To: All Members of the University Community

In an ongoing effort to improve the University's learning and working environments, and to support the development of students and other members of the University community, Florida Gulf Coast University (FGCU) requires compliance with all University regulations, as well as federal and state laws regarding equal opportunity and nondiscrimination. FGCU does not discriminate in its admissions, educational programs, employment, or activities throughout all divisions, departments and units of the University. Moreover, the University will not tolerate retaliation based on discrimination of any kind; neither will the University tolerate retaliation related to a claim of sexual harassment, which includes sexual assault and sexual violence. Such claims may be addressed under Title IX of the Education Amendments of 1972.

A. WHAT IS TITLE IX?

Title IX of the Education Amendments of 1972 is a federal law that protects people from sex discrimination in educational programs and activities at institutions that receive federal financial assistance.

The University is committed to providing an environment free from discrimination on the basis of sex. Florida Gulf Coast University (FGCU) provides many resources to students, faculty and staff to address concerns relating to discrimination on the basis of sex, which includes sexual misconduct.

B. TITLE IX COORDINATOR AND THEIR RESPONSIBILITIES

In accordance with the requirements of Title IX, the University has designated Jimmy Myers, Director of Equity and Diversity, as the University’s Title IX Coordinator. He is charged with monitoring compliance with this federal law. Mr. Myers also leads the University’s efforts in relation to campus climate and gender, and oversees education and training campus-wide on sex discrimination and sexual misconduct.

As the Title IX Coordinator, Mr. Myers’ responsibilities include:
1. Tracking and monitoring incidents, including sex discrimination and sexual misconduct and ensuring that the University responds promptly and effectively to each complaint;
2. Resolving complaints and addressing issues of gender-based discrimination and sexual misconduct;
3. Where appropriate, conducting investigations of particular situations; and
4. Compliance-related responsibilities and reporting.

C. WHEN SHOULD I CONTACT THE TITLE IX COORDINATOR?

Any student, faculty or staff member, or applicant for admission or employment who has concerns about sex discrimination or sexual misconduct is encouraged to seek the assistance of the Title IX Coordinator.
Contact the Coordinator if you:
1. Wish to understand your options if you think you may have encountered sex discrimination or sexual misconduct;
2. Learn of a situation that you feel may warrant a University investigation;
3. Need help on how to handle a situation by which you are indirectly affected;
4. Seek guidance on possible informal remedies or administrative measures to de-escalate or alleviate a difficult situation;
5. Have questions about FGCU’s policies and procedures.

D. CONFIDENTIALITY

Conversations with the Coordinator will be kept as confidential as possible. However, everyone needs to know that information about incidents of sexual misconduct must be shared with relevant administrators if the University is to take action for reasons of community safety. In all cases, the wishes of the person initiating the conversation are given full consideration.

E. SOME MYTHS ABOUT TITLE IX

1. Myth: Title IX only applies to athletic programs.

   This is perhaps the most widely held misconception about Title IX. Athletics are not the only component of academic life governed by Title IX. Other areas which fall within the scope of Title IX include:

   a) Recruitment, Admissions, Financial Aid and Scholarships  
b) Course Offerings and Access  
c) Counseling  
d) Hiring and Retention of Employees  
e) Benefits and Leave  
f) Sexual harassment, which includes sexual assault and sexual violence

2. Myth: Title IX applies only to discrimination against women.

   While Title IX has been used mostly by women seeking to protect their rights, Title IX also serves to protect the rights of men. Title IX requires that males and females receive fair and equal treatment in all areas of education.

3. Myth: Advocates for victims of Title IX who file complaints of discrimination for others are not protected from retaliation under Title IX.

   The U.S. Supreme Court has broadened the interpretation of Title IX to protect from retaliation whistle-blowers who accuse educational institutions of sex discrimination. The court is of the opinion that reporting incidents of discrimination is integral to Title IX enforcement and such reporting would be “chilled” if retaliation against those who report such conduct goes unpunished.
F. FAILURE TO COMPLY WITH TITLE IX

The penalty for failure to comply with Title IX in the most extreme circumstances can include the termination of all or part of an institution’s federal funding. This includes grants, subsidies, and other program funds from the federal government. In addition to the loss of federal funds, universities may be sued by those seeking redress for violations of Title IX. It is essential that institutions receiving federal financial assistances operate in a nondiscriminatory manner. To ensure the University’s compliance with the law, adherence to Title IX regulations is everyone’s responsibility.

CONTACT INFORMATION

Jimmy Myers, Director, Equity and Diversity and
Title IX Coordinator
Office of Equity and Diversity
Ben Hill Griffin Hall, Room 150
10501 FGCU Blvd. S.
Fort Myers, FL 33965
Phone: (239) 590-7406
Email: jimyers@fgcu.edu