

OREGON TITLE IX LEGISLATION

HB 3415 LEGISLATIVE OVERVIEW

WHAT DOES THE BILL DO?

Creates requirements for institutional policies related to sexual assault, sexual harassment, stalking, dating violence and domestic violence as well as establish training standards and establish a definition for sexual harassment.

GOES INTO EFFECT:

2020/2021 Academic School Year



DEFINING SEXUAL HARASSMENT

SEXUAL HARASSMENT:

"Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal or physical conduct of a sexual nature where such conduct is sufficiently severe or pervasive that it has the effect, intended or unintended, of unreasonably interfering with an individual's work or academic performance or it has created an intimidating, hostile or offensive environment and would have such an effect on a reasonable person."

RESPONDING TO REPORTS

JURISDICTIONAL STATEMENT

- ▶ Regardless of whether incident occurred on or off campus
- ▶ Sexual harassment, sexual assault, domestic violence, dating violence and stalking

NOTICE

- ▶ Actual notice and constructive notice
- ▶ Required to conduct initial inquiry or make contact with named parties
- ▶ Provide written notification of rights and services (ORS 350.255)

ANNUAL TRAINING REQUIREMENTS



WHO MUST BE TRAINED?

- ▶ Title IX Coordinators
- ▶ Hearing Officers
- ▶ Process Advisors
- ▶ Investigators
- ▶ Third-party contract investigators
- ▶ Campus Security Officers
- ▶ Others who assist with investigation

WHAT ARE THE CURRICULUM STANDARDS?

- ▶ Definitions of types of conduct
- ▶ Prevalence of conduct
- ▶ Trauma-informed best practices
- ▶ Addressing bias and anti-oppression
- ▶ Interviewing survivors of sexual assault
- ▶ Culturally-responsive procedures
- ▶ Gender responsive
- ▶ Needs of LGBTQ parties