



Association of  
Title IX Administrators

# **Title IX All-Employee Training**

Foothill-De Anza College District

September 2025

Kim Pacelli, Partner, TNG and ATIXA Advisory Board Member



Any advice or opinion provided during this training, either privately or to the entire group, is never to be construed as legal advice or an assurance of compliance. Always consult with your legal counsel to ensure you are receiving advice that considers existing case law in your jurisdiction, any applicable state or local laws, and evolving federal guidance.

# Content Advisory

The content and discussion in this course will necessarily engage with sexual harassment, sex discrimination, violence, and associated sensitive topics that can evoke strong emotional responses.

ATIXA faculty members may offer examples that emulate the language and vocabulary that Title IX practitioners may encounter in their roles including slang, profanity, and other graphic or offensive language. It is not used gratuitously, and no offense is intended.

# Training Goals



Explain Title IX in the simplest terms



Invite your partnership to support an equitable learning and working environment at Foothill and De Anza Colleges



Share tips on how you can help and support

# Please Sign In to Today's Training

<https://forms.office.com/r/YCA54JhaBf>

9/23 and 9/24 Training Sign in  
Sheet



# Title IX

“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.”



# Essential Compliance Elements

The requirement to **Stop, Prevent,** and **Remedy** guides institutions

**1**

**STOP** discriminatory conduct

**2**

**PREVENT** recurrence, on both individual and institutional levels

**3**

**REMEDY** the effects of discrimination, on both individual and institutional levels

# Title IX Scope and Definitions

# Scope

## Title IX

### Sex Discrimination

- Disparate Treatment
- Program Equity

### Retaliation

### Sexual Harassment

- Quid Pro Quo
- Hostile Environment
- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking

# Quid Pro Quo

- An employee of the Recipient
- Conditions, implicitly or explicitly, the provision of an aid, benefit, or service of the Recipient
- On an individual's participation in unwelcome sexual conduct



# Hostile Environment Sexual Harassment

- Unwelcome conduct
- determined by a reasonable person
- to be so **severe, pervasive, and objectively offensive (SPOO)**
- that it effectively denies a person equal access to the Recipient's education program or activity

**\* Please report even if you are not certain whether the behavior meets this standard; the Title IX Coordinator can determine which policy applies.**



# Sexual Assault and Consent

- Informed, knowing, and voluntary (freely given)
- Active (not passive)
- Creates mutually understandable permission regarding the conditions of sexual activity
- No means no, but nothing also means no. Silence and passivity do not equal consent.
- Given immediately prior to or contemporaneously with the sexual or intimate activity
- Consent can be withdrawn at any time, so long as it is clearly communicated verbally or non-verbally
- Cannot be obtained by use of:
  - Physical force, threats, intimidation, or coercion
- Cannot be given by someone known to be — or who should be known to be — mentally or physically incapacitated
- In California, must be 18 years old

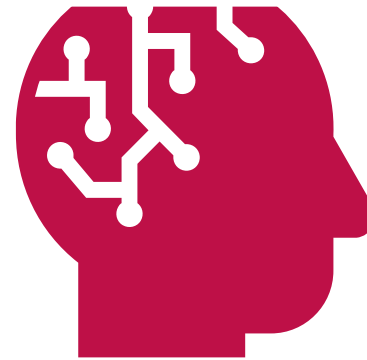
# Common Interpersonal Violence Behaviors



Physical  
Violence



Sexual  
Violence



Psychological  
Aggression or  
Isolation



Stalking  
Behaviors

# **How You Can Help: Reporting to the FHDA Title IX Coordinator**

# FHDA District's Title IX Coordinator

- Tony Brown, J.D.
- Director of Human Resources, Equity and Compliance/District's Title IX Coordinator
- [browntony@fhda.edu](mailto:browntony@fhda.edu)
- 12345 El Monte Road, Los Altos Hills
- (650) 949 - 6284

# How and Where to Report

In all cases:

New! FHDA Harassment and Discrimination Form

- Link: [https://cm.maxient.com/reportingform.php?FoothillDeAnza&layout\\_id=23](https://cm.maxient.com/reportingform.php?FoothillDeAnza&layout_id=23)

Additionally: in cases of health/safety emergency

- Campus Police (911 or 650-949-7317)



# FHDA Harassment and Discrimination Form

The Foothill-De Anza Community College District is committed to fostering a learning and working environment free from harassment, discrimination, and misconduct of any kind. The District strictly prohibits all forms of discrimination and harassment based on protected characteristics, including but not limited to race, color, national origin, religion, age, disability, sex, gender identity or expression, sexual orientation, or any other status protected by law, in any of its programs, services, or activities. Relevant District policies can be found below:

[FHDA Harassment and Discrimination Policy 4640](#)

[FHDA Sexual Harassment and Sexual Assault Policy 4630](#)

[Title 5, California Code of Regulations](#)

[FHDA Nondiscrimination Policy 3410](#)

[FHDA Service Animals Policy 3440](#)

[FHDA Student Equity Policy 5300](#)

[FHDA Standards of Ethical Conduct 3121 \(Employees\)](#)

[FHDA Code of Ethics and Standards of Practice 2715 \(Board of Trustees\)](#)

This form serves as an online tool to report allegations of harassment and/or discrimination. **If you are experiencing or witnessing an emergency or an immediate threat to health or safety, please contact 9-1-1.**

Reports submitted through this form are reviewed by the Director of Human Resources, Equity, and Compliance, and may also be shared with other designated officials as necessary to ensure a prompt, thorough, and equitable response. While this form is not confidential, your information will be handled sensitively and shared only with individuals who have a legitimate need to know in order to address the concern appropriately.

# Making a Report

- May self-report, support a reporter, or make a third-party report
- Anonymous OK unless you are a Responsible Employee

## Reporting Party Information


If you are the person experiencing discrimination or harassment, you may choose to provide your name or remain anonymous. Please note that our ability to respond or follow up may be limited if you do not identify yourself.


If you are a third-party reporter (someone reporting on behalf of another person), you are also not required to provide your name unless you are a Responsible Employee. If you choose to identify yourself or are required to do so, please complete the fields below

Regardless of whether you identify yourself, third-party reporters are encouraged to include the name and contact information of the person(s) involved (if known) in the “Involved Parties” section below.

[Enable additional features by logging in.](#)

Your full name:


Your position/title:  

 Learn more

Your phone number:

Your email address:

Type of Complaint (Required):

Date of incident (Required):  

Time of incident:

Location of incident (Required):

# Making a Report

- Identify involved parties
- Provide known details
- Upload information or documents (if applicable)

## Questions

Providing detailed information is important to help us understand and respond to your report. Please be aware that [some or all of the information you provide in this section may be shared with the person\(s\) named in the report](#), as required during the District's review and response process.

You may choose to share additional details with the District's Director of Human Resources, Equity, and Compliance or designee at a later time, if needed.

Please describe what occurred in your own words. Include as much detail as you feel comfortable sharing, such as the date(s), time(s), location(s) of the incident, and the names of any potential witnesses.

Please describe what occurred in your own words. Include as much detail as you feel comfortable sharing, such as the date(s), time(s), location(s) of the incident, and the names of any potential witnesses. **(Required)**

Please describe the relationship (if any) between the complainant and the respondent. **(Required)**

Have any other support services or agencies been contacted?

# Why Report?

If you know, the College technically knows.

- College's obligation is to **stop, prevent, and remedy**.
- California law prescribes “responsible employee” concepts for faculty/instructors, advisors, coaches/athletics, student affairs, all supervisors, among others.

Ensure student/colleague will get the best available information and support.

- Title IX Coordinator can facilitate a variety of supports on- and off-campus.
- Allows Title IX Coordinator to identify and address patterns (not common, but important).

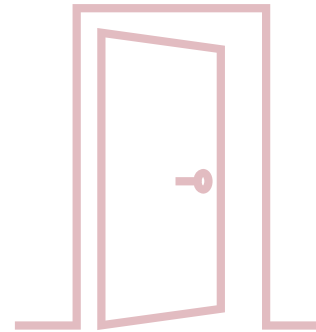
# Your Help Matters

**You**



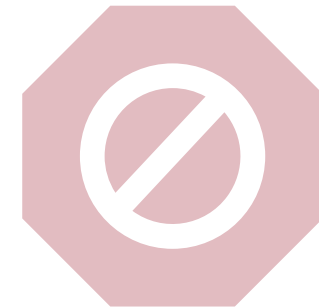
Referral  
Support

**Title IX  
Coordinator**



Resources  
Supportive  
Measures  
Options

**FHDA**



Stop  
Prevent  
Remedy

# Confidential Employees

- Designated by the institution:
  - Mental Health Counselors
  - Campus Health Centers
  - Victim Advocates
- Allows for provision of services and support without reporting
- Must follow state reporting laws
  - Child abuse
  - Elder abuse



# What Happens After a Report?

Title IX Coordinator (or designee) will reach out to the affected party.

Provide information about support and options on campus and off-campus.

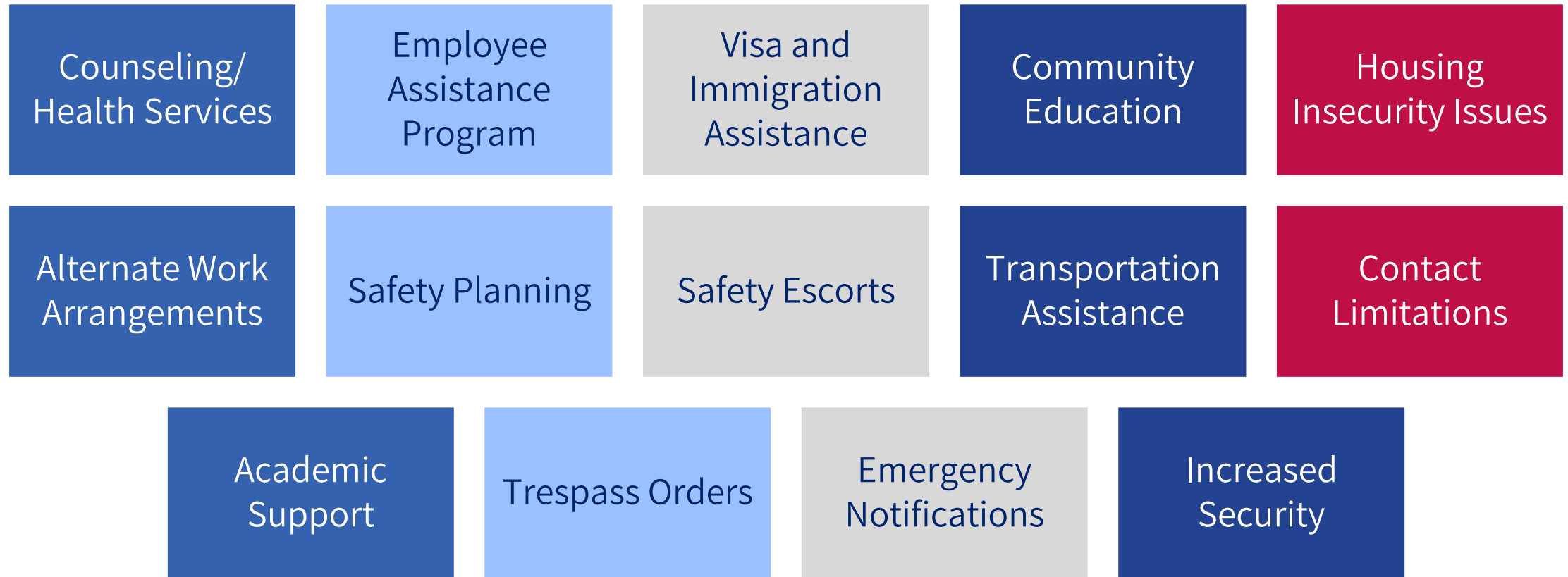
Evaluate what supportive measures can help.

Discern whether they would like to pursue informal or formal resolution process.

In rare circumstances, TIXC may need to sign complaint (pattern, predation, violence, weapons, minors).

Monitor for retaliation.

# Supportive Measures



# Out-of-Program Incidents

- Please still report!
- FHDA may still have an obligation to respond depending on the circumstances.
- Address “downstream effects” and prevent subsequent harassment.
- Title IX Coordinator will provide:
  - Resources on-campus
  - Connection to resources off-campus
  - Connect with law enforcement, if desired



# Bringing This To Life

# Case Study

- Alani and Bernardo are enrolled at the community college and also attended high school together.
- Alani is a student you have gotten to know because she has federal work-study and works in your department's office.
- One day after the end of her shift, Alani seemed very agitated, and you asked her if she is OK. She shared the following:
  - Alani and Bernardo had been dating for the past six months but recently split.
  - Since then, Bernardo has been following Alani while she's been on campus and occasionally at their high school's sporting events after hours.
  - Bernardo has also grabbed Alani's buttocks several times passing in the campus center and smiles at her after he does it.
  - Bernardo's friends that are in one of Alani's college courses have harassed her while on campus, telling her they have seen her nudes on Bernardo's phone.

# Discussion

- Do you think Title IX applies here?
- How do you respond to Alani in the conversation?
- What are your next steps?
- What are some ways that FHDA can support Alani?

# Pregnancy & Title IX

# Pregnancy or Related Conditions

**Includes the full spectrum of processes and events connected with pregnancy**

- Pregnancy, childbirth, termination of pregnancy, or lactation
- Related medical conditions
- Recovery therefrom



# Best Practices: Scope

## Individuals and Status:

- Students
- Employees
- Pregnancy and related conditions
- Family status
- Marital status
- Parenting status
- “Head of household”

## Non-Discrimination Issues:

- Academics and access to course offerings
- Admissions
- Athletics
- Employment, recruitment, and hiring
- Extra-curricular activities
- Facilities
- Externships/clinical placements
- Financial assistance
- Funding
- Lactation space and time
- Health insurance
- Housing
- Leaves of absence
- Salaries and benefits

# Best Practices for TIXC Oversight



**Documentation**



**Policies,  
Practices, and  
Procedures**



**Complaint  
Resolution  
Process**



**Reporting/  
Information  
Sharing**



**Outreach and  
Support**



**Training**

# Reasonable Modification Examples

Determine suitable reasonable modifications through an interactive process

Breaks During  
Academic  
Activities

Excusing  
Intermittent  
Absences

Online or  
Homebound  
Participation

Course Flexibility

Accessing  
Alternate Parking

Counseling

Adjusting Physical  
Space

Arranging Elevator  
Access

# Practical Tips

# Practical Application: Tips & Tricks

- Err on the side of caution and make a report
- Document that you did so
- Debrief with the TIXC, if needed
- You do not need to investigate
- Refer to confidential resources
- Faculty may want to consider a syllabus statement

# Thank you for Attending Today's Training

<https://forms.office.com/r/YCA54JhaBf>

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