



# New Title IX Regulations: An Overview

---

Anita Burns, Title IX Officer  
Karen Halaco, Sr. Dir., HR  
Program/Compliance Support

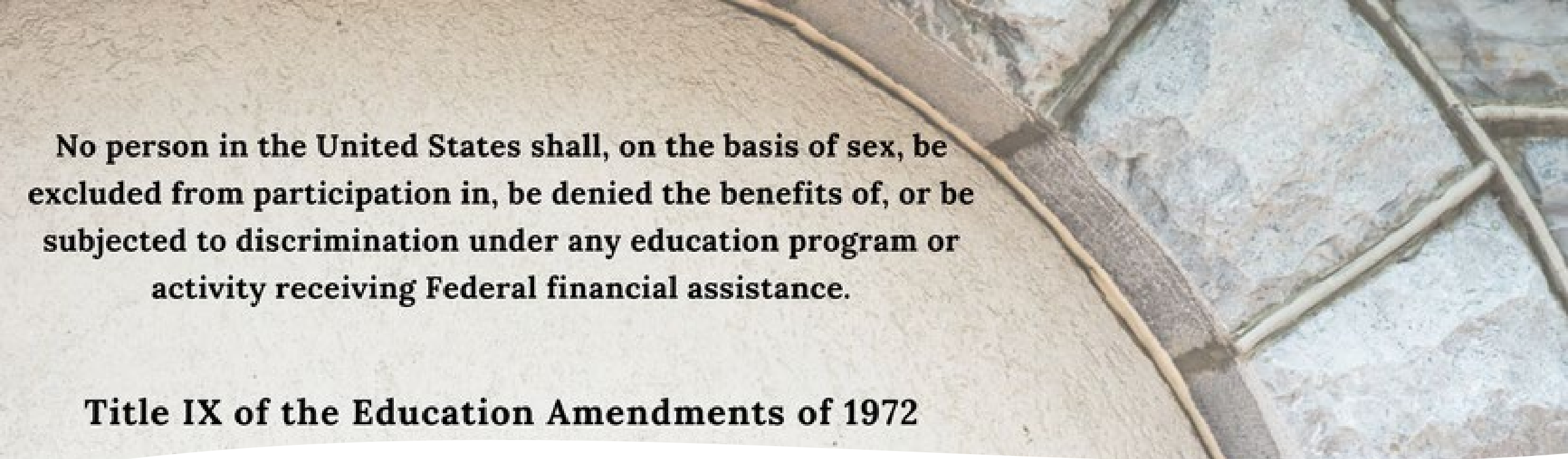




## LEGAL BACKGROUND





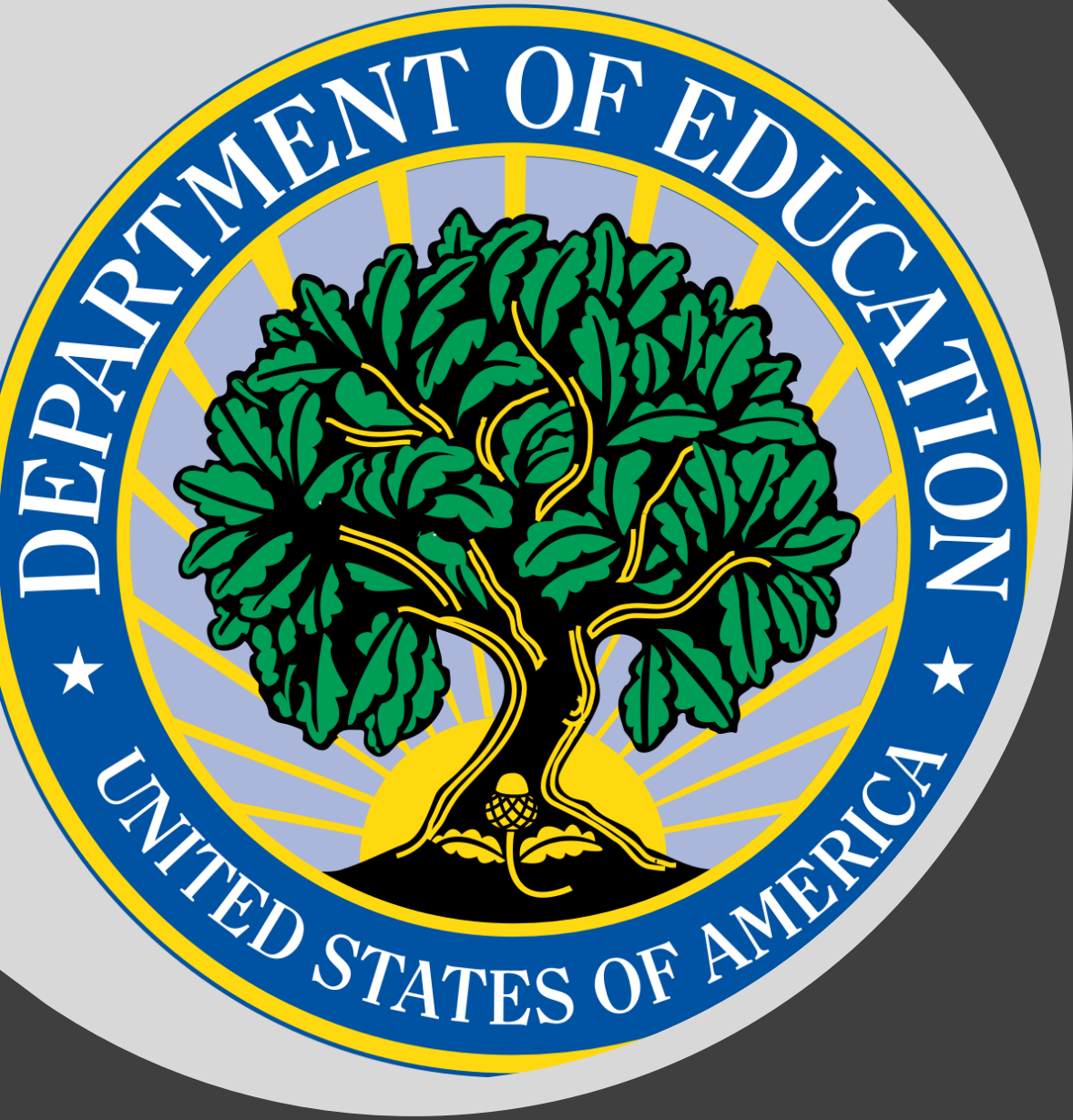


**No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.**

## **Title IX of the Education Amendments of 1972**

### **Title IX Officer**

- Ensures schools are compliant with Title IX
- Coordinates investigation and disciplinary process
- Looks for patterns or systematic problems with compliance
- Provides information about the Title IX process to students/employees
- Ensures training on sexual misconduct awareness and prevention



# Title IX History and Developments

- April 4, 2011 Dear Colleague Letter on sexual misconduct.
- 2011 Letter rescinded by September 22, 2017 Letter.
- Proposed new rule issued on November 16, 2018.
- Final Rule released for publication in the Federal Register on May 6, 2020
- Rule takes effect on August 14, 2020



## Summary of some Key Provisions

# LIVE HEARINGS & DECISION MAKERS



*“For postsecondary institutions, the recipient’s grievance process must provide for a live hearing.”*





# CROSS- EXAMINATION

*“At the live hearing, the decision-maker(s) must permit each party’s advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility.”*



# Standard of Evidence

*“State whether the standard of evidence to be used to determine responsibility is the preponderance of the evidence standard or the clear and convincing evidence standard, apply the same standard of evidence for formal complaints against students as for formal complaints against employees, including faculty, and apply the same standard of evidence to all formal complaints of sexual harassment.”*



To report an incident of sexual harassment, please contact:

Anita Burns, Title IX Officer – [aburns@excelsior.edu](mailto:aburns@excelsior.edu) or at 844-427-4356

Mark Howe, VP of Human Resources – [mhowe@excelsior.edu](mailto:mhowe@excelsior.edu)  
or at 518-464-8508

The National Domestic Violence Hotline – provides access to domestic violence service shelters, counseling over phone 1-800-799-SAFE, and chat options.

Rape, Abuse, and Incest National Network (RAINN) – expert advocates available over phone at 1-800-656-HOPE or online at [rainn.org](http://rainn.org).

## RESOURCES

# Questions?

