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Penn State University Title IX Program Review

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The Pennsylvania State University: Title IX Program Review

04.22.2024

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Title IX
Professor Juliano

General Information

Accessibility and Information

The Pennsylvania State University (“**Penn State**”) has a plethora of information and resources that are easily accessible through a Google search. Although all contact information for Penn State’s Title IX staff was easy to find through a quick google search, identifying the location of the Title IX office was difficult. In fact, it does not appear that Penn State has a specific Title IX office but the university does have an office specifically dedicated to reporting and responding to sexual misconduct.¹

When I Googled “Pennsylvania State University Title IX”, various links appeared. The first link takes you to the university’s “Office of Ethics and Compliance” website which contains a vast and broad amount of Title IX information.² The second link is specific to sexual misconduct and directs you to Penn State’s Student Affairs website; specifically to the Office of Sexual Misconduct Reporting and Response (“**OSMRR**”) page.³ The third link takes you to Penn State’s College of Medicine’s website, where information is provided on Title IX, The Office of Sexual Misconduct, and prevention and response.⁴ Although I imagined and hoped that it might be higher up, the sixth link takes you to where you can submit a report.⁵

Penn State houses the bulk of their Title IX information on the university’s “Office of Ethics and Compliance” website.⁶ This website has a page dedicated to Title IX. On this page, you will find a description of Title IX, a statement about how Penn State aims to comply/remain in compliance with Title IX, and a sidebar of redirecting links.⁷ These links include

¹ *Office of Sexual Misconduct Reporting and Response*, Penn State Student Affairs, <https://studentaffairs.psu.edu/titleix> (last accessed Apr. 8 2024).

² *Title IX: Sexual Harassment and Misconduct*, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/our-expertise/title-ix> (last accessed Apr. 8 2024).

³ *Office of Sexual Misconduct Reporting and Response*, Penn State Student Affairs, <https://studentaffairs.psu.edu/titleix> (last accessed Apr. 8 2024).

⁴ *Title IX- Office of Sexual Misconduct, Prevention and Response*, Penn State College of Medicine, <https://med.psu.edu/title-ix> (last accessed Apr. 8 2024).

⁵ *Submit a Report*, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/our-expertise/title-ix/report> (last accessed Apr. 9 2024).

⁶ *Title IX: Sexual Harassment and Misconduct*, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/our-expertise/title-ix> (last accessed Apr. 8 2024).

⁷ *Id.*

- (a) How to submit and report of a Title IX violation;
- (b) How to book a virtual drop in appointment with someone from the OSMRR;
- (c) Penn State's policies and procedures surrounding Title IX;
- (d) Title IX education and prevention;
- (e) Resources; and
- (f) More about Title IX.

Submit a report.

When clicking the "Submit a report" link, whether it is the link yielded from the initial Google search, or from the list of redirecting links on the Office of Ethics and Compliance website, you are taken to a page where you can submit a report or book a virtual appointment.⁸ Here, Penn State identifies that they have a designated Title IX coordinator who is trained to work with individuals who report sexual misconduct.⁹ Although this page only mentions that Title IX coordinated is trained to work with individuals who report sexual misconduct, the actual reporting form identifies that it may be used to report: "sexual or Gender-Based Discrimination, Harassment, Misconduct, and other Discriminatory Harassment".¹⁰

In the initial few paragraphs of the report form, Penn State addresses their mandatory reporting requirements. Additionally, I appreciated how they addressed what would happen next, once the form is submitted. The form says, "Once the form is submitted, it will be sent to the Office of Sexual Misconduct Reporting & Response and the Office of Equal Opportunity and Access for review and appropriate response."¹¹ It would be helpful if the form provided an estimated response time to provide the individual submitting the form with even more information and if this paragraph mentioned if someone would be in contact with the individual no matter what the university decides the "appropriate response" is.

Additionally, on the homepage Penn State provides other ways to submit a report, including where to make a report in person and how to make a report anonymously.¹² I really liked all of the different avenues in which Penn State allows students to make reports and that they displayed these avenues on their website to show that there is more than one option and more than one way to make a report.

⁸ *Submit a Report*, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/our-expertise/title-ix/report> (last accessed Apr. 9 2024).

⁹ *Id.*

¹⁰ *Id.*

¹¹ *Id.*

¹² *Id.*

At the bottom of the page Penn State answers a few commonly asked questions. Notably, the university mentions that reports can be submitted at any time, however, the university's ability to respond effectively may be reduced with the passage of time and therefore they encourage individuals to report immediately. I appreciate how the university also addresses if an individual wants to report but does not want to file a criminal report. Penn State says that their procedures are separate from the criminal system and it remains up to the individual to decide if they would like to take the incident to the police.

Book a Virtual Appointment.

The redirecting link to book a virtual appointment takes you to a page where you can book an appointment with someone from the OSMRR.¹³ The several times that I have viewed the pages, there have been many open time slots for meetings. This could mean 1) Penn State really values providing students with this resource and space to speak about potential Title IX violations; or 2) Students are not utilizing this resource, either because they do not want to report/talk about Title IX violations, are reporting them in a different way, or there are not that many Title IX violations happening at Penn State (wishful thinking). Additionally, this resource appears to be directed at violations dealing with sexual assault due to the fact that the meetings take place with someone from the OSMRR.

Policies and Procedures.

This page outlines Penn State's Title IX policy and Discrimination & Harassment & Related Inappropriate Conduct Policy.¹⁴ Also, this page includes information on certain procedures in case management, investigations, and hearings.¹⁵ Additionally, specific links are provided for different potential parties to a complaint, including:

- (a) Complainants
- (b) Respondents

¹³ OSMRR Drop in Appointments, <https://outlook.office365.com/owa/calendar/OSMPRAAppointmentAvailability@PennStateOffice365.onmicrosoft.com/bookings/s/74bT-ICJhkqFOJ8f3y8sPw2> (last accessed Apr. 9 2024).

¹⁴ *Policies and Procedures*, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/our-expertise/title-ix/t9-policies> (last accessed Apr. 9 2024).

¹⁵ *Id.*

- (c) Witnesses
- (d) Advisors
- (e) University Employees

Providing these various links is very thorough and also encourages those who are not a complainant or respondent to take action by reporting.

This page also provides two documents, one that lists all of the resources that Penn State offers and one that lists what rights individuals are entitled to, pertaining to sexual misconduct.¹⁶ Once again, I think including these documents is incredibly thorough, especially the document that clearly outlines what an individual's rights are. Overall, Penn State has a very well-rounded and thorough Policies and Procedures page.

Prevention and Education.

Here, Penn State provides educational videos and opportunities to participate in workshops or scheduled programs.¹⁷ Penn State has programmed its own series of educational videos called *It's On Us*. Penn State provides links to these videos and encourages faculty to play them for their classes or use them in any way they see beneficial.¹⁸

Although these videos appear to be well made and informative, it feels as though they are hidden on this page and I assume not a lot of people know they are there. During my time at Penn State, I had never heard of these videos or saw a professor utilize them in their classrooms. There is likely a better way to circulate these videos and incorporate them into Penn State's culture.

Organization

Penn State's Title IX page which appears on the "Office of Ethics and Compliance" website is well organized. As mentioned above, the page provides general information and then delves into additional information through the redirecting links. Even these links go on to provide additional redirecting links, leading those who are looking for more in depth information to that information.¹⁹

¹⁶ *Id.*

¹⁷ *Prevention and Education*, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/our-expertise/title-ix/prevention> (last accessed Apr. 9 2024).

¹⁸ *Id.*

¹⁹ *Title IX: Sexual Harassment and Misconduct*, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/our-expertise/title-ix> (last accessed Apr. 8 2024).

Initially, I wondered if it would be easier to have all the information on one website or one page. With all of the information and resources that Penn State provides, I do not think this would be possible. Therefore, I appreciate how they start broadly and then provide additional links to gain more information, for those who are looking to do so. With all of the information available, Penn State could create a website solely dedicated to Title IX, which houses all of the external links and redirections, as well.

Although the page makes it easy to obtain information about Title IX as a whole as well as sexual misconduct more specifically, the page did not provide enough information on other specific areas of Title IX, such as athletics, pregnancy, sexual orientation. These categories should be incorporated into the format and organization of the Title IX page. Resources to address concerns pertaining to these areas were easy to find and built into the organization of the page. However, these categories of Title IX are often not emphasized as much which was evident on Penn State's page. Penn State should incorporate more information on their page about athletics, pregnancy, gender identity, and other under discussed areas of Title IX.

Training

Penn State's training materials were a little harder to find compared to the other Title IX information I have mentioned thus far. However, this makes sense because less people are likely to be searching for the training. These materials are located on the Title IX page found on the "Office of Ethics and Compliance" website. As mentioned above, the "Education and Prevention" link provides educational videos for faculty, staff, and students, as well as programs to sign up for.²⁰ In addition, following the "About Title IX" redirection link, you will find a section labeled "Training Documentation". Here, Penn State provides a list of trainings that they have administered to their faculty, staff, and students, labeled by date and type of training, and containing the full slide deck from the training.²¹ The presentations date back 2020. It is unclear whether Penn State only keeps the more recent trainings on this page or if 2020 was when the university began administering these trainings.

Ongoing Investigations

Penn State is not currently under investigation for any Title IX complaints.

²⁰ *Prevention and Education*, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/our-expertise/title-ix/prevention> (last accessed Apr. 9 2024).

²¹ *Id.*

Athletics

Title IX Coordinator

Ashley Owens serves as Penn State's Interim Title IX Coordinator as of February 14, 2024.²² Penn State does not have a specific Title IX Coordinator for its athletic department; however the athletic department has several general compliance coordinators that likely help to ensure Title IX compliance as well. Some of the compliance personnel in athletics includes: Matt Jakoubek²³(Senior Associate AD for Compliance), Amelia Drexford (Associate Director of Compliance), Monica Mock (Assistant AD for Compliance).²⁴



Filing a Complaint

The resources to file a Title IX complaint for sex discrimination in athletics can be found on the Office of Ethics and Compliance website.²⁵ There is a link on the Penn State Athletics website that redirects you to this page.²⁶ Once you are on the reporting page, you are prompted to select which role you want to report under: student, faculty, staff, or non-penn state. Although there were several clicks and redirections to get to the reporting page, the page is very comprehensive. Once you pick which role you would like to report under, the website walks you step by step through how to make a file a report.

There is a specific reporting link on the web page labeled "NCAA Athletics/Integrity".²⁷ This is an unclear label, considering we discussed in class how

²² Ashley Owens Named Penn State's Interim Title IX Coordinator, Penn State, <https://www.psu.edu/news/administration/story/ashley-owens-named-penn-states-interim-title-ix-coordinator/> (last accessed Apr. 9 2024).

²³ Ashley Owens, Penn State Office of Athletics and Compliance, <https://universityethics.psu.edu/our-team/individual/ashley-owens> (last accessed Apr. 10 2024).

²⁴ Staff Directory, Go PSU Sports, <https://gopsusports.com/staff-directory> (last accessed Apr. 9 2024).

²⁵ Reporting at Penn State, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/reporting-at-penn-state> (last accessed Apr. 9, 2024).

²⁶ Athletics Compliance Home, Go PSU Sports, <https://gopsusports.com/sports/2018/8/8/compliance.aspx?id=45> (last accessed Apr. 9, 2024).

²⁷ NCAA Athletics/ Integrity, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/reporting-at-penn-state/athletics> (last accessed Apr. 10, 2024).

Title IX does not technically apply to the NCAA. However, I believe the university is referencing the programs at Penn State that compete in the NCAA, i.e. the varsity programs at the school. The NCAA Athletics/Integrity reporting page provides two methods to report a complaint: calling a hotline number or submitting an online report.

The online reporting link allows individuals to both file a report and follow up on a previously filed report. The report allows individuals to remain anonymous and appears to be very comprehensive. The reporting system is conducted through a third party. One aspect of the reporting system that could be better is providing individuals who are reporting with “next steps”. This way, individuals who are reporting know how long they might have to wait or what to expect next.

EADA Information

Here are the notable statistics from the information provided by the EADA:²⁸

- (a) Number of Teams. Penn State has 14 varsity men's teams and 13 varsity women's teams
- (b) Student Aid. 56% of the total amount of student aid given to student athletes is given to men's teams, 44% to women's teams
- (c) Recruiting. \$4,079,757 is spent on recruiting for men's teams, \$694,766 for women's teams
- (d) Expenses. The total expenses of all men's teams combined was \$92,186,198, the total expenses for all women's teams combined was \$27,398,796
- (e) Non-duplicated Number of Participants. There are 516 unduplicated participants in the men's athletic programs and 388 unduplicated participants in the women's programs.

Penn State's undergraduate population is 52% men and 48% women. Penn State's student athlete population is 57% men and 43% women.²⁹ Therefore, there is a 5% disparity between the athletic department and the undergraduate population. Additionally, in viewing the EADA data there is a large imbalance of allocated resources between the mens and womens teams. The men's teams are allocated almost 6 times the amount of money to spend on recruiting than the women's teams are. Who knows how this number will continue to change and how the university will attempt to reconcile and state in proportion as the changing landscape of college athletics integrates outside money donated to the institution

²⁸ *Pennsylvania State University- Main Campus OPL*, EADA <https://ope.ed.gov/athletics/#/institution/details> (last accessed Apr. 9, 2024).

²⁹ *Id.*

to influence recruiting. The money spent on mens and womens teams is also vastly out of proportion, as made evident by the data. It does not appear that any new teams have been added or any teams have been removed from either gender.

Complaints and Investigations

There have been no recent complaints or investigations of Penn State University in the area of athletics.

Transgender Athletes

Penn State does not have a policy and has not made any statements concerning transgender athletes.

NIL Policy

Penn State has an NIL policy that was enacted February 7, 2022.³⁰ Penn State's policy outlines requirements under Pennsylvania law and includes some regulations implemented by the university. Penn State prohibits student-athletes from engaging in NIL activities that involve drugs, pornography, political advertising, educational entities in direct competition with Penn State, weight loss products or plan, and, "other products, services or advertising that are inconsistent with Penn State's values."³¹ Penn State does not address Title IX issues within the policy.

When I searched for Penn State's NIL policy, a link to the university's "NIL collective" came up first. The collective is called "Happy Valley United" and serves all athletes and all sports at Penn State.³² On the website, the collective expresses its desire to connect student-athletes with NIL opportunities.³³ However, the website does not address providing equal opportunities to men's and women's teams or anything pertaining to Title IX.

Sexual Misconduct

³⁰ *Penn State Athletics Name, Image, and Likeness, Policies and Procedures*, Go PSU Sports, https://gopsusports.com/documents/2022/2/7/PSU_NIL_Policy_Statement_2022.pdf (last accessed Apr. 9 2024).

³¹ *Id.*

³² Happy Valley United, <https://happyvalleyunited.com/> (last accessed Apr. 11 2024).

³³ *Id.*

Coordinator for Sexual Misconduct

Lauren Hendershot serves as Penn State's Compliance Reporting and Case Management Specialist.³⁴ Penn State does not appear to have anyone with a specific "Title IX Sexual Misconduct" title. However, Lauren's information, along with Ashley Ownes' information, is provided with Penn State's Office of Sexual Misconduct Reporting and Response.³⁵



Filing a Complaint

Information on how to file a complaint was easy to find through a quick google search of, "filing a sexual misconduct claim at Penn State main campus." The first link that comes up provides the contact information and website of the Office of Sexual Misconduct Reporting and Response.³⁶ However, this website only provides contact information and location of the office and redirects individuals to Penn State's Title IX website in order to submit a report.³⁷ Here, Penn State provides individuals the choice to submit a complaint through a virtual form or book a virtual drop in appointment.

Investigation Process

The information on the investigation process was very easy to find. The information can be found through a quick google search. I searched "penn state sexual misconduct investigation process". This search took me to a page on Penn State's student affairs website, titled "Navigating an Investigation".³⁸ This page provided a lot of information about what rights respondents have in cases of sexual

³⁴ Lauren Hendershot, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/our-team/individual/lauren-hendershot> (last accessed Apr. 11 2024).

³⁵ *Id.*

³⁶ Office of Sexual Misconduct Reporting and Response, Student Affairs, <https://studentaffairs.psu.edu/titleix> (last accessed Apr. 11 2024).

³⁷ Reporting at Penn State, Penn State Office of Ethics and Compliance, <https://universityethics.psu.edu/reporting-at-penn-state> (last accessed Apr. 9, 2024).

³⁸ Navigating an Investigation, Penn State Student Affairs, <https://studentaffairs.psu.edu/departments-directory/respondent-support-office/navigating-investigation> (last accessed Apr. 13 2024).

misconduct investigations. The page also walks through the steps of an investigation which include:³⁹

- (a) Making the decision to investigate
- (b) Interviews, documentation gathering, and questions
- (c) Draft investigation report and review
- (d) Final investigation report
- (e) Conduct case manager review
- (f) Charge and recommended sanction
- (g) Hearing

The factfinders in the investigation process are a panel of Title IX investigators called the Title IX Case Review Panel.⁴⁰ I imagine that Lauren Hendershot, Penn State's Compliance Reporting and Case Management Specialist, who I mentioned earlier in this section is involved in fact finding and helping with the investigations as well. Once a full investigation report is completed, the report is sent to the Office of Student Accountability and Conflict Response.⁴¹ The Office of Student Accountability and Conflict Response then makes the decision on whether to charge and sanction the respondent.⁴² The assigned Conduct Case Manager reads the finalized investigation report and uses a Reasonable Belief standard (given the facts, is it likely that there was a policy violation?) to determine whether to issue a charge and, if a charge is issued, an appropriate sanction.⁴³ If there is a hearing the case will be decided based on a Preponderance of Evidence standard.⁴⁴

The website said that I did not have access to the link that offered more guidance on how to navigate the student conduct process. However, I was surprised how many resources and how much information the page had for the respondent side and how little the page had for the complainants. Another concern I have is who makes the decision to investigate. The investigation webpage says that in most instances, it is the complainant who decides whether to undergo the formal investigation process.⁴⁵ However, in some instances, the Title IX Case Review Panel assesses a case and decides that an investigation is the appropriate University response.⁴⁶ If a complainant does not choose to pursue an investigation,

³⁹ *Id.*

⁴⁰ *Id.*

⁴¹ *Id.*

⁴² *Id.*

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

I do not think the University should have the authority to force an unwanted investigation. This fear of a potential investigation may cause complaints to not report incidents because they do not want to undergo a formal investigation.

Retaliation Policy

Penn State has a policy against retaliation that can be found on the Penn State University website under Policies and Guidelines.⁴⁷ In cases of retaliation, Penn State's policy states that, "Any member of the University who retaliates against any individual in violation of this policy will be subject to disciplinary sanctions, which may range from a disciplinary warning to termination or expulsion from the University."⁴⁸ Therefore, it seems that Penn States tailors their disciplinary sanctions against retaliation on a case by case basis.

Clery Act Statistics

Both websites, the Department of Education and End Rape on Campus, have information on Penn State's sexual misconduct statistics. I have included a picture of the statistics from each website below. The image on the left is from the End Rape on Campus website and the image on the right is from the Department of Education website.^{49 50}

2018-2020		— Criminal Offenses - On campus			
*TOTAL ENROLLMENT:	89816				
CLERY DATA		Criminal Offense	2020	2021	2022
RAPES 62	National Avg. 6	a. Murder/Non-negligent manslaughter		0	0
FONDINGS 39	National Avg. 5	b. Negligent manslaughter		0	0
DOMESTIC VIOLENCE 7	National Avg. 3	c. Rape		41	43
DATING VIOLENCE 52	National Avg. 3	d. Fondling		22	26
STALKING 58	National Avg. 6	e. Incest		0	0
		f. Statutory rape		0	0
		g. Robbery		0	0
		h. Aggravated assault		5	10
		i. Burglary		9	11
		j. Motor vehicle theft		1	5
		k. Arson		2	2

⁴⁷ *Disclosure of Wrongful Conduct and Protection from Retaliation*, Penn State, <https://policy.psu.edu/policies/ad67#:~:text=No%20member%20of%20the%20University.an%20Appropriate%20Authority%20or%20for> (last accessed Apr. 13 2024).

⁴⁸ *Id.*

⁴⁹ *Pennsylvania State University- Main Campus*, U.S. Department of Education, <https://ope.ed.gov/campussafety/#/institution/details> (last accessed Apr. 14, 2024).

⁵⁰ *Pennsylvania State University*, End Rape on Campus, <https://endrapeoncampus.org/school-locator/?state=Pennsylvania&schoolsearch=pennsylvania%20state> (last accessed Apr. 14 2024).

End Rape on Campus provides Clery Data on several categories, including rape, fondlings, domestic violence, dating violence, and stalking, from 2018 - 2020. The Department of Education provides Clery Data from 2021 and 2022.

Pregnancy

Resources

It was very difficult to find any resources that the university provides for pregnant students. Most of the resources I found came in the form of information, aimed at providing students who are pregnant with what options they have.⁵¹ It was interesting to see that the top resource listed on the Student Affairs Prenatal page was “Centers for Disease Control and Prevention”. I was able to find information on accommodations on Penn State's Education Equity website, under the Student Disability Resources section.⁵²

With how comprehensive the Title IX web page was, it was disappointing to see the lack of information and resources provided to pregnant students. In an attempt to find more resources, I contacted Penn State's Office of Ethics and Compliance to ask where I could find information on accommodations for pregnant students at Penn State. I got a response from the Office of Ethics and Compliance telling me to contact PSU Housing and Residence Life for more information regarding my question. Why Housing and Residence Life? I have no clue! There are many more accommodations required for pregnant students that do not involve housing, so I was shocked and slightly confused at that response from the ethics office.

University Compliance

Although it was difficult to find the resources for pregnant students, it appears that Penn State meets its obligations for pregnant students.⁵³ Penn State's Education Equity website outlines accommodations available to students with

⁵¹ Penn State Student Affairs, <https://studentaffairs.psu.edu/health-wellness/medical-services/health-information-resources/precognition-prenatal-information> (last accessed Apr. 11, 2024).

⁵² *Student Disability Resources*, Penn State Education Equity, <https://equity.psu.edu/offices/student-disability-resources/accommodations> (last accessed Apr. 11 2024).

⁵³ *Id.*

disabilities and pregnancy falls within the disability definition. A few of the outlined accommodations include:

- (a) Assistance accommodations
- (b) Attendance accommodations
- (c) Digital course materials
- (d) Exam accommodations
- (e) Housing accommodations
- (f) Note-taking accommodations
- (g) Flexibility Accommodations
 - (i) Allows for the flexing of a course standard to allow a student to meet essential course requirements while managing a disability.⁵⁴

It is unclear whether or not Penn State is properly providing these accommodations or how these guidelines are manifesting at the university. However, it appears Penn State has outlined a framework that meets its obligations for pregnant students.

Cases Against Villanova University

There have been no recorded cases against Penn State University dealing with pregnant students.

LGBTQ+

Protections and Policies Concerning LGBTQ+ Students

Penn State has a comprehensive policy concerning the protections for LGBTQIA students which was very easy to find through Google search. The policy appears on Penn State's Student Affairs website along with a page describing Penn State's Center for Sexual and Gender Diversity.⁵⁵

Penn State's policy provides information about LGBTQ+ resources, a LGBTQ+ colleague group network, and how to best incorporate LGBTQ+ discussions in the classroom.⁵⁶ Additionally, the policy stipulates that the university fully recognizes the need and preference of individuals to identify under a different name or gender

⁵⁴ *Id.*

⁵⁵ *LGBTQ+ Information for Faculty and Staff*, Penn State Student Affairs, <https://studentaffairs.psu.edu/CSGED/about/lgbtq-information-faculty-and-staff#:~:text=Our%20institution's%20official%20policy%20states.gender%20at%20the%20time%20of> (last accessed Apr. 11 2024).

⁵⁶ *Id.*

than they were assigned at birth. The website provides examples of ways professors can incorporate language into their syllabi to show that they will honor students in this way.⁵⁷

I was very impressed with Penn State's Center for Sexual and Gender Diversity. This homepage provides a plethora of education and information, specifically tailored to different audiences. Individuals can specify whether they are a prospective student, undergraduate student, graduate student, queer and/or transgender student of color, parent & family, faculty & staff, alumni, commonwealth or world campus student, or an ally.⁵⁸ If you choose to select one of these options, you are redirected to a page that provides you with specific information, resources, and education.

Non-Discrimination in Housing

Penn State provides gender-inclusive housing options which allow students who identify as transgender and gender non-binary the ability to choose a roommate of any gender.⁵⁹ Penn State also provides a special living option called Ally House. The goal of Ally House is to provide an open, safe, and inclusive environment for students.⁶⁰ Any students interested in residing in this special living option may indicate this on their housing contracts with Penn State.⁶¹ On the Student Affairs website, Penn State offers these options to students and has a section on non-discrimination against the LGBTQ+ community generally.

Recommendations

Overall, Penn State's Title IX information was very easily accessible. However, Penn State's Title IX web page largely revolved around sexual misconduct. Ideally, Penn State would better organize the different sectors of Title IX, for ease of accessibility to information as well as to highlight the different areas which Title IX touches. I have included recommendations pertaining to certain components of Penn State's Title IX program below:

⁵⁷ *Id.*

⁵⁸ *Center for Sexual and Gender Diversity*, Penn State Student Affairs, <https://studentaffairs.psu.edu/csgd> (last accessed Apr. 12 2024).

⁵⁹ *Transgender and Non-binary at Penn State*, Penn State Student Affairs, <https://studentaffairs.psu.edu/csgd/transgender-and-non-binary-penn-state> (last accessed Apr. 12 2024).

⁶⁰ *Id.*

⁶¹ *Id.*

Title IX Coordinators

I was surprised to find that Penn State did not have department specific Title IX coordinators, especially for athletics. A lot of staff included on the Title IX website had titles that included the word “compliance”. These staff members may be in the role of Title IX coordinator for their specific department, however it was difficult to tell which staff members are the Title IX point of contact for each department.

As opposed to having just one Title IX coordinator, I would suggest Penn State have a Title IX coordinator for several departments, including: athletics, sexual misconduct, LGBTQ+. This may involve simply making the job titles of current employees more specific to Title IX. However, I would recommend that Penn State have a clear point of contact identified for each department in regards to Title IX.


Pregnancy

Penn State provides very minimal information on accommodations and resources for pregnant students. Although information was easy to find for pregnant employees, it was surprising that Penn State does not provide that kind of information for its students. Instead, Penn State provides information about health services, and different options students have who have become pregnant.

I would suggest that Penn State have a web page dedicated to providing information and support for pregnant and parenting students or a section dedicated to pregnancy on the university’s Title IX website. It was strange that I was advised to contact Penn State’s residence and housing office when I reached out to the university about accommodations for Pregnant Students. In regards to communication, the Title IX office should be willing to address that question themselves or offer to organize a meeting to provide further information. Pregnancy accommodations require much more than housing accommodations. Penn State should have a better procedure in place to address these questions and, ideally, Penn State would have already addressed many questions on a page dedicated to Title IX and pregnancy.

Investigations

As I mentioned earlier, I do not think that Penn State should have the power to decide whether to conduct a formal investigation into a sexual misconduct claim,



if the complainant does not want to pursue a formal investigation. Although Penn State may think they are doing the right thing by determining that an investigation is warranted in some cases, this may be harmful to survivors of sexual misconduct. A survivor may be deterred from seeking resources or reporting an incident of sexual misconduct if they do not want a formal investigation into the matter to ensue. A survivor may be worried of retaliation, not want to relive the traumatic events through the course of the investigation, or have a number of other reasons for not wanting to conduct a formal investigation. I recommend that Penn State only proceed with a formal infestation if they have obtained the consent of the survivor to do so.

Athletics

With the changing landscape of college athletics and with Penn State being a big name in college sports, I recommend that the university revisit their NIL policy. The university's policy has not been updated since February 2022, the very beginning of 2022. Penn State needs to put more information out about their collective, and ways in which the university intends to comply with Title IX as the climate of culture sports continues to change. Penn State should start thinking about what statements they may have to make if/when college athletes are officially considered employees.

In regard to the current financial equity between mens and womens sports, there is a large disparity that Penn State needs to address. A lot more money is spent on men's recruiting than there is on womens. In the 2024 women's NCAA tournament, we saw how women's sports can draw in more money and attention than men's sports. Fans will pay to watch talented teams and individuals play, and womens teams need just as much money and resources as men's teams to attract top talent to their programs and to continue to grow the game. Penn State needs to do a better job of allocating the same amount of financial resources to women's teams as they do for men's teams.

Penn State should also think about making a policy or statement pertaining to transgender student athletes. This topic has been heavily discussed in the media lately and is something that Penn State has not addressed.