

HOWARD UNIVERSITY TITLE IX Q&A: STUDENT ORGANIZATIONS

Title IX Office, Office of the Provost | Office of Student Life & Activities, Student Affairs

What rights and responsibilities do student organizations have under Title IX?

Student organizations have the same rights and responsibilities as individual students: They have the right to report sex and gender-based discrimination, harassment and violence to the Title IX Office, as well as a responsibility to help maintain a safe, respectful and inclusive campus by complying with *all University policies*, including the *Policy Prohibiting Sex and Gender-Based Discrimination, Sexual Misconduct and Retaliation* (aka, the Title IX Policy). Student organizations *do not* have any rights or responsibilities related to sanctioning or disciplining students in response to allegations of sex and gender-based discrimination, harassment or violence.

Why can't we just remove a person from our organization if we learn that they've been accused of sexual misconduct?

The official name of Howard's Title IX Policy includes the word *Retaliation* because, in addition to prohibiting sexual misconduct and gender-based discrimination, the Policy also prohibits retaliation (meaning, any adverse action) against a complainant, respondent, Title IX Officer, administrator, faculty member, employee, student, witness, *or any individual involved in any aspect of the complaint or investigative process*. This includes taking adverse action against someone for reporting misconduct, for reasonably opposing harassment or discrimination, or because that person has been *accused or suspected* of misconduct, whether or not a report has been made to the Title IX Office. For example, expelling a member from a University-recognized student organization because they have been *accused* of sexual misconduct could be *retaliation* under our Policy, especially if the allegation has not been reported to the Title IX Office and the accused student has not been provided the opportunity for a fair and equitable Title IX review process (potentially including a formal investigation). Note that this could lead to a formal complaint of retaliation, an investigation and possible discipline for anyone found responsible for engaging in retaliation.

Can a student ever be removed or barred from a student organization based on allegations of sexual misconduct?

A student cannot be barred from participating in student organizations *based solely on allegations*. However, a student *can* be barred from participation if (1) a Title IX review process results in the student being found responsible for the misconduct and sanctions are issued, such as suspension or disciplinary probation, that would prohibit the student from participating in certain University activities; (2) a no contact order is issued that would restrict the student's ability to participate; or (3) a safety and risk analysis conducted by the Title IX Coordinator, in consultation with the Department of Public Safety, Office of General Counsel and University Counseling Service, identifies an immediate threat to someone's physical health or safety and determines that emergency removal of a student from University programs or activities is warranted. The sanctions or removal actions are then enforced by the Office of Student Conduct & Community Standards, *not student organizations*.

What if we have concerns about the safety of our members or disruptive behavior (e.g., retaliation or harassment) from someone who has been accused or who has made accusations against someone?

You can report any incidents of sex or gender-based discrimination, harassment or violence to the Title IX Office at TitleIX@Howard.edu or 202-806-2550. You should also encourage anyone in need of assistance to seek help from one or more of the [available resources](#), on or off-campus, for support, counseling, medical care, and/or reporting. If you believe there is an imminent safety threat, you should contact campus or local law enforcement. If you have concerns about the potential impact on the group or any of its members, arising from or related to any allegations or incidents, you should consult with your advisor and/or the Office of Student Life & Activities (SLA) before taking any action as an organization. SLA can engage the Counseling Service to help facilitate or mediate group conversations around healing and moving forward together as an organization.