

The background features abstract, overlapping geometric shapes in various shades of green, ranging from light lime to dark forest green. The shapes are primarily triangles and polygons, creating a dynamic, layered effect. The central text is positioned in the white space between these green elements.

Title IX / Sexual Misconduct Compliance

Regulations and Scenarios

What is Title IX?

- ▶ Title IX of the Education Amendments of 1972 states: “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 education program or activity receiving federal financial assistance.”
- ▶ When Title IX is mentioned, most people think about women and athletics. However, Title IX is about so much more; it also covers acts that can impact educational opportunities for all, including sexual harassment, sexual violence, stalking, dating and intimate partner violence (dating and domestic violence).

Definitions

- ▶ **Intimate Partner Violence (Dating Violence, Domestic Violence)**

A pattern of abusive behaviors used to exert power and control over a current or former partner. It can include emotional, sexual, verbal or economic actions, or physical threats of violence. Acts may include any behaviors that intimidate, isolate, manipulate, humiliate, coerce, frighten, blame or hurt someone. It can happen to anyone, regardless of race, sexual orientation, age, education, religion, etc.

- ▶ **Stalking**

A pattern of unwanted conduct directed at another person that threatens or endangers the safety, physical or mental health, or life or property of that person, or creates a reasonable fear of such a threat or action.

- ▶ **Sexual Harassment**

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature

Definitions, cont'd

- ▶ **Gender-Based Harassment**

Title IX also prohibits gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

- ▶ **Sexual Violence**

Physical Acts (such as rape, attempted rape, sexual touching and sexual battery) perpetrated against an individual without consent or who does not have the capacity to give knowing consent due to alcohol, drugs or disability.

Your Responsibility

► Duty to Report

A duty to report conduct or behavior that violates these policies is imposed on all College officers, including Adjunct Faculty. An officer performs her or his duty to report by reporting the conduct or behavior to the Dean of Student Affairs Office. College officers who learn of an allegation of gender-based misconduct against a student are expected to notify the Dean of Student Affairs Office. College officers who learn of an allegation of discrimination or harassment against a student are expected to notify the Dean of Student Affairs Office. College officers who learn of an allegation of gender-based misconduct involving a minor under the age of 17 are required to notify the Dean of Student Affairs Office and the HCC Police Department. An officer who fails to report may be found to have violated HCC's policies even though the underlying event does not constitute gender-based misconduct, discrimination or harassment.

The student reporting forms can be used to report a violation of Title IX

My Responsibility

► Duty to Act

A duty to act is imposed on all management and supervisory personnel who are responsible for taking reasonable and necessary action to prevent discrimination and harassment and for responding promptly and thoroughly to any such claims. On learning directly or indirectly of conduct or behavior that might violate College policies, management and supervisory personnel are put on notice to act. They should consult with the Dean of Student Affairs Office and/or HCC Human Resources for advice and assistance on addressing the matter. A manager or supervisor who fails to act may be found to have violated HCC's policies even though the underlying event does not constitute discrimination or harassment.

Scenario 1

- ▶ Question: A student comes into your office and says that she/he has something to tell you but you cannot tell anyone else. What do you do?
- ▶ Answer: When in doubt, report! If an incident took place that is reportable on Clery or is covered by Title IX, you **MUST** report it to the Dean's office within 24 hours. Stop the student before they go further and explain that you cannot ensure confidentiality because you are required to report the incident.

Scenario 2

- ▶ Question: You are waiting for a colleague in the STEM Lobby and seated next to you are two female students. You overhear their conversation and it involves one of the women telling the other that she was trapped by a male acquaintance in a bedroom at a party on Saturday night. The man attempted to force her to have sex with him and groped her before she could get away. The victim states that she is afraid of seeing him on campus. What do you do?
- ▶ Answer: This scenario constitutes notice to the College of a sexual assault. As a College employee, you must report this. There are a few ways to handle this depending on your level of comfort. You can approach the girls and let them know you are concerned about what you heard and advise them to go to the Dean of Students' Office. (It's important to get at least one name). You can ask the victim if she'll tell you more about what happened and again, encourage them to speak with the Dean of Students. If this doesn't work, do your best to get at least one name so you can report it to the Dean and she can follow up with the student.

Scenario 3

- ▶ Question: You ask one of your students if they are OK because you have noticed that they appeared to be unhappy and distracted in class. The student bursts into tears and blurts that a non-student who lives in Baltimore raped her over the weekend. What do you do?
- ▶ Answer: The fact the rapist was a non-student does not impact your obligation as a mandated reporter. The College is obligated to investigate and to ensure the safety of the College community and to provide supportive resources to the reporting student. Since the student is distressed, it's best to put her in touch with the Dean's office or a member of the Behavioral Intervention/ CARE Team so that counseling can be provided.