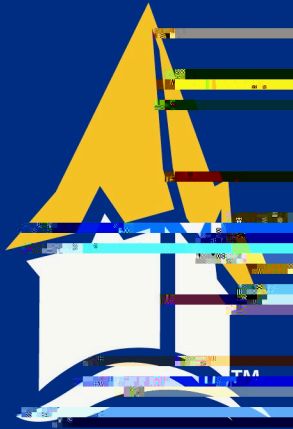


# Training for Volunteers



Misty McDonald  
Title IX Coordinator

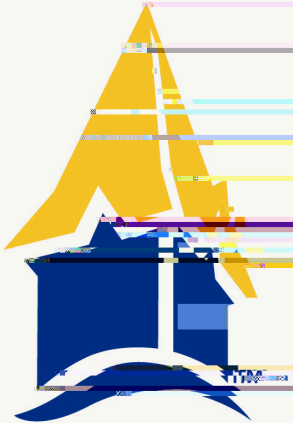
Richelle



What do you want to know or understand by the end of the presentation?



# Overview



The University of North Georgia is committed to providing a safe work, learning, and living environment free from Sexual Misconduct, assault, harassment, discrimination based on sex, sexual orientation, or gender-related identity.



# General Definitions

- Complainant
- Respondent
- Advisor



# Scope: Title IX vs. Non-Title IX

## T IX S

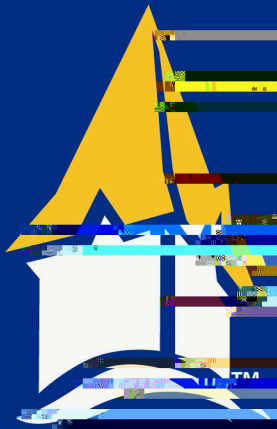
- Location: In the United States, on University property, or at University-sponsored or affiliated events.
- Control: The University exercises substantial control over both the Respondent and the context or in buildings owned or controlled by an officially recognized student organization

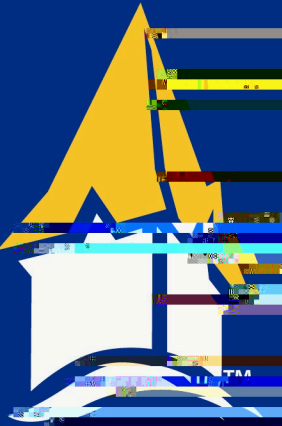
## N -T IX S

- Location: Domestic or abroad, University property, institution-sponsored or affiliated events, or off-campus.
- Control: Consideration is given as to if the Complainant and Respondent are students or employees at the time of the incident or report.









# Sexual Harassment: Other than Student on Student

Unwelcome verbal, nonverbal, or physical conduct based on sex (including gender stereotypes) that may be any of the following

- Implicitly or explicitly a term or condition of employment or status in a course, program, or activity;
- A basis for employment or educational decisions; or
- Is sufficiently severe, persistent, pervasive to interfere with one's work or educational performance creating an intimidating, hostile, or offensive work or learning environment, or interfering with or limiting one's ability to participate in or to benefit from a University program or activity.





# Domestic Violence

Violence committed by a

- current or former spouse or intimate partner of the Complainant;
- person with whom the Complainant shares a child in common;
- person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or by a person similarly situated to a spouse of the Complainant.



# Stalking

Engaging in a course of conduct directed at a specific person that would cause a Reasonable Person to fear for their safety or the safety of others or suffer

# Sexual Exploitation

Taking non-



# Non-Consensual Sexual Contact

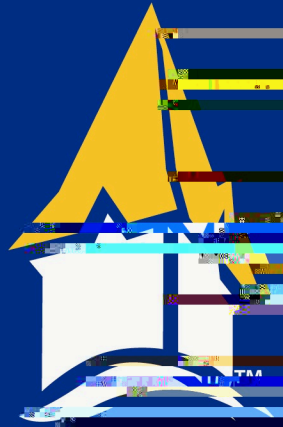
Any physical contact with another person of a sexual nature without the person's Consent.

It includes but is not limited to touching a person's intimate parts (such as genitalia, groin, breasts, or buttocks); touching a person with one's own intimate parts; or forcing a person to touch their own or another person's intimate parts.

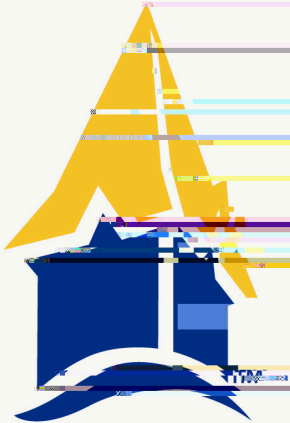
This provision also includes "Fondling" defined by the Clery Act.



Non-



# 2022 Statistics for UNG



# Sexual Harassment

56

Stalking

25

Sexual exploitation

27

12

Not consensual

Unknown

5

Retaliation

1

# Demographics of Complainants

## S

- Students – 160
- Faculty – 1
- Staff – 2
- Unaffiliated – 3
- Unknown – 0

## A

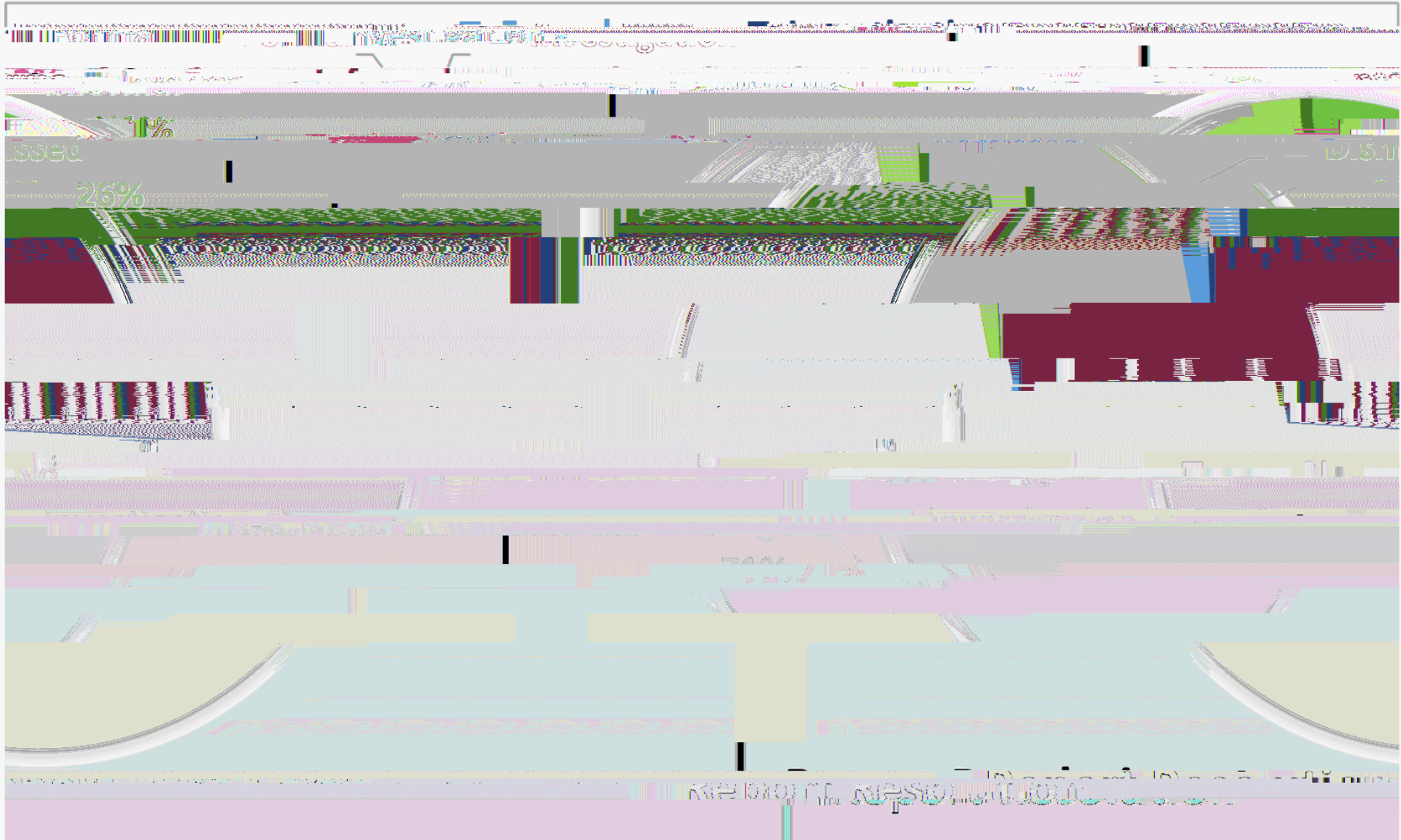
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- Female – 147
- Male – 16

\* Two are both in the Corps  
and are in a fraternity/sorority

# Demographics of Respondents

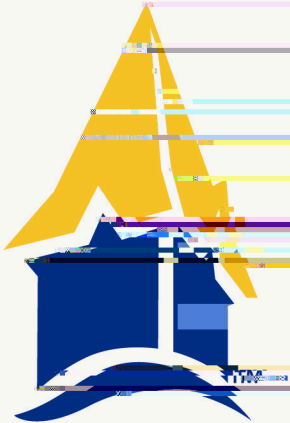
S

- Students – 75
- Faculty – 8
- Staff – 4
- Unaffiliated – 33
- Unknown – 33





# Grievance Process



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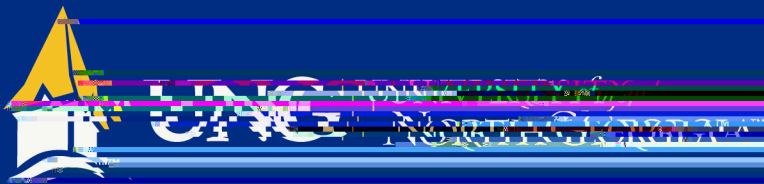
# Reporting



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North Georgia

# Reporting

- Reporting can be done by way of the online Sexual Misconduct Reporting form, any online form, email, phone, in-person, or telling a mandatory reporter.
- Mandatory employees include all administrators, supervisors, faculty members, and other employees who are not confidential or privileged employees. Students such as teaching assistants, graduate assistants, residential assistants, student managers, and orientation leaders are considered mandatory reporters.
- Reports should include as much information as possible (names, dates, description of allegations, evidence, etc.).
- They can be made anonymously. However, this may limit the University's ability to respond to the anonymous report. Mandatory Reporters must disclose all information shared with them and cannot submit anonymous reports.



# Outreach

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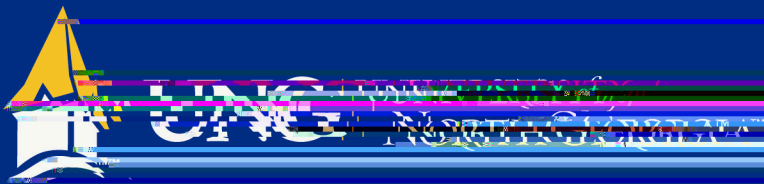
# Privacy and Confidentiality

## P

- Generally speaking, the information related to a report of misconduct will only be shared with a limited circle of individuals who have a legitimate need to know the information to assist in the response, investigation, and resolution of the complaint.
- While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

## C

- Confidentiality is not the same as privacy. Confidentiality means that the information shared with a specific employee or outside professional cannot be disclosed to others without the express permission of the individual who shares the information. They are obligated by law to maintain confidentiality, subject to that office's stated terms of confidentiality.

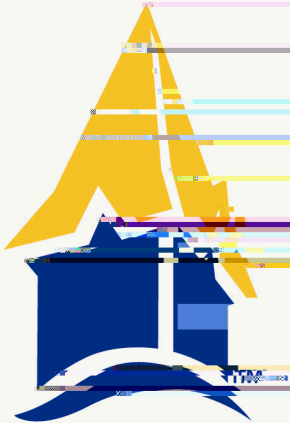


## A

- Information a Student reports during an investigation concerning the consumption of alcohol or other drugs will not be used against the Student in a disciplinary proceeding (i.e., Student Code of Conduct) or voluntarily reported to law enforcement. Amnesty for Employees is at the discretion of Human Resources.
- Amnesty may not apply in situations where alcohol or other drugs were used as a tool to facilitate a violation of this Policy.
- Students and Employees may be given resources on counseling and/or education related to alcohol and other drugs.

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# Options for Complainant

Title IX Coordinator reaches out to the Complainant to provide resources, offer support, and invite them to meet to obtain additional information and discuss options.

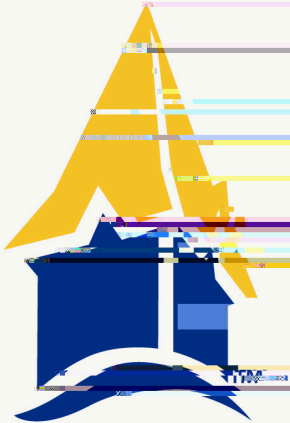
*The University will respect wishes to pursue or not pursue a complaint where legally possible formally; however, in the interest of the community, the University may choose to investigate where there is a safety concern. If a Complainant (victim/survivor) wishes to remain anonymous or desires to take no further steps, it may hinder the response by the university.*







# Trauma and the Brain



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TRADITIONAL  
THE BRAIN

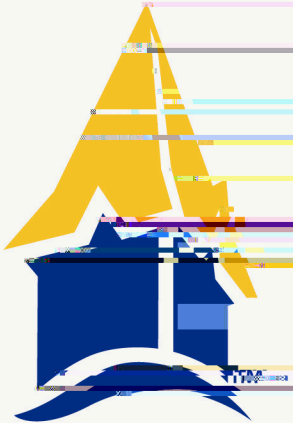
# Impact of Trauma:

- When a person experiences a traumatic event, the brain often prioritizes the consolidation of the emotional aspects of that memory. This means that the emotional intensity of the experience is more likely to be stored in long-term memory, while other details may be less well-preserved.
- Traumatic memories can be fragmented or incomplete. Individuals who have experienced trauma may remember specific emotional and sensory aspects of an event but struggle to recall the sequence of events or other contextual details.
- Trauma survivors might experience intrusive flashbacks, where they vividly relive the traumatic event as if it were happening in the present. These flashbacks are often accompanied by intense emotions and sensory experiences, making it difficult for the individual to focus on the sequence or context of the memory.

# Impact of Trauma

- Some individuals may experience memory gaps or amnesia for certain parts of a traumatic event. These memory gaps can be a protective mechanism, as the brain may suppress or block out particularly distressing details to reduce emotional distress.
- People who have experienced trauma might also exhibit heightened states of arousal and hypervigilance. This hyperarousal can make it challenging to concentrate and recall information accurately, as their attention is often focused on potential threats in the environment.
- Trauma-related memories can be triggered by various stimuli, such as

# Alternative/Informal Resolution

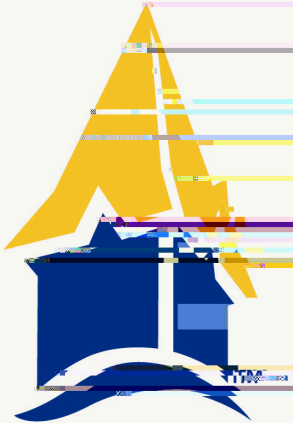


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# Alternative/Informal Resolution

- The difference is that informal resolution requires a formal complaint to be submitted, and the Respondent cannot be an employee.
- The Respondent received a notice of the allegations.
- The Complainant, Respondent, and the University agree to enter into the process.
- All parties agree on the terms of the resolution.

# Investigation



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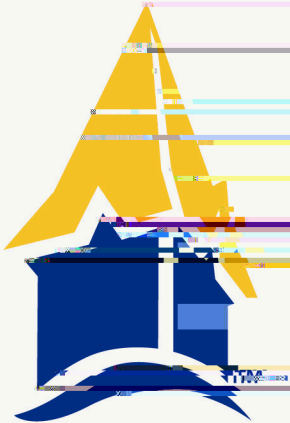
## After the investigation

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- Response options
  - Either party can request a hearing
  - Either party can request to engage in the alternative/informal resolution
  - The Complainant can request no action
  - The Respondent can accept responsibility.
- Provide feedback on the content of the report (e.g., edits, additional information, etc.).

# After the investigation

- 
- - Move to the sanction-only process
  - Start the alternative/informal resolution process
  - Close the case
  - Move to Formal hearing

# Formal Hearing



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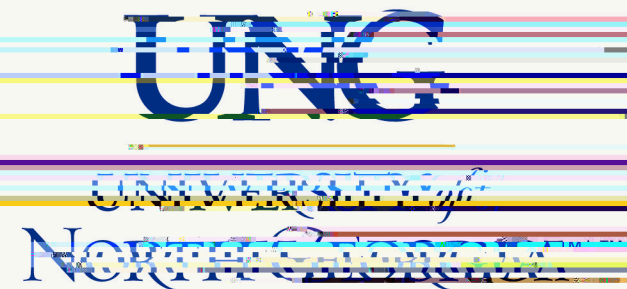
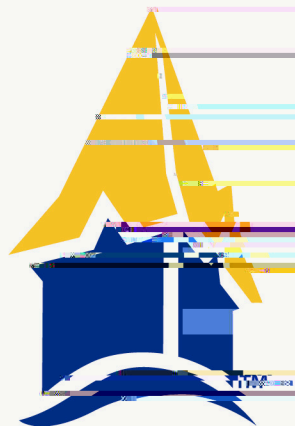
# During the hearing

- The Chair serves oversees the hearing, deliberation, and determination. They also answer procedural questions. They are not decision-makers.
- The Complainant and Respondent are given equal opportunity to speak.
- Witnesses can be called by either party. The investigator may also testify as a witness regarding the report.
- The parties have the right to question the other party and witnesses.
- In Title IX cases, the advisor asks the questions. In Non-Title IX cases, the party asks the questions.
- The University must provide an advisor if a party does not have an advisor for a Title IX hearing.

# After the hearing

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# Appeal Process





# Appeals

Both parties have the right to appeal the determination of responsibility and the imposed or recommended sanctions.

Grounds for appeal

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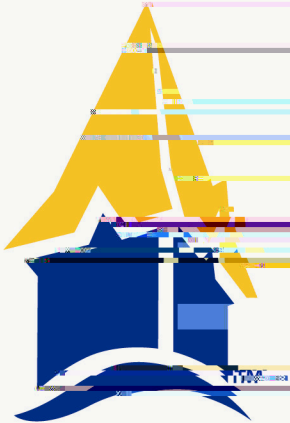
# Closing Cases

## Closure letters are sent when

- The Complainant does not want any action.
- The case is dismissed.
- An agreement was reached through the alternative/informal process.
- A final determination has been made on the case.

*All documents or items related to the report are kept on file for seven (7) years.*

# Bias



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# Recognize and Address Bias

- Awareness:
- Self-Reflection:
- Examine Stereotypes:
- Feedback:
- Critical Thinking: A

# Recognize and Address Bias

- Seek out diverse sources of information and engage in conversations with people who have different perspectives. This can broaden your understanding and reduce the impact of bias.
- Strive for objectivity in your decision-making. Base your judgments and



# Grievance Process Prior to Hearing

1. A report was submitted outlining the allegation(s).
2. A Formal Complaint was filed alleging sexual misconduct against a Respondent and requesting that the University open an investigation. The Respondent received a notice of allegations.
3. An Altern2.6 (i) 2.5 (l) 2.5 - (d) a (t) 2.6 5oiTT3 1 Tf (i) 2.8 (p) a (on) -2.6 (d) a (en) -



# Adjudication

# Deliberation of Responsibility

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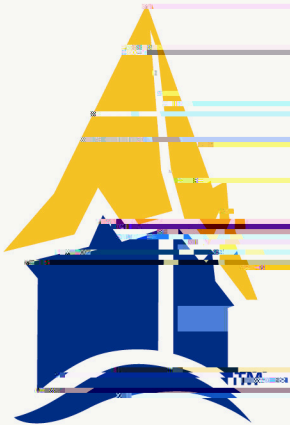
# Goal of Sanctioning

- Accountability
  - Deterrence
  - Protection
  - Education and Awareness
- 
- Be a proportionate response to the violation.
  - Be equitable and fair in relation to similar cases

# Possible Disciplinary Sanctions

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# Appellate Officer Training



Misty McDonald

Title IX Coordinator

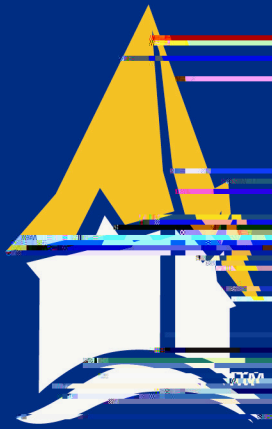
Richelle Keilholz, Ed.D.

Assistant Dean of Students, Student Conduct & Integrity



# Expectations

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# Dismissal

# Case Dismissal

# Case Dismissal – Title IX

1. Would not constitute Title IX Sexual Misconduct even if proven;
2. Did not occur in the University's education program or activity; or
3. Did not occur against a 2 ( ) ] (nm(a) 1.3 (l)(t) 0 oc) 2 -0.2cm cm

# Case Dismissal – Non-Title IX

Can dismiss, not required:

# Emergency Removal



# Emergency Removal

# Decision on the Case







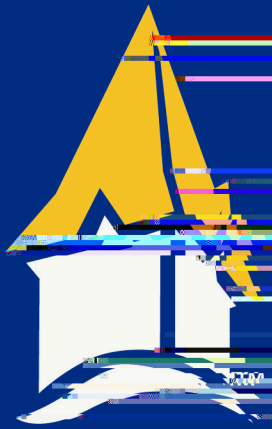
# Employee Sanctioning



# Sanction Only Process

# Sanction-Only Process

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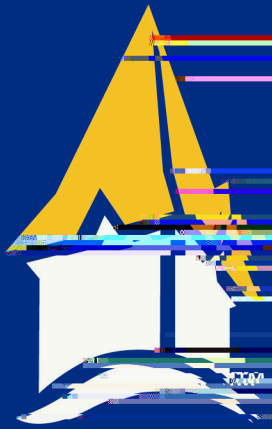
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# Logistics of an Appeal









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# Considerations

# Make a determination of action

Affirm a dismissal, the finding of responsible or not responsible, sanctions imposed on Students, sanctions recommended for Employees, and sanctions imposed on Employees

Affirm the finding of responsible or not responsible, but issue new imposed or recommended sanction(s) of greater or lesser severity, or modify the sanction(s) imposed or recommended.

Remand the case to the Hearing Panel or Decision Maker(s) to correct a procedural or factual defect.

Reverse or dismiss the case if a procedural or factual defect cannot be remedied by remand.

# Write a decision letter

Subject: The Title IX Case involving [Name] (7) [Name]  
Date: [Date]

The letter includes the final decision.

*This is considered the University's final decision on the matter.*

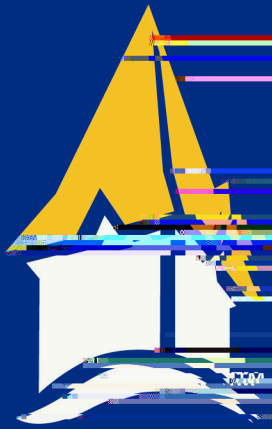






Please give us your feedback on the presentation.





# Resources

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