

<b>Title:</b>	TITLE IX POLICY
<b>Effective Date:</b>	11/29/2021
<b>Date of Last Revision:</b>	Initial
<b>Review Date:</b>	11/8/2021
<b>Cancellation:</b>	NA
<b>Office:</b>	Student Services

## Title IX Policy

### *Policy*

SLCC is committed to providing a workplace and educational environment as well as other benefits, programs, and activities, that are free from sexual harassment and retaliation.

#### I. INTRODUCTION

SLCC Policy addresses allegations of Title IX Sexual Harassment subject to the Title IX Regulations adopted by the U.S. Department of Education (USDOE), effective August 14, 2020. Conduct that falls outside the scope of the Title IX Regulations (i.e., other power-based violence) may be addressed by applying SLCC's policy and procedures related to Power-Based Violence or appropriate Human Resource policies. SLCC's Title IX Policy and Procedures and its terms supersede any policies pertaining to the investigation or adjudication of "sexual harassment".

#### II. SCOPE

The USDOE's Title IX Regulations apply to both: 1. Conduct on the basis of sex that constitutes "sexual harassment" (§106.30); and 2. Conduct that relates to an institution's "education program or activity" against a person in the United States on or after August 14, 2020.

##### A. SEXUAL HARASSMENT (§106.30)

Sexual harassment is defined as conduct on the basis of sex that satisfies one or more of the following criteria: 1. An employee of the institution conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct; 2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity; and/or LCTCS Policy # 9.002 Page 1 of 14 3. "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

##### B. EDUCATION PROGRAM OR ACTIVITY

An education program or activity includes locations, events, or circumstances in which an institution exercises substantial control over both the Respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by an institution. The Title IX Regulations exclude any education program or activity that does not occur in the United States. (§106.44(a).)

Conduct that does not satisfy the USDOE's jurisdictional requirement, such as off-campus behavior alleged to have an on-campus effect, may be addressed under alternative procedures such as the overarching SLCC's policy addressing Power-Based Violence or appropriate Human Resource policy.

C. III. EQUITABLE TREATMENT

As required by the Title IX Regulations, institutions are to treat Complainants and Respondents equitably by: (1) offering Supportive Measures to a Complainant, and (2) following a grievance process that complies with the procedural requirements of the Title IX Regulations before the imposition of any disciplinary sanctions against a Respondent. (§ 106.44(a); § 106.45(b)(1)(i).) Supportive Measures also may be offered as needed to Respondents and other individuals who belong to an institution's community and who may be affected by sexual harassment.

An individual's status as a Respondent shall not be considered a negative factor during any due process procedure. Respondents are entitled to, and will receive the benefit of, a presumption that they are not responsible for the alleged conduct unless and until the process concludes and a determination regarding responsibility is issued. Similarly, a person's status as a Complainant, Respondent, or witness will not determine whether that person is deemed credible. (§ 106.45(b)(1)(ii-iv).)

Remedies are to be provided to a Complainant only if the grievance process described in SLCC procedure results in a determination that the Respondent is responsible for sexual harassment. Remedies are designed to restore or preserve equal access to an institution's education program or activity and may include the same individualized services as Supportive Measures. Remedies may be disciplinary and punitive and may burden a Respondent. (§106.45(b)(1)(i).)

Title IX Coordinators, investigators, decision makers, and any person who facilitates an informal resolution process (collectively, Title IX Administrators) will not have a conflict of interest or bias in favor of or against any party or participant in sexual misconduct (i.e., Complainants, Respondents, or Witnesses).

**Attachments**

NA

**Reference:**

NA

**Policy Reference:**

LCTCS Policy 9.002 Title IX Grievance Procedures

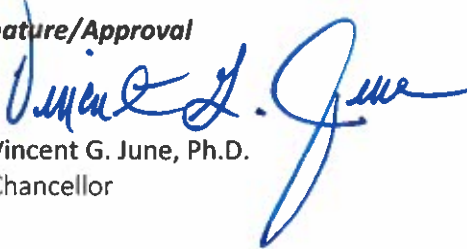
[Microsoft Word - H.2.Policy 9.002 LCTCS TITLE IX GRIEVANCE PROCEDURES.docx \(campussuite-storage.s3.amazonaws.com\)](#)

**Review Process:**

	Reviewing Committee/Entity	Review Date(s)	Approval Date	Effective Date
	Committee for Institutional Policy Review			
	Executive Committee	11/08/2021	11/29/2021	11/29/2021

**Chancellor's Signature/Approval**

SIGNATURE:



Vincent G. June, Ph.D.  
Chancellor

DATE:

12/2/21

**Final Distribution:**

**Distribution:** Electronic: posted to College's website and sent via email to College personnel  
Hard copy: Original to Executive Assistant to the Chancellor for Master Policy Binder,  
copy to Chair of Committee of Institutional Policy Review

POLICY NUMBER: SLCC-SS-218

**POLICY AND PROCEDURES MEMORANDUM**