

COORDINATORS MODULE • CHOOSE YOUR OWN COURSE

# Supportive Measures

This Choose Your Own Course presents a complex Title IX case with multiple opportunities for you to decide how to proceed. Read each segment, then consider the multiple choice options. The following page will reveal our answers. Here are the symbols we used:

 *Best approach of the available choices*

 *This approach may not violate the regulations, but isn't the best option*

 *This approach violates the regulations*



## Choose Your Own Course

Student A alleges that Student B sexually assaulted her following a party for the men's soccer team, of which he is a member.

After you explain the concept of supportive measures to Student A, Student A says that the only supportive measure that is important at the moment is that Student B be removed from campus and from all college activities immediately so that she won't have to see or interact with Student B or even worry about him being anywhere nearby.

Student A particularly wants to see Student B taken off the soccer team so that he is not practicing and playing games while the case is investigated and adjudicated.

## Should You

- A. Grant the request because the alleged actions are serious and Student A clearly will be traumatized by seeing Student B;
- B. Deny the request and tell Student A that the College can't take any action against Student B until after a hearing;
- C. Explain the limitations on disciplinary action at this phase of the process and suggest a mutual no-contact order as an appropriate alternative approach to Student A's concerns; or
- D. Suggest a mutual no-contact order *and* contact the Athletic Director and Soccer Coach about benching Student B during the investigation because representing the school as an athlete is a privilege rather than a right?

*See answers on next page*

## Should You



Grant the request because the alleged actions are serious and Student A clearly will be traumatized by seeing Student B;



Deny the request and tell Student A that the College can't take any action against Student B until after a hearing;



C.

Explain the limitations on disciplinary action at this phase of the process and suggest a mutual no-contact order as an appropriate alternative approach to Student A's concerns; or



Suggest a mutual no-contact order *and* contact the Athletic Director and Soccer Coach about benching Student B during the investigation because representing the school as an athlete is a privilege rather than a right?



## Choose Your Own Course

You implement a mutual no-contact order, but the complaint investigation and resolution process runs through the end of one semester and into the next. Student A and Student B are scheduled for an in-person class together which both need in order to graduate.

Student A requests that Student B either be removed from the class or required to participate online.

Student A receives an already-in-place disability accommodation that requires in-person class attendance, and the class is well-suited for online participation, an option which multiple students already are using.

## Should You

- A. Deny the request because you can't implement a supportive measure that would burden Student B in this way given that he has yet to be found responsible for anything;
- B. Respond that you will ask Student B if he is willing to participate in the class online but that you cannot require him to do so if he prefers to take it in person;
- C. Require student B to participate in the class online for the duration of the investigation/resolution process as a supportive measure that is not unreasonably burdensome; or
- D. Talk to the provost and require the professor to teach two sections of the class so that both Student A and Student B can attend in person without having contact with one another?

*See answers on next page*

## Should You

-  Deny the request because you can't implement a supportive measure that would burden Student B in this way given that he has yet to be found responsible for anything;
-  Respond that you will ask Student B if he is willing to participate in the class online but that you cannot require him to do so if he prefers to take it in person;
-  C. Require student B to participate in the class online for the duration of the investigation/resolution process as a supportive measure that is not unreasonably burdensome; or
-  Talk to the provost and require the professor to teach two sections of the class so that both Student A and Student B can attend in person without having contact with one another?



## Choose Your Own Course

After an initial period of compliance, Student B begins to violate the terms of the no-contact order.

He contacts Student A through Snapchat with a message that says, “Pls let’s just talk about this.” He also tries to speak with her on multiple occasions around campus, always approaching with a demeanor that is respectful and contrite. Finally, he sends Student A an email apologizing for his past “obnoxious” behavior and saying that he hopes she will forgive him so that they can be friends again.

Student A reports all of these communications to you. She is stressed out by the repeated contact, but also feels sorry for Student B because he seems so sad.

## Should You

- A. Remind Student B of his obligations under the no contact order but let the past contacts slide because of their apologetic nature;
- B. Defer to Student A as to whether Student B’s violations of the no contact order should be disciplined or allowed to slide because of their apologetic nature;
- C. Take immediate disciplinary action against Student B in conjunction with Student Conduct for violating the no contact order; or
- D. Refrain from taking immediate disciplinary action since there has been no finding of responsibility, but add Student B’s violations of the no contact order to the existing Title IX case so that everything can be adjudicated at the same time?

*See answers on next page*

## Should You

-  Remind Student B of his obligations under the no contact order but let the past contacts slide because of their apologetic nature;
-  Defer to Student A as to whether Student B's violations of the no contact order should be disciplined or allowed to slide because of their apologetic nature;
-  C. Take immediate disciplinary action against Student B in conjunction with Student Conduct for violating the no contact order; or
-  Refrain from taking immediate disciplinary action since there has been no finding of responsibility, but add Student B's violations of the no contact order to the existing Title IX case so that everything can be adjudicated at the same time?