

New Faculty Orientation

Office of Compliance, Risk and Ethics: Title IX

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Areas of Responsibility



Title IX

Mission: Reduce or eliminate barriers to educational opportunity caused by sex discrimination in institutions that receive federal funding.

"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." - U.S. Department of Education

Title IX Sexual Harassment

- **Sexual Harassment** - Conduct on the basis of sex that satisfies one or more of the following:

(1) *Quid Pro Quo* - An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;

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

(3) "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

How to Report

- All employees except Counselors are designated as Mandated Reporters.
- Must make a report to the Title IX Coordinator
- Advise the student that you will be making the report
- Complainant ultimately decides what will happen next
- Initial meeting with Title IX Coordinator fulfills the College's obligation to respond without deliberate indifference
- Syllabus Statement

Framework

- **Supportive Measures** - individualized services reasonably available that are nonpunitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to preserve and restore equal education access, protect safety, or deter sexual harassment.
- **Provided regardless of whether a formal complaint has been filed or not.**
- **The College will treat complainants and respondents equitably, meaning that for a complainant, the College will offer supportive measures, and for a respondent, the College will follow the adjudication process before imposing disciplinary sanctions.**
- **Examples: No Contact Order, Counseling Referral, Academic Adjustments, Escort Service, Relocation of classes and schedules, etc.**

Pregnancy and Related Conditions

- Absences due to pregnancy or any related conditions must be excused for as long as their doctor says it is necessary for them to be absent. When they return to school, the student must be reinstated to the status you held before their leave.
- Faculty who base grades on class attendance cannot penalize a pregnant student for their absence and must allow the student to earn back the credit from the classes that were missed.
- Students must be given the opportunity to make up missed work, with the goal of having the student graduate on time, if possible and if desired by the student. Montgomery College is required to let students make up the work they missed while absent from class due to pregnancy or any related conditions, including bed rest or recovery from childbirth. It is recommended that for an extended absence, the student and professor work together to keep up with regularly scheduled assignments.
- With medical documentation, students may be provided with a larger classroom desk, a designated lactation room, or allowing frequent trips to the restroom.
- Students who are pregnant or dealing with any pregnancy-related conditions must be permitted to continue their off-campus work, including internships and career rotations. We cannot require a doctor to approve the continuation of these activities unless a note is required of all students with a medical condition.
- ⁶ These rules supersede any school- or instructor-based attendance or other policies regarding allowable numbers of absences or ability to make up missed school work.

Inclusive Environment

Montgomery College is committed to creating and sustaining a safe, non-discriminatory, and inclusive learning environment for all students, faculty, staff and administrators.

This includes those who identify with a gender that is different from their sex, gender-assigned-at-birth, or express their gender identity in a non-binary way.

Not only does this respect the identities of those who are transgender or gender non-conforming, but it creates a culture of inclusion and diversity that benefits all students, staff, faculty, and administrators.

- Students and Staff may designate a chosen first name
- Individuals may use the restroom that corresponds to their identity
- Seek to use the designated pronouns of others

