



Category
SEX DISCRIMINATION & SEXUAL HARASSMENT POLICY – 8:03:00:00
Approval
Corresponding Policy: TBR Policy 5:01:02:00 ; TBR Guideline P-080
President’s Council Approved: October 1, 2014
Effective Date/Approved: October 1, 2014
Revised: October 1, 2014; editorial update July 14, 2016
Responsible Party: Title IX Coordinator

I. PURPOSE

It is the intent of Motlow State Community College that the institution shall fully comply with Title IX of the Education Amendments of 1972, Sections 799A and 845 of the Public Health Service Act and Regulations issued pursuant thereto (45 C.F.R. Parts 83 and 86), and Title VII of the Civil Rights Act of 1964 as amended. The following policy and procedures are adopted by the College to facilitate such compliance.

II. GENERAL POLICY

A. Sex Discrimination

1. It is the policy of Motlow State Community College that, pursuant to Title IX of the Education Amendments of 1972, Sections 799A and 845 of the Public Health Service Act, and Regulations adopted pursuant thereto, and Title VII of the Civil Rights Act of 1964 as amended, no institution shall discriminate on the basis of sex in the education programs or activities of the institution, including health-related training programs or in the terms and benefits affecting employment.
2. The College shall ensure that equal opportunity and non-discrimination exist on the basis of sex for all persons on the Motlow campus including students in all education programs and activities, including but not limited to, the following:
 - a. Recruitment and admission;
 - b. Academic, extracurricular, research, occupational training, health-related training and other education programs;
 - c. Rules on student life activities;
 - d. Facilities;
 - e. Access to course offerings;
 - f. Counseling;
 - g. Financial assistance;
 - h. Employment assistance;
 - i. Health and insurance benefits and services;
 - j. Rules on marital or parental status; and
 - k. Athletics.
3. In addition, in conjunction with TBR Policy No. 5:01:02:00 Equal Employment Opportunity and Affirmative Action, the College shall ensure that no person, on the basis of sex, is excluded from participation in, denied the benefits of, or subjected to discrimination in employment under any education program or activity.

4. Nondiscrimination in employment on the basis of sex shall include, but not be limited to, the following areas:
 - a. Employment criteria;
 - b. Recruitment and hiring;
 - c. Promotion, tenure, demotion, transfer, layoff, termination, nepotism policies, and rehiring;
 - d. Compensation;
 - e. Job assignments, classifications, and descriptions, lines of progression and seniority lists;
 - f. Leave;
 - g. Fringe benefits; and
 - h. All other terms, conditions, and privileges of employment.

B. Sexual Harassment

1. It is the policy of Motlow State Community College that pursuant to Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as amended, and regulations adopted pursuant thereto and Motlow State Community College policy 8:02:00:00 Sexual Misconduct, that the institution shall not condone sexual harassment of students, applicants for employment or employees and/or other persons on the Motlow State Community College campus(es) and shall affirmatively address all allegations of sexual harassment.
2. Compliance with this policy shall be effectuated through procedures established in accordance with Section III. B. of this policy and Motlow State Community College policy 8:04:00:00 Discrimination and Harassment.

III. PROCEDURES

A. Designation of Title IX/EEO Coordinator

1. Motlow State Community College designates Brian Stacy, Associate Director of Compliance as the Title IX/EEO Coordinator for the College.
 - a. The Title IX/EEO Coordinator will be responsible for evaluation of the compliance efforts of the institution, coordinate such efforts, and investigate complaints by employees or students arising under the Acts and the Regulations.
2. To report complaints or violations of Title IX, Title VII and/or related College policies, all persons including students and employees should contact the Title IX/EEO Coordinator at:

Barbara Scales
Chief Compliance, Equity & Inclusion Officer
Affirmative Action Officer
5002 Motlow College Blvd
Smyrna, TN 37167
(615) 220-7976
bscales@mscc.edu

B. Complaint Procedures

Motlow State Community College will utilize the procedure set forth in College policy 8:04:00:00 Discrimination and Harassment to address all complaints arising under the Acts or the Regulations.

C. Statement and Dissemination of Policy

1. The applicable policies are distributed annually and can be found at:
 - a. 8:01:00:00 General Prohibition against Discrimination, Harassment and Sexual Misconduct
 - b. 8:02:00:00 Sexual Misconduct
 - c. 8:04:00:00 Discrimination and Harassment
2. In addition, Motlow State Community College provides these policies to all employees, students at initial hire, admission, and orientation. In addition, the College will provide information regarding these

- policies to any other person including perspective students upon request.
3. The policy statement adopted pursuant to section I. of this item shall be published in the following publications:
 - a. The College website

- b. Memoranda or written communications to every student and employee of the institution.
- c. Student and employee handbooks and/or catalogs.
- d. In addition, each institution shall include the policy statement in each announcement, bulletin, catalog, and application form which it makes available to any person herein described, or which is used in connection with the recruitment of students or employees.

IV. Self-Evaluation

- A. Motlow State Community College shall submit to the Chancellor of the Tennessee Board of Regents written self-evaluation of its current policies and practices and the effects thereof concerning admission and treatment of students, and employment of academic and non-academic personnel working in connection with the institution's education programs and activities as directed.
- B. From time to time, Motlow State Community College shall modify its policies and practices to comply with the requirements of Title IX, Title VII, the Public Health Service Act, or the Regulations issued pursuant thereto, and will take appropriate remedial steps to eliminate the effects of any discrimination and shall recommend to the Chancellor amendment of any state legislation which inhibits compliance with Title IX, Title VII, the Public Health Service Act, and the Regulations issued pursuant thereto.