

## **Title IX Policy and Procedures**

### **Overview**

Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. In compliance with the U.S. Department of Education statute, Title IX of the Education Amendments of 1972, YTI Career Institute does not exclude students from participation in, deny students the benefits of, or subject students to discrimination under, any education program or activity receiving Federal financial assistance, on the basis of sex.

### **Title IX Notice of Nondiscrimination**

YTI Career Institute/Porter and Chester Institute (PCI/YTI) does not discriminate on the basis of sex in its education programs or activities and is committed to ensuring an educational environment free of sexual harassment, including sexual violence, and to full compliance with Title IX of the Education Amendments Act of 1972 and other federal and state laws governing such conduct.

The following individual has been designated as the Title IX Coordinator by PCI/YTI to handle inquiries regarding the institution's Title IX policies, including receiving and responding to information about any incident of sex discrimination:

#### **Randi Wolf**

**Director of Learning Resources and Student Services**

**1405 Williams Rd. York PA 17402**

**717-251-4849**

**[Randi.wolf@yti.edu](mailto:Randi.wolf@yti.edu)**

Information regarding sexual discrimination, including sexual harassment or sexual violence, may also be reported by anyone to: U.S. Office for Civil Rights by email at [ocr@ed.gov](mailto:ocr@ed.gov) or at the addresses provided at the following website:

<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>

### **Sexual Harassment**

Sexual harassment is defined as conduct on the basis of sex that satisfies one or more of three types of behavior:

- A recipient's employee conditioning provision of an aid, benefit or service of the recipient on an individual's participation in unwelcome sexual conduct ("quid pro quo" harassment);
- 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 recipient's education program or activity, or
- Sexual assault, dating violence, domestic violence or stalking

If behavior occurs that meets one or more of the above criteria, the matter should be documented and referred to the Student Services Department, Campus Director of Operations and Education, Program Director/Coordinator, and/or the Title IX Coordinator for investigation. Perpetrators found to be in violation of this policy will be subjected to appropriate disciplinary action, including but not limited to, probation or dismissal from school.

It is the responsibility of all persons within the institution to work to ensure an educational environment free from sex discrimination.

## **Non-discrimination Policy Equal Opportunity**

PCI/YTI admits students of any race, age, disability, political affiliation or belief, color, sex, national origin, or with any handicap to all the rights, privileges, and activities generally accorded or made available to students at PCI/YTI and does not discriminate on the basis of race, age, disability, political affiliation or belief, color, sex, national origin, or handicap in administration of its educational policies, admissions policies, loan program, placement services, student services, and other school administered programs.

## **Educational Programs**

PCI/YTI educates all incoming and current students and employees about sexual violence, violence prevention, and all relevant institutional policies and procedures during the first quarter for all new students and at least annually.

In addition, the institution conducts new and current employee training on these topics annually. The Title IX Coordinator works with the school's management and Training Coordinator to train all employees and with the Campus Directors of Operations and Education to train students about policies regarding sexual violence.

Topics covered within this training include but are not limited to:

- A statement in which the institution prohibits crimes of dating violence, domestic violence, sexual assault and stalking
- The definitions of these crimes under federal and state law
- The definition of consent, in reference to sexual activity
- A description of safe and positive options for bystander intervention
- Information on risk reduction
- Information contained within the school's policies and procedures related to preventing, reporting, and responding to allegations of sexual offenses, including disciplinary procedures and victims' rights
- A description of the school's ongoing prevention and awareness campaigns for students and employees
- Information on how to reach local victim resources for anyone who may need to utilize their services

## **Title IX Grievance Process**

PCI/YTI takes all allegations of harassment seriously. If a member of the campus community believes they have been a victim of harassment, the following process will ensue:

Anyone, including a victim, bystander, or Title IX coordinator can open a Title IX investigation. For this process to begin, a formal complaint must be made to the Title IX Coordinator in writing. This should include as much information as possible, including but not limited to:

- Names of all parties involved (if applicable)
- Names of anyone who may have witnessed the incident
- Location of the incident (be as specific as possible)
- Approximate time and date of the incident
- As many details as possible of the incident within the complainant's comfort level
- The date the complaint is being filed
- The complainant's contact information (Note: this will only be utilized by the Title IX Coordinator or involved parties such as investigators and advocates to contact the complainant regarding matters centered around the incident and or subsequent investigation.)

Please submit this to the Title IX Coordinator to put the school on notification using one of the following methods:

Email: [randi.wolf@yti.edu](mailto:randi.wolf@yti.edu)

Mail: YTI Career Institute Attn: Randi Wolf 1405 Williams Rd. York PA

<sup>17402</sup>  
The school can also be placed on notification via telephone by calling 717-251-4849. Please note however, that the Title IX Coordinator may subsequently request the above information to be forwarded in writing.

As soon as the school has knowledge of the incident, the Title IX Coordinator will be obligated to respond. Once the institution has “actual knowledge” of an incident of sexual harassment (as defined above) within the boundaries of an education program or activity, they have an obligation to respond promptly in a manner that is not deliberately indifferent.

An institution is required to respond to an alleged incident of sexual harassment if:

- The incident constitutes sexual harassment within the definitions outlined above
- The school must have actual knowledge of an allegation of the incident of sexual harassment.
- The conduct must have occurred within the school’s own education program or activity.
- The alleged harassment must occur in the United States.

Note that all four criteria must be met to constitute an incident of sexual harassment which is subject to the requirements of the regulations. A dismissal of a formal complaint due failure to meet the requirements of Title IX does not mean that a school cannot further press the issue within the boundaries of their code of conduct policy.

If someone believes they have been a victim of sex discrimination, but would not like to file a formal complaint, the school will still investigate and adjudicate the incident utilizing the general disciplinary procedures for the institution. All procedures will provide for prompt and equitable resolution of sex discrimination complaints.

When appropriate, voluntary informal methods (i.e. mediation) may be utilized. However, the complainant will be notified of the right to end the informal process at any time and begin the formal stage of the complaint process. In cases involving allegations of sexual assault, mediation is not appropriate.

Reports of sex discrimination can be reported to:

- The Campus Director of Operations and Education (CDOE, who will involve the Title IX Coordinator)
- Program Directors or Coordinators (who will involve both the CDOE and the Title IX Coordinator)
- Student Services Department Members (who will involve both the CDOE and the Title IX Coordinator)
- The Title IX Coordinator (who will involve other personnel essential to the investigation)

The Title IX Coordinator will then respond to the complainant within 24 hours of receiving the message to discuss the matter.

The school will internally investigate the matter and implement corrective actions to eliminate that discrimination as expeditiously as possible, but no later than 30 calendar days after the complaint is received.

The Title IX Coordinator will notify the complainant of the corrective actions that have been taken and ensure that the matter is settled.

## **Definitions**

### **Actual Knowledge**

Actual knowledge means notice to the institution's Title IX Coordinator or any official within the institution designated as a responsible employee. This is anyone who has significant responsibility for campus activities, such as any member of management, anyone who oversees a particular group or organized activity, or anyone who has been designated as a "manager on duty". This person has authority to institute corrective measures on behalf of the school.

### **Consent**

Consent is defined as a freely and affirmatively communicated willingness to participate in sexual activity. Both words and actions can express consent, but they must create mutually understood permission to engage in sexual activity. Silence does not indicate consent. A person cannot assume because of a prior relationship that consent still exists. Consent must exist throughout the entire sexual encounter and can be withdrawn at any time. Consent to one type of sexual activity does not automatically imply consent to other forms of sexual activity. Each participant in a sexual encounter is expected to obtain and give consent to each act of sexual activity in order for it to be considered consensual. A person who uses force (threats, intimidation, or coercion to overcome a person's free will or resistance to freely giving consent) to engage in sexual activity does not constitute consent. Consent cannot be given when either party is under the influence of any type of impairing substances such as drugs or alcohol.

### **Complainant**

A complainant is defined as an individual who is alleged to be the victim of conduct that could constitute sexual harassment or assault.

### **Respondent**

A respondent is defined as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment or assault.

### **Sexual Violence – Victim Procedures**

If someone is the victim of sexual violence, including sexual assault, dating violence, domestic violence, or stalking, their first priority should be to get to a place of safety and obtain any necessary medical treatment. Information about the alleged offense should be provided to the Institute's Title IX Coordinator as quickly as possible.

PCI/YTI strongly advocates that a victim of sexual violence report the incident to police in a timely manner as well, and if requested, the school's Title IX Coordinator can provide contact information for appropriate law enforcement. Filing a police report does not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgement from the investigating officers. The victim has the right at all times to decline notification of law enforcement upon their choosing.

Filing a police report will ensure that a victim of sexual assault receives the necessary medical treatment and tests (at no expense to the victim), provide the opportunity for collection of evidence in prosecution or establishing a no contact order (which can also be obtained later), and assure the victim has access to free confidential counseling and community resources from advocates and therapists specifically trained in the area of sexual assault crisis intervention.

When a police report is filed, the victim may choose for the investigation to be pursued through the criminal justice system. The Title IX Coordinator can help guide the victim through the available options and provide support to the victim in their decision. The Title IX Coordinator will also ensure that various supportive measures are provided (see Supportive Measures section).

## **Procedures for Disciplinary Action in Cases of Sexual Violence**

PCI/YTI's Title IX Coordinator has primary responsibility for receiving, evaluating, and pursuing a subsequent investigation of all allegations of sexual violence, including alleged domestic or dating violence, sexual assault, and stalking. The Title IX Coordinator is responsible for informing the appropriate campus parties as well as the Vice President of Operations and Education within 24 hours after receiving a sexual violence report, for purposes of maintaining accurate Clery Act crime statistics.

The Title IX Coordinator also has primary responsibility for ensuring that any disciplinary proceeding involving an allegation of sexual violence is conducted promptly, fairly, and impartially and in accordance with these and other related institutional procedures.

Once the Title IX Coordinator receives a report of sexual violence, the following steps will be initiated:

- The Title IX Coordinator immediately assesses whether the information report warrants a timely warning and, if so, will contact the Campus Director of Operations and Education immediately to execute that action (via Rave Alert) if deemed appropriate.
- The Title IX Coordinator will immediately inform the victim of their rights to interim measures during the investigation of the alleged sexual violence, including obtaining an order of protection or no contact order from either the institution and/or law enforcement. It is the obligation of PCI/YTI to protect the identity of the victim in any Clery Act report or other publicly available recordkeeping. PCI/YTI is also required to keep any interim measures provided to the victim confidential, to the extent that maintaining such confidentiality will not impair the ability of the institution to provide the accommodation or protective measure.
- The Title IX Coordinator will, within 24 hours of receipt of the report, provide to the individual making the report of the alleged sex offense:
  - A copy of these procedures
  - Information on counseling, health, mental health, victim advocacy, legal assistance services, and other pertinent services available to the victim either within the institution or within the local community
  - Information on the victim's right to report the incident to local police and the fact that PCI/YTI's institutional investigation and disciplinary procedure and any criminal proceeding may occur simultaneously
  - Options to facilitate changes to transportation, living, and academic situations if necessary.
  - Additional protective measures, if requested while the investigation is pending, will also be provided by the school whether or not the victim chooses to report the crime to law enforcement.

## **Grievance Process**

Upon receiving a formal complaint, a trained investigator must conduct an investigation consistent with the school's policies and procedures. This may or may not include local law enforcement. The investigator must be someone who is impartial and someone who does not serve as the Title IX Coordinator. The investigation may include witness interviews, review of video camera footage when applicable, gathering of evidence, and interviews with both the complainant and respondent.

Upon completion of the investigation, the investigator must submit a full report summarizing their findings. Prior to finalizing this report, the investigator must send a preliminary report to all involved parties and their advisors (if they have chosen one). Both parties will then be given ten days to respond in writing to the evidence, and the investigator must consider this response before finalizing the report.

At the conclusion of the investigation, the investigator must determine if there is sufficient evidence to conclude that a Title IX violation has occurred.

A school must dismiss a complaint if the investigator concludes that:

- The sexual harassment did not occur in the United States
- The conduct would not constitute sexual harassment, even if proven to have occurred
- The sexual harassment did not occur within the school's educational program or activity

A school may dismiss a complaint if:

- The complainant requests the dismissal in writing
- The respondent is no longer enrolled in the institution
- If special circumstances prevent the investigator from gathering sufficient evidence to reach a determination

If a complaint is dismissed, both parties will simultaneously receive a written explanation for dismissal.

If an investigator yields sufficient evidence to pursue the complaint, a live hearing will be scheduled, unless an informal resolution has been reached by both parties.

### **Informal Resolution Process**

Some incidents of sexual harassment or sexual misconduct may be resolved through an informal resolution process without requiring a full investigation. If informal resolution is appropriate, the Title IX Coordinator, who may also involve local rape crisis advocates, the Campus Director of Operations and Education, and/or Student Services, will work with both parties to reach a mutually acceptable informal resolution. This is a voluntary process that must be agreed upon by both parties and eliminates the need for a full investigation and formal hearing.

### **Formal Hearing Responding to a Title IX Complaint**

After a formal complaint is initiated and the investigation is completed and concluded to fall under the scope of Title IX, the Title IX Coordinator will initiate the formal resolution process within five business days.

The Title IX Coordinator will initiate the hearing by sending written notice of the allegations to both parties and informing them of the right to choose an advisor to attend the hearing with them. This person may be a representative from a local agency, a friend, or family member, or an attorney if either party chooses. The respondent must be notified of the complainant's identity.

A minimum of ten days prior to the hearing, the Title IX Coordinator must send the final investigation report to both parties so that they may prepare for the hearing.

Hearings must be live and conducted in real time. However, at the request of either party, the hearing may be conducted by videoconference with the parties in separate rooms. All participants, including the parties, advisors, witnesses, and decision-maker, must be able to always see and hear each other.

A decision maker who is not the Title IX Coordinator will preside over the hearing. A decision maker must have extensive training in Title IX procedures, and this training must be made available to the public. The decision maker is tasked with reaching a determination regarding responsibility by applying the standard of evidence the institution has designated for use in all formal complaints. PCI/YTI utilizes the preponderance of evidence standard.

The decision maker will evaluate all evidence presented and make determinations based on this standard.

Both parties can make opening or closing statements. Advisors will conduct cross-examination of both parties. It is the role of the Decision Maker to determine if evidence is relevant.

Following the hearing, the Decision Maker will issue a written decision to both parties, containing the following information:

- Identification of the alleged sexual harassment
- The procedural steps taken from receipt of the formal complaint
- The details of the formal hearing
- The determination(s) made by the decision maker
- Further actions to be taken and what effect this will have on both parties' continuation of their education

After a hearing has concluded, both parties have three days to file an appeal to the decision. This must be done so in writing to the Title IX Coordinator.

\*If it has been deemed by an investigator that the complaint does not fall under the scope of Title IX, the Title IX Coordinator will offer the student supportive measures so that the complainant may have continued access to services which will be able to help them. The school may also offer an informal resolution process to both parties to reach a mutually agreed upon resolution.

### **Sanctions and Protective Measures**

Following a final determination of PCI/YTI's institutional disciplinary proceeding regarding domestic violence, dating violence, sexual assault, or stalking, the school may impose the following sanctions on the perpetrator and protective measures for the complainant:

- Written warning
- Mandatory counseling
- Mandatory education and training
- No contact order
- Changes in academic arrangements
- Revocation of certain campus privileges
- Suspension or expulsion from the institution

PCI/YTI has flexibility in the type and range of sanctions to impose on the perpetrator depending on the severity of the incident, but has a process in place to ensure that sanctions imposed are consistent with sanctions imposed in past incidents of similar conduct and are not imposed unequally based on gender or gender identity.

Protective measures that the school may utilize to protect the complainant include, but are not limited to:

- An order of protection, no contact, restraining order or similar lawful order from the institution
- Providing increased monitoring and supervision while on campus property
- Providing an escort to ensure that the complainant can move safely between classes and to and from their mode of transportation
- Ensuring the complainant and perpetrator do not share classes
- Providing referrals to local, free resources such as victim services, counseling, and in-house academic support services such as tutoring
- Arranging for the complainant to have extra time to complete or retake assignments that were missed due to the incident or subsequent proceedings

When determining what protective measures to establish, PCI/YTI will consider a number of factors including the specific needs and requests expressed by the complainant, the ages of the involved parties, the severity or pervasiveness of the conduct, any continuing effects on the complainant, whether the complainant and alleged perpetrator share the same class/lab times on campus, and whether other judicial measures have been taken to protect the complainant (i.e.: civil protection orders).

### **Supportive Measures**

Supportive measures are individualized, external services offered as appropriate, reasonably available, and without charge to the complainant or respondent before or after an investigation, or where no investigation has been initiated. These may include counseling, local crisis centers and shelters, extensions on assignments and tests, campus escorts to and from a student's vehicle, mutual restrictions on contact between both parties, increased monitoring of certain common areas on campus, and other measures as requested by either party and deemed necessary to provide equal access to the institution's educational programs and activities. The Title IX Coordinator and/or Student Services Department can provide referrals for all outside agencies that a student may wish to contact. Information for all agencies is also available in the Student Services Canvas Course located at: <https://porterchester.instructure.com/courses/4975>

When an incident is reported, the school will offer anyone the option to involve law enforcement so that the individual may pursue a criminal complaint outside of the institution. The school will comply with all requests from law enforcement when the proper formal requests are supplied by an investigating officer who is not employed by the institution.

### **Retaliation**

A student who is reporting an incident will never be subject to any type of retaliation from the institution. If a determination is made where an individual has retaliated against anyone involved in a Title IX complaint, disciplinary action will be taken by the school, depending on the severity of the infraction. This can include measures up to and including termination.

Students reporting incidents will not be subject to disciplinary action by the institution for violation of the drug and alcohol policy.

### **Confidentiality**

The institution will maintain the confidentiality of the complainant or respondent, to the extent that it does not impair the ability to conduct a full impartial investigation or provide supportive measures as necessary.



There are no professional counselors on staff at PCI/YTI. Therefore, confidential crisis, mental health and victim resource hotline numbers are posted on campus, listed in the Student Catalog, on the school's website, and also located within the Student Services Canvas course. Victims of sexual violence reported to the Title IX Coordinator will be provided with information regarding local resources available such as rape crisis centers and counseling services.

PCI/YTI strongly encourages persons who are victims of sexual violence who do not want to file a complaint using the school's institutional procedures to report the incident to the Title IX Coordinator voluntarily and on a confidential basis solely to permit the inclusion of that information in annual crime statistics reporting. With such information, the school can maintain an accurate record of incidents and determine whether there is a pattern of crime occurring to use in timely notifications to the campus community of potential danger.

PCI/YTI will comply to the best of their ability to maintain the privacy of that information and comply with FERPA as long as it does not impair the ability to conduct a full and impartial investigation or provide supportive measures as necessary.

The school does encourage reporting of sexual violence to law enforcement.

### **Rights and Options for Victims of Sexual Violence**

Within 24 hours of a Title IX Coordinator receiving a report of dating violence, domestic violence, sexual assault, or stalking which occurred on campus, the institution will provide the victim with a written explanation of their rights and options.

- The school must respond promptly and effectively to allegations of sexual violence.
- You have the right to report the incident to the school, have them investigate what happened, and have your complaint resolved promptly and equitably.
- You have the right to choose to report an incident of sexual violence to law enforcement, but a criminal investigation does not relieve the school of its duty under Title IX to respond promptly and effectively.
- The school must adopt and publish procedures for resolving complaints of sex discrimination, including sexual violence. The school may use student disciplinary procedures which will afford a prompt and equitable resolution.
- The school should ensure you are aware of your Title IX rights and any available resources, such as victim advocacy, housing assistance, academic support, counseling services, disability services, health and mental health services, and legal assistance.
- The school must designate a Title IX Coordinator and make sure all students and employees know how to contact them.
- All students are protected under Title IX, regardless of whether they have a disability, are international or undocumented, and regardless of their sexual orientation and gender identity.
- The school must provide interim measures as necessary.
- The school must offer victim protections as necessary, even before an investigation is completed.
- Once the school has actual knowledge of an incident, a student has the right to receive immediate assistance such as changing classes.
- Students have a right to report any retaliation by employees, the alleged perpetrator, or other students to the school and they should take strong responsive action if this occurs.
- The school must provide supportive measures to the victim.

- The Title IX Coordinator will clearly identify and provide information on where victims can receive confidential counseling services or other services such as victim advocacy and legal assistance.
- The school should only disclose information to individuals who are responsible for handling the school's response to sexual violence.
- The school must conduct an adequate, reliable, and impartial investigation.
- All parties have a right to be notified of the time frames for all major stages of the investigation.
- All parties have the right to present witnesses and evidence.
- All parties have the right to an advisor who may or may not be a lawyer.
- The school must resolve the complaint based on what they think is more likely than not to have happened (the preponderance of evidence standard of proof).
- All parties have a right to be notified in writing of the outcome of the complaint and any appeal information, including any sanctions that are applied
- All parties have a right to submit an appeal (please see above process).
- All parties have the right to all documented proceedings including findings of fact, transcripts, or audio recordings.
- All parties have the right to informal resolution if mutually agreed upon.
- The school must provide remedies as necessary.

If an investigation reveals that sexual violence created a hostile environment, the school must take prompt and effective steps reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent its recurrence, and as appropriate, remedy its effects.

Appropriate remedies may include disciplinary action against the perpetrator, but may also include remedies to help the complainant remain on track with their education (including academic support services, the option to retake a class, etc.)

The school may also provide remedies to the broader student population such as training, amending its policies and services to prevent incidents from recurring.

### **Complying with Title IX of the Education Amendments of 1972, Jeanne Clery Disclosure of Campus Security Policy, VAWA, and Campus SAVE Act**

PCI/YTI will comply with all aspects of Title IX Educational Amendments of 1972 (and all other relevant laws) which prohibits discrimination (including sexual harassment and sexual violence) based on sex. The institution also complies with the Jeanne Clery Disclosure of Campus Security Policy as mandated by VAWA (Violence Against Women's Act). These prohibit retaliation for participating in such claims.

VAWA also requires schools to investigate and respond to reports of sexual assault, stalking, dating and/or domestic violence and to publish policies of how these will be handled.

PCI/YTI also meets obligations to educate all first term students periodically on sexual violence, and provide them with a student bill of rights. This information can be found below.

### **Annual Training Requirements**

PCI/YTI requires the Title IX Coordinator and all employees who could be involved in a Title IX grievance process to receive training annually on all issues related to dating violence, domestic violence, sexual assault and stalking and how to aid in an investigation and hearing process which protects the safety of victims and promotes accountability.

# SEXUAL VIOLENCE-LET'S TALK ABOUT IT.

## HERE'S THE STATS...

1 in 5 women and 1 in 16 men are targets of attempted or completed sexual assault while in college. RAINN reports that college-aged women are four times more likely than any other age group to face sexual assault.

Source: US Department of Justice and Rape, Abuse and Incest National Network

Sexual assault, as defined by the U.S. Department of Justice (DOJ), is "any type of sexual contact or behavior that occurs without the explicit consent of the recipient". Sexual activities that fall under this definition include forced sexual intercourse, forcible sodomy, child molestation, incest, fondling, and attempted rape.

## WHO ARE THE PERPETRATORS?

According to a 2000 report funded by the National Institute of Justice, the vast majority of campus sexual assaults are committed by an acquaintance of the victim-in 90% of reported cases, the victim knew his or her attacker.

## HOW OFTEN IS RAPE REPORTED?

Less than 5% of rapes and attempted rapes of college students are reported to campus authorities or law enforcement. This can be caused by barriers, such as embarrassment, inadequate sexual assault policies, and fear of retaliation.

## ALCOHOL PLAYS A ROLE

Alcohol is the most widely used date-rape drug. 89% of assaults occur when the survivor is incapacitated due to alcohol.

REMEMBER...SEXUAL ASSAULT IS NEVER THE FAULT OF THE SURVIVOR REGARDLESS OF WHETHER THEY WERE USING DRUGS OR ALCOHOL. CONSENT CAN NEVER BE GIVEN IF EITHER PARTY IS UNDER THE INFLUENCE OF DRUGS OR ALCOHOL.

## WHAT TO DO IF SOMEONE CONFIDES IN YOU...

Most importantly-BELIEVE THEM.

Ask them if they need medical help. If they agree, take them to the nearest hospital. Do not insist they go unless it is a medical emergency. It is the victim's right to decide whether or not to receive medical care.

Go with them to file a police report if they wish. Again, do not pressure them to do this.

BE THERE FOR THEM.

## WHAT IS CONSENT?

### CONSENT IS KEY.

Consent is an agreement between participants to engage in sexual activity. Consent should be clearly and freely communicated (verbal).

Consent cannot be given by individuals who are underage, intoxicated or incapacitated by drugs or alcohol, or asleep or unconscious. In addition, consent should be given FREELY meaning not under pressure of intimidation or threat. Remember -someone has the right to change their mind at any time!

## CONSENT



RAINN HOTLINE:

1-800-656-4673

GET HELP 24/7.

WWW.RAINN.ORG

## SCHOOLS HAVE A RESPONSIBILITY.

Under Title IX, sexual harassment of college and university students is prohibited.

IF YOU HAVE SUFFERED ANY TYPE OF SEXUAL HARASSMENT, DISCRIMINATION, OR VIOLENCE INCLUDING DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING, PLEASE REPORT IT IMMEDIATELY to any staff member or to the Title IX Coordinator-jan.vergos@yti.edu.

## WHAT CAN YOU DO TO STAY SAFE?

- If going out, use the buddy system. Stick together in groups. Don't leave anyone behind.
- Be a BYSTANDER. Intervene if you see something going in the wrong direction, if it's safe to do so.
- If you are a designated driver, make sure your friends are home safe before leaving.
- Speak up! Don't support any culture of rape.

**Bill of rights, consistent with the federal campus sexual assault victims' bill of rights under section 485(f)(8) of the Higher Education Act of 1965 (20 U.S.C. § 1092(f)(8)).**

*Each institution of higher education shall establish and implement a written policy establishing a campus sexual assault victims' bill of rights which provides that the following rights shall be accorded, by all campus officers, administrators and employees of such institution, to victims of campus-related sexual assaults:*

You have the following rights:

- (1) The right to have any and all sexual assaults against you treated with seriousness; the right, as victims, to be treated with dignity; and the right for campus organizations which assist such victims to be accorded recognition.
- (2) The right to have sexual assaults committed against you investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental entity in which the crimes occurred; and the right to the full and prompt cooperation and assistance of campus personnel in notifying the proper authorities.
- (3) The right to be free from any kind of pressure from campus personnel that victims--
  - (A) who chose not to report crimes committed against them to civil and criminal authorities or to campus law enforcement and disciplinary officials; or
  - (B) who report crimes as lesser offenses than the victims perceive them to be.
- (4) The right to be free from any kind of suggestion that campus sexual assault victims not report, or under-report, crimes because--
  - (A) victims are somehow 'responsible' for the commission of crimes against them;
  - (B) victims were contributorily negligent or assumed the risk of being assaulted; or
  - (C) by reporting crimes, they would incur unwanted personal publicity.
- (5) The same right to legal assistance, or ability to have others present, in any campus disciplinary proceeding that the institution permits to the accused; and the right to be notified of the outcome of such proceeding.
- (6) The right to full and prompt cooperation and confidentiality from campus personnel in obtaining, securing, and maintaining evidence (including a medical examination) as may be necessary to the proof of criminal sexual assault in subsequent legal proceedings.
- (7) The right to be made aware of, and assisted in exercising any options, as provided by State and Federal laws or regulations, with regard to testing of sexual assault suspects for communicable diseases and with regard to notification to victims of the results of such testing.