



TITLE IX OVERVIEW

FALL 2024




AGENDA

Title IX Fundamentals and History

2020 Title IX Final Rule: Definitions and Processes

2024 Title IX Final Rule: Definitions and Processes

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972



"No person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives Federal financial assistance."

An abstract geometric design on the left side of the slide. A white diagonal line runs from the top-left towards the bottom-right. The background is a solid purple color. The design includes a teal triangle in the top-left, a white circle on the diagonal line, a grey semi-circle, a pink concentric circle pattern, a blue and green striped pattern, a blue square with a green concentric line pattern, a purple square, a dark green triangle, and a teal triangle at the bottom.

BRIEF HISTORY OF TITLE IX

1972 - Education Amendments

- Title IX revised federal funding laws to prohibit sex discrimination in higher education.

1990 - Clery Act

- Initially called the "Crime Awareness and Campus Security Act", and later renamed in memory of slain student Jeanne Clery, this act amended federal financial aid laws to require all participating postsecondary institutions to disclose campus crime statistics and security information.

1994 - Violence Against Women Act (VAWA)

- Established federal legal definitions of domestic violence, dating violence, sexual assault, and stalking. Made funding grants for reducing these crimes available to higher education institutions.

2001 - Revised Sexual Harassment Guidance

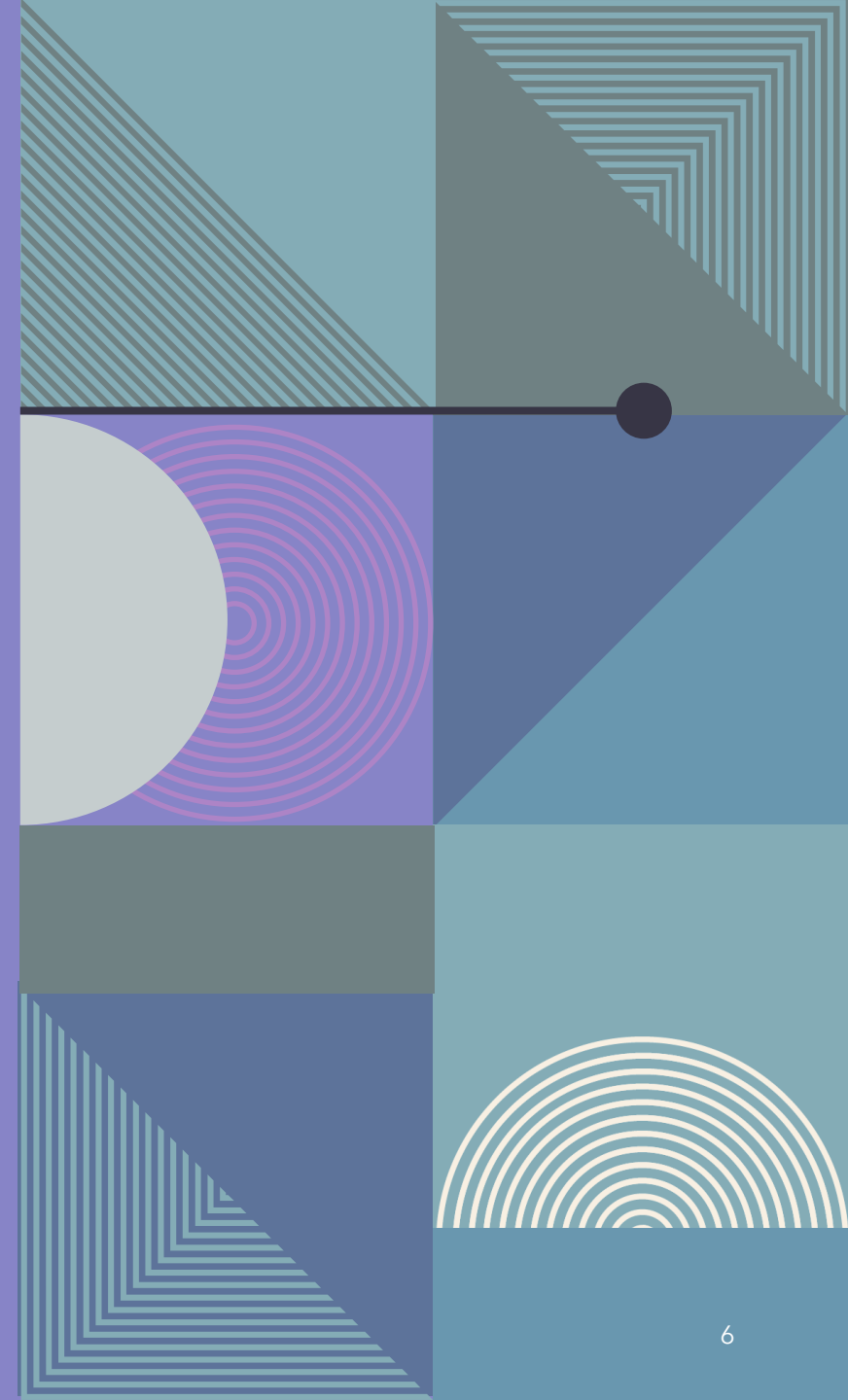
- Department of Education's (ED's) Office for Civil Rights (OCR) guidance explored Title IX sexual harassment protections.
- "[S]chools need to ensure that employees are trained so that those with authority to address harassment know how to respond appropriately, and other responsible employees know that they are obligated to report harassment to appropriate school officials."

2011 - April 2022 Dear Colleague Letter

- Noting that sexual assault had become an epidemic on college campuses, OCR reiterated that Title IX guarantees all students an education free from sexual harassment and violence.
- OCR also recommended that "all schools implement preventive education programs" as part of their orientation programs for new students, faculty, and staff.

2013 - Campus SaVE Act

- Amended the Clery Act to mandate extensive "primary prevention and awareness programs" regarding sexual misconduct and related offenses.

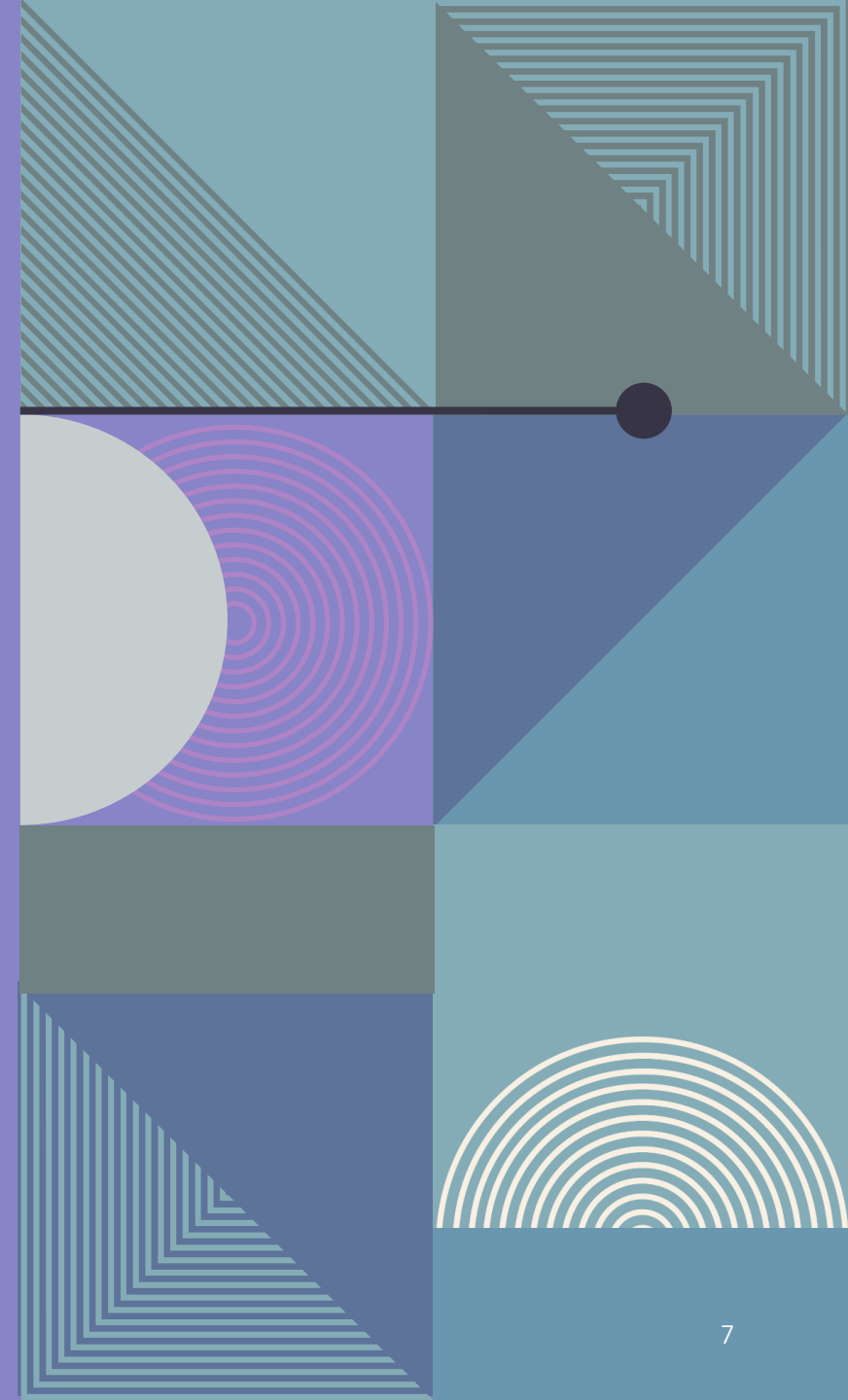


2020 Title IX Final Rule

- May 7, 2020: ED released updated Title IX regulations after engaging in a formal notice-and-comment process.
- August 14, 2020: Updated regulations went into effect.

2024 Title IX Final Rule

- April 29, 2024: ED released updated Title IX regulations after engaging in a formal notice-and-comment process.
- August 1, 2024: Updated regulations scheduled to go into effect.



So....What Now?

- Multiple states, advocacy groups, and individuals have filed lawsuits against the federal government regarding the 2024 Title IX Final Rule.
- Temporary injunctions have been granted by several federal judges to halt enforcement of the 2024 Title IX Final Rule in certain states.
- Various courts are in the process of hearing and ruling on these lawsuits, and the 2024 Title IX Final Rule's fate may ultimately be decided by the Supreme Court.
- Depending on the courts' rulings, we may be required to continue processing cases using:
 1. The 2020 Title IX Final Rule,
 2. Portions of the 2024 Title IX Final Rule, or
 3. The entire 2024 Title IX Final Rule.



MANDATORY REPORTING

Campus Security Authority (CSA)

- A CSA is a Collin College employee who has significant responsibility for student and campus activities.
- CSAs are responsible for ensuring that information regarding a crime reported or known to them is conveyed to the appropriate Collin College official(s) for record keeping and reporting purposes.
- When a Clery Act crime is reported to a CSA, the CSA **must** complete the Campus Security Authority (CSA) Crime Reporting Form.

Child Abuse and Neglect Reporting

- Any person who has reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect has a responsibility under state law to immediately report the suspected abuse or neglect to an appropriate authority.
- The term "child" is defined in state law as a person younger than 17 years of age.
- When an employee suspects child abuse or neglect, they **must** report it through the Texas Abuse Hotline Website.

Texas Education Code Section 51.252 aka Texas Senate Bill 212

- Requires a Collin College employee who witnesses or receives information regarding an incident of **Dating Violence, Sexual Assault, Sexual Harassment, or Stalking** that is alleged to have been committed by or against a person who was a student enrolled at or an employee of Collin College at the time of the incident to promptly report the incident to Collin College's Title IX Coordinator or Deputy Title IX Coordinator.
- Confidential employees (e.g., Counselors) are only required to state the type of incident reported and may not include and information that would violate a student's expectation of privacy.
- Employees **must** complete the Mandatory Reporting Form for Incidents of Dating Violence, Domestic Violence, Sexual Assault, Sexual Harassment, and Stalking.

2024 Title IX Final Rule

- Any employee who is not a confidential employee and who either has authority to institute corrective measures on behalf of Collin College or has responsibility for administrative leadership, teaching, or advising in Collin College's education program or activity is required to notify the appropriate Title IX coordinator, deputy Title IX coordinator, or designee when the employee has information about conduct that reasonably may constitute sex discrimination and/or sex-based harassment under Title IX.
- All other employees are required to:
 1. Notify the appropriate Title IX coordinator, deputy Title IX coordinator, or designee when the employee has information about conduct that reasonably may constitute sex discrimination and/or sex-based harassment under Title IX; or
 2. Provide the contact information of the appropriate Title IX coordinator, deputy Title IX coordinator, or designee and information about how to make a complaint of sex discrimination and/or sex-based harassment to any person who provides the employee with information about conduct that reasonably may constitute sex discrimination and/or sex-based harassment under Title IX.



MISCONDUCT ADDRESSED BY TITLE IX

2020 Title IX Final Rule:

- Sex Discrimination
- Sexual Harassment
 - Quid Pro Quo
 - Hostile Environment and
 - VAWA Offenses:
 - Dating Violence
 - Domestic Violence
 - Sexual Assault
 - Stalking
- Gender-Based Harassment
- Retaliation Arising Out of A Claim of One (1) or More of the Other Allegations

2024 Title IX Final Rule:

- Sex Discrimination
- Sex-Based Harassment
 - Quid Pro Quo
 - Hostile Environment
 - Dating Violence
 - Domestic Violence
 - Sexual Assault:
 - Fondling
 - Incest
 - Rape
 - Statutory Rape
 - Stalking
- Retaliation Arising Out of A Claim of One (1) or More of the Other Allegations



TITLE IX PROCESSES

2020 TITLE IX FINAL RULE PROCESSES

Informal Resolution Process

- Similar to mediation
- Only available if both parties agree in writing
- Not available in cases involving an employee respondent and a student complainant
- Anticipated Time Frame:
 - **Board Policy:** 30 College District business days
 - **Federal Law:** Within a reasonably prompt timeframe

Formal Resolution Process

- Involves Investigators, Live Hearing Advisors, Live Hearing Officers, and Appeal Decision Makers
- An Investigation Report is created by Investigators
- Culminates in a Live Hearing with cross-examination
- Anticipated Time Frame
 - **Board Policy:** 60 College District business days
 - **Federal Law:** Within a reasonably prompt timeframe

2024 TITLE IX FINAL RULE PROCESSES

Informal Resolution Process

- Can be initiated at any time prior to a determination whether sex discrimination and/or sex-based harassment occurred.
- Can be initiated even if a complaint has not been submitted.
- Similar to mediation.
- Only available if both parties elect to participate and agree in writing.
- Collin College has discretion to determine whether it is appropriate to offer an Informal Resolution Process to the parties and may decline to do so despite one (1) or more of the parties' wishes.
- Not available:
 1. In cases involving allegations that a Collin College employee engaged in sex-based harassment of an elementary or secondary school student.
 2. When such a process would conflict with federal, state, or local law.
 3. When Collin College Determines that the alleged conduct would present a future risk of harm to others.

Challenges Process

- Only available for:
 1. Challenging Collin College's decision to provide, deny, modify, or terminate **supportive measures**.
 - Only the party whose supportive measures were provided, denied, modified, or terminated is eligible to challenge.
 2. Challenging the **dismissal of a complaint** of sex discrimination and/or sex-based harassment.
 - Only the complainant is eligible to challenge if the respondent has not been notified of the allegation(s).
 - If the respondent has been notified of the allegation(s), both parties are eligible to challenge.
 3. Challenging an **emergency removal or administrative leave**.
 - Only the respondent is eligible to challenge the emergency removal or administrative leave.

2024 TITLE IX FINAL RULE PROCESSES

Grievance Procedures for Complaints of Sex Discrimination and Complaints of Sex-Based Harassment Against an Employee Respondent

- All complaints of sex discrimination, including:
 1. Complaints made by students, employees, or other individuals who are participating in or attempting to participate in Collin College's education program or activity.
 2. Complaints involving Collin College's institutional policies and procedures.
 3. Complaints of sex discrimination involving pregnant and parenting students, employees, or other individuals who are participating in or attempting to participate in Collin College's education program or activity.
- Also includes all complaints of sex-based harassment that are submitted by an employee complainant against an employee respondent.
- Involves Investigators, Decision-Makers, and Appellate Officers
- When a complaint is submitted regarding institutional policies and procedures, Collin College is not considered a respondent.

Grievance Procedures for Complaints of Sex-Based Harassment Involving Either Student Complainants or Student Respondents

- All complaints of sex-based harassment in which a student is either the complainant or respondent, including:
 1. Employee complainant and student respondent.
 2. Student complainant and employee respondent.
 3. Student complainant and student respondent.
 4. Any other complainant (e.g., community member, contractor, student or employee from another institution) and student respondent.
 5. Student complainant and any other respondent (e.g., community member, contractor, student or employee from another institution).
- Involves Investigators, Decision-Makers, and Appellate Officers

THINGS TO REMEMBER

- All parties have the right to a prompt, fair, impartial, unbiased, and equitable process.
 - As neutral representatives of Collin College, it is our responsibility to ensure that all parties are treated equitably throughout the Title IX Complaint Resolution Process.
- We must avoid prejudging a party or the facts of a case prior to the conclusion of the appropriate Title IX process.
 - The respondent is always presumed to be not responsible for the alleged misconduct until the conclusion of the appropriate Title IX process when a final determination is made.
- Privacy and confidentiality are vital!
- Collin College's Title IX webpage: www.collin.edu/titleix/
- If you have a question or concern, contact the appropriate Title IX coordinator, deputy Title IX coordinator, or designee overseeing the case.

COLLIN COLLEGE'S TITLE IX COORDINATORS

Title IX Coordinator for Students

Terrence Brennan
District Dean of Students
Collin Higher Education Center
3452 Spur 399
Suite 457
McKinney, TX 75069
Phone: 972.881.5734
Email: tbrennan@collin.edu

Title IX Coordinator for Employees

Dr. Jennifer DuPlessis
Chief Employee Success Officer
Collin Higher Education Center
3452 Spur 399
Suite 339
McKinney, TX 75069
Phone: 972.985.3702
Email: jduplessis@collin.edu

Deputy Title IX Coordinator for Students

Amy Throop
Associate Dean Title IX Compliance
Technical Campus
2550 Bending Branch Way
Suite A004/A006
Allen, TX 75013
Phone: 972.599.3126
Email: athroop@collin.edu

Deputy Title IX Coordinator for Employees

Tonya Jacobson
Manager Employee Relations
Collin Higher Education Center
3452 Spur 399
Suite 339
McKinney, TX 75069
Phone: 972.758.3856
Email: tjacobson@collin.edu



PREGNANCY AND PARENTING

WHAT THE FEDERAL AND STATE LAWS SAY

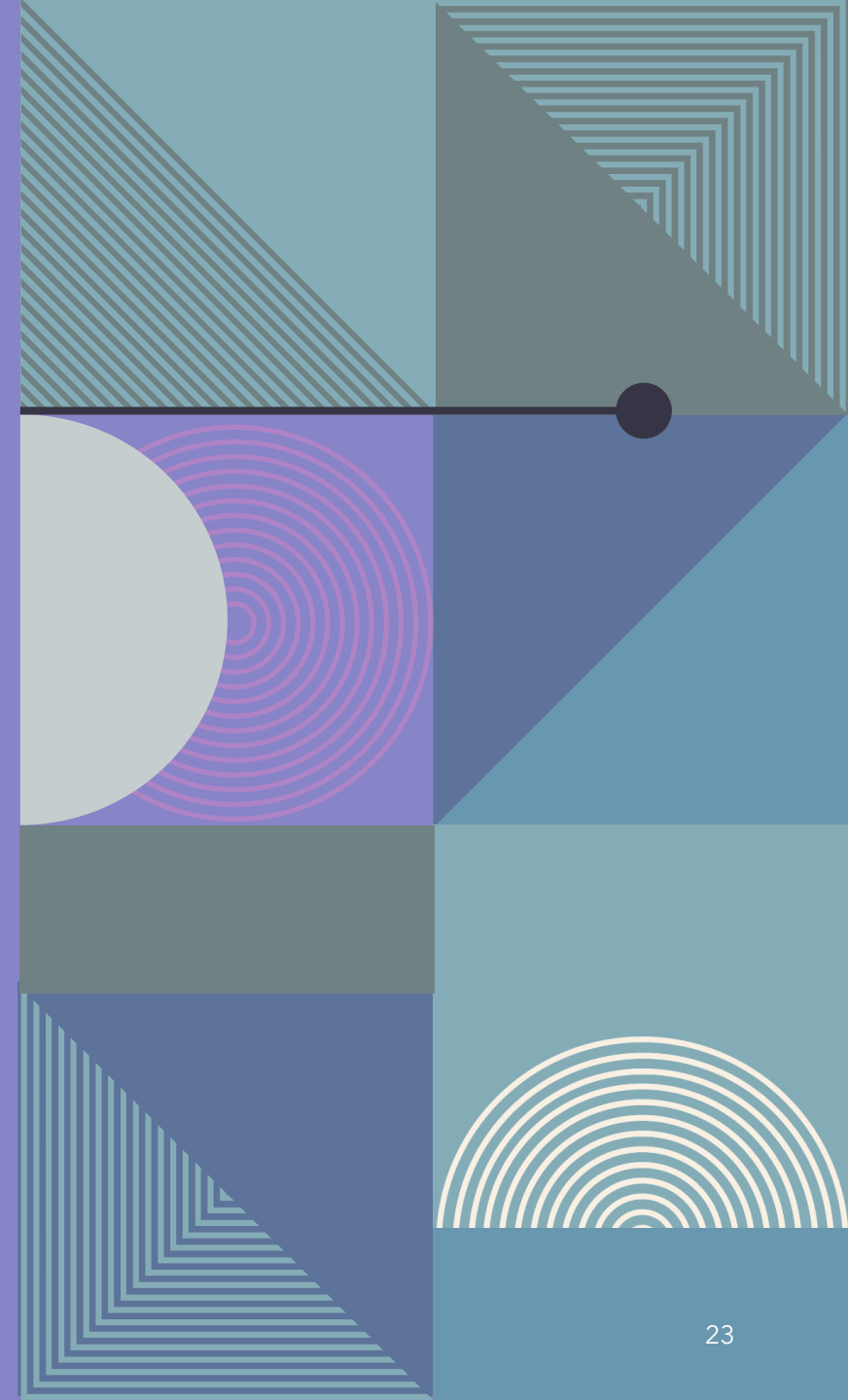
- Title IX and Texas state laws **prohibit** discrimination and harassment against a student based on pregnancy, a pregnancy-related condition(s), and/or parenting status.
- The ***Pregnant and Parenting Students' Rights and Resources*** packet contains more details on students' rights and provides information about resources available on campus and in the community.
- **Neither** state nor federal laws require the parent to be living with their child.
- Pregnant, experiencing a pregnancy-related condition(s), and parenting statuses apply to **both partners**, regardless of sex or gender identity.
- The non-birthing partner is also protected by both state and federal laws.

LACTATION SPACES ON CAMPUS


- Collin College is **required** to provide a lactation space, which must be a private space other than a bathroom.
- Each campus has **at least one (1)** designated lactation space.
- Students can contact the appropriate **Campus Provost's Office** to obtain access.

LEAVE OF ABSENCE

- Students who are **pregnant, experiencing a pregnancy-related condition(s),** and/or **parenting** are eligible to take a leave of absence.
- To request a leave of absence, these students need to submit the **Pregnant and Parenting Students Leave of Absence Request Form.**



LEAVE OF ABSENCE DURATION

	Students Who Are Pregnant and/or Experiencing a Pregnancy-Related Condition(s)	Parenting Students
Title IX	At minimum, the <u>period of time deemed medically necessary</u> by the student's licensed healthcare provider, <u>or</u> As allowed under state laws.	
State Laws	A minimum of <u>one (1) semester.</u>	A minimum of <u>one (1) semester.</u>

SO....

	Pregnant Students	Students Who Are Experiencing a Pregnancy-Related Condition(s)	Parenting Students
Early Registration	✓	✓	✓
Reasonable Modifications	✓	✓	✗
Leave of Absence	✓	✓	✓

COLLIN COLLEGE'S LIAISON OFFICER FOR PREGNANT AND PARENTING STUDENTS

Amy Throop

Associate Dean Title IX Compliance

Deputy Title IX Coordinator for Students

Technical Campus

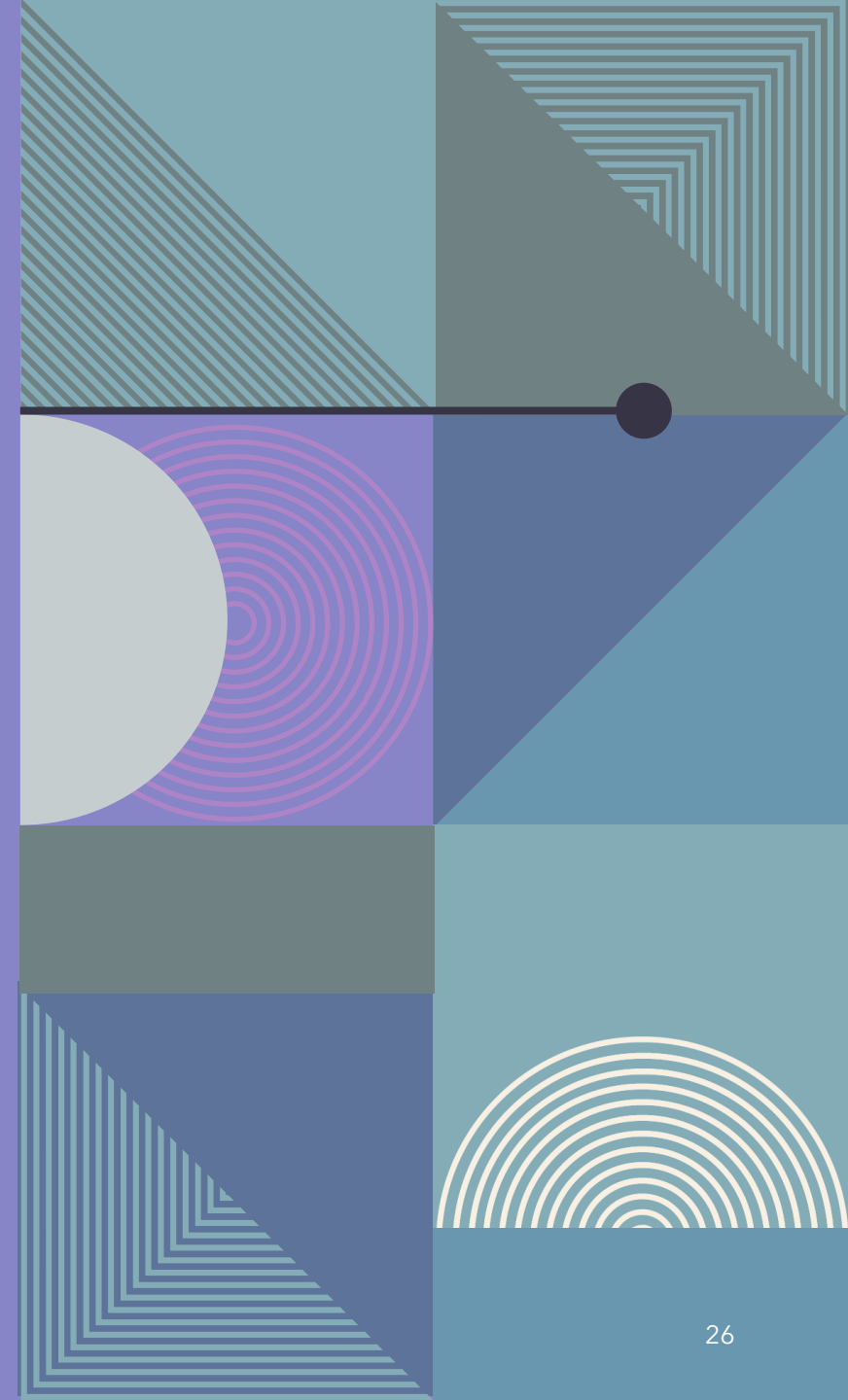
2550 Bending Branch Way

Suite A004/A006

Allen, TX 75013

Phone: **972.599.3126**

Email: **athroop@collin.edu**





QUESTIONS?

Email: titleix@collin.edu

Title IX Website: www.collin.edu/titleix/

Pregnant and Parenting Students Website:
www.collin.edu/titleix/pregnantandparentingstudents.html