



Title IX Information

Title IX Annual Notification

On May 6, 2020, the Department of Education released updated federal regulations. This annual notification reflects relevant changes to the definition of sexual harassment and the procedures to address such action.

Title IX states:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any educational program or activity receiving Federal financial assistance.” Title IX of the Educational Amendments of 1972 to the 1964 Civil Rights Act

Title IX prohibits sex discrimination in all programs and activities of a community college district such as the Maricopa County Community College District (MCCCD). MCCCD is committed to providing a workplace and educational environment, as well as other benefits, programs, and activities, that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, MCCCD has developed internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of sexual harassment, and for allegations of retaliation. MCCCD values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

TITLE IX

Title IX of the Education Amendments of 1972, 20 U.S.C. XX 1681 et seq., is enforced by the U.S. Department of Education. This federal law prohibits discrimination on the basis of sex in education programs

and activities operated by recipients of federal financial assistance. Title IX applies to all participants of such programs, including students, faculty, staff, parents.

The core purpose of this policy is the prohibition of sexual harassment and discrimination. Sometimes, discrimination involves exclusion from activities, such as admission, athletics, or employment. Other times, sex-based discrimination, can encompass sexual harassment, sexual assault, stalking, sexual exploitation, dating violence or domestic violence. When an alleged violation of this anti-discrimination policy is reported, the allegations are subject to resolution using MCCC'D's "Formal Grievance Process" as determined by the Title IX Coordinator. For a copy of the full policy, please visit <https://district.maricopa.edu/consumer-information/title-ix>

Policy Application

This policy applies to all MCCC'D educational programs and activities, and to conduct that takes place on the campus or on property owned or controlled by the MCCC'D, at MCCC'D-sponsored events, or in buildings owned or controlled by MCCC'D's recognized student organizations. The Respondent must be a member of MCCC'D's community in order for its policies to apply and the conduct must be directed to a person in the United States. Further, the Complainant must be engaging in or attempting to engage in our educational programs or activities. Nevertheless, even when the Respondent is not a member of the MCCC'D's community, supportive measures, remedies, and resources may be accessible to the Complainant by contacting the Title IX Coordinator. Moreover, when allegations do not meet the policy application parameters, the allegations will be referred to the appropriate body for adjudication as a possible policy violation.

Title IX- Definition of Sexual Harassment

The 2020 Title IX Regulations define sexual harassment broadly to include any of three types of misconduct that—on the basis of sex—jeopardize the equal access to education and the educational programs/activities that Title IX is designed to protect. These three types of misconduct are:

1. Any instance of quid pro quo harassment by a school's 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 (as defined in the Clery Act), dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the State of Arizona regard Sexual Harassment, a specific form of discriminatory harassment, as an unlawful discriminatory practice.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Click [HERE](#) for full definition or see: <https://district.maricopa.edu/consumer-information/title-ix>

Title IX Coordinator

Each MCCCDC college has a designated Title IX Coordinator who oversees implementation of this policy. The Title IX Coordinator has the primary responsibility for coordinating MCCCDC's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy. Under the 2020 Title IX regulations, the Title IX Coordinator is also the primary point of contact for the grievance process. Questions related to the grievance process should be directed to the Title IX Coordinator.

The names and contact information for each college Title IX Coordinator can be found on the following page: <https://district.maricopa.edu/consumer-information/title-ix/title-ix-coordinators>.

Officials with Authority

MCCCDC has determined that the following administrators are Officials with Authority to address and correct sexual harassment and/or retaliation. In addition to the Title IX Team members listed above, these Officials with Authority may accept notice or complaints on behalf of the MCCCDC. Knowledge on the part of an Official with Authority conveys actual knowledge to the District and requires action on the District's part.

Officials of Authority include:

The Chancellor

Provost

General Counsel/Associate General Counsel

Chief Human Resources Officer

Chief Executive Officer

College Presidents

Vice Chancellors/Associate Vice Chancellors

Vice Presidents (at all levels)

Law enforcement

Athletic Directors

College/District Title IX Coordinator

Mandatory Reporters

The following classification of employees are mandatory reporters and are required to report actual or suspected discrimination or harassment to the respective college Title IX Coordinator or to the District Compliance Office for District employees. A complainant who expects formal action in response to their allegations, but does not wish to contact the Title IX Coordinator should report their allegations to any mandatory reporter who can connect them with resources to report crimes and/or policy violations. Knowledge of sexual harassment/discrimination to a Mandatory Reporter does not convey actual knowledge to the District.

Mandatory reporters will, within twenty-four (24) hours, refer reports to the Title IX Coordinator (and/or police, if desired by the complainant), who will act.

The persons occupying the following positions are mandatory reporters.

Chancellor

Provost

General Counsel/Associate General Counsel

Chief Human Resources Officer

Chief Workforce and Economic Development Officer

College Presidents

Associate Vice Chancellors

Director of Communications

Supervisors/Managers/Directors (but not including division or department chairs)

College Vice Presidents, at all levels

Deans, at all levels

Athletic Directors/Coaches/Trainers

Law enforcement

Additional information regarding Officials with Authority and Mandatory Reporters, please click [Here](#) or see: <https://district.maricopa.edu/consumer-information/title-ix/reporting/officials-authority-mandatory-reporters>.

Inquiries may be made externally to:

Office for Civil Rights,

Denver Office

U.S. Department of Education

Cesar E. Chavez Memorial Building

1244 Speer Boulevard, Suite 310

Denver, CO 80204-3582

Telephone: (303) 844-5695

Facsimile: (303) 844-4303

Email: OCR.Denver@ed.gov

Reporting

There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to the MCCC'D's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible.

Notice or complaints of discrimination, harassment, and/or retaliation may be made using any of the following options:

1) File a complaint with, or give verbal notice to, the Title IX Coordinator or Officials with Authority. Such a 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 or any other official listed. Title IX

Coordinators can be found on the following page: <https://district.maricopa.edu/consumer-information/title-ix/title-ix-coordinators>.

2) Report online, using the reporting form posted at <https://district.maricopa.edu/consumer-information/reporting>. Anonymous reports are accepted but can give rise to a need to investigate. The MCCCCD tries to provide supportive measures to all Complainants, which is impossible with an anonymous report. Because reporting carries no obligation to initiate a formal response, and as the MCCCCD respects Complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety, the Complainant is largely in control and should not fear a loss of privacy by making a report that allows the MCCCCD to discuss and/or provide supportive measures.

A Formal Complaint means a document filed/signed by the Complainant or signed by the Title IX Coordinator alleging a policy violation by a Respondent and requesting that the MCCCCD investigate the allegation(s). A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail. Click [HERE](#) for list of Title IX Coordinators or see: <https://district.maricopa.edu/consumer-information/title-ix/title-ix-coordinators>.

The phrase “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the MCCCCD) that contains the Complainant’s physical or digital signature, which can include the Complainant’s name on the email, or otherwise indicates that the Complainant is the person filing the complaint.

If notice is submitted in a form that does not meet this standard, the Title IX Coordinator will contact the Complainant to ensure that it is filed correctly.

Supportive Measures

The Title IX Coordinator will offer and implement appropriate and reasonable supportive measures to the parties upon notice of alleged harassment, discrimination, and/or retaliation.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the parties to restore or preserve access to the MCCCCD’s education program or activity, including measures designed to protect the safety of all parties, the MCCCCD’s educational environment, and/or deter sexual harassment, discrimination on the basis of sex, and/or retaliation.

Formal Grievance Process Administrator Pool

The Formal Grievance Process relies on a pool of administrators (“the Pool”) to carry out the process. Members of the Pool are as follows: Title IX Coordinator, MCCCCD-trained Advisors, Investigators, Hearing Facilitators, and the Decision-maker. For more information regarding the Grievance Process, please click [HERE](#) or visit <https://district.maricopa.edu/consumer-info/title-ix-preventing-sexual-harassment/investigative-process>

Privacy

Every effort is made by the MCCCCD to preserve the privacy of reports. MCCCCD will not share the identity of an individual who has made a report or complaint of harassment, discrimination, or retaliation; any Complainant, an individual who has been reported to be the perpetrator of sex discrimination, any Respondent, or any witness, except as permitted by the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. 1232g; FERPA regulations, 34 CFR part 99; or as required by law; or to carry out the purposes of 34 CFR Part 106, including the conducting of any investigation, hearing, or grievance proceeding arising under these policies and procedures.

The MCCCCD reserves the right to designate which MCCCCD officials have a legitimate educational interest in being informed about incidents that fall within this policy, pursuant to the Family Educational Rights and Privacy Act (FERPA).

Only a small group of officials who need to know will typically be told about the complaint, including, but not limited to, the Office for Student Affairs, college/District Compliance Office, Public Safety, and the Behavior Intervention Team. Information will be shared as necessary with Investigators, Decision-makers, witnesses, and the parties. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

The MCCCCD may contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk, but will usually consult with the student first before doing so.

Chandler-Gilbert | Estrella Mountain | GateWay | Glendale | Mesa | Paradise Valley
Phoenix College | Rio Salado | Scottsdale | South Mountain

The Maricopa County Community College District (MCCCCD) is an EEO/AA institution and an equal opportunity employer of protected veterans and individuals with disabilities. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, sexual orientation, gender identity, age, or national origin. A lack of English language skills will not be a barrier to admission and participation in the career and technical education programs of the District.

The Maricopa County Community College District does not discriminate on the basis of race, color, national origin, sex, disability or age in its programs or activities. For Title IX/504 concerns, call the following number to reach the appointed coordinator: (480) 731-8499. For additional information, as well as a listing of all coordinators within the Maricopa College system, visit <http://www.maricopa.edu/non-discrimination>.