

Link to Title IX Flyer

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Title IX of the 1972 Education Amendments is a powerful tool for combating campus violence. The law requires colleges and universities receiving federal funding to combat gender-based violence and harassment, and respond to survivors’ needs in order to ensure that all students have equal access to education.

Any sexual violence or physical abuse, as defined by California law, whether committed by an employee, student, or member of the public, occurring on college-owned or controlled property, at college-sponsored or supervised functions, or related to or arising from college attendance or activity is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal and/or civil prosecution and employee or student discipline procedures.

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

KNOW YOUR IX

1. Title IX is a landmark federal civil right that prohibits sex discrimination in education. Title IX is not just about sports; it is a prohibition against sex-based discrimination in education. It addresses discrimination against pregnant and parenting students and women in STEM (science, technology, engineering, and math) programs. It also addresses sexual harassment, gender-based discrimination, and sexual violence. Sexual violence includes attempted or completed rape or sexual assault, as well as sexual harassment, stalking, voyeurism, exhibitionism, verbal or physical sexuality-based threats or abuse, and intimate partner violence.

2. Title IX does not apply to female students only. Title IX protects any person from sex-based discrimination, regardless of their real or perceived sex, gender identity, and/or gender expression. All female, male, and gender non-conforming individuals are protected from any sex-based discrimination, harassment or violence.

3. Colleges must be proactive in ensuring that the campus is free of sex discrimination. You are protected under Title IX even if you do not experience sex discrimination directly. Schools must take immediate steps to address any sex discrimination, sexual harassment or sexual violence on campus to prevent it from affecting students further. If a school knows or reasonably should know about discrimination, harassment or violence that is creating a “hostile environment” for any student, it must act to eliminate it, to remedy the harm caused and to prevent its recurrence. Schools may not discourage survivors from continuing their education, such as telling them to “take time off” or forcing them to quit a team, club or class. You have the right to remain on campus and have every educational program and opportunity available to you.

4. Colleges must have an established procedure for handling complaints of sex discrimination, sexual harassment or sexual violence. Every school must have a Title IX Coordinator who manages complaints. The Coordinator’s contact information should be publicly accessible on the school’s website. If you decide to file a complaint, your school must promptly investigate it regardless of whether you report to the police (though a police investigation may very briefly delay the school’s investigation if law enforcement is gathering evidence). A school may not wait for the conclusion of a criminal proceeding and should conclude its own investigation within a semester’s time (the 2011 Office for Civil Rights Title IX guidance proposes 60 days as an appropriate time-frame). The school should use a “preponderance of the evidence” standard to determine the outcome of a complaint, meaning discipline should result if it is more likely than not that discrimination, harassment and/or violence occurred. The final decision should be provided to you and the accused in writing. Both of you have the right to appeal the decision.

5. Colleges must take immediate action to ensure a victim can continue their education free of ongoing sex discrimination, sexual harassment or sexual violence. Along with issuing a no contact directive to the accused, a school must ensure that any reasonable changes to your housing, class or sports schedule, campus job, or extracurricular activity and clubs are made to ensure you can continue your education free from ongoing sex discrimination, sexual harassment or sexual violence. These arrangements can occur BEFORE a formal complaint, investigation, hearing, or final decision is made regarding your complaint. It also can CONTINUE after the entire process since you have a right to an education free of sex-based discrimination, harassment or violence. Additionally, these accommodations should not over-burden complainant-victims or limit your educational opportunities; instead, schools can require the accused to likewise change some school activities or classes to ensure there is not ongoing hostile educational environment.

6. Colleges may not retaliate against someone filing a complaint and must keep a victim safe from other retaliatory harassment or behavior. Schools must address complaints of sex discrimination, sexual harassment and sexual violence. As part of this obligation they can issue a no contact directive or make other accommodations to ensure the accused or a third party does not retaliate for any complaint. Additionally, the school may not take adverse action against the complainant-victim for their complaint. Any retaliation can and should be reported in a formal Title IX complaint to the U.S. Department of Education since it is your right to be free from a hostile educational environment.

7. Colleges can issue a no contact directive under Title IX to prevent the accused student from approaching or interacting with the victim. When necessary for student safety, schools can issue a no contact directive preventing an accused student from directly or indirectly contacting or interacting with you. Campus security or police can and should enforce such directives. This is not a court-issued restraining order, but a school should provide you with information on how to obtain such an order and facilitate that process if you choose to pursue it.

8. In cases of sexual violence, colleges are prohibited from encouraging or allowing mediation (rather than a formal hearing) of the complaint. The 2011 Title IX Guidance clearly prohibits schools from allowing mediation between an accused student and a complainant-victim in sexual violence cases. However, they may still offer such an alternative process for other types of complaints, such as sexual harassment. Realize it is your choice and you can and should seek a disciplinary hearing if you desire such a formal process. Schools are discouraged from allowing the accused to question you during a hearing.

9. Colleges should not make victims pay the costs of certain accommodations that may be required in order for the victim to continue their education after experiencing violence. If you need counseling, tutoring, housing resources, or other remedies in order to continue your education, these resources will be provided at no cost to you.