

FILING A REPORT

Title IX, a federal law that prohibits discrimination in education on the basis of sex, ensures you have the right and can expect to have incidents of gender-based misconduct to be taken seriously. When formally reported, incidents will be investigated and properly resolved through administrative procedures. Formal reporting means that only people who need to know will be told and information will be shared only as necessary with investigators, witnesses, and the accused individual.

EMPLOYEE'S OBLIGATION TO REPORT

MCC employees and students have an ethical obligation to report any incidences they are aware of concerning sexual misconduct within 24 hours of becoming aware of a report or incident. If the employee or student is unsure, he or she may direct their questions to the Title IX Coordinator or the EO Coordinator.

An online reporting form can be found at:

<http://www.morgancc.edu/about-mcc/legal-notices/grievances/sexual-misconduct/>

SUSAN CLOUGH

Title IX Coordinator

Vice President of Administration and Finance
(970)542-3127
Susan.clough@morgancc.edu

ANDRIA KOPPELS

Affirmative Action and Equal Opportunity Coordinator

Director of Human Resources
(970)542-3129
Andria.Koppels@morgancc.edu

KENT BAUER

Vice President of Student Success
(970)542-3111
Kent.Bauer@morgancc.edu

CONFIDENTIAL RESOURCES

Individuals can seek support from certain resources who are not required to tell anyone else private, personally identifiable information unless there is cause for fear of victim safety, or the safety of others.

OFF CAMPUS:

Share (Domestic Violence Services) 970-867-4444
S.A.R.A. (Sexual Assault Advocates) 970-867-2121
Centennial Mental Health Agency 970-867-2121
C-SEAP (State Employee Assistance) 800-821-8154



Government Agencies

Students with complaints of this nature also have the right to file a formal complaint:

OFFICE OF CIVIL RIGHTS (OCR)
U.S. Department of Education
Region VIII
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582
Phone: (303) 844-5695
Fax: (303) 844-4303
Email: OCR.Denver@ed.gov
Web: www.ed.gov/ocr

Employees with complaints of this nature also have the right to file a formal complaint:

Colorado Department of Regulatory Agencies
Colorado Civil Rights Division
1560 Broadway #1050
Denver, CO 80202
Phone: (303) 867-2997
Fax: (303) 894-7830
Web: www.dora.state.co.us/civil-rights/index.htm

Title IX and Gender-Based Misconduct



Produced by MCC Human Resources
and Title IX Office

FORMS OF GENDER-BASED MISCONDUCT

Sexual Harassment: Defined as unwelcome, sexually based, verbal, written or physical conduct.

Sexual harassment creates a hostile environment, and may be disciplined when it is:

- Sufficiently severe, persistent or pervasive that it,
- Has the effect of unreasonably interfering with, denying or limiting employment opportunities or the ability to participate in or benefit from the college's educational programs, and is
- Based on power differentials (*quid pro quo*), the creation of a hostile environment or retaliation.

Gender-Based Harassment: Acts of verbal, non-verbal, physical aggression, stalking, intimidation, or hostility based on gender or gender-stereotyping constitute gender-based harassment. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with an individual's academic or employment performance or creating an intimidating, hostile, or offensive academic environment.

Retaliatory Harassment: Any adverse employment or educational action taken against a person because of the person's perceived participation in a complaint or investigation of discrimination or sexual misconduct.

Non-Consensual Sexual Contact:

Any sexual touching, however slight, with any object, by any individual upon any individual, that is without consent and/or by force.

Non-Consensual Sexual Intercourse:

Any sexual penetration, however slight, with any object, by any individual upon any individual, that is without consent and/or by force.

Intimate Partner Violence (inclusive of Domestic Violence and Dating Violence):

Violence between those in an intimate relationship with each other. This includes any behaviors that intimidate, economically control, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, or injure someone. Intimate partner violence can be a single act or a pattern of behavior in relationships. Intimate partner relationships are defined as short or long-term relationships between persons intended to provide some emotional/romantic/and or physical intimacy.

Stalking: course of conduct directed at a specific person that would cause a reasonable person to feel fear. Stalking involves continual harassment made against the expressed wishes of another individual, which causes the targeted individual to feel emotional distress, including fear and apprehension. Stalking behaviors may include pursuing or following, non-consensual communication or contact including in-person, telephone, voice messages, electronic messages, text messages, unwanted gifts, trespassing, and surveillance or other types of observation.

Sexual Exploitation: Occurs when an individual take non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

DEALING WITH GENDER-BASED MISCONDUCT

TELL THE PERSON TO STOP IMMEDIATELY

BE PROACTIVE: If you are uncomfortable with the behavior, say so.

BE CONSISTENT: Each time a person's behavior "crosses the line," confront the person. If you are uncomfortable confronting the person, contact an administrator, supervisor, or Human Resources.

RETALIATION IS PROHIBITED

It is a violation of CCCS policy and MCC procedures to engage in retaliatory acts against any student or employee who reports an incident of sexual misconduct, or any employee or student who testifies, assists or participates in a proceeding, investigation or hearing relating to such allegation of sexual misconduct.

MCC shall not unlawfully discriminate based on sex/gender in its employment conditions or educational programs or activities.

Affirmative Action/Anti-Discrimination:
www.cccs.edu/SBCCOE/Policies/BP/PDF/BP3-120.pdf
Prohibition of Discrimination or Harassment:
www.cccs.edu/SBCCOE/Policies/PB/PDF/BP4-120.pdf

GRIEVANCE PROCEDURE

Visit <http://www.morgance.edu/about-mcc/legal-notices/grievances/civil-rights/> for detailed information on MCC's process when investigating and resolving institutional complaints of gender-based misconduct.