

Heartland Community College Policy Prohibiting Sex Discrimination: Employee Notification Requirements

What is Sex Discrimination?	Sex discrimination is defined as discrimination on the basis of sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, or gender identity. Sex discrimination is strictly prohibited by College policy.		
What is Sex-Based Harassment?	<p>Sex-based harassment is a form of sex discrimination and occurs whenever a person engages in conduct on the basis of sex, including on any of the bases listed above, that satisfies one or more of the following:</p> <ol style="list-style-type: none"> 1. A College employee, agent, or other person authorized by the College to provide a service explicitly or implicitly conditions that service on a person's participation in unwelcome sexual conduct. 2. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity. 3. Any instance of: <ul style="list-style-type: none"> o <u>Sexual Assault</u>: An offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. o <u>Sexual Violence</u>: Physical sexual acts attempted or perpetuated against a person's will or where a person is incapable of giving consent. Includes, but is not limited to, rape, sexual assault, sexual battery, sexual abuse and sexual coercion. o <u>Dating Violence</u>: Violence committed by a person (1) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (2) where the existence of such a relationship shall be determined based on a consideration of the following factors: (a) the length of the relationship; (b) the type of relationship; and (c) the frequency of interaction between the persons involved in the relationship. o <u>Domestic Violence</u>: Felony or misdemeanor crimes committed by a person who: (1) is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the recipient, or a person similarly situated to a spouse of the victim; (2) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (3) shares a child in common with the victim; or (4) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction. o <u>Stalking</u>: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) fear for the person's safety or the safety of others; or (2) suffer substantial emotional distress. 		
Title IX Coordinator(s)	<p>The College has designated a Title IX Coordinator to coordinate the College's compliance with Title IX and related laws:</p> <p>Dr. Amy Pawlik Associate VP, Enrollment and Student Services Amy.munson-pawlik@heartland.edu 309-268-8249</p>		
Employee Notification Obligations	<p>The scope of an employee's notification obligations depends on the employee's status as a Responsible Employee, Confidential Employee, or Other Employee:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="background-color: #4F81BD; color: white; vertical-align: top;">Responsible Employee</td> <td>Any non-confidential employee who has the authority to institute corrective measures or has responsibility for administrative, leadership, teaching, or advising in the College's education program or activity. The College's Responsible Employees are:</td> </tr> </table>	Responsible Employee	Any non-confidential employee who has the authority to institute corrective measures or has responsibility for administrative, leadership, teaching, or advising in the College's education program or activity. The College's Responsible Employees are:
Responsible Employee	Any non-confidential employee who has the authority to institute corrective measures or has responsibility for administrative, leadership, teaching, or advising in the College's education program or activity. The College's Responsible Employees are:		

- College Administrators
- Supervisors and Managerial Staff
- Faculty
- Public Safety
- Athletic Coaches
- Student Organization Advisors
- Student Services Staff

Must notify the Title IX Coordinator when they have information about conduct that may reasonably constitute sex discrimination. This notification must include all relevant details about the alleged sex discrimination, including the date, time and specific location of the alleged incident(s) and the names of all involved individuals and should be submitted via this reporting form: https://cm.maxient.com/reportingform.php?HeartlandCC&layout_id=1

Confidential Employee

A College employee who has confidential status with respect to information received while the employee is acting within the scope of certain specific duties and functions. The College’s Confidential Employees are:

- Director, Student Counseling and Wellness
- Licensed Counselors in Student Counseling and Wellness Services
- Counseling Interns and Practicum Students in Student Counseling and Wellness Services

Must explain the following to any person who informs the Confidential Employee of conduct that may reasonably constitute sex discrimination:

1. The employee’s status as confidential, including the circumstances in which the employee is not required to notify the Title IX Coordinator about conduct that reasonably may constitute sex discrimination;
2. How to contact the Title IX Coordinator and how to make a complaint of sex discrimination; and
3. That the Title IX Coordinator may be able to offer and coordinate supportive measures, as well as initiate the informal resolution process or an investigation under the grievance procedures.

Other Employee

Any College employee who is not a Responsible Employee or a Confidential Employee.

Upon receiving information about conduct that reasonably may constitute Title IX Sex Discrimination, must:

1. Promptly notify the Title IX Coordinator via this report form: https://cm.maxient.com/reportingform.php?HeartlandCC&layout_id=1 ; or
2. Provide the reporting party with the contact information of the Title IX Coordinator and information about how to make a complaint under these Procedures.
 - *Note: If proceeding with Option 2, the employee must document, in writing, the date and information provided to the reporting party and be able to produce that documentation upon request.