



TITLE IX Employee Training

This training is to be given to all new MLH employees with recurrent training annually. Once completed each employee will be given a certification of completion and noted in his/her employee record.

RE.001.2020.07



Title IX & Clery:
Empowering
faculty and staff
with the knowledge
and skills
necessary to
support students
and maintain
positive, healthy
workplaces.

Risk Management: Addressing
the critical challenges and
opportunities of creating safe,
ethical, and inclusive campus
communities.

Information Security:
Educating campus employees on
the sensitivities of data and
privacy to protect the information
ecosystem on campus.

Well, what is TITLE IX?



What is Title IX in simple terms?

Title IX (pronounced "title nine") is a portion of the United States Education Amendments of 1972.

Title IX is a federal law that makes it illegal to discriminate against a person on the basis of sex in any federally funded activity.

What does this mean?

MLH has a duty to promptly respond to complaints of sexual harassment and sexual violence in a way that limits its effects and prevents its recurrence.

Title IX

The U.S. Department of Education's [Office for Civil Rights](#) (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states that:

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.

Scope of Title IX

Title IX applies to institutions that receive federal financial assistance from ED, including state and local educational agencies. These agencies include approximately 16,500 local school districts, 7,000 postsecondary institutions, as well as charter schools, for-profit schools, libraries, and museums. Also included are vocational rehabilitation agencies and education agencies of 50 states, the District of Columbia, and territories and possessions of the United States.

Educational programs and activities that receive ED funds must operate in a nondiscriminatory manner. Some key issue areas in which recipients have Title IX obligations are: recruitment, admissions, and counseling; financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment. Also, a recipient may not retaliate against any person for opposing an unlawful educational practice or policy, or made charges, testified or participated in any complaint action under Title IX. For a recipient to retaliate in any way is considered a violation of Title IX. The [ED Title IX regulations](#) (Volume 34, Code of Federal Regulations, Part 106) provide additional information about the forms of discrimination prohibited by Title IX.

9 THINGS TO KNOW ABOUT TITLE IX

1 Title IX is a civil right that prohibits sex discrimination in education.

2 Title IX applies to all students regardless of gender identity.

3 All schools receiving federal funding, including public K-12 schools and the majority of colleges, are subject to Title IX.

4 Schools cannot discourage you from continuing your education.

5 Schools can issue no-contact directives to prevent accused students from approaching or interacting with you.

6 Schools must have an established procedure for handling complaints sexual of discrimination, harassment, and violence.

7 Schools should ensure that no student has to share campus spaces (such as dorms, classes, and workplaces) with their abuser.

8 Schools may not retaliate against someone filing a complaint and must keep complainants safe from other retaliatory harassment.

9 Schools must be proactive in ensuring that your campus is free from sex discrimination.

Why is Title IX important to MLH?

- Because it is a student's **RIGHT** to have a **SAFE** education
- Because it is **THE LAW**
- Because it **AFFECTS FUNDING**

What is Sex Discrimination?

Sex discrimination includes all forms of sexual harassment, including verbal sexual harassment and sexual violence by employees, students, or third parties against employees, students, or third parties. Sex discrimination may also include, unequal pay based on gender, discrimination on the basis of pregnancy, unequal admissions and financial aid practices.

What is Sexual Violence?

Sexual violence: physical sexual acts perpetrated without consent. Consent is a clear, unambiguous, and voluntary agreement between the participants to engage in specific sexual activity.

Examples: - Conduct commonly known as rape - Sexual assault - Sexual coercion

Who are the Parties?

- Victims of sexual harassment or sexual violence might be faculty, staff, students, or third parties.

- Similarly, the accused may be from any of those groups.

- Victims and alleged perpetrators can be male or female. Harassment can take place between two individuals of the same sex.

What is Sexual Harassment?

Sexual harassment is unwelcome conduct of a sexual nature that is sufficiently severe, persistent or pervasive that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from a program or activity.

Examples & Information; Requests for sexual favors, Unwelcome advances, Sexist comments, May occur in a single episode, or be persistent behavior.

What is Stalking?

Repeatedly following, monitoring, harassing, threatening, or intimidating another physically, or by telephone, mail, electronic communication, or social media.

What is Dating/Domestic Violence?

Pattern of abusive behavior used by one partner to control another.

What is sexual assault?

Actual or attempted sexual contact with another person without that person's consent.

What is Consent?

Consent is clearly communicating "yes" about sexual activity on your own terms. It can be limited to certain acts and revoked at any time.

Say "NO!"

SEXUAL VIOLENCE

MYTHS vs. FACTS

MYTH

Women are most likely to be raped outside, after dark and by a stranger, so women should not go out alone at night.

FACT

Around 10% of rapes are committed by 'strangers.' Around 90% of rapes are committed by known men, and often by someone who the survivor has previously trusted or even loved.

MYTH

Only young, 'attractive' women and girls, who are flirtatious and wear tight clothes, are raped.

FACT

People of all ages, appearances, classes, cultures, abilities, genders, sexualities, races and religions are raped. Rape is an act of violence and control; the perceived 'attractiveness' of a victim has very little to do with it.

MYTH

When it comes to sex, women and girls sometimes 'play hard to get' and say 'no' when they really mean 'yes.'

FACT

Everyone has the legal right to say 'no' to sex and to change their mind about having sex at any point of sexual contact; if the other person does not stop, they are committing sexual assault or rape.

Culture differences are common at both our bases. However, regardless of that, we must follow our student code and the Law.



3% of transgender students in higher education experienced sexual assault.

81%

of women who are stalked by a **CURRENT OR FORMER PARTNER** were also physically assaulted by that partner

Sexual violence thrives when it is not taken seriously and victim blaming foes unchecked.

SOURCE: ENGLAND AND WALES RAPE CRISIS WEBSITE / GRAPHIC BY ANTHONY ESTOLANO

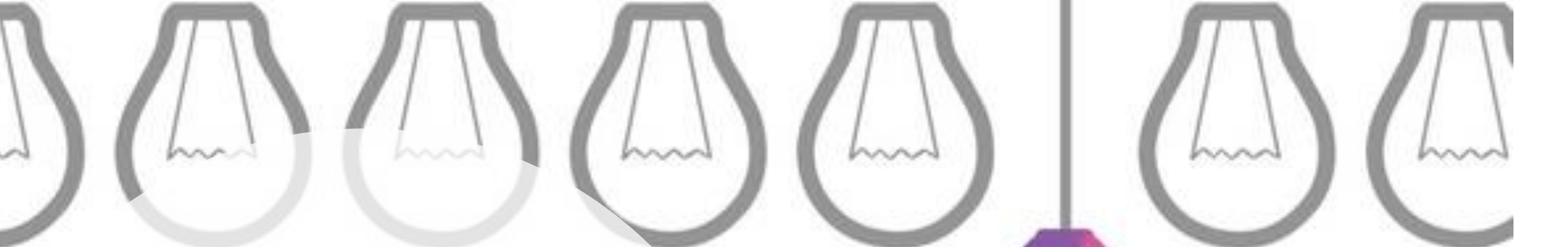
Who are
**MANDATED
REPORTERS?**

**YOU
ARE**

And so is everyone in our MLH community.



MAUNA LOA
HELICOPTERS



When is it your Responsibility?

Even if they are not designated by law as mandatory reporters, MLH expects all faculty and staff to report sexual misconduct as a condition of their employment.

GUIDELINES



Guideline for Responsible/Reporting Employees

- Support the victim
- Tell victim your reporting obligations
- Do not ask “why?”
- Do not investigate
- Even when the victim requests anonymity the event must be reported to the Title IX Coordinator
- Preserve evidence

Evidence Preservation:

- > Do not wash, comb, clean any part of the body or change clothes if possible.
- > Do not touch anything at the scene of the assault, it is a **CRIME SCENE**
- > Preserve **ALL** evidence

Reporting

- What should I report?
- Who needs to report?
- How do I report? When? To whom?
- Am I **required** to report?

Who? What?

What Should I Report?

- Any observed, experienced, or known sex discrimination, including sexual harassment and/or sexual violence.
- Doesn't matter if it occurred on base, off base, last week, or two years ago.

Who Needs to Report?

- EVERYONE should report!
- Anyone who experiences, observes, or hears about an incident of sexual harassment or sex discrimination should report it to the Title IX Coordinator or another base official, as soon as possible.
- This includes managers, directors, and assistant chiefs, faculty, staff, and students.

How do I Report?

- Pick up a phone, send an email, request a face-to-face meeting with the Title IX Coordinator.

How? When?

When do I Report?

**AS SOON AS
POSSIBLE!**



Am I required to
report?

YES!

**Who is MLH's
Title IX
coordinator
and what is
their role in
this process?**

General Manager Natalie Lee is the school's Title IX Coordinator. It is her role to ensure the flight school complies with its legal obligations under Title IX-policies, procedure, and practices.



Who helps the Title IX Coordinator?

What are their roles?

HNL Students Deputy Title IX Coordinator

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Title IX Adjudicator

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Once MLH has received notice of harassment/misconduct

1

An investigation must be thorough, reliable and impartial

2

Process must be prompt, efficient and equitable

3

Remedies must END DISCRIMINATION, PREVENT RECURRENCE and MINIMIZE the EFFECTS upon the victim and the community.

How does the Title IX Coordinator help victims?

The logo features the word "Title" in a smaller, red, sans-serif font above the large, bold, red letters "IX". The background is a dark, gradient rectangle.

Why You Call The Title IX Coordinator?

Because the law requires the college to designate a Title IX Coordinator to do this job.
(Plain and Simple)

How About I Just Tell the Police?

- Law enforcement involvement does not relieve the institution from investigating under Title IX.
- Also: there can be a Title IX violation without a criminal violation (standard of proof is different).
- Law Enforcement uses "beyond a reasonable doubt", the college uses "preponderance of evidence"

- Provides information about available remedies: complaint processes on and off base, filing a police report.
- Notifies the victim about resources; health services, counseling, academic support, local rape crisis center.
- Offers reasonable interim measures, which may include a change in work schedule, flight schedules, and a no-contact order between the victim and accused.

What else does the Coordinator Do?

- Keeps track of reports and complaints: a centralized and organized record for all investigations of sex discrimination.
- Identifies patterns of harassment among certain groups, departments, geographic locations, housing, etc.
- Provides training to all the bases and MLH community.



Why isn't Confidentiality Guaranteed?

- The Coordinator/Deputy needs to balance confidentiality with the safety of other members of the MLH community.

Who can you talk to confidentially?

-Local off campus rape crisis center.
-Licensed mental health professional clergy

What about Confidentiality?

- Information reported is handled professionally and privately, it is never broadcast or otherwise made public.
- MLH will protect your privacy to the extent possible under the law.
- Although the college is required by law to investigate, that investigation will be limited by the information provided by victims and the victim's interest in pursuing a formal complaint process.

Grievance Procedures



- A resolution process with established timelines and procedures. 60 days.
- There are both informal and formal resolution options. Cases of sexual violence may not be resolved by mediation.

What is Informal Resolution?

- The Title IX Coordinator will investigate by reviewing relevant information and interviewing pertinent witnesses. It could include bringing the complainant and accused together (except in cases of sexual assault). All parties must mutually agree to resolve the matter.
- At any time, the complainant can elect to proceed to the formal procedure.

What is Formal Resolution?

- A three-person panel (Tripartite) is selected to investigate the complaint.
- This investigation may include hearing testimony from the complainant and accused, interviewing witnesses, and reviewing written statements submitted by the parties.

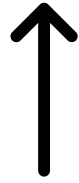
What protection does Title IX offer to Parties?

- All parties will be treated equally and fairly
- Retaliation is prohibited (against ANY participants in the process-accused, victim, witnesses, reporting individuals)
- Alternative arrangements during hearings
- Prompt investigations, published timelines
- Notice of outcome

Retaliation Focus: Retaliation against ANY participants in the process-accused, victim, witnesses, reporting individuals- is **prohibited**.



BE AN UP STANDER



- Approach everyone with ALOHA!
- Speak out against hurtful, hateful, and discriminatory statements or behaviors.
- Prevent situations that could lead to sexual assault or other harm.
- Support individuals when they feel pressured, uncomfortable, or victimized.
- Avoid using violence intervention, refrain from antagonizing or accusatory actions.



Training Wrap-up

- Mauna Loa Helicopters has a duty to promptly address complaints of sex discrimination, including sexual harassment and sexual violence, to limit the effects of the discrimination, and to prevent its recurrence.
- The best way to meet this requirement efficiently is to have a cleared functional reporting channel to the Title IX coordinator and to train all bases and their community about how to recognize sex discrimination and how to report it.

Simply Said:

Mauna Loa Helicopters must (attempt) to:

+ Promptly help the victim

+ Eliminate future harm

+ Always report observed or
experienced sex discrimination



Questions?

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