sexual assault, stalking, domestic violence and dating violence), protecting the rights of pregnant/parenting students, and the rights of LGBTQIA+ students and employees to be free from discrimination. I am assisted in such endeavors by a dedicated team and together we wish to use this opportunity to provide the entire campus community with an update about key changes everyone should be aware of.

Effective August 14th GVSU has overhauled its Title IX related policies and procedures, as a result of new Title IX regulations issued by the U.S. Department of Education in May. The 2083-page regulations are detailed, and seek to provide strong due process protections to those who are accused of sexual misconduct while also balancing the rights of those who experience sexual misconduct.

You may have heard about the new Title IX regulations from friends, news outlets, or on social media. Many people who have read the regulations have mixed feelings about them. Nonetheless, it is the goal of GVSU leadership to emphasize the best parts of the regulations while working to minimize the potentially negative impact of some of the more challenging provisions. Because we have some latitude in doing so, we are viewing the regulations as setting the floor of what we must do, even while we reach for the ceiling of what we can and should do in terms of best practices.

Importantly, GVSU provides a number of protections to all members of this community, including:

- The equitable treatment of both parties to a complaint;
- The provision of strong supportive measures to both parties to a complaint;
- A prompt and clear notice to anyone accused of misconduct that includes a statement of the presumption of non-responsibility;
- A transparent grievance process that is free from bias or conflict of interest, and in which all evidence is known and shared prior to any final decision;
- A live-hearing that provides the opportunity for cross-examination;
- A prompt notice of any decision, sanction, and/or remedies; and
- The right to request an appeal

The process includes a hearing, but isn't the same as an adversarial trial. In fact, nothing requires the parties to be in the same room with each other, at all, and all parties have the right to an advisor of their choosing throughout the process. At the hearing, questions are asked by a panel of three trained, neutral decision-makers, and remaining questions are posed by the advisors to the parties, not the parties themselves. And, they are not posed directly, but instead are funneled through the chair of the panel who first determines whether the question is relevant, and ensures that it is not otherwise abusive. This approach to questioning aims to reduce the adversarial nature of a hearing and assures that all information and evidence is provided and examined in order to inform a fair decision.

While the new regulations mean many changes for GVSU's policy and procedures, as well as continuing revision of related resource materials, what hasn't changed is our dedication to a process that respects the equal dignity of all members of the GVSU community. We respect the right of someone who experiences sexual misconduct to process it in the way that is best for them. We respect their right to choose to bring a report forward in pursuit of formal resolution through GVSU, or to seek a response from the University that

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is primarily centered on supportive measures. Fair process is a priority, as is safety for all members of the community.

To learn more about GVSU's *Interim Policy Prohibiting Harassment, Discrimination, Retaliation, and Sexual Misconduct* or procedures, please [visit our website](#). If you have questions about the process, please contact me at rowlanth@gvsu.edu. And if you wish to file a report of sexual misconduct or seek support, please contact our office by phone at (616) 331-9530 or by email at titleix@gvsu.edu, or submit a report any time through GVSU's [online reporting form](#).

On behalf of the Office for Title IX and Institutional Equity, I wish you a healthy and safe academic year, and remind you that we are here for you if you need us.

Theresa

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Report Sexual Misconduct