

SEXUAL MISCONDUCT GENERAL FAQS

The following FAQs review information about sexual misconduct and Title IX at ArtCenter. Additional FAQs for complainants, respondents, witnesses, and mandated reporters are available.

WHAT IS TITLE IX?

Title IX is a federal civil rights law that prohibits discrimination on the basis of sex in educational institutions that receive federal funding. Specifically, Title IX states, “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.” Under Title IX, colleges are required to take prompt and effective steps to end sexual harassment or sexual violence, prevent the recurrence of the behavior and remedy its effects.

WHAT HAPPENS WHEN SOMEONE REPORTS A POSSIBLE TITLE IX OR SEXUAL MISCONDUCT INCIDENT TO THE COLLEGE?

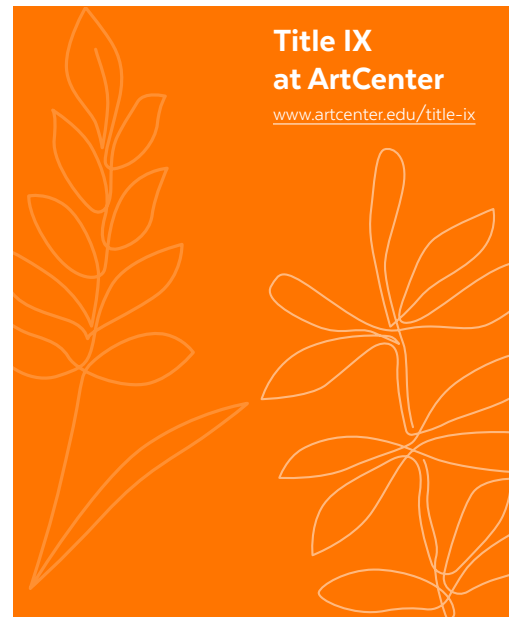
All reports of possible sexual harassment or other sexual misconduct are reviewed by the Title IX Coordinator. The Title IX Coordinator meets with the person alleged to have been the victim of sexual misconduct to discuss resources and available supportive measures as well as options for filing a formal complaint of sexual misconduct. In this meeting, the Title IX Coordinator will also review options for proceeding to an informal resolution or formal grievance process. A formal grievance process into an alleged violation of the Sexual Misconduct Policy includes an investigation, hearing, and appeal opportunity. Options for informal resolutions are made available to the complainant upon the filing of a complaint.

WHAT IS SEXUAL MISCONDUCT AT ARTCENTER?

Sexual misconduct is an umbrella term used to refer to a variety of prohibited behaviors that are based on sex and gender and/or are sexual in nature. Sexual misconduct includes sexual harassment, sexual assault, stalking, dating violence, domestic violence, discriminatory harassment on the basis of sex, sex/gender-based discrimination, sexual exploitation, and threats, intimidation, hazing, or bullying on the basis of sex. ArtCenter’s policy prohibiting sexual misconduct also defines and prohibits retaliation and making a bad faith complaint of sexual misconduct.

HOW DOES ARTCENTER DETERMINE WHETHER OR NOT A VIOLATION OF ITS SEXUAL MISCONDUCT POLICY HAS OCCURRED?

ArtCenter utilizes a preponderance of evidence standard to determine whether it is “more likely than not” that a violation of College policy occurred. “More likely than not” means that the information supporting one outcome (responsible or not responsible) outweighs or is more than the information supporting the opposite outcome. Final determinations are reached only following a formal grievance process and the conclusion of any appeal process or the close of an appeal window, if neither party appeals the outcome.



WHAT IS CONSENT?

Consent is an informed, affirmative, conscious, voluntary, and mutual agreement by all participants to engage in sexual activity, communicated through mutually understandable words and/or actions. It is the responsibility of each person involved in sexual activity to ensure that they have the affirmative consent of the other participant(s) to engage in the sexual activity before doing so. Affirmative consent must be voluntary and given without coercion, force, threats, or intimidation.

WHAT ARE MY RESPONSIBILITIES AS AN EMPLOYEE AT ARTCENTER?

The Sexual Misconduct Policy applies to all students, faculty, and staff at ArtCenter. All members of the ArtCenter community to expected to abide by the policy and conduct themselves in a manner that does not infringe upon the rights of others. Additionally, with the exception of licensed counselors working in Student Mental Health Counseling Services, any ArtCenter employee who knows or has reason to know of allegations or acts that may constitute a violation of the Sexual Misconduct Policy is considered to be a mandated reporter. This means that they are required to immediately inform the Title IX Coordinator of all relevant information regarding the allegation, including the names of those involved. An employee’s failure to report potential sexual harassment or sex discrimination in a timely manner may result in consequences for that employee.