



Sexual Violence
**PREVENTION
& RESPONSE**
Summit



CONNECTED AT THE ROOTS: *Safety, Accountability & Healing on Campus*

Building Relationships with Key Campus Departments: Title IX and Accessibility Service

Melissa Watschke, OHE & Michelle Ruzsat Klee, The College of St. Scholastica

POLL



Do you feel confident in your understanding of what disability/accessibility service professionals do?

- Confident
- Unsure
- Not confident at all

Do you have a strong relationship with your disability/accessibility services?

- Yes
- No

Outcomes of this Session

- Understand disability/accessibility service office's role at institutions and how collaboration is essential to Title IX offices.
- Determine ways to build relationships with disability/accessibility service offices.
- Consider a review or revisions of policy and procedures to ensure inclusive and accessible grievance processes.



The Role of Disability/Accessibility Services

- Engage in the “deliberative and interactive” process with students to determine reasonable accommodations

Allies at the Institution

Title IX

- Initial meeting to understand need or issue
- Interview and assessment
- Critical Communication
- Compliance and legal matters
- Case management
- Serving vulnerable populations

Disability Services

- Initial meeting to understand need or issue
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Title IX NPRM

§ 106.4 Pregnancy & Parenting Requirements

§ 106.8 Consultation with disability/access office

§ 106.44 (b) Monitor Barriers to reporting

§ 106.44(g)(4) process for review of supportive measure

§ 106.8(f)(4) Maintain records for pregnancy and parenting

Title IX May Require Collaboration-Consultation

§ 106.44(g)(7)(ii)

“would permit a recipient’s Title IX Coordinator, as appropriate, to consult with the person or office that the recipient designated to provide supports for students with disabilities to help ensure compliance with Section 504 (e.g., disability services office), including consideration of any disability-related modifications, adjustments, or services required under Section 504.”

Title IX May Require Collaboration-Monitoring

- § 106.44 (b) The Title IX Coordinator must monitor barriers to reporting, including students with disabilities.

“would provide a mechanism for parties to seek review from an impartial employee who is not the employee responsible for the contested decision and who has the authority to change the supportive measure, if appropriate.”

Title IX May Require Collaboration-Impartial Review

§ 106.44(g)(4) process for review of supportive measure

“would provide a mechanism for parties to seek review from an impartial employee who is not the employee responsible for the contested decision and who has the authority to change the supportive measure, if appropriate.”

Disability/Accessibility Services Expertise

- Expertise in Accommodations
 - Assist with determining adjustments and supportive measure
 - Creative problem solving, accommodations
- Expertise in communicating with faculty
 - Consultation with faculty regarding reasonable adjustments and supportive measures
 - Ideas on how to work with challenging faculty
- Expertise in advocacy and support
 - Supporting individuals in a grievance process



Disability/Access Services & Advocacy

Sharing experiences

Title IX May Require Collaboration

- § 106.40(b)(3)(ii)
- Requires the Title IX Coordinator to provide the student with the option of reasonable modifications.
 - May not require documentation
 - Breaks, Nursing, Absences is not part of negotiation
- Pregnancy & Parenting not considered a disability, but must be offered same actions and resources as students with a temporary disability
- Must track and record actions and supportive measures, communications

What can you do to develop these relationships?

Memorandum of Understanding



- Clarifies roles and responsibilities
- Ensures consistency with process and procedures
- Moderates institutional disagreements or conflict
- Mitigates turnover

Activity #1-Letter Review

- Notice of Investigation & Allegation Review
- What is missing?
- Is it clear from multiple perspectives?
- What are some changes or adaptations to consider:
 - For a student with ADHD
 - For a student on the Autism Spectrum
 - For a student with a mental health disability



Activity #2-Interview Process

- What are some considerations for meetings?
- What would an inclusive investigative interview look like for
 - Person with a mental health disability
 - Person on the Autism Spectrum Disorder
 - Person with Auditory Processing Disorder?
 - Person who is Deaf or with a hearing loss?

Activity #3-Memorandum of Understanding

- Review MOU of Law Enforcement as a template.
- What about the MOU stands out to you?
- What elements should be considered in a MOU with your Disability/Access office?

References

- Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving Federal Financial Assistance.
([govinfo.gov/content/pkg/FR-2022-07-12/pdf/2022-13734.pdf](https://www.govinfo.gov/content/pkg/FR-2022-07-12/pdf/2022-13734.pdf))
- Association for Higher Education & Disability (AHEAD) www.ahead.org
- Summary of Key Points and Considerations of the OCR Resolution Agreement with Salt Lake Community College Related to Pregnancy Discrimination OCR #08-22-2021 (www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-announces-resolution-pregnancy-discrimination-investigation-salt-lake-community-college)

References

- Summary of Key Points and Considerations of the OCR Resolution Agreement with Troy University in Alabama which Alleges Pregnancy Discrimination OCR #04 21 2060 (www.ed.gov/news/press-releases/us-department-educations-office-civil-rights-announces-resolution-pregnancy-discrimination-investigation-troy-university-alabama)