
MANUAL NUMBER

SUBJECT: TITLE IX Notice of Nondiscrimination Policy

GENERAL INFORMATION

This policy is designed to ensure a safe and non-discriminatory educational and work environment and to meet legal requirements, including: Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex within education programs or activities; the Violence Against Women Reauthorization Act a reauthorization of the Clery Act requiring all colleges to keep and disclose information about crime on campus; Title VII of the Civil Rights Act of 1964, which prohibits discrimination on the basis of sex in employment in federally funded schools; and Pennsylvania laws that prohibit discrimination on the basis of sex, sexual orientation, and gender identity.

The Hiram G Andrews Center protects students, employees, applicants for admission and employment and other persons in all aspects of a recipient's educational programs and activities from:

- all forms of sex discrimination, including discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity
- discrimination based on sex, race, color, age, religion, national or ethnic origin, sexual orientation, gender identity or expression, pregnancy, marital or family status, medical condition, genetic information; and
- sexual harassment: A school employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct (often called "*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 school's education program or activity; or Sexual assault, dating violence, domestic violence, or stalking (as those offenses are defined in the Clery Act, 20 U.S.C. § 1092(f), and the Violence Against Women Act, 34 U.S.C. § 12291(a)).

HGAC has designated the Title IX Coordinator; to coordinate HGAC's compliance with Title IX and VAWA, and to respond to reports of violations while coordinating HGAC's compliance with the Clery reporting related to VAWA requirements. HGAC will promptly and equitably respond to all reports of sexual misconduct in order to eliminate the misconduct, prevent its recurrence, and redress its effects on any individual or the community.

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COMPLAINT PROCEDURE

1. If a student or employee believes they have experienced unlawful sex discrimination in any aspect of their education or employment experience at HGAC, they may file a complaint through the following grievance procedure:
 - a. The employee or student should complete a Title IX Complaint form and submit to the Title IX Coordinator(s), in person; or by email, to report the discriminatory behavior.
 - b. This form can be completed with the assistance of the Title IX Coordinator or VRC and then provided to the Title IX Coordinator.
 - c. If an employee of HGAC becomes aware of an alleged Title IX violation, this information must be reported to the Title IX Coordinator within 24-hours of knowledge of the alleged action.

TITLE IX COORDINATOR(S)

1. The Title IX Coordinator(s) at HGAC are:

Administrative Officer 3
Vacant

Vocational Rehabilitation Specialist
Amanda Prince
Room 626
(814) 254-0617
aprince@pa.gov

A student should contact the Title IX Coordinator in order to:

- a) seek information or training about students' rights and courses of action available to resolve reports or complaints that involve potential sex discrimination, including sexual offense;
- b) file a complaint or make a report of sex discrimination, including sexual offense;
- c) notify the Hiram G. Andrews Center of an incident or policy or procedure that may raise potential Title IX concerns;
- d) get information about available resources (including confidential resources) and support services relating to sex discrimination, including sexual offense; and
- e) ask questions about HGAC's policies and procedures related to sex discrimination, including sexual offense.

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RESPONSIBLE EMPLOYEE:

A responsible employee is defined in Title IX as an employee:

- a) who has the authority to act to redress sexual misconduct;
- b) who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate school designee; or
- c) whom a student could reasonably believe has this authority or duty.

A responsible employee MUST report all relevant details of sexual misconduct to the Title IX Coordinator or other school designee within 24 hours of becoming aware. HGAC is obligated to address sexual misconduct about which a responsible employee knew or should have known. There is an obligation whether the student, student's parent or a third party decided to file a formal complaint. Interim services which may include counseling, access to medical care, advising, class schedule changes and housing options are available to allow the parties to continue their education.

Title IX Coordinator responsibilities include:

1) Training for Students and Staff

The Title IX Coordinator provides or facilitates ongoing training, consultation, and technical assistance on Title IX for all students and staff, including:

- a) regular training for staff outlining their rights and obligations under Title IX, including the appropriate response to reports of sexual offense, the obligation to report sexual offense to appropriate Center's officials, and the extent to which counselors and advocates may keep a report confidential; and
- b) regular training for students outlining their rights under Title IX; with regard to sexual offense, this training will include what constitutes a sexual offense and when it creates a hostile environment, the definition of consent, reporting options (including reports to responsible employees, campus and local law enforcement, and confidential reporting to counselors or advocates), the grievance procedures used to process complaints, applicable disciplinary code provisions relating to sexual offense and the consequences of violating those provisions, the role of alcohol and drugs in sexual offense, the effects of trauma, strategies and skills for bystander intervention, the offices or individuals with whom students can speak confidentially, the offices or individuals who can provide support services, the employees who must report incidents to the Title IX coordinator, and Title IX's protections against retaliation.

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2) Investigations

The Center is responsible for conducting adequate, reliable, and impartial investigations of reports and complaints of sexual offense. The Title IX Coordinator oversees many aspects of this response, including:

- a) determining whether the report or complaint alleges conduct that may, upon investigation, constitute prohibited sexual offense;
- b) appointing an investigative team upon such determination;
- c) making certain that individual reports and complaints are handled properly and in a prompt and timely manner;
- d) informing all parties regarding the grievance process,
- e) confirming that all parties have been notified of grievance decisions and of the right to, and procedures for, appeal, if applicable;
- f) maintaining information and documentation related to the investigation in a secure manner;
- g) monitoring compliance with timeframes specified in the grievance procedure; and
- h) providing written notice to the complainant and alleged perpetrator of the outcome of the complaint.

The Title IX Coordinator evaluates requests for confidentiality by those who report or complain about sexual offense in the context of the Center's responsibility to provide a safe and nondiscriminatory environment for all students.

(3) Remedies, Including Interim Measures

Upon learning of a report or complaint of a sexual offense, the Title IX Coordinator promptly takes steps to ensure the complainant's equal access to the Center's programs and activities and protect the complainant as necessary. Such steps include taking interim measures before the final outcome of any investigation, providing remedial measures after the final outcome of investigation, and making the complainant aware of all available resources.

Upon a finding of prohibited sexual offense, the Title IX Coordinator determines whether campus-wide remedies should be adopted in response, including review and revision of the Center's sexual offense policies, increased monitoring, supervision or security at locations where sexual offense are reported to occur, and increased education and prevention efforts, including to targeted populations.

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(4) Monitoring and Advising

In order to address sexual offense on campus and ensure ongoing compliance with Title IX, the Title IX Coordinator:

- a) coordinates a climate survey, in consultation with research personnel with expertise in survey design and data collection and analysis;
- b) analyzes data collected by the climate survey to assess the rates and nature of sexual offense, any location hot-spots or risk factors, knowledge of HGAC's sexual offense policies, procedures and resources, and the consequences of violating such policies, and the effectiveness of the Center's efforts to ensure that the Center's is free from sexual offense;
- c) reviews regularly all reports and complaints raising potential Title IX issues throughout HGAC to ensure that the Center has responded consistent with its Title IX obligations, even if the report or complaint was initially filed or raised with another individual;
- d) reviews regularly all reports and complaints raising potential Title IX issues throughout HGAC to identify and address any patterns;
- e) reviews policies and procedures to ensure that they comply with the requirements of Title IX;
- f) organizes and maintains files related to grievances, reports, complaints, and other records of potential sex discrimination, including sexual offense, in a secure manner;
- g) assesses regularly compliance with, and the effectiveness of, policies and procedures related to sex discrimination, including sexual offense, and recommends modifications where appropriate;
- h) coordinates with the Safety Committee on Safety and Security Compliance with respect to overlapping obligations related to sexual offense against students, including prevention, education, and training;
- i) consults regularly with HGAC administration and campus stakeholders to promote campus-wide awareness and discussion of Title IX-related issues, and develop and implement any modifications of policies and procedures to prevent and eliminate sex discrimination, including sexual offense; and
- j) ensures that appropriate policies and procedures are in place for working with local law enforcement and coordinating with local victim advocacy organizations and service providers, including rape crisis centers.

RETALIATION

Retaliation against an individual, including a Title IX coordinator, for the purpose of interfering with any right or privilege secured by Title IX is prohibited. Retaliation against an individual because the individual filed a complaint alleging a violation of Title IX; participated in a Title IX investigation, or advocated for others' Title IX rights is also

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prohibited. The recipient should ensure that individuals are not intimidated, threatened, coerced, or discriminated against for engaging in such activity.