



**PRESENTED BY:
NIKIA YALLAH**



AGENDA

- Overview of Title IX
- Pregnant & Parenting
- How Does Clayton State Respond and Possible Remedies
- Overview of Process (Administrative and Student)
- Reporting & Requirements
- Examples
- Questions
- Closing

TITLE IX OF THE EDUCATION AMENDMENTS ACT OF 1972

“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 educational program or activity receiving federal financial assistance.”

Title IX of the Education Amendments of 1972 Implementing Regulations at: 20 U.S.C. §1681 & 34 C.F.R Part 106



An educational *program or activity* written, conducted, or managed by the institution.

TITLE IX OFFICE

The *Title IX Coordinator* is responsible for coordinating and responding to all complaints involving possible sex discrimination. This responsibility includes monitoring outcomes, identifying and addressing any patterns, and assessing effects on the campus climate.

- **Nikia Yallah – Title IX Coordinator**
- Arbor Hall – East Campus, Suite 125
Morrow, Georgia 30620
- Office Phone: 678-466-4237
- e-Mail: NikiaYallah@clayton.edu
- **Rodney Byrd –Deputy**
- Arbor Hall – East Campus, Suite 125
Morrow, Georgia 30620
- Office Phone: 678-466-4232
- e-Mail: RodneyByrd@clayton.edu

CONSEQUENCES OF NON-COMPLIANCE

- Loss of Federal Funding
- Pay Fees (Fines, Legal, Other)
- Legal Ramifications
- Media Attention
- Other Consequences

NON-COMPLIANCE

RESPONSIBLE EMPLOYEE

- Also known as “Mandatory Reporter.”
- A “Responsible Employee” under Title IX is required to report incidents that they witness or are advised have occurred to the University's Title IX Coordinator.
- Who is considered a **Responsible Employee**?
- Faculty & Staff
 - Has the authority to take action to redress the harassment
 - Has the duty to report harassment or other misconduct
 - Someone a student could reasonably believe has this authority or responsibility

WHO CAN BE INVOLVED?

Categories

- Dating Violence
- Domestic Violence
- Retaliation
- Non-Consensual Sexual Contact
- Pregnant & Parenting Students
- Sexual Assault
- Sexual Exploitation
- Sexual Harassment
- Stalking

Involved

- Female
- Male
- Same Sex
- Student
- Employee
- Community Member
- Visitor

GENERAL PROCESS



PREGNANT AND PARENTING

PREGNANT AND PARENTING

- Temporary condition that may be based on:
 - Pregnancy
 - Childbirth
 - False Pregnancy
 - Termination of Pregnancy
 - Recovery from the aforementioned

A Title IX covered school is prohibited from discriminating based on a Student's parental, family or marital status that treats the student differently based on sex.



WHAT IS **NOT** A PREGNANT AND PARENTING TITLE IX COVERED CONDITION?

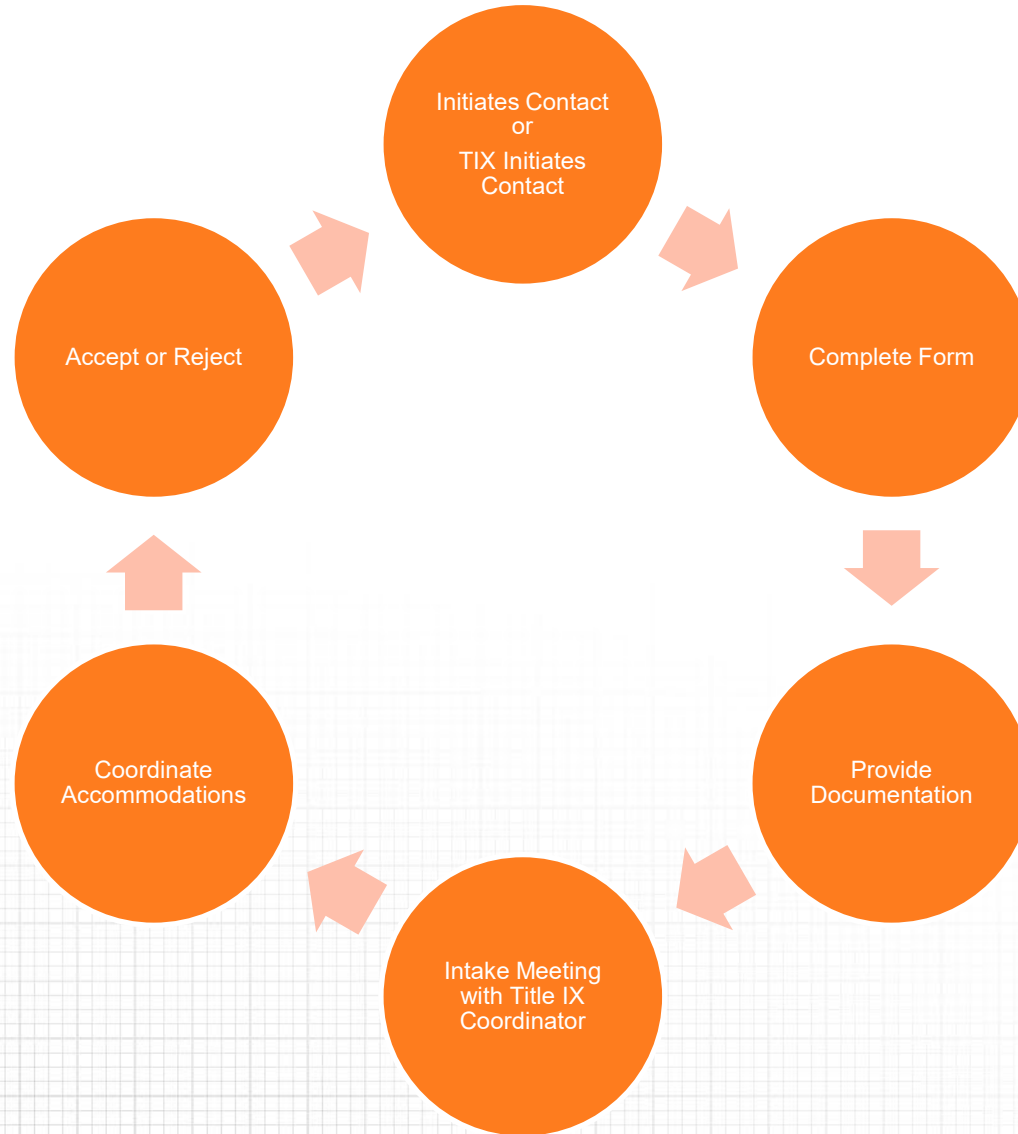
WHAT DO WE DO?

- **Reasonable** and **Responsive** accommodations.
- Make changes to accommodate the student's temporary related status.
- Accommodations vary based on Proper and Timely received documentation and process compliance.
Examples may include:
 - Larger chair or desk or reasonable breaks during class
 - Rescheduling tests/exams, submitting work after deadline
 - Academic Support (tutoring, mentoring, flexible assignment due dates, allowing the student to make up coursework)
 - Excusing absences due to pregnancy or related conditions
 - Holding and restoring their status/retake course w/o penalty

ADMINISTRATIVE PROCESS



STUDENT PROCESS



REPORTING & REQUIREMENTS

REPORTING PREGNANT AND PARENTING MATTERS

- Students are not required to inform faculty, staff or any member of the Institution of their pregnancy or parenting status.
- Typically, a Student (unknowingly) reports when they are seeking accommodations.
- The University wishes to create an environment that encourages voluntary sharing of this information, so that the University can provide support.
- Reports should be made as soon as possible to the Title IX office by any Responsible Employees.

EXAMPLES

GINGER

Ginger is 8 months pregnant and is a 1st time nursing student who recently asked one of her faculty members for the opportunity to complete her upcoming clinical and other assignments remotely since her delivery due date is fast approaching.

- Is this required to be reported?
- From what you have gained today, would this be a Title IX covered condition under P&P?

ARNOLD

Arnold's girlfriend is pregnant and is due to deliver via a prescheduled C-Section tomorrow. Arnold is on an athletic scholarship. Arnold has informed his Coach about his situation because he needs to be home for the next 6-8 weeks. Coach reported to Title IX and Arnold completed the Title IX process. The Title IX finding was that Arnold's student status be held as of tomorrow's date and be returned without penalty once the next semester begins.

- Is this required to be reported?
- From what you have gained today, would this be a Title IX covered condition under P&P?
- Will Arnold be required to give up his scholarship?

PAT

Pat is 5 months pregnant and is a very attentive student. Her faculty member, Dr. Oxy, notices that Pat is gaining weight, her stomach is protruding, and she is taking frequent trips to the bathroom. To Dr. Oxy's knowledge, Pat has never informed her nor anyone else that she is pregnant.

- Is this required to be reported?
- From what you have gained today, would this be a Title IX covered condition under P&P?

GINGER

Ginger has a 10-year-old child, Tyler, who suffers from asthma. Recently, Tyler had an asthma attack at school and was rushed to the hospital. In turn, Ginger had to go straight to the hospital instead of attending her Gender Studies final exam. Once everything settled, Ginger contacted her Professor to let her know about what happened and why she could not attend the exam. Ginger requests to take the exam.

- Is this required to be reported?
- From what you have gained today, would this be a Title IX covered condition under P&P?

TOBY

Toby has a 6-year-old child, Starr. Starr just started little league baseball. Toby must attend class on Monday's and Wednesday's during the same time Starr has her practices and games. Toby requests an accommodation to miss class so that he can attend Starr's practices and games.

- Is this required to be reported?
- From what you have gained today, would this be a Title IX covered condition under P&P?

EXAMPLE OF FINDING CONSIDERATIONS

- Case findings reveal there is a preponderance of evidence that non-consensual sexual intercourse (contact) occurred because the Complainant was incapacitated, and the Respondent should have known of the incapacity. When deciding on recommended sanctions what, if any, item(s) below should be considered?
 - Both students' inexperience with alcohol, sex knowledge, and poor communication.
 - The responding party is an excellent student and is well-liked by the campus community; and will graduate in a month.
 - The complaining party told investigators that they do not want the responding party to be suspended or expelled.

PREGNANT & PARENTING EMPLOYEES

- Clayton State University currently has an established policy and process for **Employees** who are pregnant or have temporary related matters as it relates to Parenting. This established process should be followed.
- Contact Human Resources.
- If discrimination occurs, it should be reported to the Title IX Coordinator and Human Resources.

LACTATION/NURSING

- Pregnant and Parenting also applies to students and employees who are lactating/nursing.
 - Harry S. Downs Continuing Education
 - Building Room 304 (3rd floor).
 - Electronic registration form required
 - Lactation room coordinator: School of Nursing

TITLE IX, COVID – 19, AND REGULATORY CHANGES

- No changes.
- The **Office of Institutional Equity and Title IX** may adjust operations accordingly (i.e., remote investigations, meetings, etc.) may be performed remotely for the health and safety of our community.
- Anyone impacted by discrimination, harassment and/or sexual misconduct is encouraged to contact the Office of Institutional Equity and Title IX office immediately to make a report.

REFERENCE MATERIALS

INFORMATION AND POLICY

- **Clayton State University:** <https://www.clayton.edu/human-resources/current-employees/title-ix/>
- **University System of Georgia Policy Link:**
- <https://www.usg.edu/policymanual/section6/C2655>
- **Syllabi Language**
- **Pregnant and Parenting Students Links:**
- <https://www2.ed.gov/about/offices/list/ocr/docs/dcl-know-rights-201306-title-ix.html>
- <https://www2.ed.gov/about/offices/list/ocr/docs/pregnancy.pdf>

PUBLIC SAFETY

- In some cases, sex discrimination may constitute criminal activity, a person also has the option of filing a report with the Department of Public Safety or the local police.
- Location: Edgewater Hall
- Phone: (678) 466-4050
- Fax: (678) 466-4269

OFFICE OF COMMUNITY STANDARDS

- **Office of Community Standards is important because they not only** ensure accountability for improper behavior, uphold the requirements of due process, and apply fair, appropriate, and educational disciplinary sanctions for conduct violations but they also facilitate and coordinate Title IX appeals/hearings.
- **Office of Community Standards University Center 250**
Phone: (678) 466-5444
StudentConduct@clayton.edu
- **Dean, Jeff Jacobs**
Dean of Students
jeffjacobs@clayton.edu
- **Alicia Myrick**
Assistant Director for Community Standards & Case Manager
aliciamyrick@clayton.edu

VOLUNTEERS WELCOME



Title IX Welcomes
Volunteers for
Investigator and
Panelist Roles

QUESTIONS

