Pitt Community College
Sexual Harassment Policy and VAWA

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Legal Requirements

Title IX is a federal law that applies to educational institutions receiving federal financial assistance and prohibits discrimination on the basis of sex in an educational institution's programs or activities, including employment, academic, educational, extracurricular and athletic activities (both on and off campus). Title IX protects all people regardless of their gender or gender identity from sex discrimination, including sexual harassment and sexual violence, which are forms of sex discrimination. Title IX requires colleges to take necessary steps to prevent sexual assault on their campuses, and to respond promptly and effectively when an assault is reported.

The Clery Act requires colleges to report annual statistics on crime, including sexual assault and rape, on or near their campuses, and to develop and disseminate prevention policies.

Violence Against Women Act (VAWA)/Campus Sexual Violence Elimination Act (SaVE) clarifies that “sexual violence” includes domestic violence, dating violence and stalking, which must be included in campus Clery reports, and also requires that institutional policies address and prevent sexual violence through training, education, and certain discipline procedures.

Together, these laws require PCC to:

- Publish and widely disseminate a notice of nondiscrimination on the basis of gender or sex
- Designate one employee to coordinate Title IX compliance (including compliance with VAWA/Campus SaVE Act, and all other relevant sexual discrimination/harassment/violence legislation)
- Adopt appropriate complaint and investigation procedures
- Implement education and prevention programs for students and employees, as well as complainant resource programs for complainants of sexual harassment or sexual violence
- Provide written rights and options information to complainants of sexual violence
- Provide training to the campus community on how to prevent, identify and report sex discrimination (including sexual harassment and sexual violence)
- Provide training on how to conduct investigations to those employees who investigate allegations of sex discrimination (including sexual harassment and sexual violence)
- Provide training to student conduct hearing officers
College Commitment

PCC students, faculty, staff, guests, and visitors have the right to be free from all violence, on and off the campus community, as it relates to PCC’s sexual discrimination and misconduct policy. All members of campus are expected to conduct themselves in a manner that does not infringe upon the rights of others. PCC is committed to eliminating sexual misconduct in all forms to include, but not limited to, sexual assault, sexual harassment, sexual discrimination, stalking, relationship violence, and domestic violence. PCC provides reporting options, investigations, disciplinary processes, and prevention training to ensure the safety of students, faculty, staff, and visitors.

Students, faculty, staff, and visitors are encouraged to report sexual misconduct that occurs on or off campus to PCC’s Title IX Compliance Officer. The Title IX Compliance Officer is located in the office of Vice President for Student Development Services in the Vernon White Building on PCC’s main campus.

Confidentiality

The College will respect the confidentiality of the complainant and the accused as much as possible. Students who wish to report sexual misconduct should be aware that employees on campus have reporting responsibilities and are required to contact the College’s Title IX Compliance Officer when they become aware of sexual misconduct. The Title IX compliance officer, with the complainant’s consent, may contact and discuss the criminal issues surrounding the case if it becomes apparent that a criminal offense has occurred. The Title IX Compliance Officer may also refer the complainant to the College’s Sexual Assault Victims Advocate for support and counseling. The relationship between the complainant and the advocate is confidential in nature and information is only shared with complainant consent.
Reporting Process

When a complainant reports sexual misconduct (that occurred on or off campus) to the Title IX Compliance officer or another employee; he or she has the right to expect the college to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. **Pitt Community College strongly encourages complainants to report Sexual Violence or Discrimination directly to the campus Title IX Compliance Officer.**

The Title IX Compliance Officer will inform the complainant of the initiation of an investigation prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the college’s response to the incident. The Title IX Compliance Officer will remain mindful of the complainant’s well-being, and will take ongoing steps to protect the complainant from retaliation or harm, and work with the complainant to create a safety plan. Retaliation against the complainant, whether by students, employees or third parties, will not be tolerated.

After the initial report, the Title IX Compliance Officer will notify the complainant and the accused of the outcome of the investigation within 60 calendar days. Possible sanctions or protective measures may result from the institutional investigation.

Complainants, accused, and bystanders will be asked to complete a Sexual Harassment/Discrimination Incident Report.

Bystander “Duty to Report”

Pitt Community Colleges students and employees have a “duty to report” sexual misconduct that occurs on or off campus. Bystanders are required to:

- Report what you know to the Title IX Compliance Officer.
- As a bystander (witness) you are responsible for giving accurate and truthful information about what you witnessed.
- Maintain documentation regarding any matters involving sexual misconduct, discrimination or harassment.
- Do your best to maintain impartiality. Avoid expressing opinions about the accused or other persons involved.
- Maintain privacy; however, you should not make promises regarding complete confidentiality.

Any act by a Pitt Community College employee or student of retaliation against an employee or student for using the applicable policies responsibly interferes with free expression and openness and violates PCC policy. Accordingly, members of the college community are prohibited from acts of retaliation against those who file or are involved as bystanders. If you feel you have been retaliated against because of your participation in this process, it is your right to file a complaint of retaliation to the Title IX Compliance Officer.
Definitions

Sexual Assault: An actual, attempted, or threatened sexual act with another person without the person’s consent.

Sexual Harassment: Conduct of a sexual nature that includes unwelcomed sexual advances, requests for sexual favors, joke’s about sex or sexual orientation, other verbal, non-verbal, physical conduct of a sexual nature that creates a hostile environment.

Sexual Discrimination: Actions that subject individuals to improper and unequal treatment on the basis of their sex, including but not limited to the improper exclusion of individuals from College activities.

Sexual Misconduct: Refers to sexual discrimination, assault, harassment, and/or other sexual violence.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or suffer substantial emotional distress.

Relationship Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Domestic Violence: Crimes of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, or by a person who is cohabitating with or has cohabitated with the complainant as a spouse.

Non-Consensual Sexual Contact: Any intentional sexual touching by a man or woman and with any object that is without consent and/or by force (no matter how slight the contact).

Sexual Contact includes: Intentional contact with the breasts, buttocks, groin, or genitals; such as touching another with any of these body parts or making another person touch you with or on any of these body parts. Or any intentional bodily contact in a sexual manner, though not necessarily involving contact with breasts, buttocks, groin, genitals, mouth, or other orifice.

Non-Consensual Sexual Intercourse: Any sexual intercourse by a man or woman and with any object that is without consent and/or by force (no matter how slight the contact).

Intercourse includes: vaginal or anal penetration by a penis, object, finger, or tongue and/or oral copulation (mouth to genital contact or genital to mouth contact, no matter how slight the contact.

Sexual Exploitation: Occurs when a person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited.

Sexual exploitation examples include: invasion of sexual privacy, prostituting another person, non-consensual video or audio-taping sexual activity, going beyond the boundaries of consent such as letting a friend hide in the closet while you have sex, voyeurism, knowingly transmitting an STD or HIV to another student, exposing one’s genitals in non-consensual circumstances or asking another person to expose their genitals, and sexually-based stalking or bullying such as emailing sexually explicit photos to another person or making sexual jokes at the expense of another person.
Roles and Responsibilities

Role of Title IX Compliance Officer and Deputy Title IX Coordinator

Oversees all complaints of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and/or Stalking, including related investigations, interim and/or ultimate remedies, resolution, and coordination with disciplinary decision-makers regarding any resulting discipline against the accused.

Meets with the complainant on a regular basis to determine what steps (interim and ultimate) should be taken to protect him/her from any hostile or unsafe environment resulting from Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and/or Stalking, and ensuring that such steps are taken.

Works with appropriate campus divisions (e.g., Campus Police, Human Resources, Academic Affairs, and Student Affairs) to provide employees and students with educational programs and information, as required by Title IX, VAWA/Campus SaVE Act, and other applicable laws.

Reviews the outcome of employee and student disciplinary proceedings involving cases of alleged Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and/or Stalking, to determine whether any additional remedies need to be provided to the complainant.

Identifies and addresses any systemic or other patterns of Sex Discrimination, Sexual Harassment, Sexual Violence, Domestic Violence, Dating Violence, and Stalking, and implementing corrective measures, as appropriate.

Campus Contact

Joanne Ceres
Title IX Compliance Officer (Students)
Interim Vice President for Student Development Services
252-493-7320

Ina Rawlinson
Title IX Compliance Officer (Employees)
Director of Human Resources
252-493-7288

Amanda Wells
Deputy Title IX Coordinator (Employees)
HR Generalist
252-493-7810

Amelia Martin
Deputy Title IX Coordinator (Students)
Student Support Manager/Director of PCC Global
252-493-7480

Olivia Sutton
Sexual Assault Victims Advocate
Lead Counselor
252-493-7222
Role of Campus Police

The complainant has the right to report sexual misconduct (that occurs on or off campus) to the College’s campus police department. The complainant may request that the police department gather evidence and investigate the crime. A delay in reporting the crime may result in the loss or destruction of evidence; so it is important that the complainant report an incident as soon as possible. Immediate reporting is also important if the complainant wishes to take further action against the accused.

When a complainant makes an immediate report regarding sexual misconduct, the need for medical attention is considered top priority. Decisions surrounding police investigations do not need to made prior to receiving medical care; however, receiving medical care as soon as possible can help preserve evidence in the event that the complainant decides to take further action against the accused. Once the complainant decides to file charges, the College’s Campus Police Department will take a report of the assault and conduct an investigation.

Campus Contact
Campus Police
252-493-7777

Role Sexual Assault Victim’s Advocate (Support for Complainant)

When a complainant makes a report of sexual misconduct (that occurs on or off campus), he or she should be encouraged to seek the support of the Sexual Assault Victim’s Advocate. The advocate provides free and confidential counseling services to the complainant. They are able to connect complainants to resources on and off campus aimed at supporting survivors of sexual assault.

The Counseling Department is often the first point of contact when someone has been assaulted. The victim’s advocate will explain the campus’ “duty to report” policy and will help a complainant access additional resources; such as medical care, Title IX Compliance officer, campus police, and community support programs as needed.

The victim’s advocate is also able to assist complainants regarding academic issues as they relate to the assault.

Campus Contact
Olivia Sutton
Lead Counselor
Sexual Assault Victim’s Advocate
252-493-7222 or osutton@email.pittcc.edu
*Ms. Sutton is the contact person providing support to complainants.
Complainant Rights

The Title IX Compliance Officer will have 60 calendar days to complete an investigation.

A complainant may file a police report at any time during the duration of a Title IX investigation. The Title IX investigation will continue to move forward during a criminal investigation.

The complainant will be encouraged to submit a written formal complaint against the accused.

The College will protect the complainant and take immediate action to protect individuals in the educational setting.

The Title IX Compliance Officer will verbally notify the accused that they are to have no contact with the complainant.

If the complainant does not wish to proceed with a formal written complaint, the Title IX Compliance Officer will continue the formal investigation should the preliminary facts warrant. The Title IX Compliance Officer will explain to the complainant that without their cooperation, a full investigation will be limited. The Title IX Compliance Officer will also explain that the colleges obligation to investigate and document the allegations.

The Title IX Compliance Officer may decide that provisions will need to be put in place to ensure that the complainant remains safe from retaliation or harm during the investigation.

The complainant will be given guidance at the start of the investigation.

The college will ensure due process rights for all parties.

Should the Title IX Compliance Officer find that a conflict of interest exists, before the investigation has begun, they will provide the student with a secondary individual to assist with the intake process.

The Title IX Compliance Officer will abide by the colleges FERPA standards in all intake and investigative processes as it relates to student on student Title IX cases.

All parties will be provided with a resolution that is supported by substantial evidence.

The Title IX Compliance Officer will provide a written summary of resolution to all parties within 10 business days following the completion of the investigation.

Upon completion of the investigation, all parties will have the right to appeal within 14 calendar days.
Accused Rights

The Title IX Compliance Officer will have 60 calendar days to complete an investigation.

The accused will be given guidance at the start of the investigation.

The accused will have the right to bear witnesses.

The college will ensure due process rights for all parties.

Should the Title IX Compliance Officer find that a conflict of interest exists, before the investigation has begun, they will provide the student with a secondary individual to assist with the intake process.

The Title IX Compliance Officer will abide by the colleges FERPA standards in all intake and investigative processes as it relates to student on student Title IX cases.

All parties will be provided with a resolution that is supported by substantial evidence.

The Title IX Compliance Officer will provide a written summary of resolution to all parties within 10 business days following the completion of the investigation.

Upon completion of the investigation, all parties will have the right to appeal within 14 calendar days.
Student Code of Conduct and Employee Handbook

Students should review the Code of Conduct located in the Student Handbook for more information. This Code of Student Conduct is applicable to every student enrolled at the College, and may at times, apply to persons off campus when using College facilities or participating in PCC programs or activities, including off campus trips and clinical sites. The Employee Handbook is applicable to every employee that is employed by the college, therefore all employees should review the Employee Handbook for more information.
Preventing Sexual Harassment

Pitt Community College strives to create an academic community conducive to the development of each student by fostering an educational process committed to excellence and equity. Students, faculty, and staff are citizens of the local, state and national governments and of the academic community and are therefore, expected to conduct themselves as law abiding members of each community at all times.

Admission to a College carries with it special privileges and imparts special responsibilities apart from those rights and duties enjoyed by non-students. Students are expected to behave in a manner that is conducive to the mission of the College. In recognition of the special relationship that exists between the College and the academic community, Pitt Community College Board of Trustees has authorized the President to take such action that may be necessary to maintain campus safety and preserve the integrity of the College.

Prevention and Training Programs

Institutions must provide primary prevention and awareness programs for all incoming students and new employees, along with ongoing prevention and awareness campaigns that include the following:

- A statement that the institution prohibits sexual violence
- The definition of domestic violence, dating violence, sexual assault, and stalking in their jurisdiction (the institution must still follow the federal definitions when collecting statistics, offering victims assistance, and conducting disciplinary proceedings)
- The definition for sexual activity in their jurisdiction
- Bystander intervention
- Risk Reduction
- Information about disciplinary proceedings and victims’ rights as required by SaVE.

Campus Contact

Amelia Martin
Student Support Manager/Director of PCC Global Prevention and Programming
252-493-7480 or amartin@email.pittcc.edu
*Ms. Martin will be the contact person regarding campus prevention programming.
Frequently Asked Questions

If I am a PCC employee, what should I do if someone tells me they have been sexually assaulted?

If someone reports sexual misconduct to you, explain the “duty to report” policy to them. Contact the Title IX compliance officer to make a report. Refer the student to campus resources including Title IX compliance officer, Campus Police, and the Sexual Assault Complainant’s Advocate in the Counseling Department for support.

What should I do if I have been sexually assaulted?

Seek medical attention immediately. Upon reporting to the hospital, the medical staff will alert the Pitt County Sexual Assault Response Team (SART). SART consists of nurses, police officers, investigators, and sexual assault victims advocates who are specifically trained to work with victims of sexual assault. This does not obligate you to pursue charges against the accused.

Once you return to PCC, contact the Title IX Compliance Officer to make a report of sexual misconduct that occurred on or off campus. If you wish to make a report to Campus Police, the Title IX Compliance Officer can assist you. The Title IX Compliance Officer will also link you to campus resources for support.

If sexual misconduct occurs off campus, can the College investigate?

It is important to contact the Title IX Compliance Officer if there has been an incident of sexual misconduct involving PCC students off campus. The Title IX Compliance Officer will investigate and make decisions regarding the continued enrollment of the accused.

Someone has filed a complaint against me, what do I do?

If someone files a report of sexual misconduct against you, it is important that you DO NOT contact the alleged complainant by any means - in person, by phone, by mail, by social media, or any electronic communication or through someone else. Familiarize yourself with PCC policies surrounding sexual misconduct so you know what to expect. Direct any questions or concerns to the Title IX Compliance Officer and if you need support, contact Counseling Services. Cooperate fully with campus officials.

To whom should I report that I’ve been sexually assaulted?

If you have been sexually assaulted and you would like to make a report, contact Campus Police or the Title IX Compliance Officer.

Will my complaint remain confidential?

Your privacy is priority; however, some information must be disclosed in order to fully investigate a complaint. PCC employees are also required to follow the “duty to report” policies. You are welcome to discuss your concerns regarding confidentiality with the Title IX Compliance Officer or the Campus’ Sexual Assault Complainant’s Advocate.
What if I want to remain anonymous?

PCC honors anonymous reporting options. If you wish to remain anonymous, but would like to make a report against a PCC employee or student, please call the Title IX Compliance Officer’s office. You will be asked questions regarding the crime, but will not have to give your name.

Do I have to identify the accused?

In order to conduct a thorough investigation, the alleged accused must be identified. If you do not know the accused’s name, you may be asked to describe him or her to the best of your ability.

If I report to the Title IX compliance officer, do I have to contact the police?

The Title IX Compliance Officer will contact Campus Police if it is determined that a crime occurred on campus for statistical purposes, however, this does not obligate you to pursue charges against the accused.
Appendix A

PCC Sexual Harassment and Discrimination Incident Report

Please complete this form if you wish to report possible discrimination/harassment violation.

Person Reporting Incident (Please Circle) Complainant or Bystander or Accused

Name: ___________________________________________
Phone Number: ________________________________
Email Address: ________________________________
Date of Incident: __________________
*Complainant or Bystanders. Please provide the accused name and contact information if known
________________________________________________
________________________________________________

Please describe the incident(s) at issue. Be as specific about what happened as possible, including information about the people involved.
________________________________________________
________________________________________________
________________________________________________
________________________________________________
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________________________________________________
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________________________________________________

I understand that this information will be used to conduct an investigation. I have been provided documentation of my rights as a complainant, accused, or bystander. I understand that the College will make every effort to protect the privacy of all involved, but the information you provide in completing this form is not confidential and may be shared as necessary for the College to take appropriate action.

Date: __________________
Signature: ______________________________________

Completed forms should be submitted to the Title IX Compliance Officer in the Vernon White Building Room 04.