

Important Title IX Update: New Federal Regulations and Their Impact on Elmhurst University

This is an important update regarding Elmhurst University's Title IX program and policy. On April 19, 2024, the U.S. Department of Education released its Title IX Final Rule (the "new regulations") amending the current regulations. The new regulations specify how recipients of federal financial assistance – including higher education institutions such as Elmhurst University (the "University") – must stop, prevent, and remedy sex discrimination and sex-based harassment in all education and employment activities.

The new regulations went into effect in Illinois on **August 1, 2024**. In order to comply with the new legal requirements, Elmhurst University has adopted a revised Non-Discrimination and Non-Harassment policy. Incidents that took place before August 1, 2024 will be covered by the prior policy. Incidents that take place on or after August 1, 2024 are subject to the new policy. Both policies are listed on the Title IX webpage.

The new regulations outline requirements for addressing all forms of sex discrimination in a manner that allows the University to align its Non-Discrimination and Non-Harassment Policy with best practices and our community values. The Title IX Office and its partners campus-wide have worked diligently to carefully assess and analyze how to apply the new regulations to our campus.

Many of our current practices will continue, including:

- A Title IX resolution process that is equitable, transparent to the participants, and allows access to evidence prior to any final determination;
- A presumption that a Respondent is not responsible until the evidence proves otherwise;
- Reasonable and appropriate supportive measures for all parties;
- An investigation followed by a live online hearing, when appropriate, to determine if any alleged policy violations occurred; and
- A team of well-trained Title IX team members (Coordinator, Investigators, Decision-Makers, and Appellate Officers) who are free from conflicts of interest or bias.

As required by the new regulations, all employees are required to complete annual training on Title IX compliance by August 1, 2024. The University will continue to offer students annual education on Title IX, reporting options, and resources.

Per the new regulations, the University's Non-Discrimination and Non-Harassment Policy has been revised as follows:

- Revised and expanded definitions of retaliation, sexual harassment and, sex discrimination;
- Continued and clarified mandated reporting obligations for staff and faculty;
- Broader protections for pregnancy and related conditions for students, staff, and faculty;

- Increased privacy rights during investigations;
- Expanded supportive measures for impacted parties, regardless of whether a complaint was filed;
- Clarification of how Title IX protects LGBTQIA+ members of our community; and
- Greater flexibility in how the University protects Title IX rights and protections.

These changes make the Title IX process more accessible, more transparent, and more user-friendly. Additionally, the new regulations require the University to continually monitor and address any barriers to reporting that may exist to sex-based discrimination, harassment, and retaliation. Accordingly, the University shall be conducting a student campus climate survey in the Fall to learn more about sex discrimination and barriers to success for students.

The full text of the new federal regulations is available [here](#).

If you have any questions or concerns, please contact the Title IX Coordinator:

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You may submit a report to the Title IX office [here](#). Thank you to everyone for helping to make Elmhurst University a safe place to live, study, and work.