



Title IX Compliance Guide
for
Campus Security
Authorities (CSA's)
&
Responsible Employees:

Craven Community College

UNDERSTAND TITLE IX

What is Title IX?

Title IX of the Education Amendments of 1972 (20U.S.C. § 1681) is an all-encompassing federal law that prohibits discrimination based on sexual orientation in any federally funded education program or activity. "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." Sexual misconduct may be so severe, persistent/pervasive, and objectively offensive as to limit, deprive, or deny educational access, benefits or opportunities. See Section 3.7 of "Guidelines on Responding to Complaints of Sexual Harassment, Sexual Misconduct and/or Discrimination".

A variety of activities are covered under Title IX, including athletic programs, recruitment, admissions, financial aid, and participation in extracurricular programs and activities. For example, Title IX addresses discrimination situations such as unequal treatment of pregnant and parenting students or unequal pay based on gender.

Why is Title IX important?

Title IX helps to foster safe and respectful college environments that better protect students, faculty and staff from incidents of sex-based discrimination and sexual harassment, including sexual violence, dating & domestic violence, stalking and abuse.

What are the requirements of Title IX?

Craven Community College is obligated to provide a prompt, thorough and equitable investigation of any report of sex-based discrimination, sexual harassment or sexual violence. This obligation remains even in the absence of a formal complaint.

Title IX ensures that both parties in a reported event have equal opportunity to be heard and participate in a grievance process.

Why is Title IX relevant to you?

As a CSA, you must carry out your responsibilities to report all Title IX violations of sex-based discrimination and sexual harassment, including sexual violence. Sexual violence is often the focus of many requirements and responsibilities that fall under Title IX because it is a very serious form of sexual harassment.

By fulfilling these responsibilities, you assist Craven Community College in complying with legal requirements and help Craven Community College maintain its commitment to fostering a secure, equitable and inclusive community.

All CSA's are required to complete the "Get Inclusive" training as well as the CSA Training annually to enhance your knowledge and be fully aware of your obligations to the college community that we serve.

KNOW YOUR RESPONSIBILITIES UNDER TITLE IX

Who has responsibilities under Title IX?

While Craven Community College encourages all campus community members to report incidents of harassment or discrimination, several classifications of employees have been identified as "Campus Security Authorities" (CSA's) for Title IX purposes. CSA's include Craven officials listed in the annual security report, including but not limited to the Office of Human Resources, Campus Security, Office of the Dean of Enrollment Management, an advisor of a registered student organization, and any official that has significant responsibility for student and campus activities.

What is the purpose of a Campus Security Authority?

Through your knowledge and application of Craven Community College policy and state laws, you play an important role in:

- Protecting students, faculty and staff from incidents of sexual violence.
- Supporting sexual assault survivors.
- Helping Craven Community College maintain a safe environment by striving to eliminate, prevent, and address discrimination on the basis of sex, including sexual violence.

For compliance with the Clery Act, the Anonymous Crime Reporting Form is to be completed whenever any faculty or staff person with significant responsibility for student activities becomes aware of a crime that has taken place. For more information about your responsibilities, offenses that should be reported and how to take action in compliance with the Clery Act: www.cravencc.edu/campusSaVE.

What are your primary responsibilities as a CSA?

The main responsibility of CSA's is to report any Title IX violations to the Title IX Coordinator as soon as possible. You are required to report incidents you personally observe as well as incidents reported to you. You must report these offenses to the designated office on campus.

Please see the "Report Relevant Offenses" section for details on what qualifies as a violation and the "Take Action" section for details on how to report.

CSA's **do not** include professional counselors or other personnel, whose official responsibilities include providing mental health counseling, medical care, or religious counseling and those who are functioning within the scope of their license, certification or religious training. In addition, **faculty members who do not have any responsibility for student and campus activity beyond the classroom and clerical staff are not considered CSA's**. On campus, confidential reports can be made to the Executive Director of Human Resources (Brock Building) as well as the Dean of Enrollment Management (Student Center).

Responsible Employees

What is a responsible employee?

Responsible employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinators. A report made to a "responsible employee" constitutes a report to the College - and generally obligates the College to investigate the incident and take appropriate steps to address the situation.

Responsible employees **must report to the Title IX Coordinator** all relevant details about the alleged sexual violence - including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, such as the date, time and specific location of the alleged incident.

Information reported to a responsible employee will be shared only with people responsible for handling the College's response to the report. A responsible employee should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.

Before a victim reveals any information to a responsible employee, the employee should **ensure that the victim understands the employee's reporting obligations** - and, if the victim wants to maintain confidentiality, direct the victim to the Title IX Coordinator and the Title IX Coordinator will direct the victim to a confidential source.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the College will consider the request, but **cannot guarantee** that the College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Title IX Coordinator of the victim's request for confidentiality.

Although rare, there are times when the College may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students.

If the College determines that it cannot maintain a victim's confidentiality, the College will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the College's response. The College may not require a victim to participate in any investigation or disciplinary proceeding.

If the College determines that it can grant a victim's request for confidentiality, the College will also take immediate action as necessary to protect and assist the victim.

REPORT RELEVANT OFFENSES

What is a reportable offense under Title IX?

As a Title IX CSA, **you must report** any instance of discrimination or unfair treatment on the basis of sex or sexual harassment. Please refer to Section 3.0 of Guidelines on Responding to Complaints of Sexual Harassment, Sexual Misconduct and/or Discrimination". Also see the **Definitions** section to follow.

DEFINITIONS

Sexual Harassment

Sexual Harassment - Sexual harassment does not require physical contact but involves conduct that merely creates an unwelcome environment, as follows:

Sexual harassment involving an employee or student includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when submission to the conduct is made a term or condition of the employee's employment (either explicitly or implicitly); when submission to or rejection of the conduct is used as a basis for employment decisions affecting the employee; or when the conduct is sufficiently severe, persistent, or pervasive to interfere with the employee's work performance or to create an intimidating, hostile, or offensive working environment.

Occasional compliments of a socially acceptable nature do not constitute sexual harassment. Similarly, circumstances such as the nature of course materials, educational programs, or other educational activity will be considered before a determination is made that behavior in such a context is prohibited conduct. Verbal or physical conduct of a sexually provocative, uncivil, or disrespectful nature at Craven Community College, whether or not it would be judged illegal as a matter of law, is unwelcome by Craven Community College and will not be tolerated. Nothing in these policies creates rights inconsistent with a zero

tolerance for prohibited behavior. Furthermore, Craven Community College has the final word in interpreting these policies.

SEXUAL ASSAULT

Sexual assault: "Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, with-out the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Incest is defined as non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

Sexual Violence

Sexual Violence - Sexual violence is a severe form of sexual harassment that includes sexual assault and any sexual act that is completed or attempted against a victim's will or when a victim is unable to consent. The act may involve actual or threatened physical force, use of weapons, coercion, intimidation or pressure.

Consent/Consensual

Consent is explicit approval and permission to engage in sexual activity demonstrated by clear actions, words, or writings. Consent is informed, freely given and mutually understood by all parties involved. If coercion, intimidation, threats, and/or physical force are used, there is no consent. If the Complainant was mentally or physically incapacitated or impaired so that the Complainant could not understand the fact, nature, or extent of the sexual situation, there is no consent; this includes conditions due to alcohol or drug consumption, or being asleep or unconscious, or under the age of legal consent, or unable to give consent under current law. Silence does not necessarily constitute consent, and past consent of sexual activities does not imply ongoing future consent. Whether the Respondent has taken advantage of a position of influence over the Complainant may be a factor in determining consent. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Although

consent may be given initially, it may be withdrawn at any point without regard to activity preceding the withdrawal of consent.

DOMESTIC VIOLENCE

Domestic Violence: The term “domestic violence” means felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner; a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Dating Violence

Dating Violence is controlling, abusive, and aggressive behavior in a romantic relationship. It can happen in heterosexual or same sex relationships. It can include verbal, emotional physical or sexual abuse or a combination.

Sexual Exploitation

Offensive, illegal sexual behavior that is directed at another. Sexual Exploitation is another form of Sexual Harassment in which no violence is involved, but conduct takes advantage of another person sexually. This includes exposing one's own or another person's intimate parts without consent; recording video or audio, photographing, or transmitting intimate or sexual utterances, sounds or images without consent of all parties involved; allowing others to view sexual acts (whether in person or via a video camera or other recording device) without the consent of all parties involved; or engaging in any form of voyeurism.

Stalking

Any knowing or intentional course of conduct, involving repeated or continued following, threatening or intimidating another by telephone, mail, electronic communication, social media, in person or any other action, device or method that would cause a reasonable person to suffer substantial emotional distress, or fear of bodily injury or death.

TAKE ACTION

How do you report Title IX harassment and/or discrimination?

If you are a CSA and someone informs you of an offense that falls under Title IX, report it immediately by taking these steps:

1. Ensure your safety and the safety of the reporter/victim. In an emergency or situation of imminent danger, call 911 immediately and Campus Security @ 7261.
2. Inform the victim that you are required to report the incident, even if the victim chooses not to press charges or file a report with law enforcement. Although every effort will be taken to ensure privacy, a CSA cannot guarantee complete confidentiality.
3. Listen to the victim. Collect information needed for reporting.
4. Report the incident immediately to:

Denise Horne, Executive Director of Human Resources
Title IX Coordinator

Report by email: horned@cravencc.edu

Report by phone: 252-638-7225 or

CSO Jackie Thomas, Coordinator of Security Services,
Clery Compliance Officer

Report by email: thomasj@cravencc.edu

Report by phone: 252-638-7400 or

<http://cravencc.edu/campus-security/sexual-misconduct-discrimination-complaint-form/>

5. Provide assistance: Inform the victim of his/her option to also self-report the incident to campus security for investigation or to decline to report the incident to law enforcement. Filing a report with police does not require the victim to press charges.
6. The Title IX Coordinator will refer the victim to relevant resources for additional support if needed.

NOTE: Please refer to the "Campus and Community Resources" section of this guide for contact information and support services.

HELPFUL TIPS

If in doubt as to whether an incident needs to be reported, report it. There is no such thing as over-reporting!

Do not promise confidentiality.

Do not attempt resolution on your own.

In some cases, you may be required to report an incident multiple times if it falls under Title IX, and/or the Clery Act. Reporting under the Clery Act is required for statistical purposes, while Title IX laws allow action to be taken to protect the victim and prevent future offenses.

CAMPUS AND COMMUNITY RESOURCES

EMERGENCY: CALL 911 from your personal device or 9-911 from any campus phone FOR REPORTING

KEY CONTACTS

Denise Horne
Title IX Coordinator
Exec. Director Human Resources
Brock Building, Room 236
252-638-7225
horned@cravencc.edu

Robert Bondurant
Deputy Title IX Coordinator
Student Center, Room 119
252-638-7222
bondurantr@cravencc.edu

Zomar Peter
Dean of Enrollment Management
Student Center, Room 108 B
252-638-4597
peterz@cravencc.edu

Jackie Thomas
CSO & Clery Compliance Officer
Student Center, Room 110
252-638-7400
thomasj@cravencc.edu

CAMPUS SECURITY DEPARTMENTS

Craven Community College - Security
New Bern - 252-638-7261
Havelock - 252-444-3343

Craven County Sheriff's Department
252-636-6620
252-633-2357 (Non-Emergency)

LAW ENFORCEMENT ON CAMPUS

Cpl. Christian Desmarais
Resource Officer - New Bern
Student Center, Room 112
252-514-4178

Cpl. Scott Gaskins
Resource Officer - Havelock
Redd, Office 104
252-444-3343

New Bern Police Department
252-633-2020

Havelock Police Department
252-447-3212

Craven County Crimestoppers
252-633-5141

COUNSELING SERVICES

Employee Assistance Program
McLaughlin Young Group
5925 Carnegie Blvd, Suite 350
Charlotte, NC 28209
800-633-3353 24/7 hours

Coastal Women's Shelter
1333 S. Glenburnie Rd.
New Bern, NC 28562
252-638-4509
8 a.m. - 5 p.m. M-F
24/7 CRISIS LINE: 252-638-5995

Port Human Services
1309 Tatum Dr.
New Bern, NC 28560
252-672-8742

Student Assistance Program
McLaughlin Young Group
5925 Carnegie Blvd, Suite 350
Charlotte, NC 28209
800-633-3353 24/7 hours

Promise Place
1401 Park Ave.
New Bern, NC 28560
252-636-3381
8 a.m. - 5 p.m. M-F
24/7 CRISIS LINE: 252-635-7096

RHA Mobile Crisis Management Services
RHA Health Services, Inc.
1404 Neuse Blvd.
New Bern, NC 28560
252-638-9091
877-RHA-MCMT (877-742-6268)

MEDICAL SERVICES

CarolinaEast Medical Center
2000 Neuse Blvd
New Bern, NC 28561
252-633-8111
www.carolinaeasthealth.com

RHA Behavioral Health Services
1917 Trent Blvd.
New Bern, NC 28560
252-638-7875
9 a.m. - 5 p.m. M-F

SUPPORT SERVICES

Crossroads Mental Health
2000 Neuse Blvd
New Bern, NC 28562
252-633-8204

ADDITIONAL INFORMATION

Craven Community College Title IX website:

www.cravencc.edu/campusSaVE