

BETHUNE-COOKMAN UNIVERSITY

Title IX Non-Discrimination, Sexual Misconduct & Pregnancy Policy

Revised: April 2026 | Effective Date: Upon Publication | Policy Nos. IX-001 & IX-002

Responsible Authorities: Title IX Compliance Office | Office of Human Resources

Enter to Learn. Depart to Serve.

Regulatory Notice: The U.S. Department of Education's 2024 Title IX Final Rule (89 Fed. Reg. 33474) was vacated by a federal district court on January 9, 2025, and is not in effect in any jurisdiction. This policy is based on the operative 2020 Title IX regulations (34 C.F.R. Part 106, effective August 14, 2020) and will be updated if the regulatory framework changes. Florida has not fully adopted the 2024 regulations; B-CU complies with the federal standard affording greater protection to students and employees in all cases.

PART I: Title IX Sexual Harassment, Sexual Assault, Sexual Misconduct, Relationship Violence & Stalking Policy

Nondiscrimination Statement

Title IX of the Education Amendments of 1972 and other laws prohibit discrimination based on sex in employment and education programs and activities. **Title IX protects all persons from sex discrimination, including sexual harassment and sexual violence.** Bethune-Cookman University (B-CU) prohibits discrimination based on sex in employment and education programs and activities. B-CU will respond to all reports of sex discrimination that: (1) the University has actual knowledge of; (2) occurred within B-CU's education program or activity; and (3) occurred against a person in the United States.

This policy applies to all students, employees, and volunteers and to conduct occurring in B-CU's education program or activity, including all operations of B-CU and locations, events, or circumstances over which B-CU exercises substantial control over both (1) the respondent, and (2) the context in which the conduct occurs, including on school grounds, any building owned or controlled by a student organization officially recognized by B-CU; and through technology resources provided by or used at B-CU or impacting a student or employee at a location owned, leased, or controlled by B-CU or a recognized student organization.

B-CU will process all sex discrimination complaints it receives to determine whether the conduct alleged, if proved, would constitute sexual harassment as defined in applicable regulations. B-CU reserves the right to address disciplinary infractions outside Title IX's scope under its student, employee, and faculty codes of conduct and handbooks.

B-CU will take appropriate action should it receive a formal complaint and has actual knowledge that any contractor, vendor, partner, or other affiliate has engaged in sex-based misconduct, up to and including termination of the business relationship.

Title IX Coordinators and Other Roles

The Title IX Coordinator's responsibilities include receipt and review of complaints, investigating or overseeing the investigation of complaints of alleged sexual misconduct or harassment; ensuring that consistent standards and practices apply to all investigations; being available to meet with students and employees who believe a violation of this policy has occurred; and assisting campus security or law enforcement as needed.

Complaints and inquiries may also be directed to the **U.S. Department of Education, Office for Civil Rights (OCR)** at: (800) 421-3481 or ocr@ed.gov | <https://www.ed.gov/ocr>

Complaints, inquiries, and reports concerning this policy should be directed to:

Ms. Ashley Thomas

University Ombudsman & Title IX Compliance Officer / Compliance Officer for Faculty/Staff/Students

Email: thomasash@cookman.edu | bcuombudsman@cookman.edu | bcuix@cookman.edu

Phone: (386) 481-2396 | 636 State Street, Daytona Beach, FL 32114

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Title IX Deputy Coordinator — Executive Director of Campus Safety & Criminal Justice

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POLICY DEFINITIONS

Regulatory Note: The definitions below are drawn from the operative 2020 Title IX regulations (34 C.F.R. Part 106, effective August 14, 2020), supplemented where indicated by the Clery Act (20 U.S.C. § 1092(f)), the Violence Against Women Act (34 U.S.C. § 12291), and Florida law. The 2024 Final Rule was vacated January 9, 2025 and is not in effect.

Actual Knowledge means notice of sexual harassment or allegations of sexual harassment to B-CU's Title IX Coordinator or any B-CU official who has authority to institute corrective measures on behalf of B-CU. Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. This standard is not met when the only official with actual knowledge is the respondent. The mere ability or obligation to report sexual harassment, or having been trained to do so, does not create actual knowledge. 34 C.F.R. § 106.30(a) (2020).

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment under this policy. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of B-CU. *34 C.F.R. § 106.30(a) (2020).*

Consent — The U.S. Department of Education does not mandate a specific definition of consent for Title IX purposes. B-CU defines consent as a knowing, voluntary, and affirmative agreement to engage in sexual activity. The following principles govern consent at B-CU:

- Consent must be voluntary and given without coercion, force, threats, or intimidation.
- Consent to one form of sexual activity, or on one occasion, does not constitute consent to other forms or on another occasion.
- A person who is incapacitated cannot give consent. Whether a person is incapacitated is evaluated from the perspective of a reasonable person in the accused's position who knew, or reasonably should have known, that the other person was incapacitated.
- A minor (under 18 years of age, or the applicable age of consent under Florida law) cannot legally consent to sexual activity with an adult.
- Silence, passivity, or the absence of resistance does not constitute consent.

34 C.F.R. § 106.30(a) (2020) states the Assistant Secretary will not require recipients to adopt a particular definition of consent with respect to sexual assault. B-CU's definition reflects OCR guidance and Florida law.

Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of the relationship is determined by considering: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved. Dating violence does not include violence in a casual acquaintanceship or violence between individuals who have only engaged in ordinary fraternization in a business or social context. *34 U.S.C. § 12291(a)(10); 34 C.F.R. § 106.30(a) (2020); 34 C.F.R. § 668.46(a).*

Domestic Violence means felony or misdemeanor crimes of violence committed by: (i) a current or former spouse or intimate partner of the victim; (ii) a person with whom the victim shares a child in common; (iii) a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; (iv) a person similarly situated to a spouse under the domestic or family violence laws of the jurisdiction; or (v) any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of the jurisdiction. *34 U.S.C. § 12291(a)(8); 34 C.F.R. § 106.30(a) (2020); 34 C.F.R. § 668.46(a).*

Education Program or Activity means all the operations of B-CU, including locations, events, or circumstances over which B-CU exercises substantial control over both the respondent and the context in which the conduct occurs. This includes any building owned or controlled by a student organization officially recognized by B-CU, and encompasses all academic, educational, extracurricular, athletic, and other programs of B-CU. *20 U.S.C. § 1681(a); 34 C.F.R. §§ 106.2, 106.30(a) (2020).*

Formal Complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that B-CU investigate the allegation of sexual harassment. At the time of filing, a complainant must be participating in or attempting to participate in the education program or activity of B-CU. A formal complaint may be filed in person, by mail, or by electronic mail using the contact information for the Title IX Coordinator. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party. *34 C.F.R. § 106.30(a) (2020).*

Incapacitation means a state in which a person lacks the physical or mental ability to make informed, rational judgments about whether to consent to sexual activity. A person may be incapacitated as a result of the use of alcohol or other drugs (including substances administered without consent), unconsciousness, sleep, blackout, or any other condition. Incapacitation is a state beyond mere intoxication. *See also Fla. Stat. § 794.011.*

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment under this policy. *34 C.F.R. § 106.30(a) (2020).*

Retaliation means intimidation, threats, coercion, or discrimination against any person by B-CU or any student, employee, or other authorized person for the purpose of interfering with any right or privilege secured by Title IX or

this policy, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any investigation, proceeding, or hearing under this policy. B-CU strictly prohibits retaliation. 34 C.F.R. § 106.71 (2020).

Sex Discrimination means any conduct that denies or limits a person's ability to participate in or benefit from B-CU's education program or activity on the basis of sex, including sexual harassment, sexual assault, dating violence, domestic violence, stalking, pregnancy discrimination, sex stereotyping, and other sex-based conduct. Any person, regardless of sex or gender identity, may file a complaint of sex discrimination. 20 U.S.C. § 1681(a); 34 C.F.R. § 106.10 (2020).

Sexual Harassment means conduct on the basis of sex that satisfies one or more of the following (34 C.F.R. § 106.30(a) (2020)):

- **Quid Pro Quo:** An employee of B-CU conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
- **Hostile Environment:** Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to B-CU's education program or activity; and/or
- **Sexual Assault, Dating Violence, Domestic Violence, or Stalking** as defined in this policy and in the Clery Act (20 U.S.C. § 1092(f)) and VAWA (34 U.S.C. § 12291).

Under the 2020 regulations, sexual harassment must occur in B-CU's education program or activity and against a person in the United States. B-CU may address conduct outside this scope under its Code of Conduct and other applicable policies.

Sexual Assault means any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. For Title IX purposes, sexual assault includes the following offenses as classified under the FBI's National Incident-Based Reporting System (NIBRS), consistent with the Clery Act (20 U.S.C. § 1092(f)(6)(A)(v); 34 C.F.R. § 106.30(a) (2020)):

- **Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of age or temporary or permanent incapacity.
- **Incest:** Nonforcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent. Under Florida law, the age of consent is 18 years old. See Fla. Stat. § 794.05.

Note: The former "Forcible Rape," "Forcible Sodomy," and related legacy UCR/SRS categories have been replaced by the current NIBRS definitions, which govern sexual assault for Title IX and Clery Act purposes. See 85 Fed. Reg. 30026, 30176 (May 19, 2020).

Sexual Battery means a form of sexual violence under Florida law meaning oral, anal, or vaginal penetration by, or union with, the sexual organ of another person, or the anal or vaginal penetration of another by any other object, without that person's consent. Sexual battery constitutes sexual assault for purposes of this policy. Fla. Stat. § 794.011.

Sexual Violence means a form of sex-based harassment that includes physical sexual acts, such as unwelcome sexual touching, sexual assault, sexual battery, rape, domestic violence, dating violence, and stalking based on sex, perpetrated against an individual without consent or against an individual incapable of giving consent. Persons of any sex or gender identity may be victims of sexual violence.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person's safety or the safety of others; or (B) suffer substantial emotional distress. "Course of conduct" means two or more acts, including acts through electronic mail, electronic communication, or social media (cyberstalking). See also Fla. Stat. § 784.048. 34 U.S.C. § 12291(a)(30); 34 C.F.R. § 106.30(a) (2020).

Supportive Measures means non-disciplinary, non-punitive, individualized services offered as appropriate, reasonably available, and without charge to the complainant or respondent before or after the filing of a formal complaint, or where no formal complaint has been filed. Supportive measures are designed to restore or preserve equal access to B-CU's education program or activity without unreasonably burdening the other party. Supportive measures may include

counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, and other similar measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures. *34 C.F.R. § 106.30(a) (2020)*.

PROHIBITED CONDUCT

Any conduct by an employee, student, or volunteer that denies or limits the ability of a student or employee to participate in or receive the benefits, services, or opportunities of employment or any B-CU program or activity based on sex is prohibited. This includes any circumstance where:

1. An employment or educational decision or benefit is conditioned on submission to unwelcome sexual advances or conduct;
2. Submission to, or rejection of, unwelcome sexual conduct is used as a basis for denying employment or an opportunity to participate in or benefit from a B-CU program or activity;
3. Conduct has the purpose or effect of unreasonably interfering with, denying, or limiting a student's ability to participate in or benefit from any school program or activity, or a term, condition, or benefit of employment;
4. Conduct alters the educational environment to the degree that it adversely affects the student's ability to participate in or benefit from any school program, whether or not that student is the target of the harassment;
5. An instructor, administrator, volunteer, or other person in a position of authority engages in sex discrimination or sexual harassment of a student or employee; and/or
6. A student or a group of students engages in sexual harassment of another student or students.

The following are examples of behaviors that are prohibited under this policy. This is not an exhaustive list:

7. Unwelcome sexual flirtations, advances, or propositions;
8. Derogatory, vulgar, or graphic written or oral statements regarding one's sexuality;
9. Unwanted touching of an individual's body;
10. Attempted or actual physical assault;
11. Any nonconsensual sexual act, including but not limited to rape, sexual assault, sexual battery, and sexual coercion;
12. Unwelcome sexual comments, innuendoes, suggestions, or jokes;
13. Display of sexually suggestive pictures or objects;
14. Domestic violence, dating violence, sexual violence, and stalking, including electronic and cyberstalking;
15. Sending text messages, emails, or other electronic communications with nude or sexually suggestive photos, videos, or other images, including non-consensual distribution of intimate images (revenge porn); and
16. Online sexual exploitation or the non-consensual distribution of sexually explicit material.

This policy specifically includes electronic communications, including but not limited to phone calls, text messages, email, and social media communications such as Instagram, Snapchat, X (Twitter), Facebook, and similar platforms. **All forms of sex discrimination, whether in person or online, are prohibited.**

REPORTING SEXUAL MISCONDUCT AND FILING A COMPLAINT

Where to Report or File a Complaint

Sexual assault, sexual harassment, and other behavior prohibited by this policy should be reported to:

Ms. Ashley Thomas

University Ombudsman & Title IX Compliance Officer

Email: thomasash@cookman.edu

Phone: (386) 481-2396 | 636 State Street, Daytona Beach, FL 32114

Campus Safety: **(386) 481-2900**

Online Incident Reporting Form: https://cm.maxient.com/reportingform.php?BethuneCookmanUniv&layout_id=0

Campus Safety Tips: <https://www.cookman.edu/campusafety/safety-tips.html>

U.S. Department of Education OCR: <https://ocrcas.ed.gov> | (800) 421-3481 | ocr@ed.gov

Institutional Response Obligations

B-CU's response obligations are triggered when B-CU has **actual knowledge** of conduct that reasonably may constitute sex discrimination in its education program or activity. B-CU will respond promptly and effectively and in a manner that is not deliberately indifferent — meaning not clearly unreasonable in light of the known circumstances. B-CU's response will include:

17. Taking immediate action to end any sex discrimination in its education program or activity;
18. Preventing recurrence of sex discrimination;
19. Remedying the effects of sex discrimination on the complainant and the broader campus community;
20. Treating complainants and respondents equitably;
21. Offering appropriate supportive measures; and
22. Following established grievance procedures.

Reporting Procedures

Any person may report sexual harassment — whether or not the person reporting is the alleged victim — by using the contact information listed for the Title IX Coordinator. Reports may be made at any time, including during non-business hours, by telephone, email, or mail to the listed office address. **Third-party and anonymous reports are accepted and trigger B-CU's response obligations.**

Any B-CU official who has the authority to institute corrective measures on behalf of B-CU who receives a report of sexual harassment is **required** to report it to the Title IX Coordinator. Failure to comply with this reporting obligation shall be grounds for disciplinary action, up to and including termination of employment.

Complaint Process — What to Expect

Upon receipt of a complaint, the Title IX Coordinator will contact the complainant to discuss available supportive measures (with or without the filing of a formal complaint), consider the complainant's wishes with respect to supportive measures, and explain the process for filing a formal complaint. The Title IX Coordinator will also determine whether the allegations, if true, would constitute a violation of Title IX.

Upon receipt of a formal complaint or actual knowledge of alleged conduct implicating this policy, the Title IX Coordinator will meet with the complainant and explain:

23. The right to report a crime to campus security or local law enforcement;
24. The right not to report a crime to law enforcement or file criminal charges;
25. The right to simultaneously file both a criminal complaint and a formal institutional Title IX complaint;
26. The right to request assistance from B-CU officials with filing a criminal complaint;
27. If a formal complaint is filed, initial review by the Title IX Coordinator to determine whether the allegations, if true, would constitute a Title IX violation;
28. Options for informal and formal resolution if a complaint proceeds beyond initial review;

29. Available health care, victim advocacy, mental health, and legal assistance resources on and off campus, including: Campus Health Services: <https://www.cookman.edu/currentstudents/health-services.html>
Center for Religious Life: <https://www.cookman.edu/crl/index.html>
30. That even if a complainant asks B-CU not to take action, B-CU may be obligated to investigate; and
31. Prohibitions against retaliation.

Confidentiality

B-CU will make reasonable efforts to preserve complainants' and respondents' privacy and will only disclose information regarding complaints on a need-to-know basis, primarily to persons responsible for investigation, evaluation, and reporting. **B-CU cannot require any party to maintain confidentiality.**

Employees whose communications are legally privileged (e.g., licensed counselors acting within the scope of their professional duties) are designated confidential employees and are not required to report disclosures made to them in their confidential capacity.

Emergency Removal

B-CU is authorized to remove a respondent from its education programs or activities on an **emergency basis**, with or without a grievance process being pending, upon conducting an individualized safety and risk analysis that determines an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal. The respondent must be given notice and an opportunity to challenge the removal.

Complaints Signed by the Title IX Coordinator

The only B-CU official authorized to initiate the grievance process without a complainant's formal complaint is the Title IX Coordinator. The Title IX Coordinator may initiate a grievance process when a complainant does not wish to participate only when specific circumstances justify that action and doing so is not clearly unreasonable in light of the known circumstances. The reasons for the decision must be documented.

B-CU'S GRIEVANCE PROCESS

B-CU's grievance process consists of: (1) an investigation; (2) a live hearing; (3) written determination; (4) an appeal; and (5) imposition of sanctions and remedies. **A presumption of non-responsibility applies throughout the grievance process:** the respondent is presumed not responsible for the alleged conduct until a determination of responsibility is made at the conclusion of the grievance process.

The grievance process may not require, allow, rely upon, or use questions or evidence that constitute or seek disclosure of information protected by a legally recognized privilege, unless B-CU obtains that party's voluntary, written consent. If a party is not an eligible student as defined in 34 C.F.R. § 99.3, B-CU must obtain the voluntary, written consent of a parent as defined therein.

Investigation

A **formal complaint** must be filed before an investigation begins. A formal complaint is: (a) a written document filed by a complainant alleging sexual harassment against a respondent and requesting that B-CU investigate; or (b) a complaint signed by the Title IX Coordinator.

Formal complaints will be investigated by the Title IX Coordinator or a designee. B-CU may utilize external investigators at its discretion. **The burden of proof and the burden of gathering evidence rest on B-CU, not on the parties.**

Notice of Allegations

Upon receipt of a formal complaint, B-CU must provide written notice to all known parties that includes:

- (a) Written notice of the grievance process;
- (b) Written notice of the allegations of sexual harassment, including sufficient details — the identities of the parties (if known), the conduct alleged, and the date and location of the alleged incident (if known) — with sufficient time to prepare a response before any initial interview;
- (c) A statement that the respondent is presumed not responsible for the alleged conduct;
- (d) A statement that a determination regarding responsibility is made at the conclusion of the grievance process;
- (e) Written notice that the parties may have an advisor of their choice, who may be an attorney;
- (f) A statement that the parties may inspect and review evidence; and
- (g) Any provision in B-CU's code of conduct or handbooks prohibiting knowingly making false statements or submitting false information during a grievance process.
- (h) If, during an investigation, B-CU decides to investigate additional allegations not included in the original notice, B-CU must provide notice of the additional allegations to the parties.

Notice Requirements for Meetings and Interviews

B-CU must provide written notice to any party whose participation is invited or expected for all hearings, investigative interviews, or other meetings. This notice must be provided sufficiently in advance — typically no less than five (5) business days before the proceeding — and must include:

32. Date, time, and location of the proceeding;
33. Identity of all participants expected to attend;
34. Purpose and scope of the meeting or interview;
35. Reminder of the party's right to be accompanied by an advisor; and
36. Any documents or evidence that will be discussed or reviewed.

Investigation of a Formal Complaint

Throughout the grievance process, the investigator(s) must:

- (i) Ensure that the burden of proof and the burden of gathering evidence rest on B-CU;
- (j) Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
- (k) Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence;
- (l) Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied by an advisor of their choice, who may be, but is not required to be, an attorney;
- (m) Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including evidence upon which B-CU does not intend to rely and both inculpatory and exculpatory evidence;
- (n) Before completion of the investigative report, send to each party and the party's advisor the evidence subject to inspection and review, and allow the parties at least ten (10) days to submit a written response, which the investigator will consider before completing the investigative report;
- (o) Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days before a hearing, send the report to each party and the party's advisor for review and written response; and
- (p) Ensure that credibility determinations are not based on a person's status as a complainant, respondent, or witness.

Dismissal of Complaints

Mandatory dismissal: B-CU must dismiss a complaint if:

37. The conduct alleged would not constitute sex discrimination under Title IX, even if proven;
38. The conduct did not occur in B-CU's education program or activity;
39. The conduct did not occur against a person in the United States; or
40. The respondent is not participating in or employed by B-CU at the time the complaint is filed.

Permissive dismissal: B-CU may dismiss a complaint if:

41. The complainant voluntarily withdraws any or all allegations and B-CU determines that the remaining conduct, if any, would not constitute sex discrimination if proven; or
42. Specific circumstances prevent B-CU from gathering evidence sufficient to reach a determination.

Prior to any permissive dismissal, B-CU must make reasonable efforts to clarify the allegations with the complainant.

Upon any dismissal, B-CU must promptly notify both parties in writing of the dismissal and the basis for it.

Time Frame for Investigation

There is no fixed regulatory time frame under which B-CU must complete a sexual misconduct investigation, hearing, or informal resolution. The investigation must be completed within a "**reasonable time**", taking into account the facts and circumstances of the complaint, the number and location of witnesses, and the institution's schedule, including exams, closures for institutional breaks, or other reasons. B-CU will provide written notice to the parties of any extension of time frames for good cause, including the reason for the delay.

Live Hearings

The grievance process must provide for a live hearing. 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. **Cross-examination must be conducted directly, orally, and in real time by the party's advisor — never by a party personally.**

At the live hearing:

- (q) The decision-maker(s) must conduct an objective evaluation of all relevant evidence — including both inculpatory and exculpatory evidence. Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.
- (r) At the request of either party, B-CU will provide for the parties to appear virtually in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the person answering questions.
- (s) If a party does not have an advisor for the live hearing, B-CU will provide one at no charge to conduct cross-examination on behalf of that party. An advisor may be, but is not required to be, an attorney.
- (t) Only relevant cross-examination and other questions may be asked of a party or witness. The decision-maker(s) will determine the relevance of each question before it is answered, and must provide an on-the-spot explanation for any decision to disallow a question.
- (u) Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless offered to prove that someone other than the respondent committed the alleged conduct, or to prove consent based on specific incidents of prior sexual behavior with the respondent.
- (v) If a party or witness does not submit to cross-examination at the live hearing, the decision-maker(s) must not rely on any statement of that party or witness in reaching a determination regarding responsibility; however, no inference about the determination may be drawn solely on the basis of a party's or witness's absence or refusal to answer.
- (w) B-CU must create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the parties for inspection and review.

Evidentiary Standard: A "preponderance of the evidence" standard (more likely than not) will be used for all Title IX determinations.

Determinations

A hearing officer or panel who is not the Title IX Coordinator must issue a written determination for each allegation that includes:

- (x) Identification of the allegations potentially constituting sexual harassment;
- (y) A description of the procedural steps taken from receipt of the formal complaint through the determination;
- (z) Findings of fact supporting the determination;
- (aa) Conclusions regarding the application of B-CU's code of conduct and handbooks to the facts;
- (bb) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions imposed on the respondent, and whether remedies will be provided to the complainant; and
- (cc) Procedures and basis for appeal.

The written determination will be provided to both parties simultaneously. The determination becomes final on the date B-CU provides the parties with the written determination of the result of the appeal, or if no appeal is filed, the date on which an appeal would no longer be timely.

Appeals

Both parties have an equal opportunity to appeal on any of the following grounds:

- 43. Procedural irregularity that affected the outcome of the matter;
- 44. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome; and
- 45. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome.

Any party may file an appeal within **five (5) calendar days** of receipt of the determination. **Appeals filed after the deadline will not be considered.** The institutional designee will issue a decision in writing no later than thirty (30) days after the appeal is submitted, with a maximum period of sixty (60) days. B-CU will:

- (dd) Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- (ee) Ensure that the appeal decision-maker(s) are not the same persons as the decision-maker(s) who reached the original determination, the investigator(s), or the Title IX Coordinator;
- (ff) Ensure that the appeal decision-maker(s) do not have a conflict of interest or bias;
- (gg) Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- (hh) Issue a written decision describing the result of the appeal and the rationale; and
- (ii) Provide the written decision simultaneously to both parties.

Remedies and Possible Sanctions

Remedies may include the same individualized services used as supportive measures; however, remedies need not be non-disciplinary or non-punitive. Following a determination of responsibility, B-CU will implement remedies designed to restore or preserve equal access to B-CU's education program or activity.

The range of possible disciplinary sanctions includes, for faculty and staff, probation up to and including termination of employment; and for students, probation up to and including suspension or expulsion. Any sanction imposed on a respondent that relates directly to the complainant — such as a no-contact order, class or housing transfer, or suspension — will be disclosed to the complainant.

Before imposing a sanction on a student found responsible for a sexual misconduct violation, B-CU will consider: (1) how best to enforce its Code of Conduct; (2) the impact of separating a student from their education; and (3) whether the proposed sanction is a proportionate response to the violation.

Training

All Title IX Coordinators, investigators, decision-makers, and persons who facilitate the informal resolution process must receive training and must not have a conflict of interest or bias for or against complainants or respondents. Training must cover:

46. The definition of sexual harassment in 34 C.F.R. § 106.30 (2020);
47. The scope of B-CU's education programs and activities;
48. How to conduct an investigation and grievance process, including hearings, appeals, and informal resolution;
49. The presumption of non-responsibility; and
50. How to serve impartially, including by avoiding prejudgment, conflicts of interest, and bias.

Decision-makers must additionally receive training on:

51. Any technology to be used at a live hearing; and
52. Issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

All training materials must be gender-neutral, free of sex bias and sex stereotyping, and must promote impartial investigations and adjudications. **B-CU shall make all training materials used under this policy available to the public upon request within ten (10) business days.**

Informal Resolution

B-CU offers informal resolution processes, such as mediation, as alternatives to a full investigation and adjudication. Informal resolution requires that both parties give **voluntary, written consent**. **Informal resolution cannot be used for complaints alleging sexual harassment of students by employees.**

The following conditions apply to informal resolution:

- (jj) B-CU will not require the parties to participate in informal resolution and will not offer it unless a formal complaint is filed;
- (kk) Either party may withdraw from informal resolution and resume the grievance process at any time before agreeing to a resolution;
- (ll) The parties will not be required to work out problems directly with one another and will be facilitated by a trained mediator;
- (mm) Informal resolution may be used to resolve sexual misconduct cases if both parties agree;
- (nn) The parties are free to negotiate terms of the agreement, including confidentiality and sanctions; the agreement becomes binding once entered into; and
- (oo) Individuals mediating or facilitating informal resolution must be free from conflicts of interest, bias, and trained to serve impartially.

Non-Retaliation

B-CU strictly prohibits retaliation against any student, employee, or other individual who: reports or complains about sex discrimination; participates in a report, investigation, or proceeding involving a claim or allegation under this policy; or exercises any right under this policy. Retaliation may be grounds for disciplinary action independent of whether the underlying complaint is substantiated. **Charging an individual with a code of conduct violation as a form of retaliation is prohibited.**

Dissemination of Policy

This policy must be distributed to:

53. Students;
54. Administrators, faculty, other employees, and volunteers;
55. Applicants for admission; and
56. Employment applicants.

This policy must be made available:

57. On the University website;
58. In hard copy at multiple campus locations; and
59. In both printed and electronic publications, including student, staff, and faculty handbooks, codes of conduct, and catalogs.

Record Keeping Requirements

B-CU must maintain records related to Title IX compliance for **seven (7) years**. Required records include:

60. Each sexual harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript;
61. Any disciplinary sanctions imposed on the respondent;
62. Any remedies provided to the complainant designed to restore or preserve equal access to B-CU's education program or activity;
63. Any appeal and the result therefrom;
64. Any informal resolution and the result therefrom;
65. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process; and
66. Records documenting any actions taken by B-CU under § 106.44.

B-CU must also maintain records that document:

- The basis for B-CU's conclusion that its response was not deliberately indifferent;
- That B-CU has taken measures designed to restore or preserve equal access to its education program or activity; and
- If supportive measures were not provided to a complainant, the reasons why such response was not clearly unreasonable in light of the known circumstances.

References

- Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 85 Fed. Reg. 30026 (May 19, 2020), 34 C.F.R. Part 106 [operative 2020 Title IX regulations]
- Violence Against Women Reauthorization Act of 2013 (VAWA/Campus SaVE Act), Pub. L. No. 113-4
- Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
- The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended
- Title IX Legal Manual, U.S. Department of Justice Civil Rights Division
- Note: The 2024 Title IX Final Rule (89 Fed. Reg. 33474) was vacated January 9, 2025, and is not in effect.

PART II: Policy on Pregnancy, Childbirth, False Pregnancy, Termination of Pregnancy, and Recovery for Students and Employees

Applicability Note: Florida Law and Federal Compliance

Bethune-Cookman University is a private HBCU located in Daytona Beach, Florida, and a recipient of federal financial assistance. B-CU complies with Title IX and its implementing regulations as currently in force and as interpreted by the U.S. Department of Education Office for Civil Rights (OCR), irrespective of whether Florida state law adopts or restricts any particular provision. Where Florida law and federal Title IX obligations conflict, B-CU will follow the standard that affords greater protection to students and employees consistent with federal law. This policy supplements Part I and applies independently of state law requirements.

I. Policy Statement

Bethune-Cookman University ("B-CU" or "the University") is committed to creating and maintaining an educational environment that is free from discrimination on the basis of sex, including discrimination based on pregnancy, childbirth, false pregnancy, termination of pregnancy, and recovery from any of these conditions. In compliance with Title IX of the Education Amendments of 1972, as amended, and its implementing regulations at 34 C.F.R. Part 106, B-CU prohibits discrimination against students and employees on the basis of pregnancy and pregnancy-related conditions in its education programs and activities.

This Policy establishes B-CU's commitment to providing reasonable adjustments to students and employees affected by pregnancy, childbirth, and pregnancy-related conditions to ensure equal access to education programs and activities.

II. Legal Authority

This Policy is promulgated pursuant to and in compliance with the following legal authorities:

- Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq.
- 34 C.F.R. § 106.40 — Parental, family, or marital status; pregnancy or related conditions
- 34 C.F.R. § 106.8 — Designation of coordinator, dissemination of policy, and adoption of grievance procedures
- 34 C.F.R. § 106.31(a) — Nondiscrimination in education programs or activities
- For Employees: PUMP for Nursing Mothers Act, 29 U.S.C. § 218d
- For Employees: Pregnant Workers Fairness Act, 42 U.S.C. § 2000gg et seq.

III. Scope

A. Persons Covered

This Policy applies to:

67. All students enrolled in any academic program at B-CU, including undergraduate, graduate, and professional students;
68. Prospective students;
69. B-CU employees; and
70. All persons participating in University education programs and activities.

B. Programs and Activities Covered

This Policy applies to all University education programs and activities, including but not limited to: academic programs and courses; extracurricular activities; athletics; housing; student organizations; internships, externships, clinical rotations, and practicums; study abroad programs; research opportunities; financial aid and scholarships; and employment.

IV. Definitions

A. Health Care Provider: A licensed medical professional authorized to provide health care services, including but not limited to physicians, nurse practitioners, physician assistants, certified nurse midwives, licensed midwives, therapists, doulas, and other licensed healthcare professionals of the student's choosing.

B. Leave of Absence: A voluntary absence from B-CU's education programs or activities for a period of time due to pregnancy, childbirth, or pregnancy-related conditions.

C. Medical Necessity: A health care provider's determination that a student requires reasonable adjustments, excused absences, or leave related to pregnancy, childbirth, or pregnancy-related conditions.

1. Pregnancy and Pregnancy-Related Conditions include, but are not limited to:

- Pregnancy
- Childbirth
- False pregnancy
- Miscarriage
- Termination of pregnancy
- Abortion services
- Conditions arising in connection with pregnancy
- Recovery from any of these conditions

D. Reasonable Adjustment: A change to policies, practices, or procedures provided to ensure that students affected by pregnancy, childbirth, or pregnancy-related conditions are treated in the same manner and under the same policies as any other student with a temporary disability, consistent with 34 C.F.R. § 106.40(b).

E. Recipient: Bethune-Cookman University as an institution that receives federal financial assistance.

F. Title IX Compliance Officer: B-CU official designated to coordinate B-CU's compliance with Title IX, including this Policy.

V. Prohibited Conduct

A. Discrimination

B-CU shall not discriminate against any student, or exclude any student from its education program or activity, including any class or extracurricular activity, on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy, recovery from any of these conditions, or pregnancy-related conditions.

B. Differential Treatment Based on Parental, Family, or Marital Status

B-CU shall not apply any rule concerning a student's actual or potential parental, family, or marital status that treats students differently on the basis of sex.

C. Specific Prohibited Actions

B-CU, including its faculty, staff, and agents, shall not:

71. Require a student to withdraw from or limit their participation in any University program or activity because of pregnancy, childbirth, or pregnancy-related conditions;
72. Require a student to take a leave of absence because of pregnancy, childbirth, or pregnancy-related conditions;
73. Treat pregnancy-related absences as unexcused when documentation of medical necessity has been provided;
74. Apply different academic standards or requirements to a student because of pregnancy, childbirth, or pregnancy-related conditions;
75. Penalize a student for choosing to remain enrolled or to continue participating in classes or activities while pregnant;
76. Require medical documentation for pregnancy-related conditions unless required for all students with medical conditions;

77. Exclude a pregnant student from any part of an educational program, including extracurricular activities;
78. Make any statement, written or verbal, that a student's continuation in a program will be negatively affected by pregnancy, childbirth, or pregnancy-related conditions; or
79. Retaliate against any student for exercising rights under this Policy, filing a complaint, or participating in an investigation.

VI. Reporting and Resources

B-CU encourages employees who are informed that a student is affected by pregnancy, childbirth, or pregnancy-related conditions to refer the student to the Title IX Compliance Officer for information regarding the student's rights and available resources.

A. Title IX Compliance Officer Contact Information

Ms. Ashley Thomas

University Ombudsman and Title IX Compliance Officer

Email: thomasash@cookman.edu | bcuix@cookman.edu

Phone: (386) 481-2396 | 640 Dr. Mary McLeod Bethune Blvd., Daytona Beach, FL 32114

VII. Reasonable Adjustments

Once the Title IX Compliance Officer has received any applicable documentation and engaged in a discussion with the student regarding the student's request(s), the Title IX Compliance Officer shall determine appropriate reasonable adjustments. For any adjustment that may affect course requirements, program structure, order of progression, or prerequisites, the Title IX Compliance Officer shall consult with Academic Affairs.

A. Obligation to Provide Reasonable Adjustments

B-CU shall treat pregnancy, childbirth, and pregnancy-related conditions in the same manner and under the same policies as any other temporary disability with respect to any medical or hospital benefit, service, plan, or policy that B-CU administers, operates, offers, or participates in with respect to students admitted to B-CU's education program or activity. B-CU shall provide reasonable adjustments to the policies, practices, or procedures of B-CU's education program or activity to ensure equal access for students affected by pregnancy, childbirth, or pregnancy-related conditions, consistent with 34 C.F.R. § 106.40(b).

B. Types of Reasonable Adjustments

Reasonable adjustments may include, but are not limited to:

1. Classroom and Course Adjustments
 - Breaks during class to use the restroom, eat, drink, or attend to health needs
 - Breaks during class to express breast milk, breastfeed, or address other lactation needs
 - Intermittent absences to attend medical appointments
 - Excused absences for medically necessary periods
 - Extensions of time for coursework and assignments
 - Rescheduling of tests and examinations
 - Allowing the student to sit or stand as needed
 - Allowing the student to carry or keep water nearby
2. Physical Accommodations
 - Access to a larger desk or workspace
 - Access to a footrest
 - Elevator access
 - Changes to parking arrangements

- Accessible seating
- 3. Academic Program Adjustments
 - Changes in schedule or course sequence
 - Access to online or remote instruction
 - Homebound education options
 - Modified schedules for clinicals, internships, residencies, or practicums
 - Leave of absence with reinstatement rights
- 4. Grading and Assessment Adjustments
 - Opportunity to make up missed assignments, tests, and examinations
 - Grade of incomplete with opportunity to complete coursework
 - Withdrawal from course consistent with the University's standard policy
 - Removal of a failing grade from transcript with opportunity to retake course
- 5. Support Services
 - Counseling services
 - Academic advising
 - Tutoring services

C. Individualized and Interactive Process

Reasonable adjustments shall be evaluated individually and will vary depending on the circumstances. In evaluating reasonable adjustments, the preferences of the student will be considered, but the ultimate determination regarding the type of adjustment is made by the Title IX Compliance Officer.

B-CU shall engage in an interactive process with the student to determine appropriate adjustments. This process includes:

80. Outreach: Upon notification that a student is affected by pregnancy, childbirth, or pregnancy-related conditions, the Title IX office will reach out to the student to provide information regarding their rights, available resources, and the adjustment process.
81. Documentation: When required, the student will submit documentation from a health care provider of their choosing to establish medical necessity.
82. Discussion: A full discussion of the student's request(s) will take place to determine reasonable adjustments.
83. Determination: The Title IX Compliance Officer determines reasonable adjustments based on the student's individualized needs.
84. Documentation of Adjustments: The Title IX Compliance Officer will provide the student with written documentation of approved adjustments.
85. Implementation: The student provides documentation to instructors or other relevant personnel, who are responsible for implementing the approved adjustments.

D. Student Option to Accept or Decline Adjustments

B-CU has authority to determine the adjustment that will be offered. Once this decision is communicated to the student, the student has the choice to accept or decline. However, declining an adjustment does not obligate B-CU to offer an alternative. If the student accepts an adjustment, B-CU shall implement it.

VIII. Excused Absences and Leave of Absence

A. Excused Absences

B-CU shall excuse a student's absences due to pregnancy, childbirth, or pregnancy-related conditions for as long as the student's health care provider deems the absences medically necessary. This requirement applies irrespective of classroom attendance requirements set by faculty, department, college, or division.

B. Types of Absences Covered

Excused absences include, but are not limited to:

86. Absences due to pregnancy-related medical conditions;
87. Absences for medically necessary prenatal and postnatal medical appointments;
88. Absences for childbirth and recovery;
89. Absences due to miscarriage or termination of pregnancy;
90. Absences for lactation needs; and
91. Absences for any pregnancy-related condition deemed medically necessary.

C. Leave of Absence

Students may take a voluntary leave of absence from B-CU's education program or activity to cover, at minimum, the period of time deemed medically necessary by the student's health care provider. If a student qualifies for leave under a University leave policy that allows a greater period of time than the medically necessary period, the student may take leave under that policy instead.

D. Make-Up Work

When a student's absences are excused due to pregnancy, childbirth, or pregnancy-related conditions, the student shall be provided a reasonable period of time to make up missed work. Options for making up work may include:

92. Making up missed assignments, tests, and examinations;
93. Retaking a course or semester;
94. Taking part in an online course credit recovery program;
95. Allowing additional time in a program to continue at the same pace;
96. Receiving a grade of incomplete; or
97. Withdrawing from a course consistent with the University's standard policy.

The student should be allowed to choose how to make up the work, to the extent practicable.

IX. Documentation Requirements

A. When Documentation May Be Required

B-CU may require documentation from a health care provider to establish medical necessity for: excused absences under 34 C.F.R. § 106.40(b); leave of absence; and adjustments requiring medical justification.

B. Documentation Standards

B-CU shall not require documentation for pregnancy-related conditions that is more burdensome than documentation required for other students with temporary medical conditions. If B-CU does not require documentation from students with other temporary disabilities seeking similar adjustments, B-CU shall not require documentation from students with pregnancy-related conditions.

C. Proper Recipient of Documentation

Medical documentation shall be submitted to the Title IX Compliance Officer or their designee. Faculty members shall not request medical documentation from students regarding pregnancy-related conditions.

D. Equal Treatment

B-CU shall not require documentation for pregnancy-related conditions that is more burdensome than documentation required for other temporary medical conditions.

X. Reinstatement**A. Reinstatement to Academic Status**

Upon return from a leave of absence or period of excused absences, the student shall be reinstated to the same academic status the student held when the leave or absences began.

B. Reinstatement to Extracurricular Status

Upon return, the student shall be reinstated, as practicable, to the extracurricular status the student held when the leave or absences began.

C. No Readiness-to-Return Requirement

The student shall not be required to demonstrate "readiness to return" or provide medical clearance before being permitted to re-enroll or return to classes, unless such clearance is required for all students returning from medical leave.

D. Financial Aid and Scholarships

Students will not negatively impact or forfeit their future eligibility for scholarships, fellowships, or similar University-supported funding by taking leave under this Policy, except as required by federal or state law or the terms of external funding sources. Before authorizing a withdrawal or course drop, B-CU shall inform the student of any impacts to financial aid, scholarships, or grants and permit the student to determine how they would like to proceed.

XI. Lactation Resources

As an institutional practice, B-CU will make good faith efforts to provide lactation spaces on campus for students. However, lactation space for students is not required by policy or under Title IX. Students who need access to lactation space may contact the Title IX Compliance Officer for information regarding available locations and scheduling. Nothing in this section or Policy creates any obligation not required by applicable law.

XII. Student-Athletes**A. Nondiscrimination in Athletics**

In accordance with Title IX, B-CU's Athletic Department shall not exclude any student who is affected by pregnancy, childbirth, or pregnancy-related conditions from any athletic team, including all team-related activities.

B. Prohibited Statements

No coach or other athletics department personnel shall make any statement, written or verbal, suggesting that a student's continued participation on a team will be affected in any way by pregnancy, childbirth, pregnancy-related conditions, parental status, or marital status.

C. Medical Clearance for Participation

B-CU shall allow a pregnant student-athlete to fully participate on the team unless the student's health care provider certifies that participation is not medically safe.

D. Scholarship Protection

B-CU shall not revoke or reduce athletic scholarships based on a student's pregnancy, childbirth, or pregnancy-related conditions.

XIII. Confidentiality

Any records or information obtained by B-CU as part of the adjustment process that reflect diagnosis, evaluation, or treatment of a student's medical condition are confidential. Such records shall be shared only with University employees who have a need to know and shall not be released except as required by law. Faculty and instructors shall receive only

the information necessary to implement approved adjustments and shall not receive detailed medical information or diagnoses.

XIV. Faculty and Staff Responsibilities

A. Faculty Obligations

Faculty members are responsible for:

98. Implementing approved adjustments as documented by the Title IX Compliance Officer;
99. Maintaining confidentiality of student pregnancy status and adjustments;
100. Refraining from requesting medical documentation directly from students;
101. Treating students affected by pregnancy, childbirth, and pregnancy-related conditions in a nondiscriminatory manner;
102. Providing make-up work opportunities as required; and
103. Creating alternative due dates for assignments when a student cannot meet a course deadline due to a medically necessary absence.

B. Prohibited Faculty Actions

Faculty members shall not:

104. Require a pregnant student to obtain medical clearance to attend class;
105. Penalize a student for pregnancy-related absences that have been excused;
106. Apply course attendance policies (such as a limited number of "unexcused absences" or dropped quiz grades) to medically necessary absences related to pregnancy;
107. Require medical documentation directly from the student; or
108. Make statements suggesting that a student's academic standing will be negatively affected by pregnancy.

C. Concerns About Adjustments

If a faculty member has information not previously considered during the interactive process indicating that an adjustment may conflict with essential course requirements, academic standards, or licensing or accreditation requirements, the faculty member may submit a request for reconsideration to the Title IX Compliance Officer.

XV. Grievance Procedures

A. Internal Complaints

Students who believe they have experienced discrimination on the basis of pregnancy, childbirth, or pregnancy-related conditions, or who believe they have been subjected to retaliation for exercising their rights under this Policy, filing a complaint, or participating in an investigation, may file a complaint using B-CU's Title IX grievance procedures. Complaints should be submitted to:

Ms. Ashley Thomas

University Ombudsman and Title IX Compliance Officer

Email: thomasash@cookman.edu

Phone: (386) 481-2396 | 636 State Street, Daytona Beach, FL 32114

B. External Complaints

Students may also file a complaint with:

U.S. Department of Education Office for Civil Rights (OCR) | Phone: (800) 421-3481 | Email: ocr@ed.gov |

Online: <https://ocrcas.ed.gov>

C. Prohibition on Retaliation

B-CU prohibits retaliation against any individual who: files a complaint under this Policy; participates in an investigation; exercises rights under this Policy; or opposes conduct prohibited by this Policy.

XVI–XX. Training, Dissemination, Administration & Legal Authority

B-CU may provide training to employees regarding the requirements of this Policy, prohibited conduct, the process for students to request reasonable adjustments, faculty responsibilities, and available resources. B-CU shall disseminate information to students regarding rights under this Policy, how to request adjustments, contact information for the Title IX Compliance Officer, and available resources. This Policy shall be published on the B-CU website, included in student and faculty/employee handbooks, made available to prospective students and employees, and distributed annually. Questions should be directed to the Title IX Compliance Officer. This Policy shall be reviewed annually.

Legal Authority — Statutes and Regulations

- Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. | <https://www.law.cornell.edu/uscode/text/20/1681>
- For Employees: PUMP for Nursing Mothers Act, 29 U.S.C. § 218d | <https://www.law.cornell.edu/uscode/text/29/218d>
- For Employees: Pregnant Workers Fairness Act, 42 U.S.C. § 2000gg et seq. | <https://www.eeoc.gov/pregnant-workers-fairness-act>
- 34 C.F.R. § 106.40 — Marital or parental status
- 34 C.F.R. § 106.8 — Designation of coordinator, dissemination of policy, and adoption of grievance procedures
- 34 C.F.R. § 106.31(a) — Nondiscrimination in education programs or activities
- 34 C.F.R. § 106.71 — Prohibition on retaliation
- Full text of all Title IX regulations: <https://www.ecfr.gov/current/title-34/subtitle-B/chapter-I/part-106>