



**TITLE IX:
SEX DISCRIMINATION
&
SEXUAL MISCONDUCT
POLICY**

Updated April 18, 2022

**Title IX: Sex Discrimination & Sexual Misconduct Policy
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Title IX: Sex Discrimination & Sexual Misconduct Policy

I. 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 that occur when an individual is participating in or attempting to participate in an educational program or activity sponsored by Pitt Community College that occurs in the United States. 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 disciplinary procedures.

Together, these laws require PCC to:

1. Publish and widely disseminate a notice of nondiscrimination on the basis of gender or sex.
2. Designate employees to coordinate Title IX compliance (including compliance with VAWA/Campus SaVE Act, and all other relevant sexual discrimination/harassment/violence legislation).
3. Adopt appropriate grievance and investigation procedures.
4. Implement education and prevention programs for students and employees.
5. Provide resource programs for Complainants and Respondents of sex discrimination and/or sexual misconduct.
6. Provide written rights, options and information to Complainants and Respondents of sex discrimination and/or sexual misconduct.
7. Provide training to the campus community on how to prevent, identify and report sex discrimination, including sexual misconduct.
8. Provide training to relevant staff and faculty who participate in the grievance process of alleged violations of sex discrimination, including sexual misconduct.

II. Definitions

1. **Complainant:** A person who reports that he or she has been subjected to, or has experienced, an alleged violation of sexual misconduct, and/or not limited to discrimination, harassment, or related retaliation.
2. **Consent:** A voluntary agreement to engage in sexual activity. Someone who is incapacitated cannot consent. Past consent does not imply future consent. Silence or an

absence of resistance does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent.

3. **Domestic Violence:** Domestic violence is abuse committed against someone who is a current or former spouse; current or former cohabitant; someone with whom the Complainant or Respondent shares a child; someone with whom the Complainant or Respondent has or had a dating or engagement relationship; or a person similarly situated under domestic or family violence law.
4. **Gender Discrimination:** Acts of intimidation, bullying, aggression or hostility based on gender or gender-stereotyping, even if the acts do not involve conduct of a sexual nature.
5. **Intercourse:** Vaginal or anal penetration by a penis, object, tongue or finger, or oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.
6. **Non-Consensual Sexual Contact:** Any intentional sexual touching, however slight, by an individual upon another, or with an object, that is without consent and/or by force or coercion.
7. **Non-Consensual Sexual Intercourse:** Any sexual intercourse, however slight, by an individual upon another, or with an object, that is without consent and/or by force or coercion.
8. **Relationship or Dating 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.
9. **Respondent:** A person who is alleged to have committed acts of sexual misconduct, and/or not limited to discrimination, harassment, or retaliation.
10. **Retaliation:** an adverse action that is taken against an individual for engaging in protected activity.
11. **Sexual Assault:** An actual, attempted, or threatened sexual act with another person without the person's consent.
12. **Sexual Contact:** 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, and/or any intentional bodily contact in a sexual manner, though not necessarily involving contact with breasts, buttocks, groin, genitals, mouth, or other orifice.
13. **Sex 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.
14. **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.
15. **Sexual Harassment:** Conduct on the basis of sex that satisfies one or more of the following:
 - (1) An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct;
 - (2) Unwelcome conduct determined by a reasonable person to be so severe, pervasive,

and objectively offensive that it effectively denies a person equal access to the College's education program or activity; or

(3) Sexual assault, dating violence, domestic violence, or stalking.

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

17. 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.

III. 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 sex 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.

IV. Whom to Contact

Students, faculty, staff, bystanders, guests and visitors are encouraged to report sex discrimination or sexual misconduct that occurs when an individual is participating in or attempting to participate in an educational program or activity sponsored by Pitt Community College. Campus contacts are as follows:

Student Point of Contact

Jasmin Spain, Title IX Compliance Officer/Decision-Maker

Assistant Vice President, Student Support

Telephone: 252-493-7211

E-mail: jlspain@email.pittcc.edu

Dr. Kimberly Williamson, Title IX Coordinator

Senior Director, Student Advocacy

Telephone: 252-493-7217

E-mail: kwilliamson@email.pittcc.edu

C. Brian Jones, Title IX Appellate Officer

Assistant Vice President, Enrollment Services

Telephone: 252-493-7867

E-mail: cbjones@email.pittcc.edu

Amelia Bain, Title IX Investigator

Student Success Advisor

Telephone: 252-493-7480

E-mail: abain@email.pittcc.edu

Doug Collins, Title IX Investigator
Assistant Director, Financial Aid
Telephone: 252-493-7326
E-mail: dcollins@email.pittcc.edu

Erin Harvey, Title IX Investigator
PCS Early College HS Liaison
Telephone: 252-493-7827
E-mail: eharvey@email.pittcc.edu

Travis Kinsey, Title IX Investigator
Director, TRiO Programs
Telephone: 252-493-7762
E-mail: tkinsey@email.pittcc.edu

Steffen McGhee, Title IX Investigator
Minority Male Success Initiative Specialist
Telephone: 252-493-7914
E-mail: smcghee@email.pittcc.edu

Vanessa Pippen, Title IX Investigator
Coordinator, TRiO: Educational Opportunity Center
Telephone: 252-493-7503
Email: vpippen@email.pittcc.edu

Olivia Sutton, Sexual Misconduct Complainant Advocate
Lead Counselor, Counseling Services
Telephone: 252-493-7222
E-mail: osutton@email.pittcc.edu

Mecca Moore, Sexual Misconduct Respondent Advocate
Counselor, Counseling Services
Telephone: 252-493-7848
E-mail: mmoore@email.pittcc.edu

Campus Police
252-493-7777

Employee Point of Contact
Please contact PCC Human Resources
Telephone: 252-493-7289

For employees, see the Pitt Community College Employee Manual for information about sexual misconduct.

V. Confidentiality

The College will respect the confidentiality of the Complainant and the Respondent as much as possible. Students who wish to report sex discrimination or sexual misconduct should be aware that employees on campus have reporting responsibilities and are required to contact the College's Title IX Coordinator when they become aware of sex discrimination or sexual misconduct. The Title IX Coordinator, with the Complainant's consent, will contact the necessary parties and discuss the issues surrounding the case if it becomes apparent that an alleged violation has occurred. The Title IX Coordinator may also refer the Complainant to the College's Sexual Misconduct Complainant Advocate for support and counseling. The relationship between the Complainant and the advocate is confidential in nature, and information is only shared with the Complainant's consent. The Title IX Coordinator may also refer the Respondent to the College's Sexual Misconduct Respondent Advocate for support and counseling. The relationship between the Respondent and the advocate is confidential in nature, and information is only shared with the Respondent's consent.

VI. Bystander/Witness "Duty to Report"

Pitt Community College students and employees have a "duty to report" sex discrimination or sexual misconduct that occurs when an individual is participating in or attempting to participate in an educational program or activity sponsored by Pitt Community College that occurs in the United States. Bystanders/Witnesses are required to:

1. Report what they know to the Title IX Coordinator.
2. Give accurate and truthful information about what was reported, witnessed, and/or shared.
3. Maintain documentation regarding any matters involving sexual misconduct, discrimination or harassment.
4. Maintain impartiality through avoidance of expressing opinions about all parties involved.
5. Maintain privacy, however, not make promises regarding complete confidentiality.

Any act of retaliation by a Pitt Community College employee, or student, against another involved party using the applicable procedures, interferes with free expression 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/Witnesses. If someone feels that they have been retaliated against because of their participation in this process, it is their right to file a complaint of retaliation to the Title IX Coordinator.

VII. Reporting Process

If a student or employee has knowledge of an alleged sex discrimination or sexual misconduct violation, all parties **have a duty to report** this violation to the Title IX Coordinator via the **[Student Code of Conduct Report Form](#)** located on the Pitt Community College website.

When an individual reports sex discrimination or sexual misconduct, he or she has the right to expect the college to take immediate and appropriate steps to investigate and resolve the matter promptly and equitably. Pitt Community College strongly encourages individuals to report sexual violence or discrimination directly to the campus Title IX Coordinator.

The Title IX Coordinator will provide written notification of the grievance process to the Complainant and Respondent 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. Written notice of the alleged sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview, will also be provided to all parties. The written notice will include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice will inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney. The written notice will inform the parties of any provision in the College's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

The Title IX Coordinator may dismiss the formal complaint or any allegations therein, if at any time during the investigation or hearing: a complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein; the respondent is no longer enrolled or employed by the College; or specific circumstances prevent the College from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein. The Title IX Coordinator will promptly send written notice of the dismissal and reason(s) therefor simultaneously to all parties.

The Title IX Coordinator will remain mindful of the Complainant's and Respondent's well-being, and will take ongoing steps to attempt to protect both parties from retaliation or harm, and work with them to create a safety plan. Retaliation, whether by students, employees or third parties, will not be tolerated.

After the initial report, the Title IX Coordinator will strongly make an attempt to adjudicate and notify the Complainant and the Respondent of the outcome of the investigation within 60 days from the date of the report. Please note that this timeline may be extended. If so, all parties will be informed.

VIII. Roles and Responsibilities

A. Role of the Title IX Compliance Officer/Decision-Maker

Oversees all complaints of sex discrimination and sexual misconduct, including related investigations, interim and/or ultimate remedies, resolution, and coordination with disciplinary decision-makers regarding any resulting discipline against the Respondent.

Reviews the outcome of employee and student disciplinary proceedings involving cases of alleged sex discrimination and sexual misconduct, to determine whether any additional remedies need to be provided to the Complainant or the Respondent.

Receives and reviews all investigative reports and renders the outcome of the investigation to the Complainant and the Respondent. This outcome could possibly be made in the form of a Judicial Review Board hearing, of which the Title IX Compliance Officer serves as the Chair. The Title IX Compliance Officer will provide all information pertaining to this convening in an effort for all parties involved to have reasonable time for preparation.

B. Role of the Title IX Coordinator

Receives all initial complaints of sex discrimination and sexual misconduct, and makes the determination if the alleged sex discrimination or sexual misconduct warrants an investigation. Assigns investigators to each Title IX case. Tracks and monitors incidents of sex discrimination, gender-based harassment, and sexual misconduct.

Works with appropriate campus committees to provide employees and students with educational programs and information, as required by Title IX, the VAWA/Campus SaVE Act, and other applicable laws.

Identifies, and addresses, any systemic or other patterns of sex discrimination and sexual misconduct, and implements corrective measures, as appropriate.

C. Role of the Title IX Investigator

Investigates allegations related to the Title IX policy against students and employees from assignment to suggested findings. This includes creating an investigative plan, conducting witness interviews, making credibility assessments, preparing and presenting the Title IX Investigation report and appropriate supporting documents, and communicating with the parties' while protecting the neutrality, integrity, and privacy of the investigation.

Meets with all parties involved on a regular basis to determine what interim steps should be taken to protect him/her from any hostile or unsafe environment resulting from alleged violations of sex discrimination and sexual misconduct, and ensures that such steps are taken. PCC cannot guarantee an individual's safety, but will make reasonable accommodations to help prevent such activities from occurring.

Provides on-going updates regarding the status of complaints and investigations to the Title IX Coordinator, and appropriate College employees assisting with the College's response to Title IX matters.

D. Role of the Advisor

Both Complainants and Respondents have the right to an advisor of choice, meaning that anyone may serve as an advisor, so long as they are able to comply with the institution's rules and guidelines.

Accompany their advisee through all phases of the resolution process and explain the process.

If a Complainant or Respondent does not have an Advisor of choice, Pitt Community College will assign an Advisor, who is a College employee, to serve as an Advisor during the hearing process.

E. Role of the Appellate Officer

Receives written requests for an appeal from Complainants or Respondents who question the outcome of a Title IX investigation and hearing. Reviews the written appeal to determine if the criteria is met to proceed in the appeal process. If the request to have an appeal heard is granted, the Title IX Appellate Officer will receive and review all investigative reports, the hearing transcript, and the written outcome from the Title IX Decision Maker. The Title IX Appellate Officer will also review any new evidence that is presented.

The Title IX Appellate Officer will render an outcome to determine if the outcome rendered by the Title IX Decision Maker stands or if a different outcome will be rendered. This outcome could possibly be made in the form of a Judicial Review Board hearing, of which the Title IX Appellate Officer serves as the Chair. The Title IX Appellate Officer will provide information pertaining to this convening in an effort for all parties involved to have reasonable time for preparation.

F. Role of Campus Police

Any individual has the right to report an alleged violation of sexual misconduct to the College's Campus Police Department as a crime. A delay in reporting may result in the loss or destruction of evidence; so it is important that the individual report an incident as soon as possible. Immediate reporting is also important if the Complainant wishes to take further action against the Respondent.

When a Complainant makes an immediate report regarding sex discrimination or sexual misconduct, the need for medical attention is considered a top priority. Decisions surrounding police investigations do not need to be 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 Respondent. Once the Complainant decides to file charges, the College's Campus Police Department will take a report and conduct an investigation.

The Campus Police Department can be contacted at 252-493-7777.

G. Role of the Sexual Misconduct Complainant Advocate

When a Complainant makes a report of sex discrimination or sexual misconduct, he or she should be encouraged to seek the support of the Sexual Misconduct Complainant Advocate. The advocate provides free and confidential counseling services to the Complainant. They are also able to connect Complainants to resources on and off campus aimed at supporting individuals who have experienced sex discrimination or sexual misconduct. The Complainant Advocate will explain the campus' "duty to report" policy and will help the Complainant access additional resources; such as medical care, roles of the Title IX office, Campus Police, assist with academic issues, and community support programs as needed.

For Complainants, Olivia Sutton can be contacted at 252-493-7222 or osutton@email.pittcc.edu.

H. Role of the Sexual Misconduct Respondent Advocate

The Sexual Misconduct Respondent Advocate provides free and confidential counseling services to the Respondent. They are also able to connect Respondents to resources on and off campus aimed at supporting individuals who have been accused of sex discrimination or sexual misconduct. The Respondent Advocate will explain the campus' "duty to report" policy and will help the Respondent access additional resources; such as medical care, roles of the Title IX office, Campus Police, assist with academic issues, and community support programs as needed.

For Respondents, Mecca Moore can be contacted at 252-493-7848 or mmoore@email.pittcc.edu.

IX. Complainant Rights

1. 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.
2. The Complainant will be encouraged to submit a written formal complaint against the Respondent.
3. The College will protect the Complainant and take immediate action to protect individuals in the educational setting.
4. The College will provide an opportunity for the Complainant to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
5. The College will provide the opportunity for the Complainant to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.
6. If the Complainant does not wish to proceed with a formal written complaint, the Title IX Coordinator will continue the formal investigation should the preliminary facts warrant. The Title IX Coordinator and/or designee will explain to the Complainant that without their cooperation, a full investigation will be limited. The Title IX Coordinator and/or designee will also explain that the College's obligation is to investigate and document the allegations.
7. The Title IX Coordinator and/or designee may decide that provisions will be put in place to attempt to ensure that the Complainant remains safe from retaliation or harm during the investigation.
8. The Complainant will be given guidance at the start of the investigation, ensuring due process rights for all parties.
9. The College will provide an opportunity for the Complainant to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.
10. Should the Title IX Coordinator find that a conflict of interest exists between the Complainant and any member of the Title IX staff assigned to a particular case, before or during the investigation process, an alternate designee will be assigned.
11. The Title IX staff will abide by the College's FERPA standards in all investigative processes as it relates to Title IX cases involving a student.

12. Upon completion of the investigation, the Title IX Coordinator must submit all evidence to the Complainant and the advisor, and must allow 10 business days for either party to submit a written response before scheduling a live hearing.
13. The Complainant will be provided with a resolution that is supported by the preponderance of evidence. The Decision-Maker will provide a written summary of the resolution to the Complainant following the completion of the hearing process.
14. Upon completion of the hearing process, and the rendered outcome, the Complainant will have the right to appeal within 10 business days.

X. Respondent Rights

1. The College will protect the Respondent and take immediate action to protect individuals in the educational setting.
2. The College will provide an opportunity for the Respondent to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
3. The College will provide the Respondent the opportunity to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice, who may be, but is not required to be, an attorney.
4. The Title IX Coordinator and/or designee may decide that provisions will need to be put in place to attempt to ensure that the Respondent remains safe from retaliation or harm during the investigation.
5. The Respondent will be given guidance at the start of the investigation, ensuring due process rights for all parties.
6. The College will provide an opportunity for the Respondent to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.
7. Should the Title IX Coordinator find that a conflict of interest exists between the Respondent and any member of the Title IX staff assigned to a particular case, before or during the investigation process, an alternate designee will be assigned.
8. The Title IX Office will abide by the College's FERPA standards in all investigative processes as it relates to Title IX cases involving a student.
9. Upon completion of the investigation, the Title IX Coordinator must submit all evidence to the Respondent and the advisor, and must allow 10 business days for either party to submit a written response before scheduling a live hearing.
10. The Respondent will be provided with a resolution that is supported by the preponderance of evidence. The Decision-Maker will provide a written summary of the resolution to the Respondent following the completion of the hearing process.
11. Upon completion of the hearing process, and the rendered outcome, the Respondent will have the right to appeal within 10 business days.

XI. Hearing Process

Once an investigation has been conducted, all parties will be asked to be present for a live hearing that will be facilitated by the Decision-Maker. Complainants and Respondents will have

the opportunity to have an advisor present at the live hearing. Participants are required to submit those names to the Title IX Coordinator no later than five (5) business days prior to the hearing.

The advisor for the Complainant may cross-examine the Respondent. The advisor for the Respondent may cross-examine the Complainant. Any cross-examination questions must be submitted to the Title IX Coordinator no later than five (5) business days prior to the scheduled hearing. The Decision-Maker will review all proposed cross-examination questions prior to the hearing to determine if they are appropriate.

The hearing will be recorded (audio, video or written transcription). At the completion of the hearing, the Decision-Maker will render a written summary of the resolution to the Complainant and Respondent.

XII. Appeal Process

Complainants or Respondents who question the outcome of the investigation are entitled to submit an appeal. This process is initiated via submission of a written appeal to the Title IX Appellate Officer within 10 business days of the rendered outcome of the case. The provisions of the appeal process will be applicable to all actions involving warning, probation and dismissal (suspension/expulsion).

Grounds for appeal include the ability to (1) prove that there was a procedural error in the investigation, (2) provide new evidence not reasonably available at the time of the investigation, which had it been, may have altered the outcome, (3) prove that the Title IX Coordinator, Investigator(s), or Decision-Maker had a conflict of interest or bias, and (4) prove that the outcome was determined by arbitrary, capricious, discriminatory or otherwise unreasonable means. Exercising one's right not to attend the hearing, nor participate in it, does not constitute new evidence.

Students who appeal sanctions of sex discrimination or sexual misconduct may be provided the opportunity to present their case to the Judicial Review Board, but is not guaranteed. This decision will be made by the Title IX Appellate Officer. If a hearing is granted, the Board's decision is considered final.

XIII. Judicial Review Board Process

In an effort to share the responsibility and ensure the due process that all students have a right to, there are also formal judicial board hearings. This Board is composed of two separate entities, which are tied to specific violations. The Judicial Review Board for violations of non-sexual misconduct are composed of the Board Chair, faculty, staff, as well as students. The Judicial Review Board for violations of sexual misconduct are composed of the Board Chair, faculty and staff. This board also includes a host of alternates in the event there is a conflict of interest, including representatives from each of the College's academic divisions.

Participants and Board members will be informed of the convening of a Judicial Review Board hearing no less than 10 business days of the scheduled hearing. If participants are unavailable to attend this hearing, they are required to request a reasonable postponement by contacting the

Title IX Compliance Officer in writing no less than five (5) business days prior to the hearing. This request should include a justifiable explanation for this request, as well as an alternate date and time. The approval of this postponement will be determined by the Title IX Compliance Officer. If the postponement request is not received by this deadline, the Judicial Review Board Hearing will continue as scheduled and a determination will be made in the participant's absence.

If participants have any witnesses that will testify on their behalf relating only to the appeal in question, participants are required to submit those names to the Title IX Compliance Officer no later than five (5) business days prior to the hearing, including the nature of his/her testimony. Participants have the right to bring an advisor/consultant to the hearing. This individual may not speak on the participants behalf; their role is only to counsel, advise and support. Participants are required to submit those names to the Title IX Compliance Officer no later than five (5) business days prior to the hearing.

XIV. Judicial Review Board Script

During a Judicial Review Board hearing, a script is drafted in order for the Board Chair to facilitate the meeting. The Judicial Review Board Hearing Script will be provided to all participants no later than five (5) business days of the convening of a Judicial Review Board Hearing.

For any questions regarding the Judicial Review Board or the Judicial Review Board process, please contact the Title IX Compliance Officer.

XV. Conduct Sanctions

Students who are found responsible for violating the Title IX Sex Discrimination and Sexual Misconduct Policy will be sanctioned. These sanctions are accompanied with a specific conduct status based on the nature of the violation. These conduct status' are as follows:

1. Conduct Warning
2. Conduct Probation
3. Conduct Dismissal (Suspension/Expulsion) - A student may be dismissed (suspended or expelled) from the College for conduct which is not in the best interest of the student, or of the College. Suspension is a temporary dismissal from the College for a designated period of time, which includes no trespassing on any sites operated by the 6 College until the suspension term is complete, and the student disciplinary hold is removed. Expulsion is a permanent dismissal from the College, which includes no trespassing on any sites operated by the College. Suspended students who successfully petition their return to the College are immediately placed on conduct probation. If a student is dismissed (suspended or expelled), notification will be provided to the following: the student, Campus Police, and the President's Leadership Team. The President's Leadership Team is also informed to share this information with employees within their respective divisions.

Students that are sanctioned may also be subject to restrictions, obligations, and/or assigned tasks specific to their conduct violations. These restrictions, obligations and/or assigned tasks include but are not limited to no trespassing, no-contact orders, restitution, educational tasks, community

service, and counseling. Students who fail to comply with the sanction guidelines that have been issued will have a disciplinary hold placed on their account, until their sanction(s) are complete.

XVI. 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's 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.

XVII. 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:

1. A statement that the institution prohibits sexual misconduct.
2. 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).
3. The definition for sexual activity in their jurisdiction.
4. Bystander intervention.
5. Risk reduction.
6. Information about disciplinary proceedings and victims' rights as required by SaVE.

Campus programming will be facilitated by various areas of the campus community.

XVIII. Pregnancy & Title IX

Per Title IX regulations, students who are pregnant and parenting are granted excused absences due to pregnancy and related conditions as long as the doctor deems necessary. Students do not need to provide a doctor's note to be excused. Instructors must allow students to make up their missed work from excused absences.

For more information, please contact the Title IX Coordinator.

XIX. Frequently Asked Questions

1. To whom should I report that I have experienced an act of sex discrimination or sexual misconduct?

If you have experienced an act of sex discrimination or sexual misconduct, and you would like to make a report, contact the appropriate Title IX Coordinator or Campus Police.

2. 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 victim advocates who are specifically trained to work with victims of sexual assault. This does not obligate you to pursue charges against the Respondent.

Contact the Title IX Coordinator to make a report of sex discrimination or sexual misconduct that occurred when you were participating in or attempting to participate in an educational program or activity sponsored by Pitt Community College that occurred in the United States. If you wish to make a report to Campus Police, the Title IX Coordinator can assist you with this process, and link you to campus resources for support.

3. Will my complaint remain confidential?

Your privacy is a 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 Coordinator.

4. What if I want to make an anonymous report?

PCC honors anonymous reporting options. If you wish to remain anonymous, but would like to make a report against a PCC employee or student, contact the appropriate Title IX Coordinator. Please keep in mind remaining anonymous will make it difficult to conduct a thorough investigation.

5. Do I have to identify the Respondent?

In order to conduct a thorough investigation, the alleged Respondent must be identified. If you do not know the Respondent’s name, you may be asked to provide information to help identify this individual.

6. If I report to the appropriate Title IX Coordinator, do I also have to contact the police?

If you have experienced an act of sex discrimination or sexual misconduct and would like to pursue charges against the Respondent, you are encouraged to contact Campus Police. However, you are not obligated to do so.

7. Can the College investigate if the sex discrimination or sexual misconduct occurs off campus?

Pitt Community College can only investigate sex discrimination or sexual misconduct if the individual is participating in or attempting to participate in an educational program or activity sponsored by Pitt Community College that occurs in the United States

8. If I am a PCC employee, what should I do if someone tells me they have experienced an act of sex discrimination or sexual misconduct?

If someone reports sex discrimination or sexual misconduct to you, explain the “duty to report” policy, and contact the Title IX Coordinator to submit a report. The Title IX Coordinator will refer the individual to campus resources including the Campus Police, and/or the Sexual Assault Complainant Advocate for support, as needed.

9. What should I do if someone has filed a complaint against me?

If someone files a report of sex discrimination or sexual misconduct against you, it is important that you DO NOT contact the alleged Complainant by any means including, but not limited to, phone, mail, electronic communication, by another party, or in person. Familiarize yourself with PCC policies surrounding sex discrimination and sexual misconduct so you know what to expect. Direct any questions or concerns to the Title IX Coordinator. If you need emotional support, please contact PCC Counseling Services. Also, fully cooperate with campus officials, if contacted.