SEXUAL HARASSMENT, SEXUAL ASSAULT and SEXUAL VIOLENCE


The College is committed to providing a safe learning environment for all students, employees, community members and visitors that is free from sexual assault, sexual harassment, and sexual violence in conformance with Title IX of the Educational Amendments of 1972 and the Violence Against Women Reauthorization Act of 2014.

The College shall not, on the basis of sex, exclude any student or community member from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance, 32 C.F.R. 106.31

Any sexual assault or sexual harassment, other forms of sexual misconduct, stalking and intimate-partner violence, whether committed by an employee, student or member of the public, that occurs on college property or at college-sponsored off-campus events, is a violation of College policy and procedures, and is subject to all applicable sanctions, including criminal procedures and employee or student discipline procedures. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

The Title IX Coordinator shall establish a coordinated education and prevention program, and investigative and grievance procedures that are prompt, equitable and accessible to students, faculty and staff.

No one at the College may reprimand, retaliate, take any adverse action, or discriminate against an individual for having opposed unlawful conduct, initiated a report of complaint, provided information as a witness, or participated in the resolution of a report or complaint regarding potential violations of this policy.

Definitions:

Sexual misconduct—unwelcome conduct of a sexual nature; sexual harassment, sexual assault, and any conduct of a sexual nature that is without consent, or has the effect of threatening or intimidating the victim.

- Sexual Harassment – Sexual harassing behavior consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature when:
Proposed Policy 5420E

1) Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining or retaining employment, of obtaining an education or of obtaining educational benefits or opportunities; or

2) Such conduct is pervasive, has the purpose or effect of substantially interfering with an individual's employment, education, educational benefits or opportunities, creating an intimidating, hostile or offensive employment or education environment. Sexual harassment as defined herein is generally conduct or communication by someone in authority but also includes any sexual harassment as defined when perpetrated on any student or employee by any other student or employee.

- Sexual Violence – Physical acts perpetrated against a person’s will or where a person is incapable of giving consent due to the person’s age, disability or use of drugs or alcohol.
- Sexual Assault – Any sexual penetration, sexual intrusion or sexual contact without a person’s consent as defined in WYO. STAT. ANN. §§ 6-2-302 -304 (2009), including, but not limited to:
  - 1) Unwanted touching of a sexual nature.
  - 2) Unwanted touching which produces sexual arousal, gratification or abuse.
  - 3) Any actions of a sexual nature engaged in while a subject is physically helpless, mentally incapacitated, submitting due to physical harm or abuse or threat of harm or abuse, or while the subject has verbally refused consent to engage in these actions.

- Gender-based harassment-disparaging comments or conduct based on gender identity (persistent disparagement of a person based on perceived lack of stereotypical masculinity).
- Dating Violence—violence committed by a person who has been in a relationship of a romantic or intimate nature with the victim (based on length and type of relationship and frequency of interaction).
- Domestic Violence—crimes of violence committed by current or former “spouse, a parent of the victim’s child, cohabitant, or any person protected from the person’s acts under laws of the jurisdiction.”
- Stalking—engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others, or suffer substantial emotional distress.

Students who feel they have been the victim of sexual harassment, sexual assault or sexual violence may utilize any of the College’s normal reporting systems including the Maxient (“R”) online system. Students may also report directly to local law enforcement. Students may also contact the Support, Disability, and Counseling Center for confidential support and referral. See the procedure for detail. The incident will be investigated and administered according to the College’s student conduct and non-academic appeals processes (Policy 5420A and 5430C. The institution may take interim measures as a no-contact order while it is investigating a complaint.
The College will use the preponderance of evidence standard in deciding sexual assault cases.

Contact Information

Vice-President for Student Success Services  
Title IX Coordinator  
Western Wyoming Community College  
Rock Springs, WY  82901  
307-382-1600  
vpss@wwcc.wy.edu

Office of Civil Rights 
U.S. Department of Education  
Office of Civil Rights  
Washington, D.C. 20202-1328

Complaints can be addressed to the Title IX Coordinator or the Office of Civil Rights

Cross Reference: 4420B, 5420A and 5430C
Adopted January 18, 1996  
Reformatted May 5, 2011  
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SEXUAL HARASSMENT, SEXUAL ASSAULT and SEXUAL VIOLENCE

Western Wyoming Community College does everything possible to create a safe and secure learning environment. However, things can happen everywhere on occasion. Sexual offenses may occur on college campuses and students should be aware and proactive in protecting themselves. Regular programming is conducted to educate students and staff on the nature and scope of sex offenses, and to assure people have access to information on how to report a suspected crime.

WWCC’s Annual Education Programming includes:

• Required participation for degree-seeking students in the MyStudentBody program which aligns with Campus SaVE Act requirements.
• Housing orientation skit which includes a segment on date rape.
• All-student Welcome Week at the start of the semester which includes a skit on sex issues and recourse as well as a copy of the Campus Safety Brochure.
• Brochures and website information on being aware and safe. Brochures are placed in all public meeting areas.
• Regular programming throughout the year, both in the residence halls and on the main campus, regarding consent, data rape, sexual assault and other sexual offenses

Policy 5420E addresses the issues of sexual harassment, assault and violence. The policy is referenced in the Student Handbook and available to students and staff on the WWCC website.

If you are a victim of a sexual harassment, violence or assault at this institution, your first priority should be to get to a place of safety. If needed you should then obtain necessary medical treatment. The College strongly advocates that a victim of sexual assault report the incident in a timely manner and do her/his best to preserve any possible evidence. Time is a critical factor for evidence collection and preservation. An assault should be reported directly to a Protective Services Officer, Resident Assistant (RA), and/or other housing or administrative officials. Filing a report with the College will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers or others in the process.

Reporting procedures for student victims of sexual violence:

1. In an emergency situation or based upon the student’s preference, the student should call local law enforcement (911) immediately. As soon after the call to law enforcement as possible, campus authorities should be notified.
2. Whenever possible, the alleged victim should immediately contact the Protective Services Department and the Resident Assistant if the assault occurs on campus. A student who is uncomfortable making this call, may report via the College’s Maxient
(“R”) Reporting System. Access to the system is on the College’s homepage at www.westernwyoming.edu and Mustang Cruiser portal entry page.

3. Incidents may also be reported by third party witnesses, friends, family or others by submitting through the Maxient System or contacting a school official. Anonymous reporting is allowed; however, it makes for major challenges in investigation.

4. Protective services will immediately notify the Vice President of Student Success Services or his/her designee who will notify other college administrators.

5. Protective Services or appropriate administrators will work with the student to contact local law enforcement upon request, and be given the option of support from the Support, Disability and Counseling Center and other local support groups. The student will be provided a list of local resources.

6. Students will be informed of options related to notification of law enforcement and obtaining temporary restraining orders, confidentiality, medical services, and other resources.

7. The Vice President for Student Success Services will coordinate an internal investigation and will make the determination (with other administrative staff) to invoke a campus-wide notification. In the event of an incident that involves a student and a faculty or staff member, the VP will coordinate with the Director of Human Resources.

8. Campus-wide notification will occur when it is determined the alleged assailant is unknown and/or still at large and may be a danger to others. The Emergency Notification procedure will be utilized.

Investigation of the incident

1. Following the initial complaint, those involved will be asked to provide written statements of the event.

2. The incident will be investigated and adjudicated according to the student conduct and appeals processes (5420A and 5430C). Victims will be provided with an explanation and updates of the process as it progresses.

3. In all cases, the College process for investigation will be conducted by trained investigators.

4. Every effort is made to solve less serious incidents such a subtle sexual harassment quickly and informally. However, the full investigative process does take time and the victim and alleged perpetrator are encouraged to cooperate fully and honestly and allow the system to work.

5. Should disciplinary action be taken against a college student, faculty or staff member, the person has the right to appeal through the appropriate student or staff appeals process.
6. To the extent allowed by law, the complainant will be advised of any disciplinary actions taken against the perpetrator, should the complainant desire to know this information.

**Follow-up with the student will include:**

1. Explanation of the College’s disciplinary process and reference to appropriate written material. Disciplinary sanctions may include a variety of actions including suspension from the institution. See Policy 5420A. The investigative and appeal processes can be found in Policy 5430C.
2. Options related to changing residence hall rooms and protection while on-campus and other temporary sanctions that might be imposed while the investigation is underway.
3. Assurance of confidentiality to the extent possible through the law and any disciplinary process. Students should be aware that employees outside the Counseling staff have no ability to maintain confidence. They must report.
4. Updates to the student on the progress of the investigation.

**Contact Information**

Protective Services, Western Wyoming Community College
Mustang Central, Room _____
307-382-1689
1234 on campus emergency dialing

Rock Springs Police Department
5-911

Support, Disability, and Counseling Center
Western Wyoming Community College Main Campus
Room 2011
307-382-1645
After hours reachable through Protective Services

Director of Residence Halls & Student Life
Mustang Central, Room _____
307-382-1644
After hours reachable through Protective Services

Vice President for Student Success Services
Title IX Coordinator
Western Wyoming Community College Room 3011
307-382-1639
After hours reachable through Protective Services

Complaints can be addressed to the Title IX Coordinator or the Office of Civil Rights
Office of Civil Rights
U.S. Department of Education
Office of Civil Rights
Washington, D.C. 20202-1328

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This proposed policy change has been approved by the College’s Policies and Procedures committee and is still working through the approval process that culminates with Board approval. We will temporarily act under these guidelines until the final approval.