



Association of
Title IX Administrators

Civil Rights and Your Responsibilities

Highland Community College

January 8, 2025



Strategic Risk
Management Solutions



Any advice or opinion provided during this training, either privately or to the entire group, is never to be construed as legal advice or an assurance of compliance. Always consult with your legal counsel to ensure you are receiving advice that considers existing case law in your jurisdiction, any applicable state or local laws, and evolving federal guidance.

Course Introduction



This course introduces the core tenets for addressing and resolving allegations of protected class discrimination and harassment at Highland Community College.



We will discuss the critical importance of adhering to legal requirements for intake and resolution and review the individuals responsible for compliance at Highland.



The goal is to understand and embrace the responsibility to share and route information to the right people in the right position to coordinate an adequate response.

Education Civil Rights Overview

Education Civil Rights Laws

Title VI of the Civil Rights Act

Title VII of the Civil Rights Act

Title IX of the Education Amendments of 1972

Americans with Disabilities Act

Section 504 of the Rehabilitation Act

Section 304 of the Violence Against Women Act



Civil Rights Equity

- Civil rights laws are equity laws
- Equity refers to the understanding that not all individuals have access to the same resources and opportunities
 - Equity focuses on providing support and resources to reduce disparities in access to the education program
 - Civil rights laws seek to remedy the inequities discrimination and harassment create

Essential Compliance Elements

The requirement to **Stop, Prevent,** and **Remedy** guides HCC response in its equity and compliance

1

STOP discriminatory conduct

2

PREVENT recurrence, at both individual and College levels

3

REMEDY the effects of discrimination, for both individual and community

PROCESS

THOROUGH

RELIABLE

IMPARTIAL

INVESTIGATION

PROMPT

EFFECTIVE

EQUITABLE

REMEDIES

Act reasonably to **STOP** discrimination

Act reasonably to **PREVENT** recurrence

Act equitably to **REMEDY** effects

Discrimination, Harassment, & Retaliation

Discrimination

- Inequitable treatment on the basis of a protected characteristic.
- Discrimination often takes the form of decisions made regarding an individual or individuals.
 - Admissions/employment
 - Benefits/services
 - Participation

Harassment

- Unwelcome conduct on the basis of a protected characteristic.
- Harassment often takes the form of interpersonal conduct.
 - Hostile environment
 - Violent
 - Humiliating
 - Abusive

Protected Characteristics

- Age
- Physical or mental disability
- Marital status
- National origin or ancestry
- Race or ethnicity
- Religion or creed
- Sex (including gender, pregnancy, sexual orientation, gender identity)
- Veteran status
- Color
- Genetic information
- Citizenship

Retaliation

- Retaliation means intimidation, threats, coercion, or discrimination against any person by a(n):
 - Student, employee, University, or person authorized by the University to provide some sort of aid, benefit, or service,
 - For the purpose of interfering with any civil right or
 - Because the person has:
 - Made a report or complaint,
 - Testified, assisted, or participated or refused to participate in any civil rights process.

Response and Resolution

Resolution Process Overview

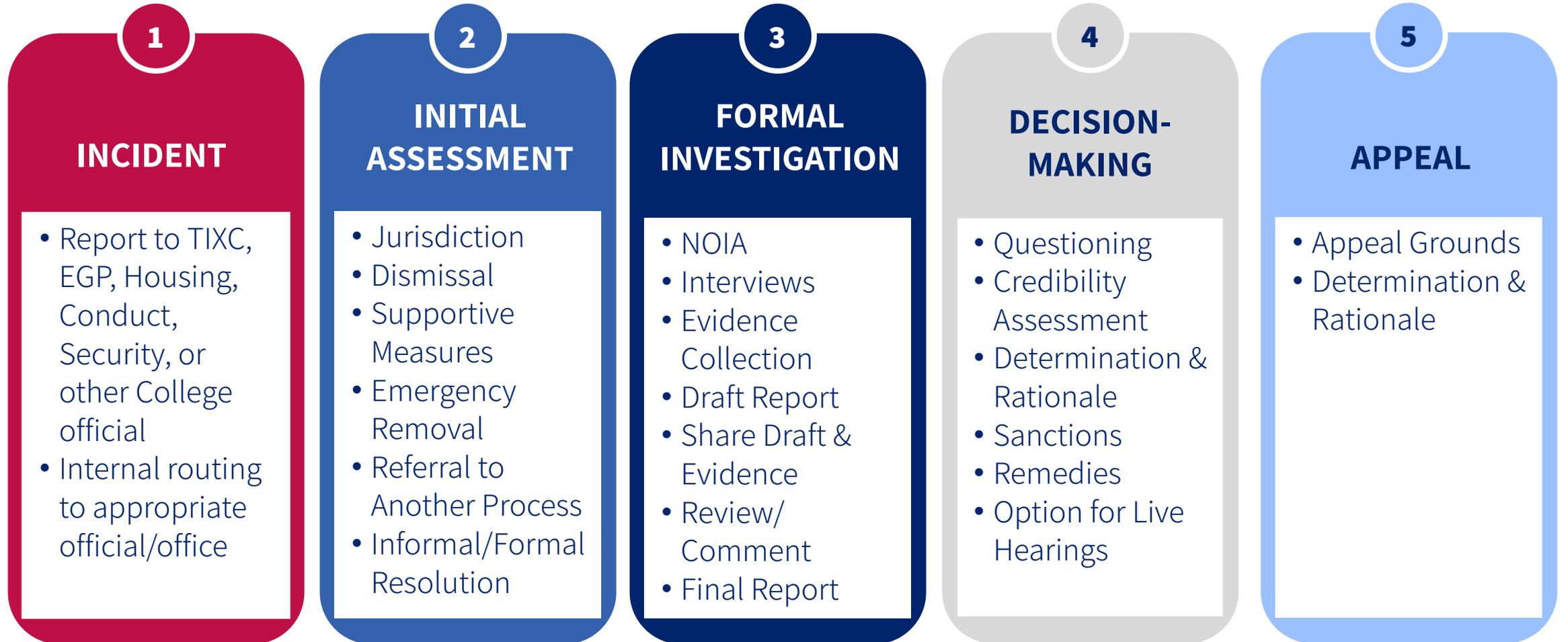
Prompt Resolution

- Complete without undue delay
- Resolution timelines vary widely in complexity and pacing
- Process may take longer than expected
 - Anticipate, mitigate, and document delays
 - Communicate with parties regarding delays

Equitable Resolution

- Treat all parties equitably
- Ensure that all parties have opportunity to fully participate

Formal Grievance Process Overview



TIXC Process Oversight

- Appoint and train Equity Grievance Panel
- Intake and initial assessment of report/complaint
- Strategize and consult with Investigators
- Supportive measures and interim actions
- Timeline compliance
- Review investigation reports
- Oversee recordkeeping
- Serve as parties' primary point of contact

Consistent and Proportionate Sanctions

- Evaluate types and severity of misconduct and corresponding sanctions
- Maintain and update historical sanctioning data
- Evaluate past precedents for current cases
- Provide consultation to disciplinary authorities
- Ensure consistent and unbiased sanctions
- Revised Equity Grievance Policy and Revised Student Handbook include updated sanctioning protocol

Reporting Alleged Violations

When is the College “On Notice?”

1

INCIDENT

- Report to TIXC, EGP, Housing, Conduct, Security, or other College official
- Internal routing to appropriate official/office

2

INITIAL ASSESSMENT

- Jurisdiction
- Dismissal
- Supportive Measures
- Emergency Removal
- Referral to Another Process
- Informal/Formal Resolution

3

FORMAL INVESTIGATION

- NOIA
- Interviews
- Evidence Collection
- Draft Report
- Share Draft & Evidence
- Review/Comment
- Final Report

4

HEARING

- Questioning
- Credibility Assessment
- Determination & Rationale
- Sanctions
- Remedies

5

APPEAL

- Appeal Grounds
- Determination & Rationale

Point Person for Reports and Complaints

- TIXC receives all reports or complaints regarding potential violations of the Equal Opportunity, Harassment and Nondiscrimination Policy
 - The TIXC oversees College response and resolution efforts
- In addition, the TIXC may forward information to the appropriate official/office when reported circumstances do not implicate the Equal Opportunity, Harassment and Nondiscrimination Policy

Mandatory Reporting

- ALL **employees** are **mandated reporters** (except for **Campus Counselor**)
- Ensures information gets to those trained and tasked to respond appropriately
 - Supports tracking pattern behavior
 - Enables College to best support individuals
 - Provides for simple, uniform, and universal training and reporting
- Policy requires reporting within 24 hours
- College will maintain privacy of all reports, and consider

Why report?

- The TIXCs and the EGP are uniquely situated and specifically trained/equipped to coordinate College response, including supportive measures, interim actions, formal/informal/administrative resolution
- To provide lifelong learning opportunities and contribute to economic development to enhance the quality of life in the communities you serve
- Failure to reasonably respond in light of the known circumstances imputes civil liability to the University. The vast majority of these cases center on process failures.

How do you report?

- Michael Clark, Employee Title IX Coordinator, Office of Human Resources
785-442-6093 | mclark@highlandcc.edu
- Eric Ingmire, Student Title IX Coordinator, Vice President for Student Services
785-442-6020 | eingmire@highlandcc.edu

How do you report?

- highlandcc.edu -> scroll to “Report” link at the bottom of the homepage.

ADMISSIONS ACADEMICS  STUDENT LIFE ABOUT HCC 🔍

Online Incident Report Forms

HOME //

Please use the forms below to report incidents to college administrators.

- Early Alert for Academic Intervention Form
- HCC General Incident Report - **NEW!**
- Discrimination, Harassment, or Gender-Based Misconduct Form
- Silent Witness Anonymous Crime Report
- Compliment and Complaint Process

ONLINE INCIDENT REPORT FORMS

- IT Helpdesk
- Technology Support
- Student Network Info



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Questions?