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TO: Boston University Students, Faculty, and Staff

FROM: Jean Morrison, University Provost and Chief Academic Officer
Kenneth Elmore, Associate Provost and Dean of Students
Kenneth Freeman, Vice President for Human Resources *ad interim*
Maureen O'Rourke, Associate Provost for Faculty Affairs

DATE: July 6, 2020

SUBJECT: Federal Changes to Title IX Regulations

Boston University is committed to providing a safe, healthy, and nondiscriminatory environment for all members of our community. We continue to work toward reducing the rate of sexual misconduct in our community through both prevention efforts and vigorous enforcement of our Sexual Misconduct/Title IX Policy.

In late May 2020, the US Department of Education (DOE) [published](#) significant changes to the federal regulations for Title IX and required all colleges and universities to amend their Title IX policies and procedures to reflect those changes by no later than August 14, 2020. We are writing today to describe how Boston University will comply with the required changes and to reiterate our commitment to ensuring that all members of our community are afforded an environment free from discrimination and harassment in which to work, study, and live.

The DOE's changes to the Title IX regulations apply equally to students, faculty, and staff and include:

- Substantially narrowing both the definition of sexual harassment that constitutes prohibited conduct under Title IX and the geographic scope of covered conduct;
- Requiring live hearings to adjudicate cases covered under Title IX; and
- Mandating that each party has an advisor at the hearing to conduct cross-examination.

Equally if not more important is what will *not* change. Boston University will continue to:

- Use our current procedures to address sexual misconduct allegations regarding conduct that is not included in the new Title IX regulations;
- Use a preponderance of the evidence standard;
- Require faculty, staff, and students to complete training on sexual misconduct prevention;
- Require that all employees report instances of sexual misconduct; and
- Provide support to complainants and respondents.

This summer, in anticipation of the new regulations going into effect on August 14, 2020, we will make the federally mandated changes to Title IX definitions and procedures and will provide notice of these changes to members of the University community.

Then, in the fall semester, we will utilize the University's established policy development and approval [process](#) to consider a wide range of questions associated with sexual misconduct prevention, including a review of the Report of the Working Group on Gender-Based Harassment Prevention. We look forward to fully engaging the BU community in that discussion.

Regardless of these changes to federal rules, Boston University will continue to aggressively address conduct that violates our community policies. Sexual misconduct has no place on our campuses, and we will continue to seek out and adopt best practices that help to ensure the safety of all members of our community.