

NEW TITLE IX REGULATIONS

HINDS COMMUNITY COLLEGE
TITLE IX TEAM TRAINING

HINDS COMMUNITY COLLEGE

Title IX Coordinator

Tiffany Moore

Dean of Student Services

Jackson Campus

Phone: 601.987.8160

Email:

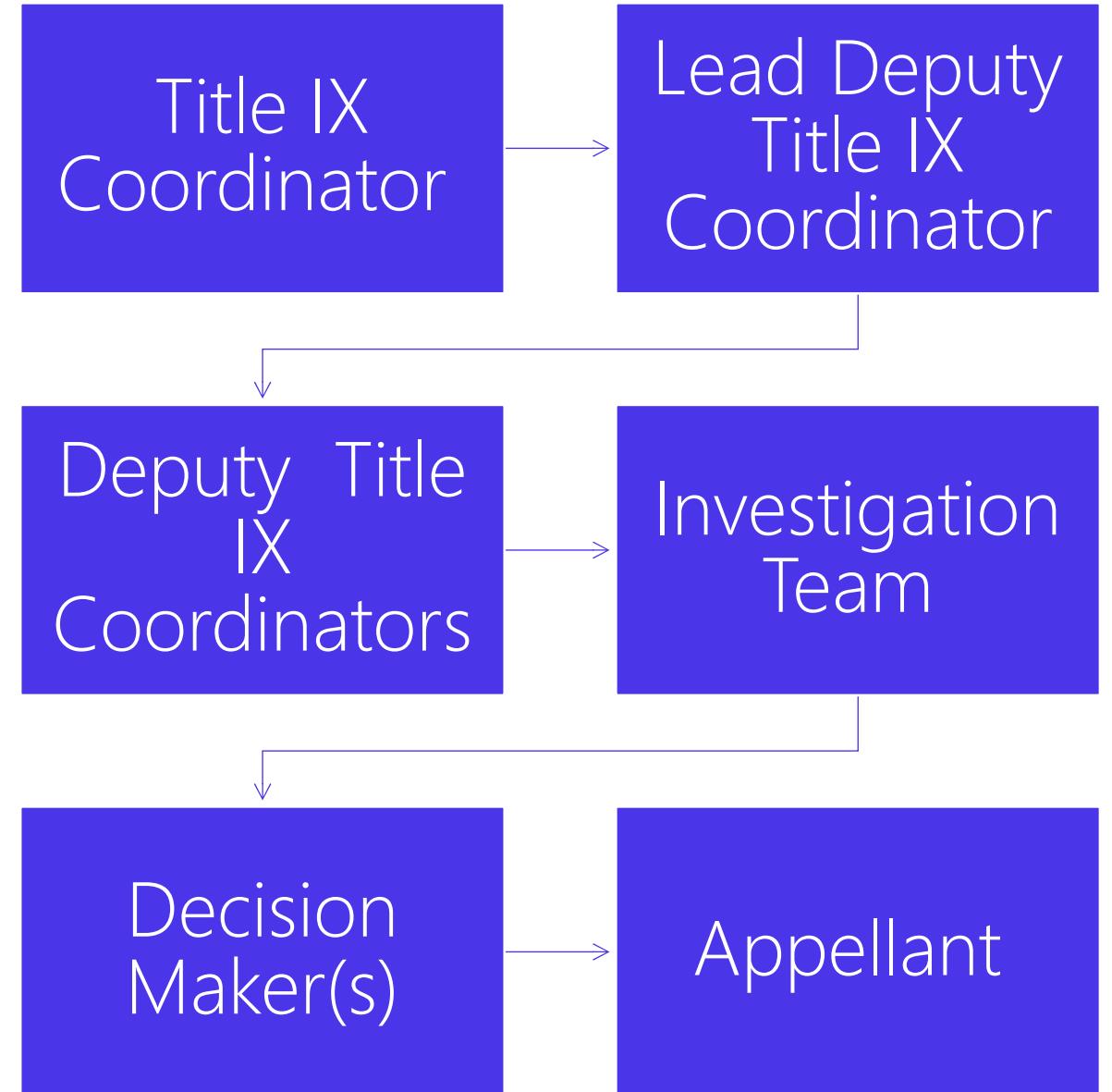
TiffanyMoore2@hindscc.edu

Or

TitleIX@hindscc.edu



TITLE IX TEAM



CONFLICT OF INTEREST

The College will ensure that the Title IX Coordinator, Lead Deputy Title IX Coordinator, Deputy Title IX Coordinator(s), Investigator(s), Decision-maker(s), Mediator(s) or Appellant(s) does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.



TITLE IX REGULATIONS

Terminology

Jurisdictional

Grievance Procedures

Supportive Measures

Formal Investigation

Hearing Procedures

Notice to Parties

Notice to Community

Adjustment Time!



“WHAT IS TITLE IX”

Title IX is a federal law prohibiting sex discrimination in education. It is one of the shortest law on the books, with operative provision stating: “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.”

**Regulations – 34 C.F.R. Part 106 on
Athletic, employment, admissions,
housing, etc.**

**The Clergy Act & Regulations – 20 U.S.C.
1092(f): 34 C.F.R. 668.46**

"SEXUAL HARASSMENT"

Defined by the U.S. Department of Education Office for Civil Rights in the 2020 regulations, sexual harassment replaces sexual misconduct. Sexual harassment includes any of three types of misconduct on the basis of sex, all of which jeopardize the equal access to education that Title IX is designed to protect:

"SEXUAL HARASSMENT"

1. Any instance of *quid pro quo* harassment by a College employee;
2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access;
3. Any instance of sexual assault, dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA)



WHO TITLE IX COVERS

Students – part-time, full-time, online, or international

Faculty and Staff – professors, administrators, coaches, advisors

Applicants – for both admission and employment

Student Workers – resident advisors and work-study employees

Visitors & Participants – anyone involved in college programs or activities
(e.g., summer camps, campus events, athletics)

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"TERMINOLOGY"

TERMINOLOGY

Formal



Title IX



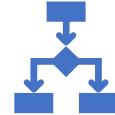
Reporting
Party



Responding
Party



Report



Resolution

New

1. ***Recipient***
2. ***Complainant***
3. ***Respondent***
4. ***Complaint***
5. ***Grievance Process***

TERMINOLOGY

Complainant- An individual who is alleged to be the victim of conduct that could constitute sexual harassment.



Respondent- An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.



Recipient – The Title IX official who receive the formal complaint.



Formal Complaint – A document filed by a complainant or signed by the Title IX Coordinator, alleging sexual harassment against a respondent and requesting that the recipient investigate the allegation of sexual harassment.

TERMINOLOGY

Advisor- Is a person selected by the complainant or respondent to advise them during the grievance process along with the live hearing.

Fact Witness -A person (s) who witness alleged violation(s) and can provide facts.

"ACTUAL KNOWLEDGE"

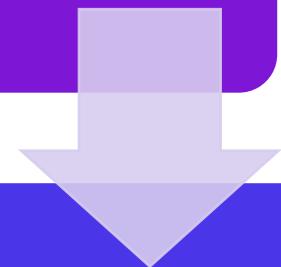
"Notice" of sexual harassment or allegations of sexual harassment to a recipient (Title IX Coordinator) or any official of recipient who has authority to institute corrective measures on behalf of the recipient.

"Notice" includes, but not limited to, a report of sexual harassment to the Title IX Coordinator.

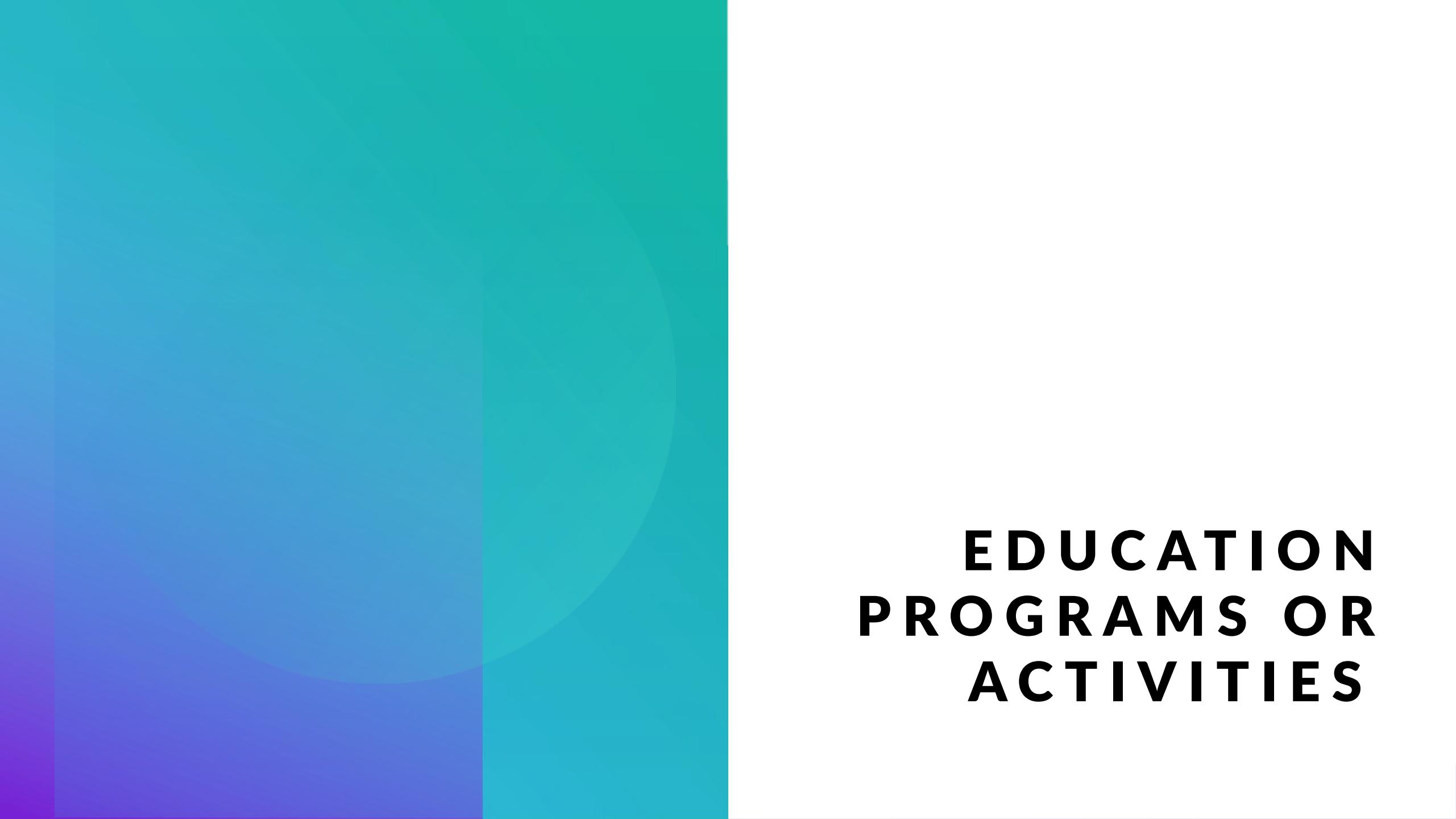
"Notice" would also include observation of sexual harassing conduct.

"BURDEN OF PROOF"

The burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the recipient and not on the complainant or respondent.



The College is responsible for providing burden of proof.



EDUCATION PROGRAMS OR ACTIVITIES

Sexual Harassment & Assault
Includes sexual harassment, sexual assault, dating/domestic violence, and stalking.

Sex-Based Discrimination
Protects against discrimination based on gender, gender identity, or sexual orientation in academics, admissions, or employment.

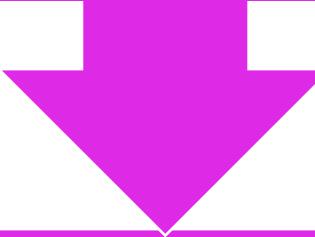
Pregnancy & Parenting Rights
Ensures pregnant and parenting students and employees are not discriminated against or denied accommodations.

Athletics Equity
Requires equal opportunities, funding, and facilities for men's and women's sports.

Retaliation Protection
Prohibits retaliation against anyone who reports or participates in a Title IX investigation or hearing.

TITLE IX COVERS?

The College must respond when sexual harassment occurs in the College's education programs or activities, against a person in the United States.



Education programs or activities include locations, events, or circumstances over which the College exercised substantial control over both the respondent and the context in which the sexual harassment occurred, and includes any building owned or controlled by a student organization that is officially recognized by the College.



SEXUAL HARASSMENT

A person in authority conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct.

Unwelcome conduct determined by a reasonable person to be severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.

SEXUAL ASSAULT

Is any attempted or actual sexual act directed against another person without consent of the victim, including instances where the victim is incapable of giving consent.

SEXUAL ASSAULT

- **Rape is the penetration, no matter how slight, of the vagina or anus, with any-body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.**
- **Fondling is the touching of the private parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.**

SEXUAL ASSAULT

Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is sexual intercourse with a person who is under the statuary age of consent.



CONSENT

Is a voluntary (freely given) informed agreement through mutually understandable words or actions indicating a willingness to engage in sexual activity.

- **Consent cannot be given by someone who is incapacitated.**
- **Past consent does not imply current or future consent.**
- **Silence or absence of resistance does not imply consent.**
- **Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another person.**
- **Consent can be withdrawn at any time.**
- **Coercion, force, or threat of either invalidates consent.**

INCAPACITATION

Is when a physically helpless person is considered to be one who is asleep, unconscious or for any other reason unable to communicate unwillingness to engage in any act. A mentally incapacitated person may be one who is under the influence of alcohol or a drug or who is mentally incapable of understanding the implications and consequences of any act.



DATING VIOLENCE

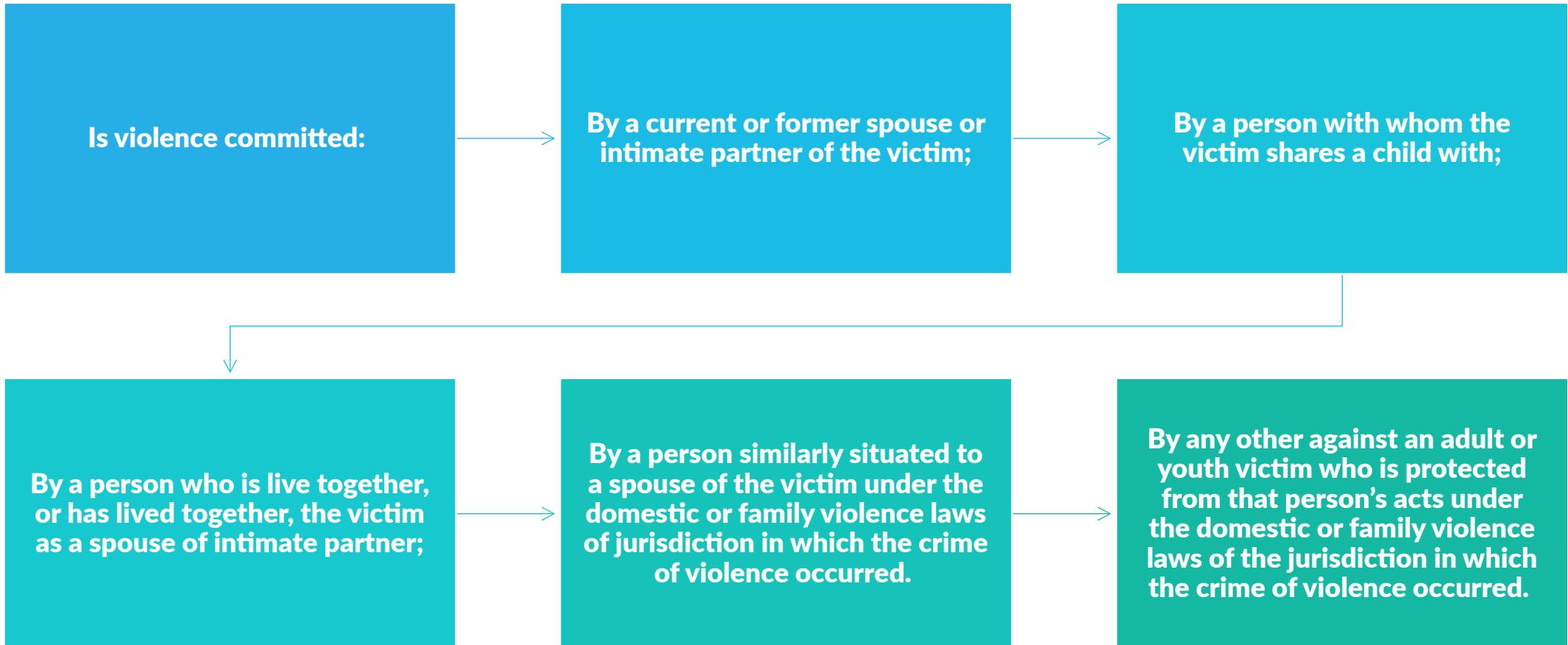
Is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the complainant statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

For the purpose of this definition:

Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Dating violence does not include acts covered under the definition of domestic violence.

DOMESTIC VIOLENCE



Somebody watching me !



STALKING

Is engaging in a course of conduct directed at a specific person that cause a reasonable person to:

- **Fear for the person' safety or the safety of others; or**
- **Suffer substantial emotional distress. For the purpose of this definition:**
- **Course of conduct means two or more acts, including, but limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, interferes with a person's property.**
- **Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.**
- **Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.**

SEX-BASED DISCRIMINATION

UNFAIR TREATMENT BASED ON SEX, GENDER IDENTITY,
SEXUAL ORIENTATION, OR PREGNANCY/PARENTING
STATUS.

RETALIATION

“WHAT
CONSTITUTES
RETALIATION”

Any adverse action taken against someone for:

- reporting,
- participating in an investigation or hearing, or
- supporting a Title IX complaint or investigation.

Examples:

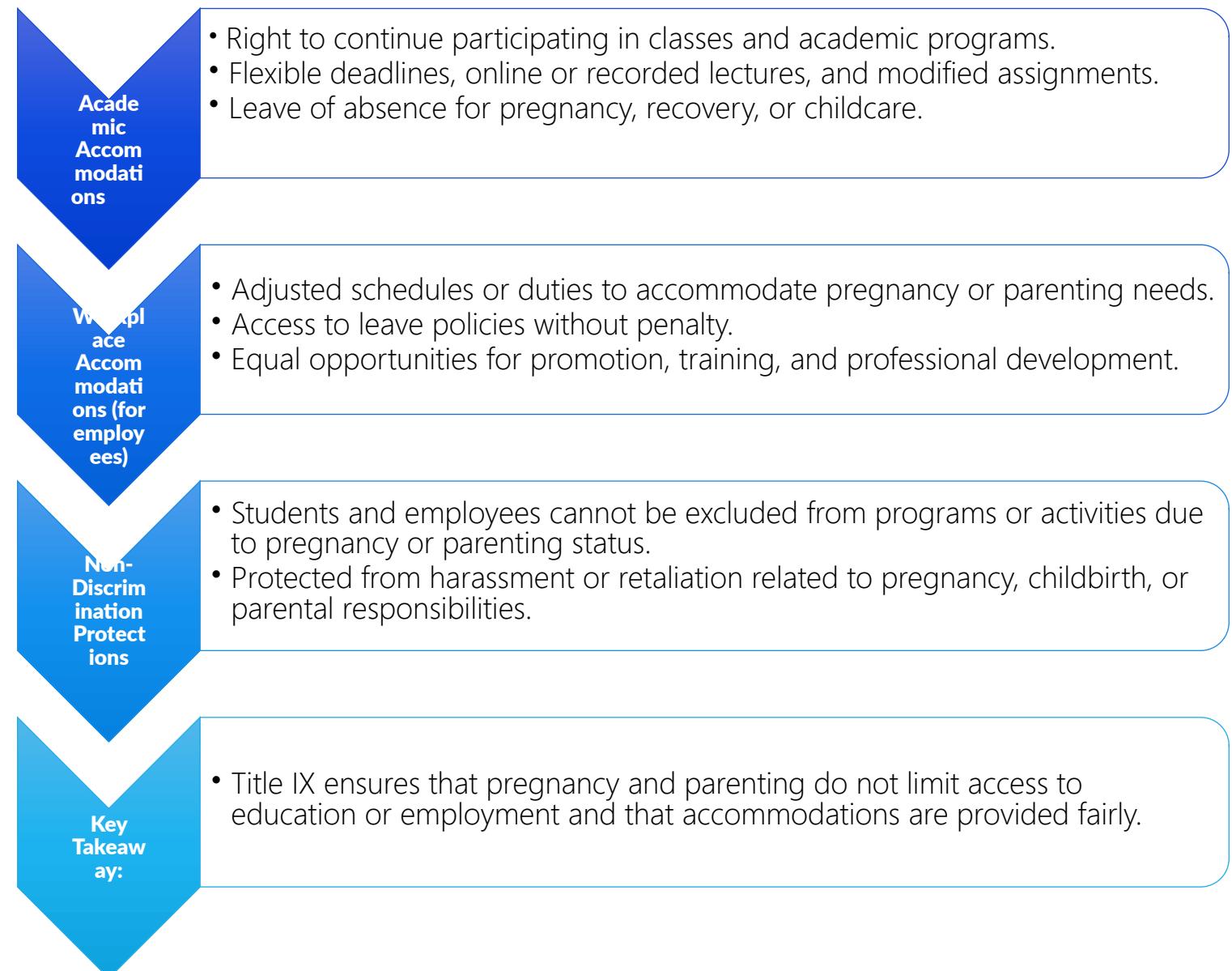
- Threats, intimidation, or bullying
- Negative academic or employment consequences
- Social exclusion or harassment

Protecting Privacy or Involved Parties

- Limit sharing information to those who need to know to respond appropriately
- Do not promise complete confidentiality unless you are a designated confidential resource (counseling, health services, community resources)
- Respect privacy while ensuring compliance with Title IX obligations

Retaliation is strictly prohibited, and privacy protections help maintain a safe, fair, and respectful process for everyone involved.

PREGNANCY & PARENTING RIGHTS



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"REPORTING"

NOTIFICATIONS

- **Community Notification**- to notify applicants for admission and employment who the recipient (Title IX Coordinator) is and contact information.
- **Non-Discrimination Statement**
- **Websites and Publications**

REQUIREMENTS OF EMPLOYEES

Hinds Employees (Administration, Faculty and Staff) are mandatory reporters .

Hinds employees are required to immediately report incidents of sex discrimination, including sexual harassment to the campus Deputy Title IX Coordinator(s), Title IX Coordinator or Campus Police.

Hinds employees must convey to students that they are required to report any actual knowledge of this nature.

Hinds employees are not to investigate any actual knowledge, witnessed or reported of sex discrimination, including sexual harassment.

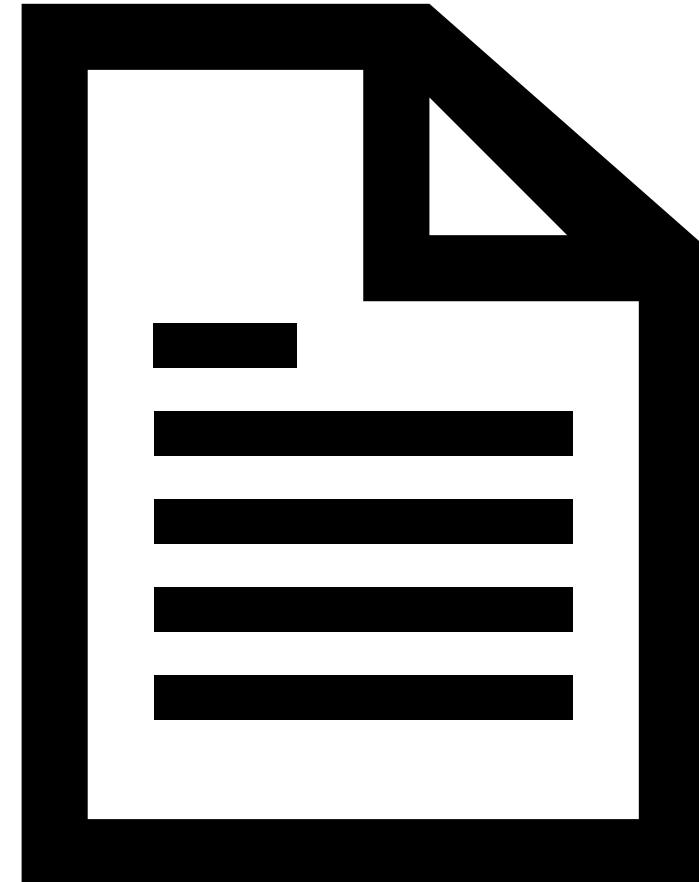
EMPLOYEE ROLES & RESPONSIBILITIES

ALL EMPLOYEES PLAY A VITAL ROLE IN MAINTAINING A SAFE, RESPECTFUL, AND COMPLIANT CAMPUS ENVIRONMENT.



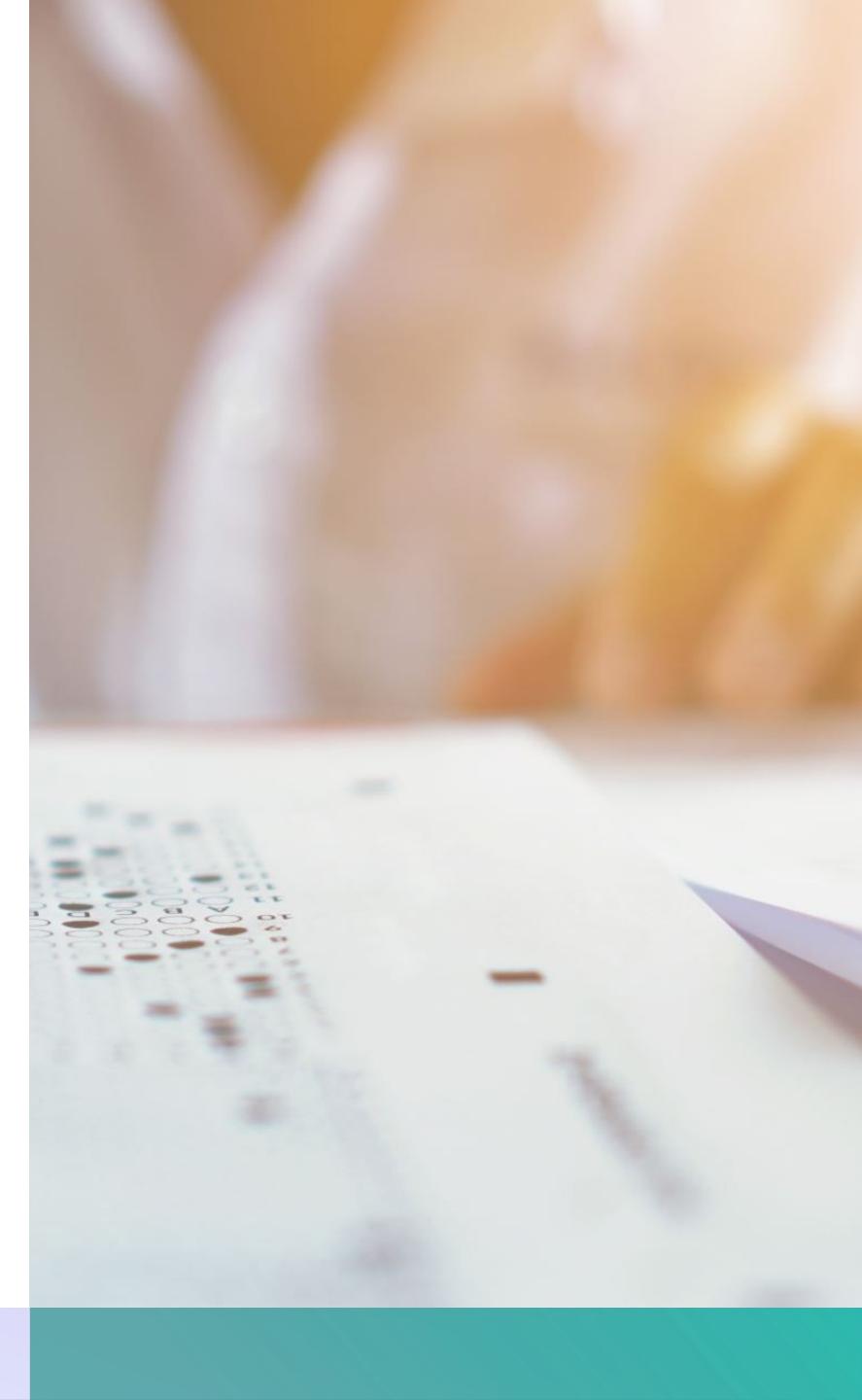
REPORTING

- A student or employee who believes they have been a victim of sex discrimination, including sexual harassment is encouraged to contact the campus Deputy Title IX Coordinator or Title IX Coordinator at **601.987.8160/601.376.4802** or TitleIX@hindsc.edu, the Campus Police/Security department on their local campus
- Any person may report sex discrimination, including sexual harassment, even if they are not the alleged victim of conduct that could constitute sex discrimination or sexual harassment. Reports can be made any time of day by emailing TitleIX@hindsc.edu
-



KEY FACTS

- **There is no time limit or statute of limitations on a complainant's decision to file a formal complaint.**
- **At the time of filing a formal complaint complainant must be participating in or attempting to participate in the education program or activities of the College with which the formal complaint is filed.**



KEY FACTS



COMPLAINANTS AND RESPONDENTS MUST BE INFORMED IN WRITING OF ALL MEETINGS OF ANY KIND RELATED TO THE INVESTIGATION. MUST ALLOW SUFFICIENT TIME FOR THE THEM TO PREPARE.



COMPLAINANTS AND RESPONDENTS MUST BE INFORMED IN WRITING THE DATE, TIME, LOCATION AND PURPOSE OF THE MEETING.



COMPLAINANTS AND RESPONDENTS MUST BE INFORMED IN WRITING OF THEIR RIGHT TO BE ACCCOMPANIED TO ALL MEETINGS BY AN ADVISOR OF THEIR CHOICE.



TITLE IX MUST PROHIBIT RETALIATION.



TITLE IX OR THE COLLEGE CANNOT IMPOSE "GAG ORDERS".

RESPONSE TO SEXUAL HARASSMENT

The College must respond promptly to Title IX sexual harassment in a manner that is not deliberately indifferent, which means in a way that clearly unreasonable in light of the known circumstances.

MANDATORY RESPONSE

Consider	When actual knowledge of sexual harassment is reported promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures.
Offer and inform	Offer and inform the complainant of the availability of supportive measures with or without the filing of a formal complaint and explain to the complainant the process for filing a formal complaint.
Follow	Follow the College's grievance process.
Do not restrict	Do not restrict rights protected under the U.S. Constitution, including the First Amendment, Fifth Amendment, and Fourteenth Amendment, as a way of responding in a non-deliberately indifferent manner.

The background features a series of large, fluid, organic shapes that resemble waves or clouds. These shapes are rendered in a gradient of colors, transitioning from a bright cyan at the top left to various shades of green, blue, and red towards the bottom right. The shapes overlap and flow into each other, creating a sense of motion and depth. The overall aesthetic is modern and minimalist, with a focus on color and form.

"SUPPORTIVE MEASURES"

SUPPORTIVE MEASURES

Help ensure safety, access, and well-being for individuals involved in a Title IX report, without punishing anyone before a resolution.

Are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, without fee or charge, to the complainant or respondent, before or after the filing of a formal complaint or where no formal complaint had been filed.

Such measures are designed to restore or preserve access to the College's education program or activities, without unreasonably burdening the other party; protect the safety and the Colleges educational environment and deter sexual harassment.

SUPPORTIVE MEASURES

The Title IX Coordinator or Lead Deputy Title IX Coordinator will work in coordination with other necessary college administrators and college officials to take immediate supportive actions. To enable students or employees with complaints and witnesses to continue their studies or duties of employment, and to ensure the integrity of an investigation.

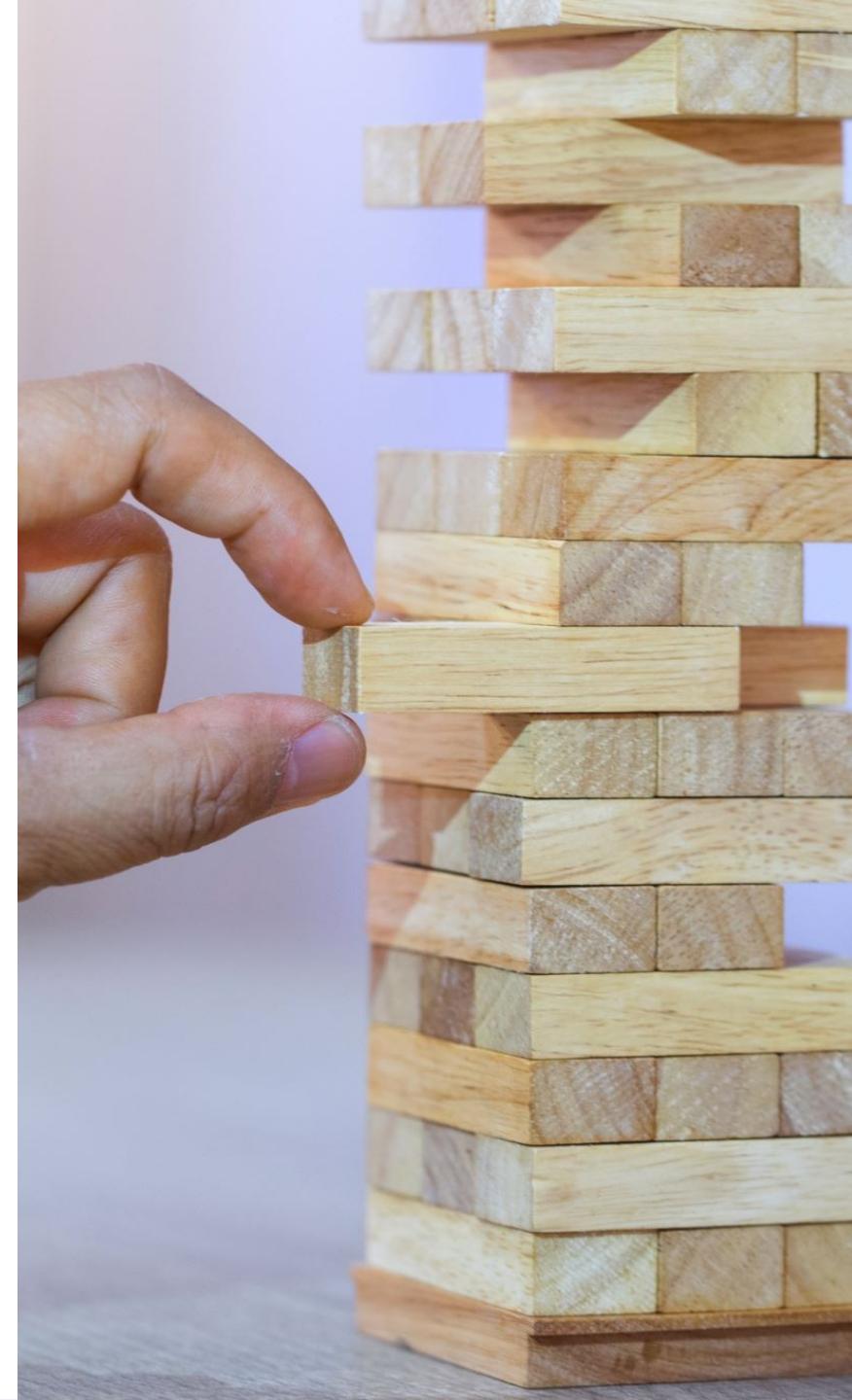
Need-to-Know Basis



FOR STUDENTS

These actions may include, but not limited, to the following:

- **Referral to Counseling & Mental Health Services;**
- **Modifying housing, classes or work schedules as necessary;**
- **Addressing other academic or workplace concerns**
(e.g., assignments, grades, and withdrawal) without penalty;
- **No-contact notices to all parties involved;**
- **Provide resources involving law enforcement to assist in maintaining order or safety; and**
- **Any other appropriate actions warranted by the circumstances.**



STUDENT RESPONDENT INTERIM - SUSPENSION

The Title IX Coordinator has the responsibility to recommend to the Dean of Students that a respondent be removed from the College if it is considered an immediate threat to the physical health or safety of others.

Violations of these protective actions will be considered as related offenses, which may lead to additional student conduct action(s) and possible arrest.

EMPLOYEE SUPPORTIVE MEASURES: HUMAN RESOURCES (HR) & EMPLOYEE ASSISTANCE PROGRAMS (EAPS)



Leave of Absence



**Adjustment to
work
schedule/location**



Counseling



No Contact Orders



**Specific Area
Trespass Notices**



Provide resources

EMPLOYEE ADMINISTRATIVE LEAVE

Title IX & Sexual Harassment applies to employees of Hinds Community College.



The Title IX Coordinator has the responsibility to recommend to the Human Resource Department/appropriate vice-president, that an employee be placed on administrative leave, during the pendency of a grievance process.



This determination should be made when an employee is the respondent of an allegation of sex discrimination, including sexual harassment and their presence creates a hostile or unsafe environment.

TITLE IX GOVERNS EMPLOYEES CONDUCT

When a complaint involves an employee, the recipient (Title IX) will oversee that the process is fair and due process is taken. Employees will follow a standard grievance process outlined in this policy. Title IX will make referral to appropriate college official, based on the findings from the investigation.



EMPLOYEE SANCTIONS

If found responsible during a Decision-Maker investigation or hearing an employee sanctions could include:

Performance improvement plans

Mandatory Counseling

Loss of supervisory authority

Demotion

Leave/suspension with or without pay

Termination

HINDS PROCEDURES



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"GRIEVANCE PROCEDURES"

The formal complaint process begins when the recipient (Title IX Coordinator/Lead Deputy Title IX Coordinator or Deputy Title IX Coordinator) receives a formal complaint form or submitted written document of an alleged sexual harassment.



At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the College where the formal complaint is filed.



The recipient will promptly contact the complainant to discuss the complaint and provide supportive measures.



The recipient will explain the grievance procedures and investigation process for filing a formal complaint and provide a copy of the Title IX/Sexual Harassment Policy Booklet.

FORMAL COMPLAINT

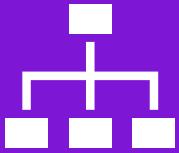
GRIEVANCE

The recipient will contact the respondent in writing to schedule a meeting, to discuss the allegation of sexual harassment, within 48-hours if applicable. The respondent will be given time to provide a response on their behalf.

The recipient will provide supportive measures to the respondent.

The recipient will explain the grievance procedures and provide a copy of the Title IX/Sexual Harassment Policy Booklet.

GRIEVANCE CONTINUE...



The Title IX Coordinator or Lead Deputy Title IX Coordinator will review all content.



Under the Formal Complaint module, the Title IX Coordinator/Lead Deputy Title IX Coordinator will refer all content to the Investigation Team. The complainant and respondent will receive a letter via Hinds email notifying them that an investigation process has begun.

INFORMAL RESOLUTION

Based on the nature of the complaint an informal resolution processes may be requested by either party but must be agreed upon by both parties prior to an investigation. Both parties have the right to withdraw from the informal process at any time before the mediation. The Title IX Coordinator/Lead Deputy Coordinator will then resume the grievance process with respect to the formal complaint.



DISMISSAL OF COMPLAINT

1

- The Title IX Coordinator must dismiss allegations of conduct that do not meet the definition of sexual harassment or did not occur in a College's education programs or activity against a person in the United States.**
- Such dismissal is only for Title IX purposes and does not prevent the College from addressing the conduct in any manner the College deems appropriate.**

DISMISSAL COMPLAINT # 2

- The Title IX Coordinator in their discretion, may dismiss a formal complaint or allegations therein if the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the formal complaint or allegations therein.**
- If the respondent is no longer enrolled or employed by the College, or**
- If specific circumstances prevent the College from gathering sufficient evidence to reach a determination.**

DISMISSAL OF COMPLAINT

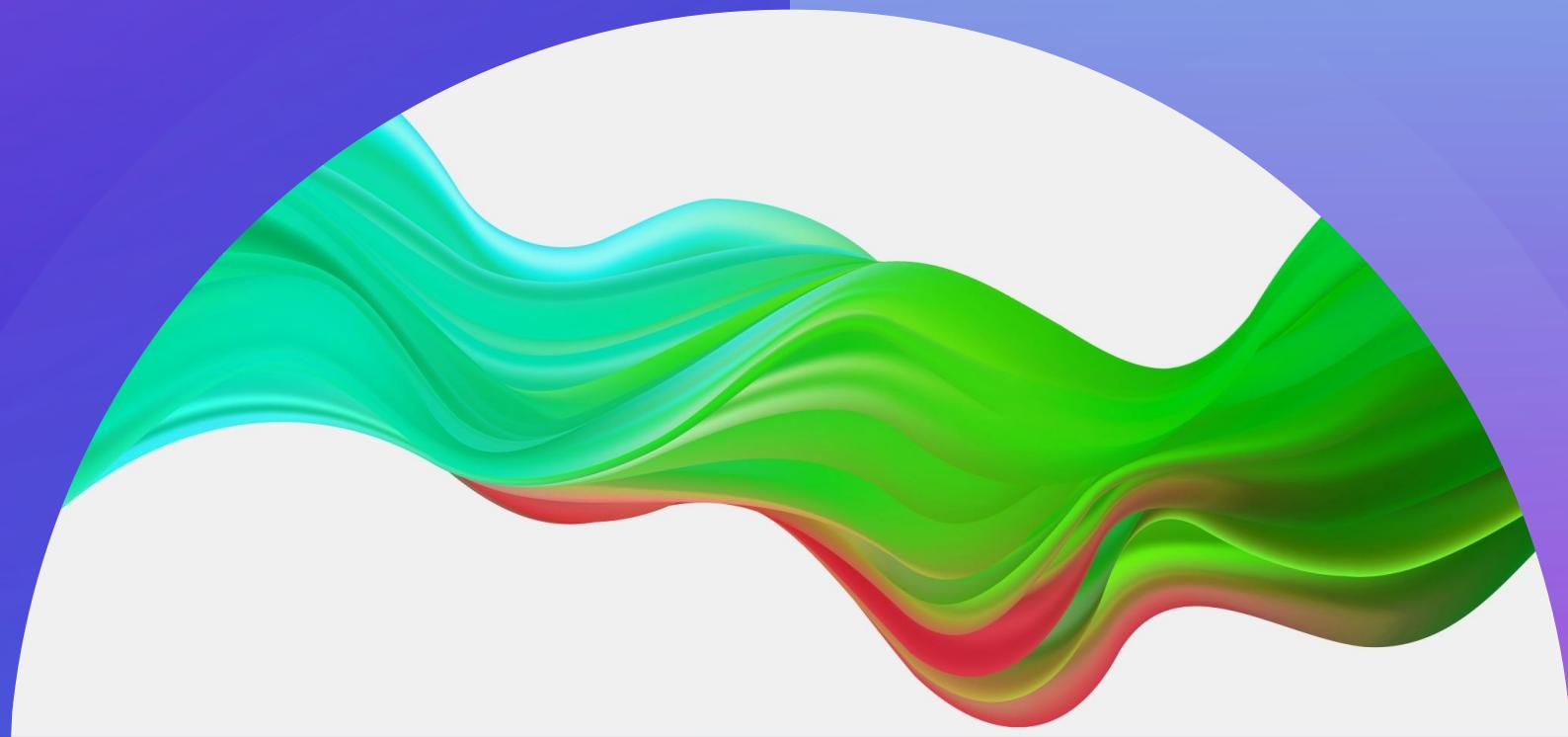


**THE TITLE IX COORDINATOR MUST GIVE THE
COMPLAINANT AND THE RESPONDENT
WRITTEN NOTICE OF A DISMISSAL AND THE
REASONS FOR THE DISMISSAL.**



DISMISSAL IS APPEALABLE.

"INVESTIGATION"



INVESTIGATION

The complainant and the respondent will be scheduled separate times to meet with the investigation team to discuss their statements.

The complainant and the respondent will be allowed to have their advisor present during the investigation meeting.

The complainant and the respondent have an equal opportunity to present fact witness(es), and other inculpatory and exculpatory evidence.



Prior to the completion of the investigative report, the investigation team will send a copy to the complainant and the respondent and their advisors, if any, all evidence obtained that is directly related to the complaint to review.

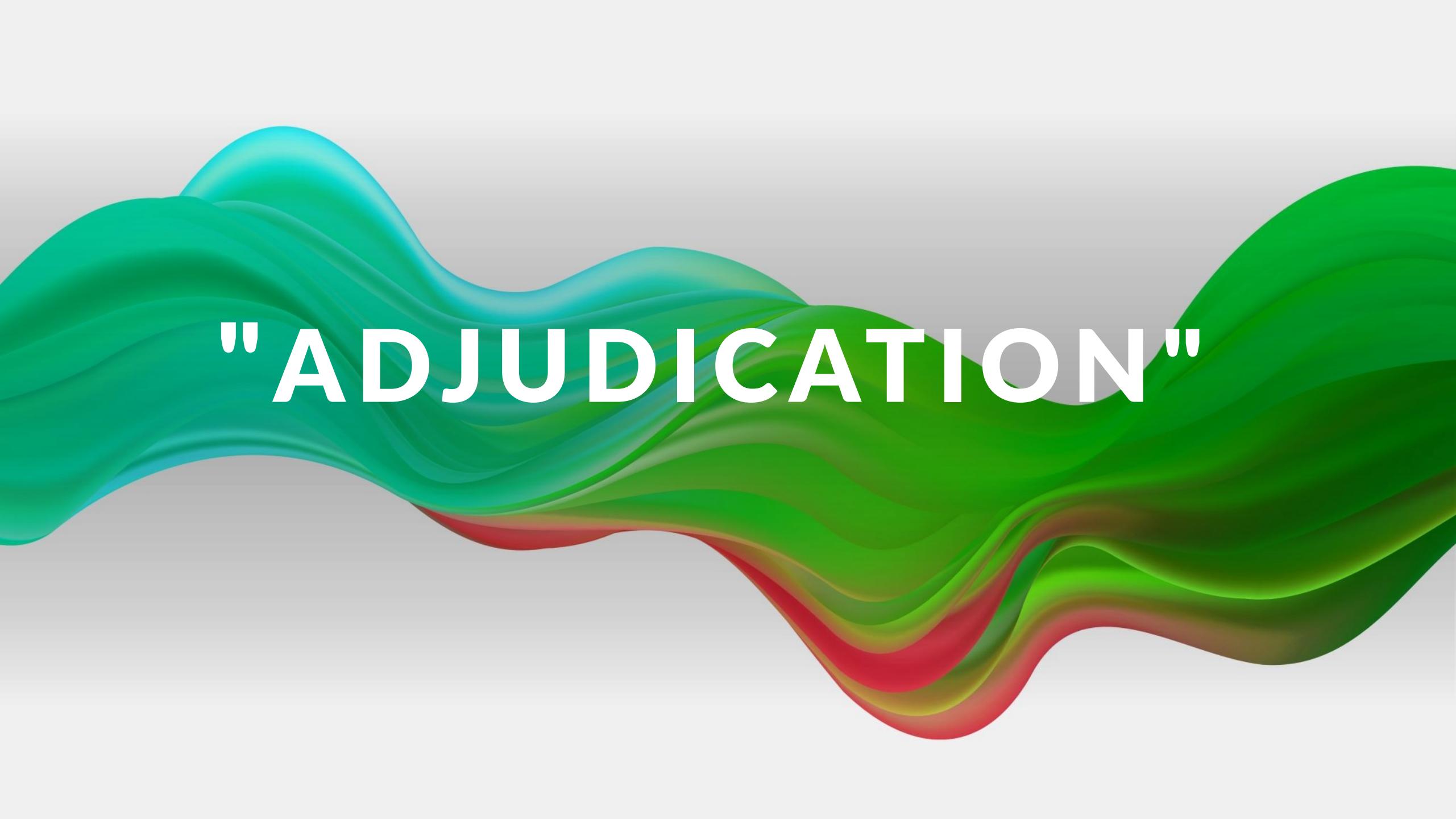


The complainant and the respondent has 10-days to submit a meaningful written response, which the investigator will consider prior to completion of the investigative report.



The Investigation Team will provide an investigation report to the Title IX Coordinator/Lead Deputy Title IX Coordinator to appropriately summarize the investigation and all relevant evidence obtained.

The Title IX Coordinator/Lead Deputy Title IX Coordinator will review the investigation report and make a determination.

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"ADJUDICATION"

Both parties will receive a 10-day written notice of the hearing, to their Hinds email.

Both parties are required to have one advisor of choice, the name and contact information of that advisor must be submitted 5-days before the hearing.

Both parties are allowed to review all material prior to the hearing.

Both parties are allowed to have fact witness(es) at the hearing, the fact witness(es) should have already been interviewed in the investigation process and statements recorded and reviewed by both parties.

The Live Hearing will include audio or audiovisual recording, or transcripts of the hearing.

The Live Hearing are conducted by a trained Decision Marker(s).

In the Live Hearing, the advisor will conduct the cross-examination. The advisor is permitted to ask the other party and any witnesses all relevant questions and follow-up questions.

- The cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.
- The Decision Marker(s) will use "Rape Shield Protection" deeming irrelevant questions and evidence about a complainant's prior sexual behavior unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove consent.
- In the Live Hearing, if the party or witness does not submit to cross-examination, the decision-maker(s) must not rely on any statements of that party or witness in reaching a determination regarding responsibility based solely on a party's or witness's absence, from the live hearing or refusal to answer cross-examination or other questions.

At the request of either party, the recipient must provide for the entire live hearing (including cross-examination) to occur with the parties located in separate rooms with technology enabling the parties to see and hear each other. The request must be made 48-hours prior to the hearing.

Live Hearings may be conducted with all parties physically present in the same geographic location or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually.

The Decision-Makers will make their determination on preponderance of the evidence standard.

- **The final decision of the hearing will be sent via email or given to both parties within 2-business days after the hearing.**
- **All information is confidential, and any disclosure to persons other than the parties deemed necessary shall be handled in accordance with all applicable Federal and state laws, including FERPA.**

SANCTIONS

**Student
Conduct
Probation**

**Modified
Suspension**

Suspension

Expulsion

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"APPEAL"

TITLE IX APPEAL

After a final decision or dismissal of a formal complaint is made both parties have a right to an appeal within (5) business days. The Appeal process is a written submission to the Title IX Appellant, located in Denton Hall-office 209, on the Raymond Campus, any additional questions contact 601-857-3232. The appeal must include the appeal form, the appropriate box marked under grounds for appeal and include all supportive documentation when submitted.

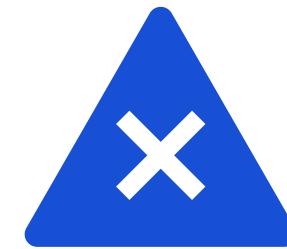
GROUND S FOR AN APPEAL



Procedural irregularity that affected the outcome of the matter



New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter.



Conflict of interest or bias on the part of the Title IX Coordinator, decision maker, or investigator.

PROCEDURE



WHEN AN APPEAL IS SUBMITTED, THE APPELLANT/APPEAL COMMITTEE WILL RESPOND WITHIN 10 BUSINESS DAYS, BY HINDS EMAIL.



THE OTHER PARTY WILL RECEIVE WRITTEN NOTIFICATION VIA THEIR HINDS EMAIL OF THE APPEAL REQUEST AND THE FINAL DECISION.

PREVENTION & CAMPUS CULTURE

Building a Respectful Campus Environment

- Encourage mutual respect, empathy, and professionalism
- Promote zero tolerance for harassment, discrimination, or bullying
- Foster open communication and reporting without fear

Bystander Intervention & De-Escalation Techniques

- Recognize potential risks or harmful situations
- Safely intervene or seek help when witnessing misconduct
- Techniques: distraction, delegation, direct approach, or delay until safe

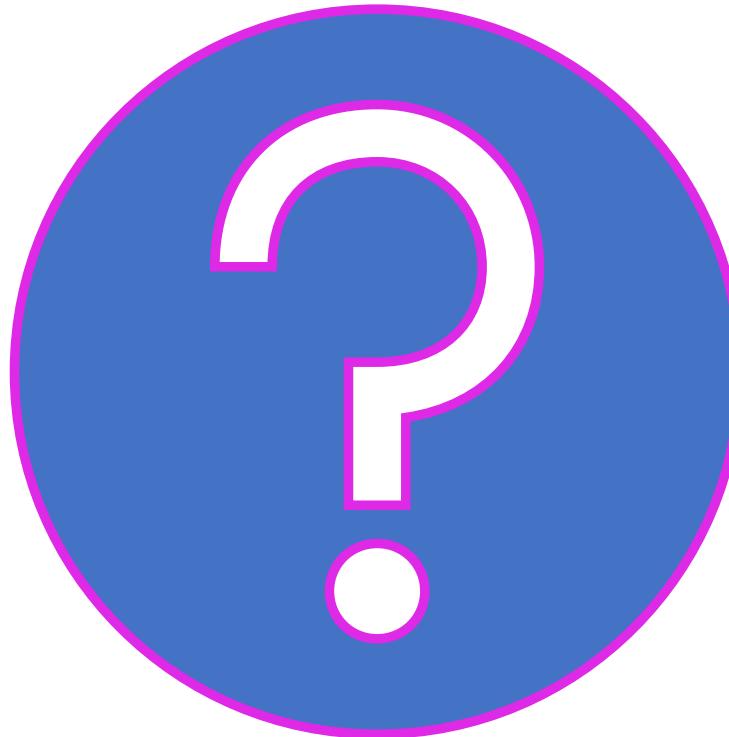
Promoting Inclusion & Awareness

- Support diverse identities, backgrounds, and perspectives
- Educate the campus community about Title IX protections
- Participates in workshops, campaigns, and awareness programs

Key Takeaway:

Prevention is a community responsibility – every member contributes to a safe, inclusive, and respectful campus culture.





QUESTIONS