

## Title IX Compliance

### **Notice of Non-Discrimination**

Title IX of the Education Amendments of 1972 (20 U.S.C. § 1681) is a federal law that prohibits discrimination based on the gender of students and employees of educational institutions which receive federal financial assistance.

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.

### **College Title IX Coordinators**

In accordance with Title IX regulations, the College has designated Ms. Ria Sweeney, as the College's Title IX Coordinator and Ms. Sherrell Flournoy, as the College's Deputy Title IX Program Coordinator and Mr. Avery Staley, Deputy Title IX Coordinator for faculty and staff. Mr. Sweeney is charged with monitoring compliance with these regulations, questions regarding Title IX, as well as concerns and complaints of non-compliance. Ms. Flournoy designated as Deputy Title IX Coordinator is responsible for receiving student complaints of sexual harassment, including sexual assault, sexual violence or other sexual misconduct.

## **What is Title IX?**

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance. Title IX prohibits sexual misconduct, including sexual harassment which is a form of gender discrimination.

Programs and activities that receive funds from the United States Department of Education (ED) must operate in a nondiscriminatory manner. Title IX prohibits discrimination on the basis of sex in: admissions, recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing and employment. Additionally, Title IX prohibits retaliation against any person because he or she opposed an unlawful educational practice or policy, or made charges, testified or participated in any complaint action under Title IX. An act of retaliation in any manner is considered a violation of Title IX. For a more detailed understanding of these protections please see ED Title IX regulations (Volume 34, Code of Federal Regulations, and Part 106).

### **Students:**

If you are a student who believes you have been subjected to (1) sexual harassment by College faculty or staff; or (2) any other form of gender discrimination under Title IX, you may report such misconduct or file a formal complaint with the Title IX Program Coordinator. Complaints must be submitted in writing not more than 300 days after the incident(s) in question. The entire complaint procedure and complaint form can be found on Livingstone College's website.

### **What is sexual harassment and sexual violence?**

Sexual harassment is any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. Sexual harassment also includes sexual violence, defined as physical acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol.

A number of acts fall into the category of sexual violence including, but not limited to rape, sexual assault, sexual battery, and sexual coercion. For the complete definition, policies, and procedures related to sexual harassment, please see resources on the right hand side of this page.

### **What is interpersonal violence?**

The use of physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse directed towards a partner in an intimate relationship. Including any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Interpersonal Violence can be a single act or a pattern of behavior in relationships. Intimate partner relationships are defined as short or long-term relationships (current or former) between persons intended to provide some emotional/romantic and/or physical intimacy. Interpersonal Violence includes:

Domestic Violence – includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction

Dating Violence - violence committed by a person:

(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- (i) The length of the relationship.
- (ii) The type of relationship.
- (iii) The frequency of interaction between the persons involved in the relationship.

Stalking – engaging in a course of conduct directed at specific person that would cause a reasonable person to: Fear for his or her safety or the safety of other; or suffer substantial emotional distress

If you are a student who believes you have been or are the victim of sexual harassment, including sexual assault, sexual violence or other sexual misconduct, by another College student, you may report such conduct or file a complaint under Title IX with the Title IX Program Coordinator. Complaints of student sexual misconduct are addressed by the Sexual Misconduct Hearing Panel and are governed by the College's "[Sexual Misconduct Policy and Procedures.](#)"

### **Employees:**

If you are an employee who believes you have been subjected to discrimination under Title IX, including sexual harassment, or who wishes to file a complaint under Title IX, you can do so with the Title IX Deputy in the Human Resources Office.

Federal and state laws prohibit the taking of retaliatory measures against any individual who files a complaint in good faith.

### **Contact Information**

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