POLICY

Title: Title IX Policy Against Sex-based Discrimination and Other Forms of Sexual Misconduct	Code: C0201
Authority: Wis. Stats., § 20 U.S.C. §1681 et seq.; 42 U.S.C. § 2000e et seq.; 20 U.S.C. §1092(f) (2018); Wis. Stats. s. 111.31 et seq.; Wis. Stats. s. 38.12; 34 C.F.R. § 106.8; 34 C.F.R. § 106.45; Board Minutes 10/20/2026	Original Adoption: 4/26/22 Revised/Reviewed: 4/26/22 Effective: 4/22/26

MATC does not discriminate on the basis of sex and prohibits sex-based discrimination in its education programs and activities, including in admissions and employment, as required by Title IX of the Education Amendments of 1972 and Part 106 of Title 34 of the Code of Federal Regulations. This policy reflects the District Board's commitment to ensuring equal access to its education programs and activities. For the purposes of Title IX, sex discrimination is a term that encompasses sexual harassment, including all forms of sexual violence. Title IX generally does not apply to sex discrimination that occurs outside of the United States. If a Title IX incident involving MATC students occurs outside the United States, we will evaluate the situation using the Student Code of Conduct and any active Study Abroad agreements. We may launch an investigation while students are abroad and continue the process once they return to campus in accordance with applicable MATC policy. Inquiries about how Title IX and Part 106 of Title 34 of the Code of Federal Regulations apply to MATC may be referred to MATC's Title IX Coordinator, the Assistant Secretary at the U.S. Department of Education, or both. Contact information for MATC is as follows:

- **Chad Noel**
  Title IX Coordinator
  Phone: 414-297-7307
  Email: noelc1@matc.edu
  Office: 700 W. State St., Milwaukee, WI 53233-1443, Rm. M275

- **Michael Jarvis**
  Interim Director of Labor Relations
  Phone: 414-297-7643
  Email: jarvismr@matc.edu
  Office: 700 W. State St., Milwaukee, WI 53233-1443, Rm. M254

- **Will Smith III**
  Deputy Title IX Coordinator
  Phone: 414-297-7275
  Email: smithwo@matc.edu
  Office: 700 W. State St., Milwaukee, WI 53233-1442, Rm. 281

Contact information for the U.S. Department of Education:

Assistant Secretary
U.S. Department of Education
400 Maryland Avenue, SW

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Washington, DC 20202-1100
1-800-USA-LEARN

Website: www.ed.gov

MATC has adopted a Process for Resolving Complaints of Sex Discrimination and Sex-Based Harassment to ensure the prompt and equitable resolution of formal complaints alleging conduct prohibited by this Policy. Refer to **MATC Procedure CC0200 - Process for Resolving Complaints of Sex Discrimination and Sexual Harassment**. In accordance with Wis. Stat. § 38.23(2)(a), this Policy, in conjunction with MATC Procedure CC0200, establishes the College's required policies and procedures to protect students from sex discrimination by providing: (1) criteria for determining whether discrimination has occurred; (2) appropriate remedies and sanctions for violations; (3) a requirement that complainants file a complaint with the College within 300 days of the alleged violation; and (4) specific timeframes for each procedural step, final decision-making, and appeals.

Notice of conduct that would constitute sexual harassment becomes Actual Knowledge of potential sexual harassment – triggering a response obligation by MATC (Title IX Coordinator) - if the report was made by a student, employee, or any person who was participating or attempting to participate in any program or activity at the time of the alleged conduct, and the report was made to the Title IX Coordinator, Director of Labor Relations, Deputy Title IX Coordinator, or any other employee with the authority to institute corrective measures on behalf of MATC. Reports of sex discrimination may be made in person, by mail, by telephone, by electronic mail, or by any other means that results in the employees identified in this Policy receiving the person's verbal or written report.

Sex Discrimination Defined

Sex-based discrimination encompasses all variety of discrimination on the basis of sex, and appears in the form of disparate treatment or sexual harassment. Disparate treatment on the basis of sex means treating one person differently from another in determining whether such person satisfies any requirement or condition for the provision of such aid, benefit, or service. Disparate treatment manifests in a number of ways, including, but not limited to, being excluded from a program, subjecting a person to different rules or standards, being paid less than one's colleagues, being graded more harshly, being denied any aid, benefit or service, being passed over for promotion, not getting hired, or getting fired, for example. Sex discrimination and sexual harassment receive distinct treatment under Title IX.

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Sexual Harassment Defined

Sexual harassment is conduct on the basis of sex that meets one or more of the following: (1) Quid Pro Quo; (2) Hostile Environment; (3) Sexual Assault, (4) Dating Violence; (5) Domestic Violence; or (6) Stalking, as further defined below.

1) Quid pro quo: "Something for Something"

- an employee conditioning the provision of an aid, benefit, or service of MATC on an individual's participation in unwelcome sexual conduct

2) Hostile Environment Harassment:

- unwelcome sex-based conduct determined by a reasonable person to be,
- so severe, pervasive, and objectively offensive,
- that it effectively denies a person equal access to an education program or activity

Examples of conduct that may not give rise to a hostile environment include, but are not limited to, one stray remark, one offensive particular expression perceived by some persons standing alone, and a statement of one's point of view on an issue of debate, even if the other person disagrees strongly.

3) Sexual Assault:

Sexual assault means an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation (as defined by the Clery statute). Such offenses include:

a. Rape

- Penetration,
- without the consent of the Complainant,
- including instances where the Complainant is incapable of giving consent,
  - because of their age or,
  - because of their temporary or permanent mental or physical incapacity

b. Sodomy

- Oral or anal penetration,
- of the Complainant by the Respondent,
- without the consent of the Complainant,
- including instances where the Complainant is incapable of giving consent,
  - because of their age or,
  - because of their temporary or permanent mental or physical incapacity

c. Sexual Assault with an Object

- Respondent ’s use of an object or instrument,
- to unlawfully penetrate, however slightly, the genital or anal opening,
- of the body of the Complainant,
- without the consent of the Complainant,
- including instances where the Complainant is incapable of giving consent,
  - because of their age or,
  - because of their temporary or permanent mental or physical incapacity

d. Fondling

- The touching of the private body parts (breasts, buttocks, groin) of the Complainant by the Respondent,
- or causing the Complainant to touch the Respondent ’s private body parts,
- intentionally for a sexual purpose,
- without the consent of the Complainant, including instances where the Complainant is incapable of giving consent,
  - because of their age or,
  - because of their temporary or permanent mental incapacity or physical incapacity

e. Incest

- Non-forcible sexual intercourse between persons who are related to each other,

- within the degrees wherein marriage is prohibited by Wisconsin law

f. Statutory Rape:

- Non-Forcible sexual intercourse with a person,
- who is under the statutory age of consent of the state of Wisconsin

4) Dating Violence:

- Violence[1] committed by a person,
  - who is or has been in a romantic or intimate relationship with the victim; and
  - where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - length of the relationship,
    - the type of relationship,
    - the frequency of the interaction between the Parties involved in the relationship

5) Domestic Violence:

- Felony or misdemeanor crimes committed by a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who:

[1] Violence is an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.

- is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim,
- is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner,
- shares a child in common with the victim, or
- commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction

6) Stalking:

- engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - fear for his or her safety or the safety of others, or
  - suffer substantial emotional distress

Consent Defined

Consent is a clear, knowing, and voluntary agreement to engage in specific sexual activity. Consent must be affirmative, meaning it is expressed by clearly understandable words or actions—not silence or inaction. Consent is ongoing; it must be present throughout the activity and can be withdrawn at any time.

Consent cannot be given if:

- Coerced: Permission was gained through the use of force, violence, threats, intimidation, or deception
- Incapacitated: An individual lacks the capacity to give knowing consent due to the consumption of alcohol or drugs, unconsciousness, sleep, or a physical or mental disability. This includes individuals who are unable to understand the "who, what, when, where, why, or how" of their sexual interactions
- Age of Consent: One of the parties is a minor under the legal age of consent as defined by Wisconsin law
- Past Relationship: Consent to one sexual act or a prior relationship does not constitute consent to future acts

Reporting Sex Discrimination or Sexual Harassment

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A report of sex discrimination or sexual harassment may be made by a student, employee, or any individual who was participating or attempting to participate in any MATC program or activity at the time of the alleged conduct. The report can be made in person, by mail, by telephone, electronic mail, or by any other means that results in the employees identified in this Policy receiving the person's verbal or written report. MATC provides multiple options for individuals to report sexual discrimination and harassment.

- **Online reporting system**: Complaints may be submitted through the Speak Up for Safety link found on MATC's website by searching for "Speak Up For Safety," on the home page under Student Complaints & Appeals, or internally through MATC's Experience page under Public Safety
- **Direct contact**: Individuals may report concerns directly to the Title IX Coordinator, Deputy Title IX Coordinator, or Director of Labor Relations
- **MATC Public Safety Helpline**: Dial **(414) 297-6588** for immediate assistance
- **Employees**: MATC requires that all nonconfidential employees forward reports of sexual misconduct to the Title IX Coordinator, Deputy Title IX Coordinator, or Director of Labor Relations

Reporting Requirements for Employees

While Title IX does not require that all employees report notice of potential sex discrimination and harassment to the Title IX Coordinator, it is the policy of MATC that any employee who receives such a report must promptly forward that information to the Title IX Coordinator, Deputy Title IX Coordinator, or Director of Labor Relations. Employees are expected to document the conversation in writing capturing as many details as practicable, give assurances to the reporting person that the information will be kept private to the extent possible, and provide the contact information of the Title IX Coordinator, Deputy Title IX Coordinator, or Director of Labor Relations. Failure of an employee to forward reports of sex discrimination and sexual harassment may result in disciplinary action, up to and including termination.

This reporting obligation ***excludes Confidential Employees, employees subject to Federal or State law privilege, and employees who conduct IRB-approved research***. MATC has designated the Employee and Student Ombudspersons and licensed professional counselors as Confidential Employees under this Policy.

If a Confidential Employee receives a report of potential sex discrimination or sexual harassment, they must explain to the reporter: **(1)** that the employee is not required to report the incident to the Title IX Coordinator; **(2)** how to file a formal complaint and contact the Title IX Coordinator, Deputy Title IX

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Coordinator, or Director of Labor Relations; and **(3)** that the Title IX Coordinator can provide and coordinate supportive measures.

Response Obligation of the Title IX Coordinator or Designee

When a report of sex discrimination or sexual harassment reaches the Title IX Coordinator or designee, they will promptly attempt to contact the alleged victim or complainant to offer and discuss the availability of supportive measures and explain the process for filing a formal complaint. Any action by the college in response to such a report or a formal complaint will be conducted in a manner that treats the complainant and respondent(s) equitably in accordance with the appropriate administrative grievance process for the conduct alleged. Under no circumstance, may any MATC employee impose any disciplinary sanction under this policy without first following the appropriate grievance process.

Pregnancy and Related Conditions

Discrimination on the basis of pregnancy and pregnancy-related conditions equals sex discrimination under Title IX. MATC prohibits discrimination on the basis of pregnancy or related conditions. Any employee who learns of a student's pregnancy or related condition must refer that individual to Student Accommodations and provide the student with the Title IX Coordinator's contact information to ensure that reasonable accommodations and support are offered to the student. Any student, employee, applicant, or participant in an education program or activity is covered under this policy. Pregnancy and related conditions include:

- Pregnancy and childbirth
- False pregnancy
- Termination of Pregnancy (including, miscarriage, stillbirth, or abortion), and
- Recovery from any of the above

MATC treats pregnancy and related conditions as a temporary disability in the same manner it treats any other temporary disability, and will extend the same access and support services to those experiencing pregnancy or related conditions as are provided for any other temporary medical condition or disability. No person may be excluded from any part of an education program or activity due to pregnancy or a related condition. Absences for pregnancy and related conditions will be excused for as long as deemed medically necessary by a licensed physician without penalty. Upon returning to the college, MATC will reinstate the individual to the same status they had before the leave began. Students will be given an opportunity to make up missed work.

Retaliation Policy

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MATC strictly prohibits retaliation against any individual for reporting sex discrimination or harassment, participating in the resolution process, or exercising their rights under Title IX. Examples of retaliatory conduct prohibited by this Policy include making threats, intimidation, verbal harassment, exclusion from educational opportunities, negative changes in employment or academic status, social retaliation, and unjustified negative references.

Individuals found to have engaged in retaliation may face disciplinary action, up to and including termination or expulsion. MATC encourages individuals to report incidents of retaliation immediately to the Title IX Coordinator, Deputy Title IX Coordinator, or Director of Labor Relations.

Employee Training

MATC is committed to ensuring that all individuals involved in the administration of this policy receive appropriate training to perform their duties in a fair, impartial, and legally compliant manner.

- The Title IX Coordinator, Deputy Title IX Coordinator(s), investigators, decision-makers, informal resolution facilitators, and any individual responsible for implementing grievance procedures shall receive periodic training on:
    - The scope of conduct that constitutes sex discrimination and sexual harassment
    - MATC's Title IX grievance process
    - Conducting investigations and hearings that are fair, equitable, and free from bias or conflicts of interest
    - Issues of relevance, including how to apply the rape shield protections provided under law
    - Trauma-informed practices and the effects of trauma on reporting and participation
    - Cultural competency and implicit bias awareness

- All employees will receive periodic training on their reporting obligations, the identification of sex discrimination and harassment, and the process for referring individuals to appropriate institutional resources

- The training materials used to train key Title IX personnel will be posted on MATC's website

Records Retention

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MATC maintains all records related to reports and formal complaints of sex discrimination and harassment for a period of seven (7) years, or for the duration required by applicable state law or MATC's general records retention schedule, whichever is longer. This includes:

- Investigation and adjudication records (including recordings or transcripts of hearings)
- Disciplinary and remedial records
- Records of any actions taken, including supportive measures
- All materials used to train Title IX Coordinators, investigators, decision-makers, and informal resolution facilitators

Annual Review

MATC has designated a Title IX Coordinator to oversee compliance, identify barriers to reporting, and ensure effective responses to complaints. The Title IX Coordinator is appointed by the President. This policy is reviewed regularly and updated as necessary to remain compliant with federal and state regulations and to meet institutional needs.

OFFICE OF RESPONSIBILITY: OFFICE OF GENERAL COUNSEL