

**Provost's Advisory Council**  
**Summary of September 26, 2013 meeting**

James Bretzke, S.J., Chair	Katherine Gregory	David Quigley
Lillie Albert	Don Hafner	Joe Quinn
Tony Annunziato	Siobhan Kelly '15	Min Song
Betty Blythe	Maureen Kenny	Anita Tien
Mark Brodin	Narintohn Luangrath '14	Judith Tracy
Fr. James Burns	Susan Michalczyk	Tom Wall
Pat DeLeeuw	Katie O'Dair	Danny Willis
William Duffey III	Laura O'Dwyer	Linnie Green Wright
Can Erbil	Cy Opeil, S.J.	
Samuel Graves	Devin Pendas	

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1. It was confirmed that the summary for the April meeting was approved over the summer.
2. Joe Herlihy, General Counsel, and Richard Jefferson, Office of Institutional Diversity, joined the Council for a discussion led by Katie O'Dair about Title IX and sexual assault on campus.

Title IX, a general statute forbidding discrimination on the basis of gender in any education program or activity receiving federal financial assistance, has generally been associated with gender equality in athletic programs and equitable distribution of financial aid awards for male and female athletes. In recent years, it has been brought to bear in matters of sexual assault. In 2011, the Department of Education issued a "Dear Colleague" letter setting forth its views on campus sexual assault, namely, that allowing sexual assault (and sexual harassment) allegations to go uninvestigated and unaddressed violates Title IX.

Title IX requires designation of a campus reporting mechanism; there are also procedural requirements regarding the establishment of campus disciplinary bodies and campus investigations of allegations of sexual assault. Katie O'Dair is the Title IX coordinator for students at Boston College, and all incidents of sexual harassment and sexual assault by students against other students must be reported to her. (Linda Riley is the University Harassment Counselor who deals with issues of harassment among faculty and staff)

Compliance with Title IX requires a significant amount of coordination across campus offices in order to comply with Federal requirements.

It was clarified that Title IX applies to all instances of sexual harassment and is not limited to rape, attempted rape, and sexual assault. Sexual assault is defined by Boston College as any nonconsensual sexual activity. Voyeurism, stalking, exposure, relationship violence, the display of pornographic images on computer monitors and in texts and emails, sexually harassing communication, and sexually aggressive language in the classroom may be considered harassment in that they create a hostile environment.

Under Title IX, students have the option whether to bring formal charges under the disciplinary system and/or to file a criminal complaint with law enforcement authorities. It was explained that in many instances, the victim or the person to whom the assault is disclosed may want the information about the assault to be confidential. Only information provided to Health Services, Counseling Services, or those in a pastoral role is confidential, although efforts are made to respect the privacy of students. For example, when an assault is reported to Katie O'Dair in her role as the Title IX coordinator, she refrains from contacting the victim directly if the report has been made by someone else; instead, she will work through the victim's support network to ensure that the needs of the student are being met. However, Boston College is obligated by Title IX to fully investigate allegations of sexual misconduct.

Faculty and staff to whom a sexual assault is disclosed must report the incident to Katie O'Dair. While they do not need to include the name of the student victim, it is recommended that if they have a name, they share it.

A member of the Council noted that parents are not always informed of sexual assaults involving their students. Boston College's primary relationship is to the student, not the parent, but students are strongly encouraged to inform their parents.

Off-campus harassment and assaults are also covered by Title IX. Off-campus students receive outreach and education.

The Title IX "Dear Colleague" letter states that the school must mitigate the discriminatory effects of harassment by providing "interim measures," including academic accommodations. It has been suggested that addressing requests for accommodations may follow the processes that have been established for compliance with the Americans with Disabilities Act (e.g., requiring documentation, (s be)of mh(a)4(lt)-3(h S) TJET

Vanderslice Millennium Professor of Chemistry, will receive the 2014 American Chemical Society Award for Creative Work in Synthetic Organic Chemistry.