



**CHATTAHOOCHEE VALLEY**

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COMMUNITY COLLEGE

# **Title IX Policy**

**Updated March, 2019**

## Title IX Information

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### Title IX at Chattahoochee Valley Community College

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#### What is Title IX?

As a recipient of federal funds, Chattahoochee Valley Community College is required to comply with Title IX of the Education Amendments of 1972, as amended (Title IX). Title IX prohibits discrimination on the basis of sex in education programs and associated activities in federally funded schools at all levels. Title IX protects students, employees, applicants for admission and employment, and other persons from all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity.

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#### Human Rights and Non-Discrimination

Chattahoochee Valley Community College (CVCC) is committed to equal opportunity education. The College is guided in philosophy and practice by the principle that individuals will not be treated differently because of race, creed, religion, color, sex, age, national origin, disability, or marital status, and that legitimate and reasonable access to facilities is available to all. This principle particularly applies to the admission of students in all programs of the College and in their academic pursuits. It is also applicable in extracurricular activities, all student services, employment of students by the College, and employment of instructors and non-instructional personnel. Therefore, CVCC is in compliance with *Title VI and VII of the Civil Rights Act of 1964*, as amended; *the Civil Rights Act of 1991*; *Executive Order 11246*, as amended; *Title IX of the Education Amendments of 1972*, as amended; *Section 504 of the Rehabilitation Act*; and *The Americans with Disabilities Act of 1990*. CVCC is an Affirmative Action, Equal Employment and Educational Opportunity Institution.

*Title IX of the Education Amendments of 1972*, as amended, prohibits discrimination on the basis of sex. Sexual harassment (included under the broader umbrella of sexual misconduct) is a form of discrimination that is illegal under *Title VII of the Civil Rights Act of 1964*, as amended for employees and under *Title IX of the Education Amendments of 1972*, as amended, for students.

Questions or complaints regarding other civil rights and Title IX may be referred to the following Title IX Officers or entity:

#### Other Civil Rights and Title IX Coordinator for Students

Ms. Vickie Williams, Associate Dean for Student Development and Success  
Wilson Hall  
(334) 214-4803  
[vickie.williams@cv.edu](mailto:vickie.williams@cv.edu)

## Other Civil Rights and Title IX Coordinator for Employees

Ms. Debbie Boone, Director of Human Resources  
Wallace Hall  
(334) 291-4927  
[debbie.boone@cv.edu](mailto:debbie.boone@cv.edu)

Questions or complaints regarding other civil rights and Title IX that cannot be resolved at the College level may be referred to:

**Office of Civil Rights for Alabama**  
Office of Civil Rights, Atlanta Office  
U.S. Department of Education  
61 Forsyth Street S.W., Suite 19T10  
Atlanta, GA 30303-8927  
Telephone: (404) 974-9406  
Facsimile (Fax): (404) 974-9471  
[OCR.Atlanta@ed.gov](mailto:OCR.Atlanta@ed.gov)

*Section 504 of the Rehabilitation Act of 1973, as amended*, prohibits discrimination on the basis of disabilities.

### **Section 504 Compliance Coordinator**

Ms. Vickie Williams, Associate Dean for Student Development and Success  
Wilson Hall  
(334) 214-4803  
[vickie.williams@cv.edu](mailto:vickie.williams@cv.edu)

*The Americans with Disabilities Act of 1990 (ADA)* provides that no otherwise qualified person shall be discriminated against in the provision of an educational service or benefit on the basis of disability. Chattahoochee Valley Community College endeavors to provide reasonable accommodations to qualified students with disabilities. Students needing disability services or information should contact the Compliance Coordinator.

### **Americans with Disabilities Act Compliance Coordinator**

Ms. Vickie Williams, Associate Dean for Student Development and Success  
Wilson Hall  
(334) 214-4803  
[vickie.williams@cv.edu](mailto:vickie.williams@cv.edu)

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## Filing a Title IX Complaint or Grievance

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The following procedure is in place at Chattahoochee Valley Community College to provide recourse for any students who feel that their civil rights have been violated or

that they have not been treated fairly with regard to those rights. The College recognizes two distinct levels of action: complaints and grievances.

**Note: Detailed information regarding the [Sexual Misconduct Policy](#) here, may be found on the CVCC website.**

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### **Title IX Complaint Procedures**

ADA, Other Civil Rights, and Title IX Students who desire to register a complaint regarding a College action under ADA, other civil rights, or Title IX shall, within 10 working days of an alleged violation, report the complaint to the Associate Dean of Student Development and Success. A conference will then be arranged with the College Compliance Coordinator. If the complaint is about the College Compliance Coordinator, the written complaint shall be sent directly to the President's Office. The President will assign the complaint to another administrator. It shall be the responsibility of the designated College compliance coordinator to attempt to secure a solution to the complaint. The designated compliance coordinator will meet with the parties involved and attempt to solve the problem or address the concern in an informal session. If, after discussion, it is determined that the complaint can be resolved immediately, the designated College compliance coordinator will take action to resolve the complaint and submit a written report to the President within 10 working days of filing the complaint.

The report shall contain the original written complaint, a brief summary of any information essential to an understanding of the problem, and a description of the action taken. Copies will be sent to all parties involved in the discussion. Confidentiality will be observed in this process. If, after discussion, it is determined that the complaint cannot be resolved immediately but requires instead a plan of resolution, the designated College compliance coordinator will submit a written report to the President within 10 working days of filing the complaint. The report shall contain the original written complaint, a brief summary of any information essential to an understanding of the problem, and a description of the plan to resolve the problem. Copies will be sent to all parties involved in the discussion. This plan is subject to modification by the President or designee, who will inform the submitting designated College compliance coordinator in writing of any changes. Unless this duty is otherwise assigned by the President, the submitting designated College compliance coordinator has the responsibility of monitoring implementation of the plan and advising the President, in writing, when the plan has been completed.

If a student's complaint cannot be resolved at this level, such an unresolved complaint shall be termed a *grievance*.

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### **Title IX Grievance Procedures**

The following grievance procedures are in place at Chattahoochee Valley Community College to provide recourse for students who believe that their civil rights have been

violated and who have not been able to resolve the situation at the complaint level. The steps below shall be followed:

1. The original and two copies of Grievance Form A must be filed with the complainant's dean or division director within 30 calendar days following the date of alleged violation(s) of the Title IX regulation. The alleged violation(s) must be clearly and specifically stated. (Complainant is advised to keep a copy of all forms used in steps 1-6 for his or her files.)
2. Complainant's dean or division director will immediately notify the President and the Title IX Compliance Coordinator of receipt of Grievance Form A. The dean or division director will have 30 calendar days following the date of receipt of Grievance Form A to investigate and study the complainant's allegations, hold a formal hearing, and make a written report of findings to the complainant. Grievance Form A must be used for the report. Copies of Grievance Form A must be provided to the Title IX Compliance Coordinator and the President. The complainant's copy must be mailed to his or her home address by certified mail, return receipt requested.
3. The complainant must, within 15 calendar days following receipt of the dean or division director's report, file with the President and Title IX Compliance Coordinator written notice of acceptance or appeal of the report. If a notice of appeal is filed, appeal Grievance Form B must be used. Complainant must state clearly and specifically on Grievance Form B the objections to the findings and/or decision of the dean or division director. Copies of Grievance Form B must be provided to the Title IX Compliance Coordinator and the President. If the complainant fails to file notice of appeal by 5:00 p.m. on the 15th calendar day following receipt of the dean or division director's report, the right to further appeal will be forfeited.
4. The President will have 30 calendar days following the date of receipt of the complainant's notice of appeal to investigate and study the complainant's allegations, the report of the dean or division director, and make a written report of findings to the complainant. Grievance Form B must be used for the report. Copies of Grievance Form B must be provided to the Title IX Compliance Coordinator and the Chancellor. The complainant's copy must be mailed to his or her home address by certified mail, return receipt requested.
5. The complainant must, within 15 calendar days following receipt of President's report, file with the President and Title IX Compliance Coordinator a written notice of acceptance or appeal of the report. If notice of appeal is filed, appeal Grievance Form C must be used. The complainant must state clearly and specifically on Grievance Form C objections to the findings and/or decisions of the President. Copies of Grievance Form C must be provided to Title IX Compliance Coordinator and the Chancellor. If the complainant fails to file notice

of appeal by 5:00 p.m. on the 15th calendar day following receipt of the President's report, the right to further appeal will be forfeited.

6. The Chancellor will have 30 calendar days following the date of receipt of the complainant's notice of appeal to investigate and study the complainant's allegations and report of the President, hold a formal hearing, and make written report of findings to the complainant. Grievance Form C must be used for the report. Copies of Grievance Form C must be provided to the Title IX Compliance Coordinator. The complainant's copy must be mailed to his or her home address by certified mail, return receipt requested. ***Note: If the last day for filing the notice of appeal falls on either Saturday, Sunday, or a legal holiday, the complainant will have until 5:00 p.m. on the first working day following the 15th calendar day to file.***

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## Hearing Procedures

If a hearing is scheduled within the time frame designated by the compliance coordinator, the President shall designate a qualified, unbiased person or committee to conduct each grievance hearing. The compliance coordinators will not be required to serve as hearing officers. The hearing officer or committee shall notify the complainant and each respondent of the time and place of the hearing, the witness list, and the right to have an attorney or representative present. The only individuals present at meetings of this committee shall be committee members, parties to the action being considered by the committee and their representatives (not to exceed 2), and witnesses actually testifying before the committee. The institution and complainant may have an attorney present, at the respective party's expense, during the hearing. Attorneys may only advise; they may not cross examine, question, or address the committee in any way. The grievance statement will be formally presented at the meeting. After the grievance is read into the record, the complainants will have the opportunity to present such oral testimony and other supporting evidence as they shall deem appropriate to their claim. Respondents shall then be given the opportunity to present such oral testimony and other evidence they deem appropriate to the respondents' defense against the charges. No cross examination will be allowed. Either party may ask the hearing officer to ask a question of the other party; the hearing officer may or may not choose to do so. In the event the College, or the administration of the College at large, is the party against whom the grievance is filed, the President shall designate a representative to appear at the hearing on behalf of the respondent. In the event that the College is the respondent, the College representative shall not be an attorney unless the complainant is assisted by an attorney or other personal representative.

The hearing shall be recorded either by a court reporter or on audio and/or video recording device or by other electronic recording medium as agreed to by all parties in advance of the hearing. In addition, all items offered into evidence by the parties, whether admitted into evidence or not, shall be marked and preserved as part of the hearing record.

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## **Report of Findings**

Following the hearing, a written report of the findings shall be made to the President, the hearing officer, or the chairperson of the committee. The report shall contain at least the following items:

1. Date and place of the hearing.
2. Name of each member of the hearing committee.
3. List of all witnesses for all parties to the grievance.
4. Findings relevant to the grievance.
5. Decisions and recommended consequences.
6. Recommendation(s) to the President arising from the grievance and the hearing thereon.

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## **Non-Retaliation**

No faculty member, administrator, staff member, applicant for employment, student, or member of the public may be subject to restraint, interference, coercion, or reprisal for action taken in good faith to seek advice concerning any sexual misconduct, ADA, other civil rights, or Title IX matter; to file a complaint or grievance; or to serve as a witness or panel member in the investigation of a complaint or grievance.

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## **Filing a False Report**

It is a violation of the faculty and staff and student conduct policies to file a false report.

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## **Contact Persons and Compliance Coordinators**

Students are strongly encouraged to contact the Associate Dean for Student Development and Success if they need to use the grievance process for problems concerning sexual harassment, The Americans with Disabilities Act of 1990, Section 504 of Title IX, or other civil rights issues. The Associate Dean for Student Development and Success will direct students to the appropriate contact person.

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## **Sexual Misconduct Policy**

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### **Statement of Prohibition**

This policy prohibits all forms of sexual or gender-based harassment, discrimination, or misconduct, including but not limited to sexual harassment, sexual assault, sex offenses, sexual exploitation, dating violence, stalking, intimate partner violence, and

domestic violence. Sex discrimination in any form, including any form of sexual misconduct is contrary to Chattahoochee Valley Community College's values and is prohibited by College policies as well as local, state and federal laws, and the policies of the Alabama Community College System Board of Trustees. These behaviors are harmful to the well-being of our College community, the learning/working environment, and collegial relationships among our students, faculty, staff, and visitors. Any individual who is found to have violated this policy may face disciplinary sanctions up to and including expulsion or termination of employment and referral to law enforcement authorities.

You can find more information about the Sexual Misconduct Policy on the [www.cv.edu](http://www.cv.edu) website under About Us --> Our Story --> Consumer Information --> Sexual Misconduct Policy.

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### **Educational Resources**

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Title IX on Campus - <http://www.title9.us/>

The United States Department of Justice - Office on Violence Against Women

- <https://www.justice.gov/ovw>

Know Your IX - <https://www.knowyourix.org/>

Amy Poehler's Smart Girls (Know Your IX) - <https://www.youtube.com/watch?v=IFAs9fegJsl>