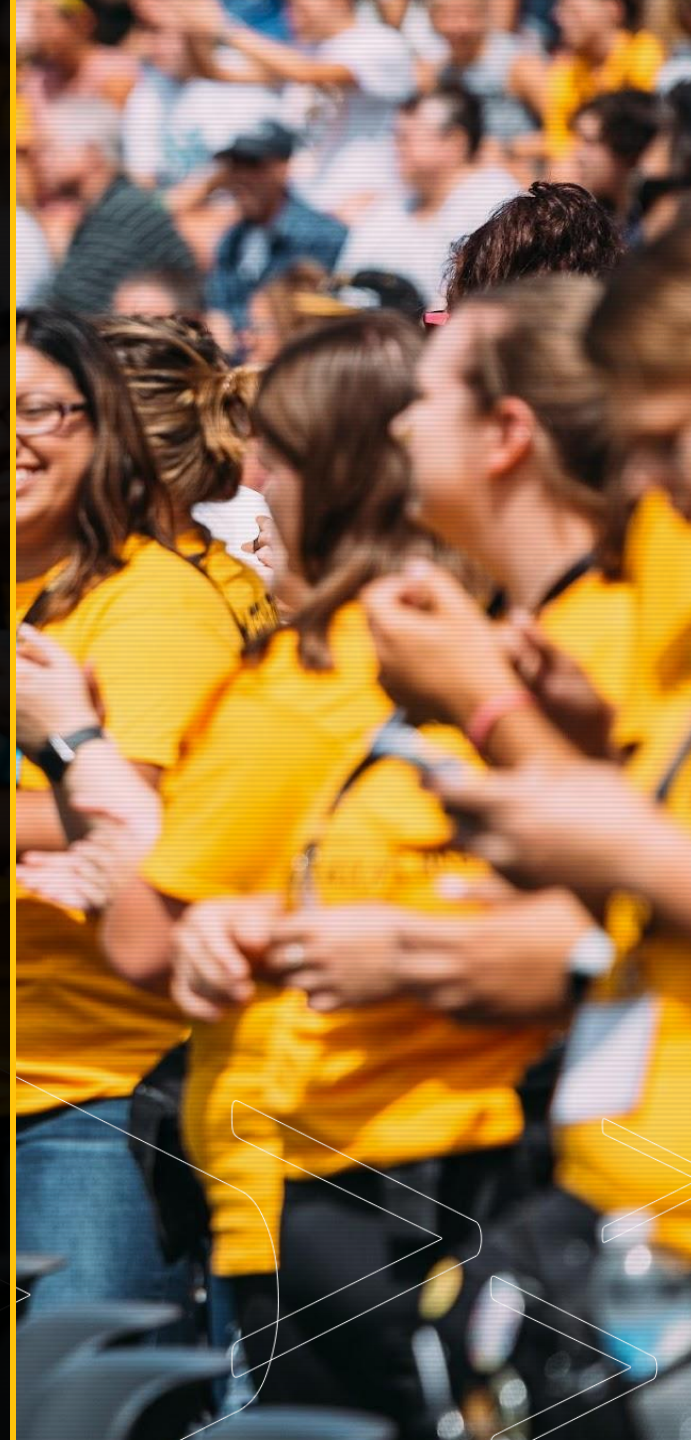




# Title IX

Policy 3020: Grievance Policy & Procedures for Sexual Harassment and  
Sex Discrimination



# Title IX Coordinator/Designee

The employee responsible for responding to reports of Sexual Harassment at the College. The Title IX Coordinator conducts investigations of allegations of Sexual Harassment against a Respondent in a Formal Complaint made by a Complainant.

## Ms. Tiffany Dearstone

(She, Her, Hers)

Title IX Coordinator

Director of Student Activities & Student Center

(402) 375-7589 – Office

(402) 369-6689 – Cell

[tidears1@wsc.edu](mailto:tidears1@wsc.edu)

## Mrs. Tara Holdsworth

(She, Her, Hers)

Title IX Designee

Disability Services & Educational Support  
Coordinator

(402) 375-7451 – Office

[taholds1@wsc.edu](mailto:taholds1@wsc.edu)

# The College and Title IX

## Board Policy: 3020

- Office of Civil Rights & Department of Education
- Addresses sex discrimination that occurs in the form of sexual harassment

## Who does it apply to and where?

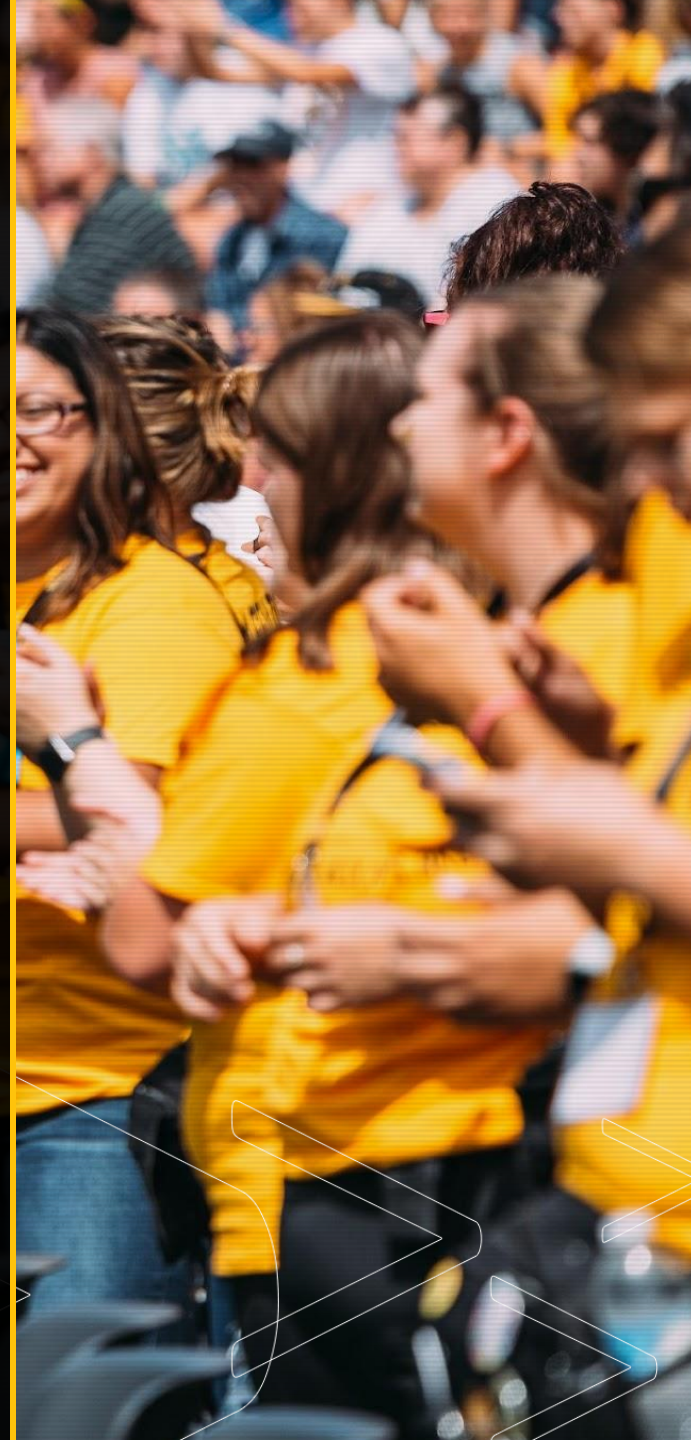
- Applies to all students located within the United States
- College's educational programs and activities, which include:
  - Physical campus, areas owned or controlled by College, location, events which the college's exercises control over both the respondent and context in which the sexual harassment occurs, or any building owned or controlled by a student organization that is officially recognized by the college

# Board Policy: 3020

- The Colleges take appropriate action to prevent, correct, and discipline behavior that is found to violate the Board Policy 3020
- Policy applies when the College has notice, in the form of actual knowledge, or a report or allegation of Sexual Harassment that has been reported to the Title IX Coordinator or any official of the College

# Title IX

*What is it?*



# Sexual Harassment: 6 Types of Conduct

1

## Quid Pro Quo

- An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual participation in unwelcome sexual conduct

2

## Unwelcomed Conduct

- Conduct is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person to equal access to the College's education program or activity.

# Sexual Harassment: 6 Types of Conduct

## 3

### Sexual Assault

- An offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the FBI

### Forcible Sex Offense

- Any sexual act directed against another person without the consent of the Complainant including instances where the Complainant is incapable of giving consent
  - Forcible Rape, Forcible Sodomy, Sexual Assault with an Object, Forcible Fondling

# Sexual Harassment: 6 Types of Conduct

## Sexual Assault – continued..

### Non-Forcible Sex Offense

- Non-forcible sexual intercourse. This includes the following:
  - Incest, Statutory Rape

# Sexual Harassment: 6 Types of Conduct

## 4

### Dating Violence

- Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant
  - Sexual or physical abuse, or threat of such abuse

## 5

### Domestic Violence

- Crime of violence committed by
  - A current or former spouse or intimate partner
  - A person who shares a child
  - Person cohabitating with or has cohabitated with
  - A person similarly situated to a spouse
  - A person against an adult or youth Complainant who is protected from that person's act under domestic/family violence laws

# Sexual Harassment: 6 Types of Conduct

## 6

### Stalking

- Engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
  - Fear for their safety or the safety of others
  - Suffer substantial emotional distress

# Sexual Harassment: 6 Types of Conduct

## Stalking – Definition Defined

- Two (2) or more acts including but not limited to
  - Acts in which the stalker directly, indirectly, or through third parties by any action, method or device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property
  - Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

# Confidential Employee

## Definition

- A college employee who does not have a duty to report incidents of Sexual Harassment to the Title IX Coordinator
- Confidential employees may have to breach confidentiality when they perceive an immediate and serious threat to any person or property

## Who are confidential employees?

- Licensed Student Counselors
- Nurses
- Athletic Trainers

# Mandatory Reporters

## Definition

- Any college employee who is required to report incidents of sexual misconduct of which they become aware to the Title IX Coordinator

## Who are Mandatory Reporters?

- President
- Vice President
- Academic Deans
- College Title IX Coordinators/Designee
- Dean of Students
- Housing/Residence Life (Directors, Managers, Assistant Directors, Senior Residence Hall Advisors, Residence Hall Advisors)
- Coaches and Assistant Coaches
- Campus Security Officers

# Consent

*Always freely given!*



# Consent

## What is Consent?

- Consent is positive cooperation in an act or expression of intent to engage in an act
- Consent is indicated through words or conduct
- Consent can be withdrawn at any time
- An individual who consents to a sexual act must give that consent voluntarily and with knowledge and understanding of the nature of the act and their participation in it
- Consent to one type of sexual activity does not necessarily constitute consent for another type of sexual activity

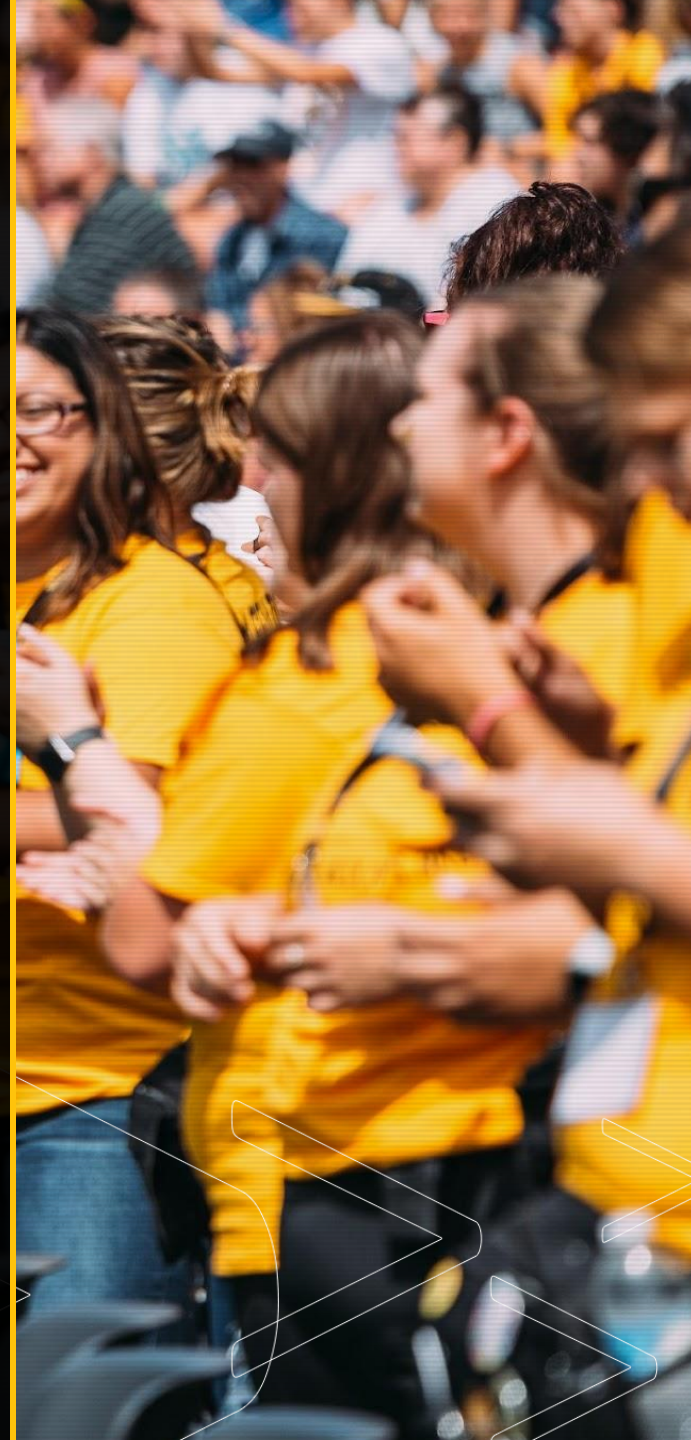
# Consent

## Capacity to Consent

- A person cannot give consent when they are:
  - Incapacitated by drugs or alcohol
  - Unconscious, passed out, asleep, coming in and out of consciousness
  - Have a disorder, illness, or disability that impairs their understanding of the act and their ability to make decisions
- They are under the threat of violence, injury, or other forms of coercion or intimidation
- They are forced, coerced, intimidated, or deceived into providing consent

# Grievance Process

*How does it all work?*



# Process Overview



# Supportive Measures

## What is a supportive measure?

- Non-disciplinary, non-punitive individualized services offered as appropriate, or reasonably available and without fee or charge to the Complainant and Respondent before or after filing a Formal Complaint or where no Formal Complaint has been filed
- Requests for these measures must be made directly to the Title IX Coordinator, who will facilitate implementation

## Examples of Supportive Measures

- Counseling Services
- Reasonable academic accommodations
- Changes to on-campus housing or employment situations
- Use of Campus Security escort services
- No Contact Orders

# Retaliation

- Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured under Title IX, or because the individual made a complaint or report, testified, assisted, participated, or refused to participate in an investigation, proceeding, or hearing under this policy

# Disciplinary Sanction & Remedies

- Subsequent to a determination of responsibility, the College may take disciplinary action, impose sanctions and apply remedies, which may include, but are not limited to:
- Warnings, disciplinary probation, loss of privileges, restitution, remedial work assignments, remedial education requirements, service requirements, College housing relocation or suspension, removal from the College housing, suspension, and expulsion

# Resources

## On Campus

- Student Health and Counseling  
402-375-7321
- Athletic Training  
402-375-7700
- Campus Security  
402-375-7216
- Title IX Coordinator  
402-375-7322  
402-375-7589

## Off Campus

- Haven House  
402-375-5433
- Wayne Police Department  
402-375-2626
- Providence Medical Center  
402-375-3800



# Questions or comments?

If you see something, say something, do something!

