**TSC and Title IX**

On August 14, 2020, the full force of federal law came crashing down on all Colleges and Universities across the nation, when the new Title IX regulations went into effect. Prior to August 14, 2020, Title IX regulations reflected the educational philosophies of Presidential administrations from Lyndon B. Johnson to Barack Obama, which made strong recommendations to all Colleges and Universities on how to deal with sexual misconduct and discrimination, but left the details of enforcement to the individual schools. The new Title IX regulations carry the force of federal law, meaning that educational institutions are federally mandated to implement and follow them. Failure to do so risks loss of federally funded College and University programs. Texas Southmost College has been and is in the process of becoming compliant with the new rules. It is important that each one of you as Professors, Staff, and Employees of Texas Southmost College, have a working knowledge of Title IX. What follows is a brief description of the new Title IX Rules, and Standard Operational Procedures to be implemented at TSC.

The Process:

1. A complaint is filed
2. Title IX Coordinator promptly contacts the Complainant, offers supportive measures, investigates allegations to determine whether to proceed formally or informally. Supportive measures may include counseling, modification of work or class schedules, mutual restrictions on contact between parties, or other measures designed to protect the safety of the parties and the College and the continuation of educational programs or activities. If the supportive measures are sufficient, the process can end at this point.
3. If it is determined that a formal complaint is called for the Title IX Coordinator will assign at least two trained investigators. The investigators will meet with the Complainant, notify and meet with the Respondent, gather, inspect and preserve evidence, interview witnesses and submit a report to the Title IX Coordinator.
4. Trained Hearing/Decision Maker Officer(s) will be assigned and a hearing will be scheduled by the Title IX Coordinator. The time between the notice of hearing and the hearing will be used to allow the parties to review and respond to the evidence that will used in the hearing. The parties may have an Advisor to assist them. Non paid Advisors can be appointed by the College or hired by the parties at their own expense.
5. The hearing will be recorded live. All parties and witnesses may be present. Each party may present their relevant and legal evidence and arguments to the Hearing/Decision Maker Officer. The Officer’s will decide the matter using a “preponderance of the evidence” standard to determine whether or not the Respondent is responsible for the allegations contained in the complaint. The decision will be in writing, both parties will receive the decision simultaneously. The Hearing/Decision Maker Officer will determine the sanctions to be imposed.
6. If either party is not satisfied with the outcome or the sanctions imposed, an appeal may be filed with trained Appeals Hearing Officer. Their decision is final. The parties both have the right to appeal on limited grounds: (i) material procedural error that materially affected the outcome; (ii) material, new evidence not reasonably available at the time of the hearing; (iii) conflict of interest or bias on the part of the Title IX Coordinator, investigator, or hearing panelist that affected the outcome and; (iv) a decision and or sanction that is clearly contrary to the weight of the evidence.

The procedures listed above are a summary of Title IX, and are provided as a guide to give you an overview of the process. It is the intention of the Title IX Team to meet with each one of the Divisions at TSC individually to give a more detailed explanation of the mandated requirements.