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*Director of Student Life
Alabama Community College System*

*Student Success Compliance Officer
Alabama Community College System*

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- What is Title IX
- Current Title IX Law
- Title IX Key Terms
- Reporting Title IX
- Pregnant and Parenting Students
- Retaliation

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Title IX is a federal civil rights law that states "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance."

- Covers not only equity in athletic programming, but all forms of discrimination based on sex.
- Protects students and employees.

Current Title IX regulations were published on May 6, 2020, and took effect August 14, 2020

- Student on student matters
- Employee on employee matters
- Employee on student matters
- Student on employee matters

Title IX Grievance- the notice of sexual harassment or allegations of sexual harassment to the Title IX Coordinator or an Official with Authority

Formal Title IX Complaint- is a document signed by the Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the College investigate the allegation of sexual harassment.

Jurisdiction- Locations, events, or circumstances (operations) over which the institution exercises substantial control over both the Respondent AND the context in which the sexual harassment occurs.

Why Be Title IX vs. What is NOT Title IX

What is or Isn't

Disability Discrimination (ADA)

Discrimination based on gender

Stalking

Discrimination based on race

Stalking/Offense

- Dating Violence

- Stalking

Mandatory Dismissal –

- The grievance does not meet the definition of sexual harassment as defined in the Title IX regulations
- Occurred outside the college's jurisdiction
- Did not occur in the U.S.

Permissive Dismissal -

- Complainant notifies the Title IX Coordinator in writing requesting to withdraw the Formal Complaint
- Respondent is no longer enrolled or employed by the institution
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Anyone can report sexual and gender-based misconduct.

If you are a victim of sexual harassment or have knowledge of any conduct constituting sexual harassment in an educational program or activity of the College or which occurred on property owned by the College or controlled by the College, you are encouraged to report the grievance to the college's Title IX Coordinator or an Official with Authority.

Ways to Report

- Email
- Telephone
- Written Notice/Title IX Reporting Form
- In Person

Supportive measures may include, but are not limited to, the following:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Mutual restrictions on contact between the parties
- Changes in working or housing locations
- Leaves of absence

Title IX prohibits discrimination on the basis of sex – including pregnancy, parenting, and related conditions – in education programs and activities that receive federal funding.

Colleges and Universities cannot discriminate on the basis of:

- Pregnancy
- Childbirth
- False Pregnancy
- Termination of pregnancy
- Recovery therefrom

- Students with pregnancy related conditions have the right to continue with their educational program for as long as they determine they are able.
- Students are under no obligation to disclose their pregnancy or pregnancy related condition, however if a student tells you they are pregnant or experiencing a pregnancy related condition, you may ask them if accommodations are needed and refer them to the Title IX Coordinator for assistance.
- Faculty and instructors should not request medical documentation or details related to the student's pregnancy or any related medical condition from the student.

- **Allow a student to continue participating in classes and extracurricular activities** even though they are pregnant. Pregnant student-athletes with pregnancy related conditions must be treated the same as ill or injured athletes.
- **Excuse absences** due to pregnancy related conditions for as long as the doctor says it is necessary.
- **† Allow student to return** to the same academic and extracurricular status as before medical leave began, which should include **giving the student the oppn3c0.3690.369(pregnant.)JTJET@.000002861 0 12G(EitoEit**

Everyone is encouraged to report sexual and gender-based misconduct.

- When not reported or taken seriously, it cannot be effectively addressed.
- Many who experience sexual and gender-based misconduct do not report it because they fear nothing will happen or they won't be believed.

NPRM Estimated Timeline:

July 2022 - Notice of Proposed Rule Making was officially published in the Federal Register.

September 2022 - Public Comments Closed

May 2023 - Final Regulations will be released.

Fall 2023(?) – Final Regulations will be implemented.

- Mandated Training Expanded
- Additional/Modified Definition
- Additional Duties for Title IX Coordinators
- Updated Reporting Requirements
- Strengthened Retaliation Protections
- Discrimination Based on Pregnancy

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<https://www.accs.edu/about-accs/board-of-trustees/policies-and-procedures/>

ICS Title IX University - <https://icslawyer.com/titleixu/>

The Office Of Civil Rights (OCR) -
<https://www2.ed.gov/about/offices/list/ocr/index.html>

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