

# SEXUAL HARASSMENT

## Sexual Harassment

Blackhawk Technical College is committed to providing an academic and work environment free of unlawful sexual harassment. Sexual harassment is an overarching definition that includes sexual harassment, sexual assault, domestic violence, dating violence, and stalking. Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical harassment of a sexual nature.

Blackhawk Technical College is bound by and supports all applicable laws as they pertain to Title IX. The Title IX of the Higher Education Act of 1972 ensures the College does not discriminate based on sex in its education programs. The Campus Sexual Violence Elimination Act (SAVE) of 2013 and the Violence Against Women Reauthorization Act (VAWA) ensures colleges and universities implement policies and programs to prevent sexual assault, dating violence, domestic violence, and stalking.

The Title IX Coordinator position oversees all sexual discrimination, sexual harassment, sexual assault and relationship violence complaints at the College, and was created to promote an environment free of gender bias and misconduct. The Title IX Coordinator is responsible for conducting an annual report and review of complaints to ensure compliance with Title IX, make improvements, and identify any patterns or systemic problems within the College community. The Title IX Coordinator serves as a neutral administrator and resource to employees and students to answer questions, coordinate reporting and handling of complaints, review internal disciplinary proceedings and remedies, provide education, training, and guidance to public safety, student development, human resources, and other personnel involved with investigations and disciplinary proceedings.

Title IX Coordinator:  
Coordinator of Access and Accommodations  
Central Campus, Student Success Center  
(608) 757-7796

The College has designated a Deputy Title IX Coordinator to assist the Title IX Coordinator and stand-in as the replacement coordinator as needed. A Deputy Title IX Coordinator is responsible for assisting the Title IX coordinator in conducting training, climate assessments, reporting, investigating, and facilitating communications on behalf of the College.

Deputy Title IX Coordinator  
Alicia Acker, Career Services and Leadership Development Coordinator  
Central Campus, Student Services  
(608) 743-4423  
aacker@blackhawk.edu

## Title IX

(adapted from College policy E-222 Prohibition of Sexual Harassment under Title IX)

### Definitions:

**Complainant:** A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.

**Respondent:** A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment

**Formal Complaint:** A written complaint signed by the Complainant or Title IX Coordinator alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint

Additional definitions and behaviors related to Title IX can be found at <https://www.blackhawk.edu/About/Safety-Security/Title-IX>

### Initial Report

Students, staff, and witnesses are highly encouraged to direct violence, harassment, assault, or other Title IX questions, concerns, and complaints to the Title IX Coordinator or an appropriate Title IX college employee. Reports may also be filed at <https://blackhawk.edu/About/Safety-Security/Title-IX>

If a Title IX Coordinator is alleged to be the Respondent, the report may be filed with another authorized employee or via our online reporting tool.

If accommodations are needed when filing a complaint, please contact Access and Accommodation Services at (608) 757-7796.

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and share information with others on a need-to-know basis.

Before initiating an investigation, the Title IX Coordinator/Deputy Title IX Coordinator will meet with the Complainant to explain the student's investigation process and the eventual resolution process. Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the College to provide a wide variety of support and resources to impacted individuals and prevent the conduct's reoccurrence. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

### Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The College will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the College's education program or activities. These measures are designed to protect all Parties' safety, protect the College's educational environment, or deter sexual harassment. The College will provide supportive measures on a confidential basis as much as possible. It will only make disclosures to those with a need to know to enable the College to provide the service. Supportive measures may include counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus, and other similar measures.

## Investigation and Report

The Title IX Coordinator is responsible for overseeing investigations to ensure timely resolution and compliance with Title IX. The College will investigate Title IX formal complaints fairly and objectively. The results of the investigation of a formal complaint will be outlined in a written report. The investigator will not make a determination regarding responsibility.

## Hearing

After completing an investigation and before completing a determination regarding responsibility, the College will hold a live hearing to provide the Complainant and Respondent an opportunity to respond to the evidence gathered before a DecisionMaker. Neither Party may choose to waive the right to a live hearing. Still, they may choose whether to participate in the hearing or answer some or all cross-examination questions.

## Right to Appeal

Complainant or Respondent may appeal the College's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within ten (10) business days from the date of the notice of determination regarding responsibility or the date of the College's notice of dismissal of a formal complaint or any allegations.

## Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals with unequal authority (such as an Instructor and student or supervisor and employee). These relationships may be less consensual than perceived by the individual whose position has authority. Each of the individuals, particularly in retrospect, also may view the relationship in different ways. For the personal protection of all individuals associated with BTC, relationships in which there may be an actual or perceived authority are prohibited. A consensual romantic or sexual relationship in which there is a direct supervisory or evaluative role over another individual (Instructor-student, staff-student, administrator-student) violates the Code of Conduct and is therefore prohibited. Persons with direct supervisory or evaluative responsibilities involved in such relationships must bring those relationships to their supervisor's immediate attention, so arrangements to remedy the supervisory or evaluative conflict can be implemented.

## Training

Sexual harassment prevention and awareness training takes place during new employee orientation and new student orientation. Annual sexual harassment training is also required for all staff. Additional training and offerings are available online and through Career Services and Leadership Development activities and programming. Resources and training materials can be found on the College website, MyBTC, and other publications. Following the College's mission and vision and federal guidelines, training about the policy and procedures regarding sexual harassment and relationship violence is required for all students, instructors, and staff. Best practices identified through the United States Department of Education and Violence Against Women Act (VAWA) are used to develop awareness programming.

Bystander Intervention training will provide resources to assist students when faced with a situation and safely intervene if someone is at risk of being assaulted. Also, the College will periodically conduct a campus climate survey to gain a more robust understanding of social issues

impacting students and the effectiveness of College prevention efforts, policies, and resources.