

addition to a suspension as recommended through the College's *Disciplinary Process*.

Dismissal

Dismissal is the most serious of sanctions. It means that the student must leave campus and will not be allowed to re-enroll.

Equal Opportunity and Non-Discrimination

Title IX of the Education Amendments of 1972 is a federal law prohibiting discrimination based on sex in education programs and activities that receive federal assistance. Title IX covers education programs and activities that include buildings owned by or controlled by any student organization that is officially recognized by a postsecondary institution, but are not limited to on campus situations, it also includes locations and events where the College exercises substantial control over the context of the alleged harassment and the person accused of committing sexual harassment. The types of discrimination that are covered under Title IX include sexual harassment, failure to provide equal opportunity in courses and programs, and discrimination based on pregnancy. Chatfield College recognizes all forms of discrimination based on sex, specifically sexual harassment and sexual misconduct, which includes domestic violence, dating violence, and stalking (terms are defined under other Federal laws called the Clery Act and the Violence Against Women Act).

Sexual Harassment and Sexual Violence Policy

Chatfield College is committed to providing an environment for work and study, free from sexual harassment. Complaints of sexual harassment given to the College by the students and employees require timely and immediate response. Sexual harassment of any member of the Chatfield College community is prohibited by the Student Code and triggers associated disciplinary procedures. Additional guidelines that define sexual assault and harassment and refine disciplinary procedures are offered below.

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or other verbal and/or physical conduct of a sexual nature. Furthermore, the U.S. Department of Education Sexual Harassment Guidance of 1997 states the following types of conduct constitute sexual harassment:

1. **Quid Pro Quo Harassment** - A school employee explicitly or implicitly conditions a student's participation in an education program or activity or bases an educational decision on the student's submission to unwelcome sexual advances, requests for sexual favors, or other verbal, nonverbal, or physical conduct of a sexual nature. Quid pro quo harassment is equally unlawful whether the student resists and suffers the threatened harm or submits and thus avoids the threatened harm.
2. **Hostile Environment Sexual Harassment** - Sexually harassing conduct (which can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature) by an employee, by another student, or by a third party that is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an education program or activity, or to create a hostile or abusive educational environment.

Sexual violence, as defined by the U.S. Department of Education, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). Several different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse, and sexual coercion. Sexual violence can be carried out by school employees, other students, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX.

Chatfield College staff are responsible for reporting all sexual harassment complaints to the Title IX Coordinator, even when a complainant expresses disinterest in pursuing the matter. Once the College has knowledge of sexual harassment or allegations thereof, whether notified by a college official, complainant, or any other person(s), the College must respond timely and in accordance with Federal law. The College cannot be deliberately indifferent or clearly unreasonable regarding the circumstances of the situation involving the alleged sexual harassment. The Title IX Coordinator must confidentially respond when providing the victim of sexual harassment (the complainant) with information regarding his/her individual right to file a complaint, the proper process on how to file a complaint, and the availability of supportive measures regardless of the formal or informal status of the complaint. In addition, the Title IX Coordinator should make supportive measures available to the party accused of sexual harassment (the respondent). Supportive measures are both offered and implemented by the Title IX Coordinator, some examples include, modifications of work or class schedules, extensions of deadlines, and increased security or monitoring of specific areas at the campus.

Chatfield College Title IX Coordinator:

Mary Jacobs
20918 State Route 251
St. Martin, OH 45118
513-875-3344 ext. 114
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In cases where the Academic Dean or Title IX Coordinator is directly involved in the incident, staff should report the sexual harassment complaint to the Vice President & Chief Operating Officer. Reporting incidents is required except where confidentiality of client information is protected by law. In cases where the complainant does not want the College to take action, the staff person must have the complainant state in writing their request for no action. Confidentiality shall be adhered to as far as it does not interfere with Chatfield's legal obligation to investigate allegations of misconduct when brought to the College's attention.

Resolution of such complaints will be handled by the Title IX Coordinator in consultation with other appropriate staff of the college. In a case where the Title IX Coordinator is directly involved in the incident, resolution of the sexual harassment complaint will be handled by the Academic Dean. If the parties involved agree to attempt to resolve the sexual harassment complaint through *informal* procedures, the following guidelines apply:

1. Complainants, College staff or others may report complaints in either oral or written form.
3. The Title IX Coordinator collects information from all parties involved.
4. The Title IX Coordinator investigates the report, and then acts as a facilitator of resolution.
5. The Title IX Coordinator meets or corresponds with the complainant to provide supportive measures and/or resolution options.
4. The Title IX Coordinator meets or corresponds with the respondent to apprise the respondent of the allegation of the sexual harassment complaint, to convey the existence of college policy against sexual harassment, and to convey expectations of adherence to the policy, as well as, provide supportive measures and/or resolution options.
5. If the complainant and respondent both agree to the supportive measures and/or resolution of the complaint, the complaint will be deemed resolved with agreement reached.
6. Follow-up includes written correspondence by the Title IX Coordinator to apprise the complainant and respondent of disposition or resolution of the complaint.

Note: The informal procedure does not involve, at any stage, a "finding" of guilt, nor does it mandate disciplinary action. There is no obligation on the part of the College at any stage of the informal procedure to disclose the identity of the individual who filed the complaint.

The formal procedure will be utilized in response to repeated harassment by individuals, or for grave offenses in the discharge of College responsibilities, or for committing acts or engaging in behaviors which are clearly against well-established moral principles or which may be infractions of legal statutes. Disciplinary action will result from a finding of guilt under the formal proceedings. The respondent will be provided notice of particulars of the offense that is charged, including the identity of the party against whom the offense is alleged to have been committed. Steps for the *formal* procedures are as follows:

1. Complainants, College staff or others may report complaints in either oral or written form.
2. The Title IX Coordinator conducts preliminary investigation to gather facts of complaint.
2. If the complaint involves the Title IX Coordinator or Academic Dean (known herein as the Decision-maker), the respective party must recuse themselves.
3. The Title IX Coordinator will provide all investigative materials to the Decision-maker.
3. The Decision-maker will convene a recorded or transcribed live hearing with cross examination
4. The complainant, respondent and their advisors must be included in the hearing (virtual participation is allowed as long as all parties can participate in the hearing process).
5. The hearing is led by the Decision-maker and both advisors will be provided opportunity to cross-examine, the parties themselves may not cross-examine.
6. Within 10 days after the conclusion of the hearing, The Decision-maker will adjudicate and provide a formal judgement on the disputed matter. The written findings including descriptions of penalties or corrective actions assessed will be sent by certified mail to the complainant and respondent.
7. The complainant and respondent may appeal the formal decision, and recommend penalties or corrective action to the Vice President and Chief Operating Officer that serves as the Appeals Officer by filing a written notice stating the grounds for the appeal.
8. The Appeals Officer's officer will review the evidence presented during the original hearing, no other evidence can be submitted.
9. The Appeals Officer will respond within 10 days of the appeal with a response via certified letter.

College policy prohibits retaliation against any person who has filed a sexual harassment complaint. Employees or students engaging in such retaliation will be subject to disciplinary action.

Disciplinary penalties include written reprimand, formal warning, suspension, termination, or dismissal, or such other penalties as the College deems appropriate and consistent with the gravity of the offense. Record of the complaint(s) and documentation of action taken will be kept in the employee or student's file.

Responsible Use of Information Technology

College computing resources are provided to students to advance the College's mission of education and public service. Students receive a Chatfield email address, username and password at the time of enrollment. Faculty, staff, and students may use these only for purposes related to their studies, their responsibilities for providing instruction, the discharge of their duties as employees, their official business with the College, and other College-sanctioned or authorized activities. The use of College computing resources for commercial purposes including any sort of solicitation is prohibited, without prior written permission of the appropriate College official(s). Unauthorized commercial uses of College computing resources jeopardize the College's relationships with network service providers and computer equipment and software vendors.

The College acknowledges that occasionally students use College computing resources assigned to them or to which they are granted access for non-commercial, personal use. Such occasional non-commercial uses are