

Refresher: Title IX Sexual Harassment Policy and Procedures

Today's Goals

1. Title IX Coordinator and Deputies
2. Policies and Procedures
3. Mandatory Reporters
4. Definitions
5. Questions

Title IX Coordinator/Deputy Coordinators

- Title IX Coordinator
 - Kathy Ault, Executive Director of HR
- Title IX Deputy Coordinators
 - Norman Coley, Jr., Executive Dean of Students
 - Ryan Burgner, Athletic Director
 - Paula Abbott, Alliance and Sidney Centers Executive Director
 - Lisa Gion, HR Generalist (Recruitment & Retention)

Policies and Procedures

- Board Policy BP-720 Equal Opportunity Employer/Non-Discrimination
 - Presidential Procedure PP-720
- Board Policy BP-721 Sexual Harassment (Regulatory Policy Standards)
 - Presidential Procedure Sexual Harassment Grievance and Investigation Procedure

Policy and Procedure Location

www.wncc.edu

- Consumer Information Page
- Search: Title IX
- About WNCC, In This Section, Policies

Procedure

- Notice or Formal Complaint
- Supportive Measures & Initial Assessment
- Investigation or Informal Resolution*
- Formal Hearing
- Notice of Outcome, Determination and Remedies
- Appeal

Responsible Employees

Responsible Employees (Title IX)

WNCC is required to designate campus community members (Responsible Employees) who are responsible for reporting incidents of sexual misconduct to the Title IX Coordinator for the purpose of conducting an investigation into Prohibited Conduct. Once a Responsible Employee has actual knowledge of sexual misconduct (or allegations of sexual misconduct), the college is deemed to have notice of it, and is obligated to respond. As such, immediate reporting is crucial.

Mandatory Reporter

Responsible Employees (Title IX)

- The Title IX Coordinator or
- “any official who has authority to institute corrective measures on behalf of the recipient”
- Any faculty member leading, coordinating or supervising off-campus academic activities or programs such as special field trips, etc.
- See Sexual Harassment Grievance and Investigation Procedure for specific details.

WNCC Staff and Faculty

Reporting is an important tool to address Prohibited Conduct. Thus while all other employees who are not designated as Responsible Employees and are not required to report, they are also strongly encouraged to share any information about such conduct to the Title IX Coordinator, or designee.

Definition of Sexual Harassment

- Sexual Harassment

- 1) Quid Pro Quo:

- a. an employee of the recipient,

- b. conditions the provision of an aid, benefit, or service of the recipient,

- c. on an individual's participation in unwelcome sexual conduct.

Definition of Sexual Harassment

- Sexual Harassment

- 2) Sexual Harassment:

- a. unwelcome conduct,

- b. determined by a reasonable person,

- c. to be so severe, and

- d. pervasive, and,

- e. objectively offensive,

- f. that it effectively denies a person equal access to the College's education program or activity.

Definition of Sexual Harassment

Sexual Assault

- a) Sex Offenses, Forcible:
- Any sexual act directed against another person.
 - without the consent of the Complainant,
 - including instances in which the Complainant is incapable of giving consent.

Definition of Sexual Harassment

Sexual Assault

- b) Sex Offenses, Non-forcible:
- Incest:
 - 1) Non-forcible sexual intercourse,
 - 2) between persons who are related to each other,
 - 3) within the degrees wherein marriage is prohibited by Nebraska law.
- Statutory Rape:
 - 1) Non-forcible sexual intercourse,
 - 2) with a person who is under the statutory age of consent of 16 years of age.

Definition of Sexual Harassment

Dating Violence

- a. violence,
- b. on the basis of sex,
- c. committed by a person,
- d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

Definition of Sexual Harassment

Domestic Violence

- a. violence,
- b. on the basis of sex,
- c. committed by a current or former spouse or intimate partner of the Complainant,
- d. by a person with whom the Complainant shares a child in common, or
- e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
- f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Nebraska, or
- g. by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Nebraska.

Definition of Sexual Harassment

Stalking

- a. engaging in a course of conduct,
- b. on the basis of sex,
- c. directed at a specific person, that
 - i. would cause a reasonable person to fear for the person's safety, or
 - ii. the safety of others; or
 - iii. Suffer substantial emotional distress.

Title IX Training

- Training
 1. Title IX Coordinator
 2. Civil Right Investigation Training
 3. Advisory Training
 4. Decision Maker/Hearing Officer
 5. Rationale Writing – Title IX

QUESTIONS