

Frequently Asked Questions

For Students

What does sexual assault mean? What is sexual misconduct?

Sexual assault is any unwanted sexual act that occurs without consent. *Sexual Misconduct* is often used as a broad term to talk about a range of behavior including sexual harassment, sexual assault, sexual exploitation, and rape.

Does Title IX force victims/survivors to share their experience with the College or pressure a student to pursue disciplinary action?

The student always retains control over who to talk to and what level of information to share. We will never force a student to share the details of their experience, but when a report of sexual misconduct is shared with the Title IX Coordinator, we have a legal duty to follow up on the report to determine the appropriate response under Title IX. The Title IX Investigator will conduct an initial assessment regarding, among other things, the nature of the report, the safety of the individual and of the broader campus community, and the complainant's expressed preference for resolution. Students are not pressured to pursue a specific action.

Is the only avenue I have for recourse a disciplinary process?

Not necessarily. Following the Title IX assessment, the College may seek a remedies-based resolution that does not involve disciplinary action against a respondent. A remedies-based resolution may include interim protective measures, such as a no-contact order or academic accommodations. It may also include targeted or broad-based educational training. In some cases, a remedies-based resolution is not appropriate based on the facts and circumstances of the misconduct (for example, conduct that presents an ongoing threat to an individual or to the broader community).

Does Title IX always start a criminal/legal process?

Reporting an incident to the police and/or pursuing criminal charges are always available to a student and we will help in accessing those resources, but it is separate and different from the College's Title IX process. A student can pursue both the criminal and the College's process at the same time.

Will the Title IX Team be sensitive to the needs of victims/survivors?

The Title IX staff intentionally work to create a compassionate, sensitive environment to address the issues; offer an unbiased and transparent system for gathering facts; and connect all community members with appropriate support and resources.

Are all employees at CTC required to report incidents of sexual misconduct to the Title IX Team?

Title IX requires most employees to report, but not all. Some employees have legally-recognized confidentiality protections and will not share information without the consent of the victim/survivor.

Does Title IX cover student complaints of sexual misconduct against employees?

Yes, if a student reports sexual misconduct/harassment by an employee, CTC must take action. Based on the report (to an obligated reporter), CTC will notify the student of options and resources available for support. CTC will notify the employee and in most instances will conduct an investigation, and if it is found that the employee has engaged in sexual misconduct/harassment, CTC will take steps to ensure the conduct stops. If the investigation reveals inappropriate behavior by the student, charges may be filed against the student with the Conduct Officer.

Does Title IX also require students to report incidents involving their peers?

While most employees are responsible for reporting, students are not. Students with concerns about a friend are encouraged to consult with a confidential resource (such as the School Counselor) about how to support their friend.

Is there a time limit for making a report?

There is no time limit for making a report. The College encourages reporting an incident as soon as possible in order to maximize our ability to respond promptly and effectively. The College does not, however, limit the time frame for reporting. If the respondent is no longer a student or employee, the College may not be able to take action against the Respondent, but it will still seek to meet its Title IX obligation by taking steps to end the harassment, prevent its recurrence, and address its effects, when appropriate.

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For Employees

As an employee do I need to know about Title IX and sexual misconduct?

Yes, it is important to be aware of these issues. As you will see on this website, Title IX of the federal Higher Education Amendment of 1972 prohibits discrimination on the basis of sex in any education program or activity receiving federal financial aid. Title IX applies to both students and employees. Sexual assault, sexual misconduct and sexual harassment are forms of sex discrimination prohibited by Title IX.

Who is considered an obligated reporter and what are the expectations as such?

Obligated reporters are faculty and staff that have supervisory responsibilities as well as staff who manage academic or student programs. HR professionals are also Obligated Reporters. Obligated reporters must report Title IX complaints to the Title IX Coordinator. If an employee who is not an obligated reporter receives a Title IX complaint, they are encouraged to report it to the Title IX Coordinator, Human Resources Officer or to their supervisor.

Does Title IX cover employee complaints of sexual misconduct against a student?

Yes, if an employee reports sexual misconduct against a student, CTC must act on the report and notify the employee of options and resources available for support. CTC will notify the student, conduct an investigation and ensure the conduct stops. If the investigation reveals inappropriate behavior by the student, charges may be filed against the student with the Committee on Discipline.

Does Title IX cover employee complaints of sexual misconduct against another employee?

The primary federal law addressing sexual misconduct/harassment claims by one employee against another is Title VII rather than Title IX. While both statutes prohibit sexual misconduct/harassment at an educational institution, the statutes have different administrative requirements and are overseen by different federal agencies. Any employee that has a complaint of sexual misconduct/harassment against another

employee should report the complaint to his or her supervisor or Human Resources Officer.

If an employee (complainant) reports sexual misconduct or harassment by another employee, can the complainant remain confidential?

When a report of sexual misconduct/harassment is made to the Title IX Coordinator or an Obligated Reporter (e.g. supervisor, manager, HR professional), CTC has a legal duty to follow up on the report to determine whether sexual misconduct occurred and if so, to take appropriate action to ensure that the sexual misconduct/harassment ends. An Investigator will conduct an initial assessment regarding, among other things, the nature of the report, the safety of the individual and of the broader campus community, and the complainant's expressed preference for resolution. While an employee may request confidentiality and CTC will weigh the request with CTC's obligation to provide a safe, non-discriminatory environment, in some instances it may not be possible to provide complete confidentiality to the employee.

If an employee reports the incident to a confidential resource, the confidential resource will not take any action and will maintain the employee's confidentiality, but will advise the employee of their options. A private resource such as a Human Resources Officer must report and take action if an employee discloses they have been sexually harassed.

Can accommodations be made for employees if an allegation of sexual misconduct is reported and the two employees work closely together?

Interim measures may be taken while an investigation is pending to ensure that no sexual misconduct/ harassment continues while the investigation is ongoing. If an investigation results in a finding of sexual misconduct, CTC will work with the Department and the individuals to come up with potential accommodations to ensure that the sexual misconduct/harassment does not reoccur. In some cases temporary no contact orders, schedule changes or space changes may be an option. Other types of accommodations may be considered depending on the circumstances of the situation.

I believe my supervisor is harassing me based on continual comments of a sexual nature. Who do I report this to in order to have the behavior stop?

You can contact your CTC Human Resources Officer or you may also contact CTC's Title IX Coordinator for help.

What is retaliation? As an employee, what should I do if I report and then believe the respondent is retaliating?

Retaliation against an employee for filing a complaint in good faith is prohibited. Any acts of reprisal, intimidation, discrimination or harassment for coming forward with a complaint could be considered retaliation. If you believe that retaliation may have occurred, you should report your concern immediately to , your supervisor, your Human Resources Officer or the Title IX Coordinator.

What should I do as an employee if a co-worker or student complains to me that he/she is being sexually harassed?

First and foremost listen without judgment, offer support and connect the individual with resources. You and/or the complainant are encouraged to report the complaint to the Title IX Coordinator, Human Resources or your supervisor.

What should I do as an employee if I witnessed sexual harassment on campus or in my department?

If you are a witness to inappropriate behavior, determine whether you can intervene and speak up. If it not appropriate or safe for you to do so, you should report what you witnessed to your supervisor or your Human Resources Officer.

I am an employee and someone filed a sexual harassment complaint against me, what should I do?

Find out who has reported the concern and get a description of the behavior. If you realize you may have behaved inappropriately, it may be appropriate to apologize for your actions. Cooperate fully with any investigation and provide the investigator with any information that you believe is relevant to a determination and/or resolution of the complaint.