

TITLE IX

WHAT YOU NEED TO KNOW

NHTI – CONCORD'S COMMUNITY COLLEGE

NEW STUDENT ORIENTATION

SPRING 2020

WHAT IS TITLE IX

- TITLE IX of the Education Amendments of 1972
- Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance.
 - Often associated with equity in Athletics.
 - Expanded to include Sexual Harassment.
 - Sexual Harassment is a form of sex discrimination.

WHAT IS TITLE IX?

- Title IX protects students and employees from sexual harassment by:
 - Any school employee
 - Another student
 - A non-employee third party.
- Can be Confidentially/Private or Anonymously reported.

TITLE IX

- Title IX includes the following types of sexual misconduct:
 - Dating Violence
 - Domestic Violence
 - Sexual Assault
 - Sexual Harassment
 - Stalking

WHAT IS CONSENT?

- Consent means that both people in a sexual encounter must agree to it, and either person may decide at any time that they no longer consent and want to stop the activity.
- Consenting to one behavior **does not** obligate you to consent to any other behaviors.
- Consenting on one occasion also does not obligate you to consent on any other occasion.
- Consent can not be given by a person that is legally incompetent by reason of immaturity, insanity, intoxication or use of drugs and known by the actor to be unable to exercise a reasonable judgment as to the harm involved.

ALCOHOL & DRUG AMNESTY

To encourage reporting, an individual who makes a good faith report of sexual misconduct that was directed at them or another person will not be subject to disciplinary action for a conduct or policy violation that is related to and revealed in the sexual misconduct report or investigation, unless NHTI determines that the violation was serious and/or placed the health or safety of others at risk. Amnesty does not preclude or prevent action by police or other legal authorities.

NHTI OBLIGATIONS

- Have clear policies and processes in place to address Sexual Misconduct
- Provide education and awareness of Title IX policies
- Provide students with resources
- Take steps to protect the complainant as necessary, including interim steps.
- Provide a grievance procedure using Preponderance of Evidence standard.
- Provide both parties with notification of outcome of complaint
- Provide both parties with the opportunity to appeal a decision

NHTI OBLIGATIONS

Once NHTI knows or reasonably should know of possible sexual violence it must take immediate an appropriate action to investigate or otherwise determine what occurred and must:

- Take prompt an effective steps to end the sexual violence.
- Prevent it's reoccurrence.
- Address its effects.
- This must be done whether there is a criminal investigation or not.

WHO CAN I REPORT TO?

- Title IX Coordinator (Anonymity is available)
 - Report is generated without names
- Campus Safety
- Any faculty or staff on campus, including RAs and Coaches

PRIVATE REPORTING

- Student can request privacy when reporting incidents of Sexual Misconduct
 - However, this can limit actions that the school can take.
- Confidentiality is provided through Counseling or the Crisis Center of Central NH
- Information cannot be shared with parents or family without written consent by the student

REPORTING

College – Informal	College – Formal	NH State Police	College & Police
<p>Report will be kept private. No action taken (in most cases) by the college.</p>	<p>Report will begin formal process and investigation. Outcome of investigation may lead to Student Code of Conduct Hearing with possible action.</p>	<p>NHSP will be contact and they will conduct their own investigation and criminal process.</p>	<p>Both the college and NHSP will conduct separate investigations. Outcomes may vary depending on the investigation. The college does not need to wait for the outcome of the criminal investigation.</p>

RETALIATION & PROTECTIVE MEASURES

- **Retaliation** of any kind against anyone making an allegation of discrimination, against anyone involved in the investigation, or against anyone involved in the decision regarding corrective and/or disciplinary action is prohibited, and shall result in disciplinary action against the retaliator.
- No Contact Orders
- Protective Orders
- Schedule or Residence Hall Accommodations

CONTACT INFORMATION

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QUESTIONS