

Chesapeake College  
**Title IX Policy**

8/1/16 revisions

## **PROHIBITION OF SEXUAL MISCONDUCT, SEX DISCRIMINATION AND RETALIATION**

Chesapeake College prohibits all forms of sexual and gender-based harassment and misconduct, including but not limited to acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. The college is committed to addressing all alleged incidents of sexual misconduct, preventing their reoccurrence, and remedying any effects. The college also prohibits retaliation in any form against a complainant, respondent, witness, investigator or any person associated with a report. This policy is in accordance with Title IX of the Education Amendments of 1972 (“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 educational program or activity receiving federal financial assistance.”), and applies to conduct which occurs on Chesapeake College property or at college-sanctioned events or programs that take place off campus, including trips or internships. The college will adopt and follow procedures to fully implement this policy and to comply with federal and state laws and regulations including Title IX of the Education Amendments of 1972 as amended, Title VII of the Civil Rights Act of 1964, and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Acts which includes the Violence Against Women Act. For purposes of this policy, Title IX shall be the term to capture all of these laws which implicate sexual misconduct and sex discrimination.

## **INSTITUTIONAL OBLIGATIONS**

If sexual misconduct and/or sex discrimination occurs, the College – upon receiving notice – shall take immediate, appropriate steps to end the misconduct and/or discrimination, to prevent its recurrence, and to remedy its effects. The College shall encourage any crime to be reported to the appropriate law enforcement agency; the College shall cooperate with criminal investigations to the greatest extent permitted by law; and the College shall comply with all Clery mandated data collection and reporting requirements. The College’s institutional response to sexual misconduct and/or sex discrimination shall be independent of any law enforcement and/or court action. All College employees designated as “responsible employees” are required to report any sexual misconduct and/or sex discrimination in accordance with the policy provision specified below.

## **PROCEDURES**

The College shall adopt comprehensive procedures to implement this policy. Such procedures shall include but are not limited to the following elements: definitions of terms (particularly any terms by federal and/or state authorities), how to file a complaint, the role of responsible employees, the role of law enforcement/crime reporting, interim measures, confidentiality, notifications of parties, prompt and fair preliminary inquiry and

investigation practices, prohibited investigation activities, timelines, possible remedies, possible resolutions/consequences, resources, and record-keeping.

### **TITLE IX COORDINATOR**

The College's Title IX Coordinator is responsible for the College's compliance with federal and state laws and/or regulations related to Title IX and the Clery Act as enacted in this policy and accompanying procedures. The Title IX Coordinator shall be the Director of Human Resources, whose name and contact information shall be included in accompanying procedures as well as publications and educational/training materials for students, faculty, and staff. The Vice President for Student Affairs, who has responsibility for administering the College's Student Code of Conduct, is the Deputy Title IX Coordinator. The Director of Public Safety serves as the third member of the College's Executive Team for Title IX administration. The College may identify additional College employees to function as Title IX officers or team members to assist with the implementation of this policy and to conduct investigations as needed; contact information for these employees will also be published in appropriate materials. Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator, and complaints that the College has discriminated on the basis of gender may be made to the Office for Civil Rights.

### **EDUCATION AND TRAINING**

The College shall provide ongoing prevention and awareness education to students, faculty, staff, and other relevant parties. This education shall be designed to inform the campus community about what constitutes sexual misconduct and sex discrimination, how to reduce the occurrence of sexual misconduct and sex discrimination, safe bystander interventions, consequences of engaging in sexual misconduct and sex discrimination, and how to report sexual misconduct and sex discrimination. The College shall also secure or provide annual training for College employees who are charged with responding to, investigating, and/or adjudicating sexual misconduct and sex discrimination.

### **APPLICATION OF THE POLICY**

This policy applies to (1) all students, faculty, staff, and third parties under the College's control; (2) any College-owned or College-managed facility or property; (3) any College sponsored, recognized, or approved program, visit, or activity regardless of location; (4) any policy-defined misconduct that impedes equal access to any College program or activity; (5) any policy-defined act of sexual misconduct and sex discrimination that adversely impacts the health, safety, and/or employment of a member of the College community. The College shall provide notice of this policy to students, employees, applicants, and other relevant persons. Application of this policy may directly or

indirectly require the application of other institutional policies; nothing in this policy shall be construed to prohibit the application of related policies which include, but are not limited to, the policies listed here. If the application of this policy conflicts with the application of another institutional policy, the College will make a good-faith effort to comply with all mandates; however, this policy shall take precedence unless otherwise required by law. Related policies include the Student Code of Conduct, Personnel/HR policies, Non-Discrimination Policy, Admissions Policy, and FERPA Policy.

### **REPORTING**

Any responsible employee with information about sexual misconduct and/or sex discrimination shall report it promptly to the College's Title IX Coordinator, Campus Security, and/or other identified Title IX official(s). Any person with information about sexual misconduct and/or sex discrimination may report it to any College official who shall promptly forward the report to Title IX Coordinator, Campus Security, or other identified Title IX official. The College will assist any person needing assistance to make a report or complaint. The College strongly encourages any person who is a victim of or who witnesses any crime to contact law enforcement and/or call 911 immediately.

### **POLICY CHANGES**

Substantive changes to this policy require approval by the Board of Trustees; editorial changes, title/position changes, and/or changes to its implementation procedures may be made as required by federal or state mandate and/or institutional need with timely notice to students and employees.