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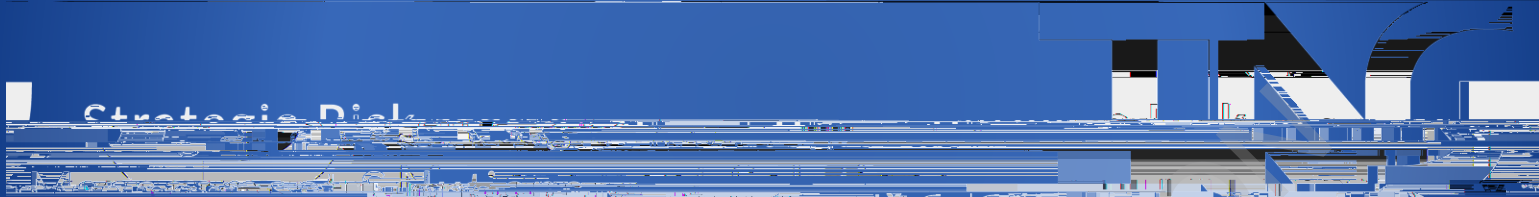
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Title IX Coordinator Five: Bias & Cultural Competencies

Training & Certification Course



Any advice or opinion provided during this training, either privately or to the entire group, is never to be construed as legal advice. Always consult with your legal counsel to ensure you are receiving advice that considers existing case law, any applicable state or local laws, and evolving federal guidance.



TRAINING OUTLINE

- 1 Cultural Competence
- 2 Intersectionality
- 3 Understanding Bias
- 4 Efforts to Mitigate Bias
- 5 Opportunities to Address Bias
- 6 Microaggressions





TITLE IX NOTICE OF PROPOSED
RULEMAKING 2022

TITLE IX REGULATIONS

Congress passed Title IX of the Education Amendments in 1972

Since 1980, the Department of Education's Office for Civil Rights (OCR) has had primary responsibility for enforcing Title IX

November 2018: OCR proposed the most detailed and comprehensive Title IX regulations to date¹

August 2020: n7gsy nBT0 0.145 0.427 rg/C21_21.984ttf56.712 239.71 Tq2

NPRM PROCESS TIMELINE

Official publication in the Federal Register July 12, 2022

Review and comment period

60-day comment period ended September 12, 2022

Submit comments to the Department of Education's Office for Civil Rights (OCR)

Final Rule expected to be issued in Spring 2023

Effective Date approximately Summer/Fall 2023

Watch for ATIXA webinars and other opportunities

There will be a separate NPRM for Athletics

PREPARING FOR IMPLEMENTATION

Must continue to fulfill obligations under the current regulations for the 2022-2023 academic year.

Anticipate OCR will expect schools to implement the new Title IX regulations before the start of the 2023-2024 academic year.

Steps to Take Now:

Prepare to educate your community on the changes

Identify stakeholders that will need to be involved in making policy decisions (e.g., whether to have hearings)

Determine how you will manage policy changes

Plan for the training needs for your community

Consider state laws, court decisions, and other regulations that may affect your institutional approach

LEARNING OUTCOMES



WELCOME AND SETTING THE STAGE

Introductions



Setting norms



Setting the stage

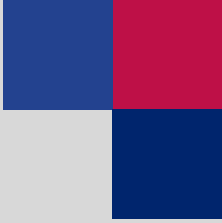
WHY THIS WORK MATTERS

Central to ATIXA's mission is the need to ensure that our trainings and programs include a focus on inclusive practices. This should also be central to the mission of your individual institutions.

Self-assessment and development are necessary for individuals responsible for creating institutional training, programs, policies, and procedures in order to achieve the central mission of inclusive practices.

Title IX programs are stronger when we broaden our outlook and develop greater awareness of how our systems can better address the diverse needs of our students, faculty, and staff.

This is an important topic to mitigate potential risk and legal liability in our institutions and schools.



ACTIVITY 1: PART 1

Trusted Ten

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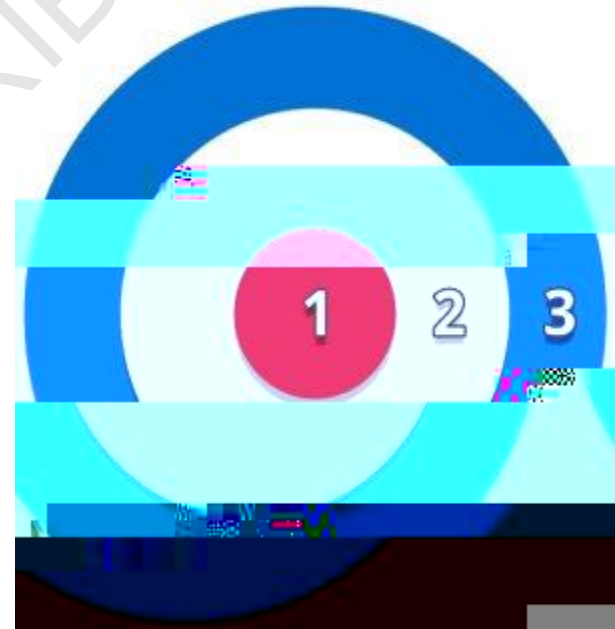
TRUSTED TEN ACTIVITY

Think of the first names or initials of people you trust (not your family members) and write them down.

Most trusted advisors

Friends

Acquaintances





CULTURAL COMPETENCE

What is Culture?

Definition of Cultural Competence

Cultural Competency Continuum

Six Stages

CULTURE

“ A set of . . . rules for being in the world . . . shared cognitive approaches to reality that distinguish a given group from others.”

(Adler and Jelinick, 1986)

WHAT IS CULTURAL COMPETENCE?

The ability to understand, communicate with, and effectively interact with people across cultures

Encompasses:

- Being aware of one's own worldview

- Developing positive attitudes towards cultural differences

- A willingness to accept and respect cultural differences

- Gaining knowledge of different cultural practices and worldviews

- Incorporating these competencies into institutional practices, policies, procedures, and programming



CULTURAL COMPETENCY CONTINUUM



STAGE ONE: CULTURAL DESTRUCTIVENESS

Attitudes, policies, structures, and practices within a system or organization that are destructive to a cultural group

Using one's power to eliminate the culture of another

Examples:

Genocide or ethnocide

Exclusion laws

Avoidance of certain curriculum topics

Intentional exclusion of certain curriculum topics

Comments such as, "If we didn't have special needs students, our scores would improve"

Comments such as, "Every student needs to be able to speak English in order to be admitted"

STAGE TWO: CULTURAL INCAPACITY

Includes institutional and/or systemic bias

Can incorporate practices that may result in discrimination

Encompasses disproportionate allocation of resources that may benefit one cultural group over another

Involves subtle messages that some cultural groups are

STAGE THREE: CULTURAL BLINDNESS

Expressed philosophy of viewing and treating all people the same

Examples include:

Policies and personnel that encourage assimilation

Support and services that ignore cultural differences

Limited to no resources allocated for training and development that educate on cultural and linguistic competence

Workforce that lacks diverse representation

Student body that lacks diverse representation



STAGE FIVE: CULTURAL COMPETENCY

A demonstration of acceptance and respect for cultural differences

Establishment of a mission statement that articulates principles and values that include cultural and linguistic competence in all aspects of the institution

Policies and procedures that integrate cultural and linguistic competence into each function of the institution

Provide fiscal support, professional development, and incentives for the improvement of cultural competence at the board, program, faculty, student, and staff levels

Practice principles of community engagement that result in the reciprocal transfer of knowledge and skills between all campus and community members





ELEMENTS OF CULTURAL COMPETENCE

Open Attitude

Self-awareness

Awareness of Others

Cultural Knowledge

Cultural Skills

OPEN ATTITUDE

Requires a full understanding of one's knowledge gaps

Seeks to close those gaps through education, training, and experiences

Open to exposure of diverse ideas and alternative viewpoints

Seeks out divergent views

Considers differing viewpoints as part of decision-making process

Intentionality in engaging with others who have differing cultural identities

SELF-AWARENESS

AWARENESS OF OTHERS

Recognition that all individuals are unique with respect to their background, worldview, beliefs, and values

An understanding that all individual differences are equally valuable

Requires the use of active listening skills

Recognizes when one's words or actions have a negative impact on others

Notion that in order to walk a mile in someone else's shoes, you first must take your own shoes off

Extremely important when interviewing and decision-making within the Title IX process

CULTURAL KNOWLEDGE

The acquisition of information about others' values, norms, and beliefs

Can be obtained through research, training, direct experience with others, etc.

Requires action

Occurs over time

Can vary by individual and/or group

Wise to begin with the most common cultures represented in your institution/school or even teams/departments

Cultural knowledge is power

One's potential and ability to succeed in establishing trust with you, your office, and your team increases greatly

CULTURAL SKILLS

With practice, cultural knowledge can turn into cultural skills

Ability to adapt your communication style to different individuals, groups, and cultures

Requires extremely effective active listening skills

Establishes relationships based on mutual trust

SELF-EVALUATION ACTIVITY

What are your strengths with each element?

In which areas have you been challenged?

Are there opportunities for areas of growth?

How will you apply this knowledge to your work?

Open Attitude

Self-Awareness

Awareness of Others

Cultural Knowledge

Cultural Skills



INTERSECTIONALITY

An analytical framework for
understanding how aspects of

INTERSECTIONALITY AND RACE

Critical Race Theory

INTERSECTIONALITY AND GENDER/GENDER IDENTITY/EXPRESSION

Intersectionality as a construct focused primarily on feminism and how gender as a group, experiences bias in society

Historically, women are more likely to experience sex-based violence

Gender identity becomes more salient for individuals who identify along the gender spectrum when societal lack of knowledge and understanding is demonstrated

Increases the risk of discrimination and bias towards identities and expressions society doesn't see as *conforming*

INTERSECTIONALITY AND GENDER/GENDER IDENTITY/EXPRESSION (CONT.)

Prominently seen as a non-protective, unequal personality trait

Example: Assertive women in the workforce are labeled as "bossy" where assertive men are labeled as "great leaders"

Example: Female Respondent *raping* male Complainant

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INTERSECTIONALITY AND ABILITY

People with disabilities often experience challenges when seeking inclusion

Visible disabilities receive more recognition than invisible disabilities

Invisible disabilities are often viewed as inconsequential or as a privilege in comparison to visible disabilities

Ability status in connection with other identities, such as race, can become diminished

Some identities create barriers to accessing disability services

Example: Undocumented immigrants with disabilities may not be eligible for certain services

INTERSECTIONALITY AND SEXUALITY

Sexuality is a broad term that includes one's sexual orientation and one's beliefs and values relating to sex

Important to recognize because it allows experiences across the sexual spectrum to be shared and valued

Often the less dominant identity traits for females

Can be the most dominant identity trait for males

Sexuality as an identity impact:

- Body image

- Thoughts and feelings



THE IMPORTANCE OF INTERSECTIONALITY WITH TITLE IX WORK

Everyone has their own unique experiences of discrimination and oppression

- Complainants and Respondents

- Title IX team members

- Other involved parties

Without an intersectional lens, efforts to address inequalities and injustices towards marginalized groups are likely to end with maintaining systems of inequalities

Establishing effective prevention programs require addressing how interpersonal violence differs between groups

THE IMPORTANCE OF INTERSECTIONALITY WITH TITLE IX WORK (CONT.)

Provides an avenue for marginalized groups to be
acknowledged
Programming

INTERSECTIONALITY IN PRACTICE

Recognize differences

- Steer away from labeling individuals

- Ask rather than assume

- Acknowledge that individuals have unique experiences

Avoid oversimplified language





WHAT IS BIAS?

A preference or tendency to like or dislike

A cognitive process

Can be a systematic error in our thinking process

Mental shortcuts

A thought process developed over time through repeated personal experience

Implicit or explicit

Can be intentional, but generally unintentional

WHAT IS BIAS (CONT.)?

Formed from stereotypes, societal norms, cultural experiences, expectations of the people around you

Can affect our perceptions of Complainants *and* Respondents

Can affect our perceptions of others within the process or associated with the process

Example: parents/guardians

Example: witnesses, advisors

BIAS ORIGINATION



Mindbridge's Implicit Bias Project:

"Our day-to-day experience lies at the intersection point between the brain and the mind. The mind: our conscious perception, thoughtful consideration, and focused attention. The brain: our extraordinarily complex neurocircuitry, driving a range of unconscious beliefs and behaviors."

The Rider and the Elephant

- 40-90% of our behaviors are unconscious
- It takes 50 milliseconds to register someone's gender when we first see them
- It takes only 100 milliseconds to

BIAS AND NEUROBIOLOGY (CONT.)

In *Strangers to Ourselves: Discovering the Adaptive Unconscious*, researcher Timothy Wilson, describes the neuroscience behind unconscious bias:

Our senses gather approximately 11 million bits of information every moment

We consciously process 40-50 bits per second
99.999996% of our information processing is unconscious

LADDERS OF INFERENCE

Developed by Chris Argyris

Describes our customary thinking process from a fact to a decision

Experience these selectively based on our beliefs and prior experience

Interpret what they mean

Argyris, C. (1990) *Overcoming Organizational Defenses: Facilitating Organizational Learning*. Pearson Education Inc.



LADDER OF INFERENCE (CONT.)

Apply our existing assumptions, sometimes intentionally or unintentionally

Draw conclusions based on the interpreted facts and our assumptions

Develop beliefs based on these conclusions

Take actions that seem right because they are based on what we believe



Argyris, C. (1990) *Overcoming Organizational Defenses: Facilitating Organizational Learning*. Pearson Education Inc.

TWO TYPES OF BIAS

Explicit

Conscious bias

Clear feelings and attitudes

Behaviors are conducted with intent

In its extreme, it is characterized by overt negative behaviors that can be expressed through physical and verbal harassment or through exclusion

Implicit

Unconscious bias

Operates outside of the person's awareness

Can be in direct contradiction to a person's espoused beliefs and values

Can be pervasive

COMMON FORMS OF IMPLICIT BIAS

Confirmation Bias

Attribution Bias

Beauty Bias

Conformity

Affinity Bias

Halo Effect

Horn Effect

Contrast Effect

Gender Bias

Racial Bias



CONFIRMATION BIAS

Making judgments about a person while subconsciously seeking evidence to support our opinion of that person

Most common form in resolution processes

Impacts investigations and decision-

ATTRIBUTION BIAS

When individuals make attributions to their or others' behavior

Often does not reflect reality

When we do something well, we tend to attribute that to our own merits and personality traits

When we do something wrong or poorly, we tend to attribute that to external factors such as other's faults

BEAUTY BIAS

We unconsciously always notice people's appearances and often connect that with their personality

We make decisions based upon how we have unconsciously determined whether a person is attractive or not

Example: Decision-makers make credibility determinations based upon the physical appearances of the parties involved. The more attractive or put together the person, the more credible they are.

Most common form of bias involved in hiring decisions

CONFORMITY

Defined as the force behind our desire to fit in with the dominant group

Also known as group think

The tendency to take cues

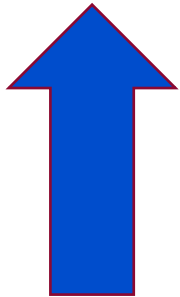


HALO AND HORN EFFECT

Halo Effect

Form of stereotyping and labelling

Our overall impressions of a person influence how we feel and think about their character

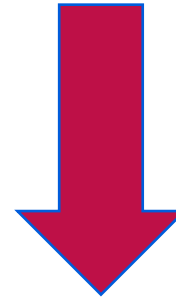


Positive impression
Higher equity
More trust &
Better value

Horn Effect

Form of stereotyping and labelling

One's perception of another to be unduly influenced by a single negative trait



Negative impressions
Lower equity
Lesser value
& Low trust







RACIAL BIAS

Data collected on race with respect to sexual harassment allegations is rarely tracked by Recipients

Interracial assault allegations:

Harvard Law Review article: " American racial history is laced with vendetta-like scandals in which black men are accused of sexually assaulting white women, followed by the revelation that the accused men were not wrongdoers at all."

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RACIAL BIAS (CONT.)

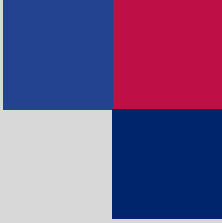
Social disadvantages of minority males historically can translate to harsher sanctions for minority male Respondents contextually

Doe v. Amherst Coll., 238 F.Supp.3d 195 (2017)

Brown, v. Univ. of Findlay, 2016 WL 1644666
(unreported)

Haque v Swarthmore Coll., 2017 WL 3218073
(unreported)

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ADDITIONAL FORMS OF BIAS

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CORRESPONDENCE BIAS

EXPERIENCE BIAS

The tendency to see the world from your own experience

Taking your perception as the objective truth

Experience bias occurs when we fail to realize that other



BIAS BLIND SPOT

A failure to recognize our own cognitive biases

Our ability to recognize the existence and effects of cognitive biases in others' thinking is easier than our ability to recognize this within ourselves

We tend to judge our abilities as better than average for

STEREOTYPE THREAT

A situational predicament in which people are or feel themselves to be at risk of conforming to stereotypes about their social groups

A contributing factor to long-standing racial and gender gaps in academic performance

Claude Steele & TPCwJOBBr0p0y7ap@B0y79k

STEREOTYPE THREAT (CONT.)

Individuals experience diminished performance due to the expectation they will meet the stereotype

Creates anxiety, mental stress, and underperformance

Example: Tasks or exams become more difficult

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Firefighter

Student-athlete

Fraternity Member

Police Officer

IMPACTS OF BIAS IN TITLE IX SYSTEMS

Feeling disempowered

Power/position of the parties

Belief that nothing will come of it

Concerns with confidentiality/privacy

Not knowing with whom to disclose

Not knowing how to disclose

Nature of institutional policies and prohibitions

Fear of getting in trouble

E.g., concerns if alcohol/drugs were used concurrent with incident(s)

IMPACTS OF BIAS ON TITLE IX SYSTEMS (CONT.)

Not defining what happened as sexual assault, harassment, or discrimination

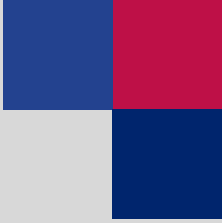
Feeling conduct was not serious enough

Negative associations with institutional, medical, law enforcement, or legal establishments

Nature of trauma and re-traumatization

Mental illness

Others?



PRIVILEGE

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PRIVILEGE AND CULTURAL COMPETENCY

Privilege, at its core is rights, benefits, and advantages enjoyed by a person or group of people that is not afforded to others or afforded at unequal levels based on a characteristic or identity

Socioeconomic status

Ability status

Age

Marital status

Parental status

Citizenship

RACE AND PRIVILEGE

Unearned benefits given to members of one social group as a result of the systemic targeting or marginalization of another social group

Sensitive topic

Not fully understood

Contextually is about groups not individuals

Majority groups: large representation, historically held advantage in terms of power and resources

Minority group: fewer representation, limited to no power or resources historically

Example: Pay inequities

Others?

PRIVILEGE IN EDUCATION (CONT.)

Will see texts and examples within the curriculum that largely reflect and affirm their own cultural background and experiences, and as an extension, can accrue the benefits of a culturally biased curriculum

Are not expected to advocate for their race nor have their behavior judged as representative of their entire race

Are less likely to be excluded from social activities

Are more likely to share the same identities as those in position of authority at your school (i.e., President, Principal, Board, Superintendent)

Others?

FINAL THOUGHT

“ Becoming aware of privilege should not be a viewed as a burden or source of guilt, but rather an opportunity to learn and be responsible so that we may work toward a more just and inclusive world.”

- Author Unknown

EXERCISE: ISSUE SPOTTING

You have been assigned to investigate a case of sexual assault, which includes issues of incapacitation due to alcohol between one female and one male student.

Yesterday, you interviewed the Complainant who seemed very nervous and had a difficult time telling her story.

Today, you meet with the Respondent, a fraternity member, who arrives at your office a few minutes early and is dressed for a job interview. He is arrogant, evasive, and hypermasculine.

Describe your thought process as it relates to the demeanor of each student.

Which biases are reflected in your thought process?



LEADING EFFORTS TO MITIGATE BIAS IN OUR SYSTEMS

Title IX Coordinator/Administrators as Leaders in Bias Mitigation Work





IDENTIFY SPECIFIC TRAINING NEEDS BY ROLES

Title IX Team Members

Deputy Coordinators

Investigators

Decision-makers

Appeal Decision-makers

Advisors

Informal Resolution

Facilitators

Recipient

Police/Security/School

Resource Officers

Employees

Administrators

Faculty/Teachers

Staff

Officials with Authority

Mandatory Reporters

IDENTIFY SPECIFIC TRAINING NEEDS BY ROLES (CONT.)

Students

New student training and prevention programming

Returning student training and prevention programming

Student subgroups

–



MITIGATING BIAS IN INVESTIGATIONS



Your only side is that of the PROCESS

Avoid *gut* decision-making, seek evidence that contradicts your gut



Reduce cognitive load – time, attention



Notice when parties are uncomfortable

Self-reflect



Utilize checklists and investigation guides



Partner with investigators who have different backgrounds, if applicable



Maintain an active, deliberative process

MITIGATING BIAS IN DECISIONS

Challenge biases in
decision-making

Ensure decisions are
made based on
relevant evidence

A party's personal
identities are never
considered relevant
evidence

Written materials
should be objective
and bias-free

Spontaneous
judgments are more
likely to yield to
stereotypes or bias

Regard each party as
an individual, not as
part of a group

Ensure sufficient
time and sufficient
focus

MITIGATING BIAS INVESTIGATIONS AND DECISION-MAKING

Cross-cultural considerations

- How culture impacts bias and blind spots

- How culture impacts interviews, decision-making, and questioning

 - Gender/Gender Identity/Expression

 - Race

SUGGESTIONS FOR INVESTIGATORS AND DECISION-MAKERS

Aspire toward an attitude of understanding and move away from an attitude of arrogance and privilege

Consider the professional background and training of your Investigators and Decision-makers

Consider evaluating the skills and cultural competency of external Investigators and Decision-makers

Observe and listen rather than talk and explain

Avoid microaggressions

Nurture an inclusive approach to questioning

Acknowledge knowledge gaps

Apologize for offenses

Maintain impartiality

SUGGESTIONS FOR INVESTIGATORS AND DECISION-MAKERS (CONT.)

Demonstrate care and cultural competency



ACTIVITY 1 - PART 2

Trusted Ten

TRUSTED TEN DEBRIEF

Return to the names or initials of people you wrote down earlier

Who are the people you trust the most?

What are your observations about your own trusted ten?

What was your experience with this exercise?

How can you apply this activity to your Title IX work?





OPPORTUNITIES TO ADDRESS BIAS AND CULTURAL COMPETENCY

Title IX System
Intake



OPPORTUNITIES IN THE TITLE IX PROCESS (CONT.)

Offer culturally inclusive
supportive measures to Qo

IMPACT OF CULTURAL DIMENSIONS ON WILLINGNESS TO REPORT

Male Complainants

Hypermasculinity

- Power and control

- Callous sexual attitudes toward women and perceived homosexual men

- Macho personality

Gender norms

- Fear

- Embarrassment

- Self-defense

- Perceptions about sexual orientation

Physiology

IMPACT OF CULTURAL DIMENSIONS ON WILLINGNESS TO REPORT

International Complainants

Possible language barriers

Cultural variance and differences

Possible religious considerations

Relationships between men and women

LGBTQIAA+ barriers

Use of alcohol and drugs

Pride, shaming, and disowning

Unfamiliarity with or trust in counseling and medical services and support

Immigration/VISA concerns

IMPACT OF CULTURAL DIMENSIONS ON WILLINGNESS TO REPORT

Complainants with Disabilities

National Council on Disability, *Not on the Radar: Sexual Assault of College Students with Disabilities* (Jan. 2018)

31.6% of undergraduate women with disabilities reported nonconsensual sexual contact involving physical force or incapacitation compared to 18.4% of undergraduate women without disabilities

Absence of policies and procedures to ensure disability-related supports are readily available to students who need assistance communicating with first responders

Prevention and education programs are not inclusive of students with disabilities

Accommodations are often an overlooked part of Title IX processes

SMALL GROUP DISCUSSION



MICROAGGRESSIONS

Categories

Forms

Microaggression Prevention

WHAT ARE MICROAGGRESSIONS?

Brief, everyday exchanges that send denigrating messages to certain individuals because of their group memberships

Often unintentional

Not always direct

Can be described in three categories:

- Microassaults

- Microinsults

- Microinvalidations



MICROINSULTS

Verbal and nonverbal communications that subtly convey rudeness and insensitivity

Demeans a person's racial heritage or identity

Comments may come out of ignorance, poor access to teaching, bias, or stereotyping

Common examples:

Commenting on how someone is not like others of their ethnicity

Commenting on how articulate or well-spoken someone is given their race



MICROINVALIDATIONS

Communications that subtly exclude, negate, or nullify the

FORMS OF MICROAGGRESSIONS

Verbal: comment(s) or question(s) that is/are hurtful or stigmatizing to a certain marginalized group of people

IMPACTS MICROAGGRESSIONS HAVE ON TITLE IX SYSTEMS

Mistrust in the process

Impacts on reporting

Underreporting or no reporting due to fear of not being believed or of being blamed

Fear of retaliation by:

- Friends/peers
- Institution/administration
- Teachers/faculty
- Family
- Alumni/fan base

MICROAGGRESSION PREVENTION

Establish standards of responsibility and behavior for working collectively with others

Challenge discriminatory attitudes and behaviors and address appropriately

Hold members of the community accountable for established standards

Educate on the differences between impact and intent, acknowledging that impact sometimes is more important than intent

Stop intentional forms of microaggressions

MICROAGGRESSION PREVENTION (CONT.)

Address all intentional behaviors and comments through the most appropriate resolution process

Others?

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TIPS FOR AVOIDING MICROAGGRESSION OFFENSES

Constant vigilance in recognizing and addressing ones' own biases and fears and correlating that with your interactions and/or relationships with peers and students

Interact with others from different cultures and backgrounds

Try not to be defensive

Be open to discussing your own attitudes and biases

Be an ally

Support eliminating all forms of discrimination within your campus/school/organization

Be empowered to acknowledge when/if you are uncomfortable



TIPS FOR AVOIDING MICROAGGRESSION OFFENSES (CONT.)

Acknowledge socioeconomic differences

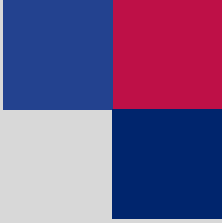


CASE STUDY DISCUSSION

This gets reported to you, the Title IX Coordinator

1. How do you address this?
2. Who do you speak with and what do you say to them?
3. Do you report this to the commentor's supervisor?

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FREE SPEECH TENSIONS



INTERSECTION WITH FREE SPEECH ISSUES (CONT.)

Limitations:

Actions/conduct/speech protected by academic freedom
Pedagogically appropriate and germane to the subject matter of course that instructor hired to teach/research

Actions/conduct/speech protected by the First Amendment

Merely offensive conduct cannot be disciplined at a public (or CA) university

– Must be severe, pervasive (persistent), and objectively offensive

Subjectively offensive conduct cannot be disciplined at a public (or CA) higher education institution unless it is also objectively offensive

CASE STUDY

Frank, a gay student, comes to you to complain that Professor

CASE STUDY (CONT.)

There are approximately 26 students in the class, and

CASE STUDY: DISCUSSION

Do Prof. Jones's statements and actions constitute a policy violation? Why or why not?

If looking into the allegation(s), can Frank remain anonymous?



DISCRIMINATORY POLICIES AND PRACTICES

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AVOIDING DISCRIMINATORY POLICIES

Language usage is important and often overlooked

Often unintentionally impacts certain groups in more positive ways

Intentionality with equitable and equal provisions within the policy is important

PHILOSOPHY/VALUES SIGNALLED IN POLICY STATEMENTS

Institutional policies and mission statements are driven by institutional values and philosophies

Examine whether inclusion is part of the institution's/district's values

If so, align policies and statements as appropriate to demonstrate this value

- University Mission Statement

- Title IX Office Mission Statement

- Written policies

EXAMPLE OF VALUES-BASED POLICY STATEMENT



AVOIDING DISCRIMINATORY PROCEDURES

Procedures must align with federal and state laws

Should be applied equally

Thoroughly train those involved on the implementation of procedures

- Bias training

- Cultural competence training

- Training on microaggressions

Strategize on who should be responsible for monitoring and implementing procedures

- Position specific

- Privilege not a right



OTHER TIPS FOR AN INCLUSIVE TITLE IX OFFICE

Bias-free Writing Tips
Visibility/Invisibility

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BIAS-FREE WRITING

Words communicate ideas, but also reflect power, status, and privilege

Language can reflect social capital

Conscious and purposeful use of language can promote

TIPS FOR BIAS-FREE WRITING

Know your own biases

- Have your writing proofread by others

- Read your own work to recognize language that is part of your everyday speech

Focus on what's relevant

- Only include information on identities when applicable

Recognize and acknowledge differences

- Not supposed to imply differences don't exist

TIPS FOR BIAS-FREE WRITING (CONT.)

Think small

Be as specific as possible

Specificity is preferred over generalization

- Example: Avoid using “students of color” generally when you are really referring to a specific racial group

Avoid Labels

Describe identities and group connections as the individuals have described them

When in doubt, ask

Do your research

Get a second opinion

Use nouns, objectives, and adjectives properly

Avoid using language that refers to people in objectifying ways

BIAS AND BIAS-FREE LANGUAGE EXAMPLES

Biased Language	Bias-Free Language
Chairman	Chairperson
Ray is mentally disabled	Ray has Attention Deficit Disorder
The elderly are our biggest customers	Adults aged 65 and older are our most frequent customers
The new black kid on the team is the captain	James is the captain
Poor kids qualify for those scholarships	Students with a household income below \$20,000 qualify for those scholarships

BIAS-FREE LANGUAGE EXERCISE

Identify the biased terms in the following paragraph:

" Student leaders and their girlfriends were invited to the recognition ceremony. Siri, the Asian student body president, gave a very well-articulated speech. He shared his journey of coming to our country from his and the obstacles he faced with not understanding or speaking English. The audience sat in awe, as most couldn't believe that Siri once had a Chinese accent."

How would you re-write this paragraph?

IMPORTANCE OF VISIBILITY

People trust what they see and what they know

Limited visibility equates to limited trust

Visibility Bias

If perception is that others are accessing your office or services heavily, then an inference is made that future access is favorable

Directly impacts the effectiveness of your work

Regularly assess the prevalence of visibility bias as it relates to your Title IX office and program

Visibility does not always equate to bias or impartiality

Be cautious, too much targeted visibility can create a different type of bias

ADDITIONAL TIPS FOR AN INCLUSIVE TITLE IX OFFICE

Representation within your Title IX team is important

Connect with colleagues and students from different backgrounds

Show through action the importance of this work as part of your office and team values

Speak up when witnessing biases, microaggressions, or discriminatory behavior

Understand respect and courtesy and how they differ by culture

Check-in with your team members to see how they are doing

BUILDING AN EFFECTIVE TRAINING PROGRAM

Current legal training requirements for Title IX

Definition of sexual harassment

Scope of the Recipient's education program or activity

How to conduct an investigation and grievance process

How to serve impartially, including avoiding prejudgment of the facts, conflicts of interest, and bias

Sample training activities to use with your Title IX Team

Harvard Implicit Bias Test

BUILDING AN EFFECTIVE TRAINING PROGRAM (CONT.)

Identify the specific training needs for your institution

Who to train?

What are the most necessary training elements needed right now?

How can you dovetail with other implicit bias trainings at your institution?

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BARRIERS/RESISTANCE TO EFFECTIVE TRAINING

Common to resist assessing/critiquing oneself

Implicit bias is everywhere and commonplace

Unintended message of “normalizing” rather than addressing

Can seem overwhelming to mitigate

Questioning one’s effectiveness based upon participation is common

Common belief that cultural competence and bias programming is designed to change people

The majority might feel that something is being taken away from them in order to give to someone in the minority



BEHAVIOR SURVEY



COGNITIVE DISSONANCE

Conflicting thoughts

Causes anxiety and discomfort

Natural reaction is to move out of dissonance

Coping:

Rationalization, Denial, Minimization

Recognize and challenge the anxiety and discomfort

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GROUP DISCUSSION

Did you experience cognitive dissonance? Why or why not?

What thoughts were going through your head as you completed the second survey and answered incongruent with the first?

What was your emotional reaction to experiencing dissonance?

What strategies did you use to try and lessen your experience of dissonance?

Can you imagine using this activity (or some version of it)

IMPLICIT ASSOCIATION TEST

Harvard University's *Project Implicit*

implicit.harvard.edu

Offers several Implicit Association Tests

- Race IAT
- Skin-tone IAT
- Weight IAT
- Age IAT
- Religion IAT
- Sexuality IAT
- Disability IAT



BIAS & CULTURAL COMPETENCY TRAINING BY SUBJECT

Relationship/Rapport Building/Microaggressions

Deputy Coordinators

Intake staff

Support/first responders

Advisors

Investigators

Decision-

BIAS & CULTURAL COMPETENCY TRAINING BY SUBJECT (CONT.)

Conflicts of Interest

Investigators

Decision-makers (policy and appeal)

Bias-reduction in decision-making

Investigators

Decision-makers (policy and appeal)

Bias-reduction in writing

Investigators

Decision-makers (policy and appeal)

DISABILITY ACCESS

Ensure that Title IX professionals are trained on how to provide disability accommodations, in collaboration with institutional accessibility professionals/coordinators

- In reporting processes

- In utilizing supportive services

- In disciplinary processes

GROUP DISCUSSION



Does your institution currently integrate bias-awareness training into its Title IX training efforts?



What have you tried that has been successful?

How do you train your Investigators and Decision-makers regarding identifying conflicts of interest?



Do you screen your Investigators and Decision-makers regarding the "perception of bias?" If so, how?



MEASURING BIAS AND CULTURAL COMPETENCE TRAINING FOR

MEASURING TRAINING FOR EFFECTIVENESS

High-level goals can be directly related to institutional strategic priorities

- Accountability through performance evaluations

- Measuring how supervisors are allocating opportunities

- Track hiring and retention through metrics

- Collect sentiment data for harder-to-measure dynamics such as behavioral changes

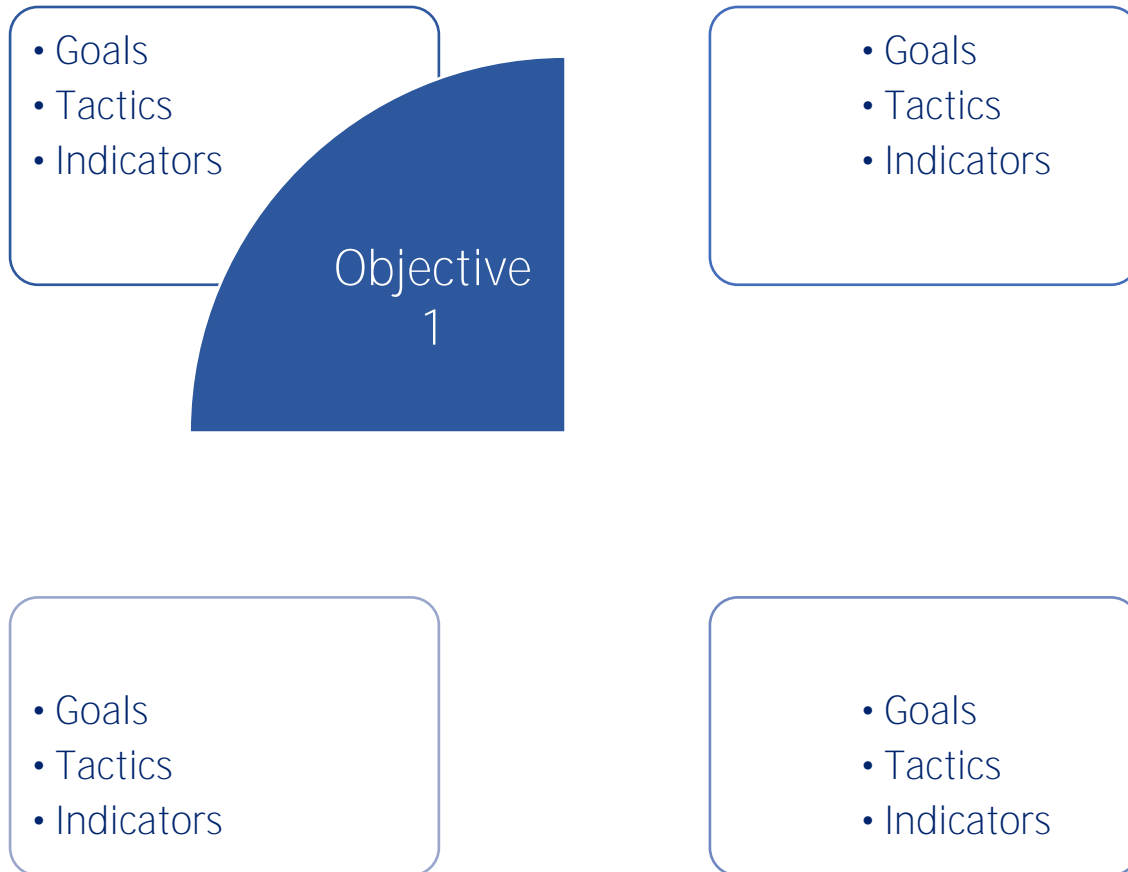
- Percentage change in leadership demographics

- Use of scorecards

Low level goals can be quantified by participation

- Collect and analyze feedback from programs, initiatives, etc.

EXAMPLE OF A SCORECARD



Questions?

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