**New Title IX Regulations**

In May, the U.S. Department of Education released a Final Rule, which changes how colleges and universities that receive federal funds must handle allegations of sexual assault and sexual harassment under Title IX of the Education Amendments of 1972. The Rule takes effect on August 14, 2020. At Hillsborough Community College (HCC), we are moving forward to ensure full compliance with these new regulations with the understanding that the procedure may be modified as we work through the new regulations. This includes revising HCC policies and procedures to conform to the new regulations before the effective date and the start of the Fall 2020 semester. Several of your colleagues have assisted with this endeavor.

Although Title IX rules are changing, HCC’s outlook remains unchanged: Title IX is crucial to the health and well-being of our HCC community overall. One of HCC’s highest priorities is fostering a welcoming and inclusive environment at our campuses for employees, students, applicants and campus visitors – ONE HCC. Student safety has always been, and will remain, our priority.

**Key Changes to Title IX**

* **Definition of Sexual Harassment for Title IX Purposes** –Under the new Title IX rules, the term “sexual harassment” is conduct on the basis of sex that satisfies one or more of the following:

(i)   An HCC employee conditioning education/work benefits on participation in unwelcome sexual conduct or

(ii)  Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to an education program or activity, or

(iii) Sexual assault (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

* **Grievance Process**- The new Title IX rules require HCC to handle formal complaints of sexual harassment through a formal grievance process only where the alleged sexual harassment occurs in a covered institution’s education program or activity; against a person in the United States.
* **Accessible Reporting**- Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the Complainant or a third party, in person, by mail, by telephone, or by email, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.  The report may be made at any time, including during non-business hours, by using the telephone number or email address, or by mail to the office address listed for the Title IX Coordinator.
* **Live Hearings**- The Title IX grievance process includes live hearings for formal complaints of sexual harassment. The hearings will be conducted before a Decision-maker and will feature witness testimony and questioning, including cross-examination.
* **Advisor**- Complainants and respondents may select an Advisor to represent them during the live hearings. HCC will appoint an Advisor for a party that does not have one.
* **Appeals**- Decisions made on a formal complaint of sexual harassment under the new Title IX rules will be subject to appeal under some circumstances.
* **Informal Resolution**- When a formal complaint of sexual harassment is filed, the parties may voluntarily and mutually agree in writing to engage in an informal resolution process (i.e., mediation) to try to resolve the formal complaint.( An informal resolution process is not permitted for a complaint involving allegations that an HCC employee sexual harassed a student.) Mediation, where available, can serve as an alternative to the live-hearing process.

**The Equity and Diversity Department will update our home page periodically with information on Title IX and other HCC Policies and Procedures concerning discrimination, sexual misconduct, including how to report allegations of sexual harassment. Refer to this** [**link**](http://www.hccfl.edu/about-us/equity-and-diversity) **as often as you wish.**

**Online training for ALL employees will be available and tracked effective August 14, 2020. You will receive a message from the SafeColleges© Program for your training plan. For access, you must use your HCC identification number as a user name. No password will be needed. If you have any issue with access, contact Roxana Roman-Rosario, Safety Program Analyst of the Office of Risk Management at 813-259-6505, or via e-mail at** [**rromanrosario@hccfl.edu**](mailto:rromanrosario@hccfl.edu)**.**

For all other questions, contact the Office of Equity and Diversity staff:

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*If you are a person with a disability, contact the Office of Equity and Diversity at (813) 253-7037, or via 711 Florida Relay for further assistance.*