A QUICK GUIDE TO TITLE IX

The purpose of this guide is to educate the Southeast Community College community about Title IX and our responsibilities in protecting students, faculty, and staff at our campuses. It is important that everyone understands their rights and responsibilities. The goal is to increase efforts to eliminate the sexual harassment and sexual assault on campuses and to continue to improve our response to sexual misconduct, including sexual violence. We must ensure that students, faculty, and staff:

- Are safe;
- Know what to do and where to report when they learn of an incident of sexual misconduct; and
- Are apprised of services and remedies that are available if they are sexually harassed or assaulted.

WHAT IS TITLE IX?

Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex, including sexual violence, in education programs and activities at institutions receiving federal financial assistance. Sexual harassment and acts of sexual violence, including rape, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking are forms of sex discrimination prohibited by Title IX.

Schools must take certain steps to understand what occurred and respond appropriately. More specifically, each institution must:

- Designate at least one employee as a Title IX coordinator;
- Formulate, interpret, and apply their rules in a manner that respects the legal rights of students and faculty, including those court precedents interpreting the concept of free speech.

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1 See Q&A on Campus Sexual Misconduct, U.S. Department of Education (September 2017).
**TITLE IX COORDINATOR**

Blake K. Simpson, J.D.  
Administrative Director of Compliance for Access/Equity/Diversity  
Title IX Coordinator  
Southeast Community College Area  
301 South 68th Street Place  
Lincoln, NE  68510  
Phone: 402.323.3418  
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bsimpson@southeast.edu

**IF YOU HAVE EXPERIENCED SEXUAL ASSAULT**

1. **Get to a safe place.**  
   For your protection, call 911 or local law enforcement, especially if the accused is still nearby. Law enforcement will assist you whether or not you choose to prosecute the accused. Once you are safe, call a friend or family member for support or SCC will provide you with community resources that can provide victim's advocate/support services. Also, a number of College personnel are willing and able to assist in reporting assaults to the proper authorities.

2. **Get medical attention immediately and preserve evidence.**  
The primary purpose of a medical examination is to check for physical injury, the presence of sexually transmitted diseases, or potential for pregnancy because of the assault. The secondary purpose of a medical examination is to aid in the police investigation and legal proceedings. It is important to preserve evidence, so do not shower, bathe, eat/drink, brush your teeth, change clothes, or disturb the scene of the attack. The evidence collected may be important to prove rape, domestic violence, dating violence, sexual assault or stalking or other sexual assault, and may assist in obtaining a protection order.

3. **Report the incident to the police.**  
   You are strongly encouraged to report the incident. You can report directly to law enforcement or, upon request, the College will assist you with reporting to the appropriate authorities. It is up to you, but reporting is not the same thing as prosecution. Prosecution can be determined later. You may contact any SCC Campus Safety Personnel. Victim support resources are listed below in this publication. College personnel are willing and able to assist you in reporting assaults to the proper authorities.

   **Emergency or Police Assistance - Dial 911**  
   If you are a victim of a sexual assault and decide not to notify SCC personnel or the local police, please secure medical attention and contact any of the victim support resources listed in this publication.
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<thead>
<tr>
<th>Location</th>
<th>Name</th>
<th>Address</th>
<th>Phone</th>
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<tbody>
<tr>
<td>Lincoln</td>
<td>Lincoln Police Department</td>
<td>575 S 10th St, Lincoln, NE 68508</td>
<td>(402) 441-6000</td>
</tr>
<tr>
<td>Beatrice</td>
<td>Beatrice Police Department</td>
<td>201 N 5th St, Beatrice, NE 68310</td>
<td>(402) 228-5243</td>
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<tr>
<td>Milford</td>
<td>Milford Police Department</td>
<td>505 1st St, Milford, NE 68405</td>
<td>(402) 761-2772</td>
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<tr>
<td>Falls City</td>
<td>Falls City Police Department</td>
<td>2307 Barada St, Falls City, NE 68355</td>
<td>(402) 245-4422</td>
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<tr>
<td>Nebraska City</td>
<td>Nebraska City Police Department</td>
<td>1518 Central Ave, Nebraska City, NE 68410</td>
<td>(402) 873-6666</td>
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<tr>
<td>Plattsmouth</td>
<td>Plattsmouth Police Department</td>
<td>336 Main St, Plattsmouth, NE 68048</td>
<td>(402) 296-3311</td>
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<tr>
<td>Wahoo</td>
<td>Wahoo Police Department</td>
<td>605 N Broadway St, Wahoo, NE 68066</td>
<td>(402) 443-4155</td>
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<tr>
<td>York</td>
<td>York Police Department</td>
<td>315 N Grant Ave, York, NE 68467</td>
<td>(402) 363-2640</td>
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<tr>
<td>Hebron</td>
<td>Thayer County Sheriff’s Office</td>
<td>324 Olive Ave, Hebron, NE 68370</td>
<td>(402) 768-6139</td>
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**Lancaster County Sheriff’s Office**
575 S 10th Street, Lincoln, NE 68508
(402) 441-6500

**Gage County Sheriff’s Office**
612 Lincoln Street, Beatrice, NE 68310
(402) 223-5221

**Seward County Sheriff’s Office**
261 S 8th Street, Suite 245, Seward, NE 68434
(402) 643-2359

**Richardson County Sheriff’s Office**
65086 706 Trail, Falls City, NE 68355
(402) 245-2479

**Otoe County Sheriff’s Office**
1021 Central Ave, Nebraska City, NE 68410
(402) 873-9560

**Cass County Sheriff’s Office**
336 Main Street, Plattsmouth, NE 68048
(402) 296-9370

**Saunders County Sheriff’s Office**
387 N Chestnut St, Ste 3, Wahoo, NE 68066
(402) 443-3718

**York County Sheriff’s Office**
510 N Lincoln Ave, York, NE 68467
(402) 362-4927

**CONFIDENTIALITY**
**Confidential Reporting**

If a reporting student wishes to keep the details of an incident confidential, they should speak with campus mental health practitioners provided through the Counseling and Assistance Program (CAPS). This service is free for up to 15 individual or 10 group sessions per academic year. Members of the clergy, chaplains, and off-campus sexual assault crisis center staff can maintain confidentiality and have no duty to report your information to the College.

Kalika Jantzen, Director of Counseling at SCC, may be contacted at (402) 437-2286 or by email at kjantzen@southeast.edu.

**Mandatory Reporting**

All SCC employees are mandatory reporters for all of the details of which they are aware about an incident. They must share this information with the Title IX Coordinator. Incidents of sexual misconduct are taken seriously by the College and will be investigated and resolved in a prompt and equitable manner under the College’s resolution procedures.

**Incidents Involving Minors**

Confidentiality cannot be guaranteed regarding incidents involving minors (those under the age of 19), as institutional duties may require the reporting of sexual misconduct to state agencies and/or local law enforcement.

**TITLE IX POLICIES & PROCEDURES**

**E-3f(1) POLICY Discriminatory Harassment Prohibited**

Southeast Community College is committed to maintaining learning and working environments that are free from all forms of illegal harassment and discrimination. Accordingly, harassment based on an individual’s race, color, ethnicity, religion, sex, age, marital status, national origin, veteran status, sexual orientation, disability, or other factors prohibited by law is prohibited. The College will not tolerate harassment or retaliation in the workplace or educational environment whether committed by faculty, staff, or students, or by visitors to the College while they are on College property or at events conducted, sponsored or sanctioned by the College. Each member of the College community is responsible for fostering civility, for being familiar with this policy, and for refraining from conduct that violates this policy. The College is further committed to providing its staff, faculty and students the opportunity to pursue excellence in their academic and professional endeavors. This opportunity can exist only when each member of our community is assured an atmosphere of mutual respect. The free and open exchange of ideas is fundamental to the College’s purpose. It is not the College’s intent in promulgating this policy to inhibit free speech or the free communication
of ideas by members of the college community. Conduct that constitutes a protected exercise of an individual's rights under the First Amendment to the United States Constitution shall not be deemed a violation of this policy. Adopted Date: 02/17/2009

E-3f(2) PROCEDURE Discriminatory Harassment Definition

**Discriminatory Harassment Defined**

Prohibited discriminatory harassment is defined as conduct that is sufficiently severe, pervasive, and objectively offensive as to substantially disrupt or undermine a person's ability to participate in or to receive the benefits, services, or opportunities of the College, and/or has the effect of creating an intimidating, hostile, or offensive environment. Harassment when directed at an individual because of his/her race, color, ethnicity, religion, sex, age, marital status, national origin, veteran status, sexual orientation, disability, or other factors prohibited by law may include, but is not limited to: unwanted physical contact; use of epithets, inappropriate jokes, comments or innuendos; obscene or harassing telephone calls, e-mails, letters, notes or other forms of communication; and, any conduct that may create a hostile working or academic environment. Adopted Date: 02/17/2009

In addition to these policies, SCC has prepared a *Title IX Administration and Compliance Handbook for Students* and *Title IX Administration and Compliance Handbook for Employees* outlining procedural information in greater detail.

In summary, Title IX complaints will be investigated in compliance with the Code of Student Conduct in cases where students are the responding party, with the Title IX Coordinator guiding the investigation process. Where an employee is the responding party, SCC policy will lead the procedural requirements and the investigation will be headed by Human Resources.

The College's investigation will be conducted in a prompt, fair, and impartial manner and completed within 60 days. During the investigative process, both parties may identify witnesses and other evidence. Both parties will be notified of the outcome of the investigative process. Steps will be taken to prevent the recurrence of any harassment behavior and to correct its discriminatory effects on the complainant, and others if necessary.
**Sexual Misconduct Violations**

*Sexual harassment*

- Sexual harassment is
  - unwelcome,
  - sexual and/or gender-based verbal, written, online, and/or physical conduct.

*Hostile environment*

- A hostile environment is created when sexual harassment is:
  - sufficiently pervasive, or
  - persistent or pervasive, and
  - objectively offensive that it:
    - unreasonably interferes with, denies or limits someone’s ability to participate in or benefit from the college’s educational and/or employment, social, and/or residential program.

*Non-consensual sexual contact*

- Non-consensual sexual contact is:
  - any intentional sexual touching,
  - however slight,
  - with any object,
  - by a person upon another person,
  - that is without consent and/or by force.

*Non-Consensual Sexual Intercourse*

- Non-consensual sexual intercourse is:
  - any sexual intercourse,
  - however slight,
  - with any object,
  - by a person upon another person,
  - that is without consent and/or by force.

*Sexual exploitation*

- Occurs when one person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses;
Intimate partner violence

- Intimate partner violence is:
  - physical, sexual, or psychological harm by a current or former partner/spouse.

Stalking

- Stalking is
  - a course of conduct,
  - directed at a specific person,
  - on the basis of actual or perceived membership in a protected class,
  - that is unwelcome, and
  - would cause a reasonable person to feel fear.

- Stalking is also
  - repetitive and menacing
  - pursuit, following, harassing, and/or interfering with the peace and/or safety of another.

Retaliation

- Retaliation is
  - any adverse action,
  - taken against a person participating in a protected activity,
  - because of their participation in that protected activity,
    - subject to limitations imposed by the First Amendment and/or academic freedom.

CONSENT

At the heart of consent is the concept that every person has a right to personal sovereignty: the right not to be acted upon by someone else in a sexual manner unless given clear permission to do so. Connected with this concept is the notion that consent may be broad or narrow and can be limited. Consent to one form of sexual activity does not automatically imply consent to other forms of sexual activity.

Consent is given verbally or non-verbally, based on an active, informed, mindful, freely decided choice. Intoxication may make this legally impossible. Consent means that you cannot make assumptions about what your partner does or does not want. Absence of clear signals of consent is a signal to stop.

Consent eliminates the need to engage in force and resistance behaviors. There is no biological harm to either sex in stopping at any point. No means no, but inaction or no response can also mean no. Silence and passivity do not equal permission or consent.
SUBMISSION DOES NOT EQUAL CONSENT!

If a “no” is received and pressuring/continuing to interact sexually continues, this behavior is considered to be a coercive influence on the other party. **NOTE: To be valid, consent must be given prior to or contemporaneously with sexual activity.**

COMMUNITY RESOURCES

A number of local and national resources are available to provide information and assistance:

- **Nebraska Coalition to End Sexual and Domestic Violence**: Nebraska has a network of domestic violence and sexual assault programs ensure that a safety net of services are available across our state 24-hours a day. [www.nebraskacoalition.org](http://www.nebraskacoalition.org/)
  - **Voices of Hope (Lancaster county)**
    - 24-Hour Crisis Line: (402) 475-7273
    - Email Address: info@voicesofhopelincoln.org
    - Mailing Address: 2545 N St., Lincoln, NE 68510
    - Website: [www.voicesofhopelincoln.org](http://www.voicesofhopelincoln.org)
  - **Hope Crisis Center** (York, Seward, Fillmore, Saline, Gage, Thayer & Jefferson counties)
    - 24-Hour Crisis Line: 877-388-HOPE (4673)
    - Website: [www.hopecrisiscenter.org](http://www.hopecrisiscenter.org)
  - **The Bridge** (Saunders county)
    - 24-Hour Crisis Line: 888-721-4340; 402-727-7777
    - Website: [www.bridgefromviolence.com](http://www.bridgefromviolence.com)
  - **Project Response** (Otoe, Johnson, Nemaha, Pawnee, & Richardson counties)
    - 24-Hour Crisis Line: 800-456-5764
    - Website: [www.projectresponseinc.org](http://www.projectresponseinc.org)
- **Lincoln Police Department’s Victim Witness Unit**: provides information and support services to victims and witnesses of crime
  - (402) 441-7181
- **Friendship Home**: provides shelter and support for battered women and their children
  - (402) 437-9302
- **National Sexual Assault Hotline**: provides free, confidential counseling 24 hours a day from a national (not a local) service provider, that can help connect to local providers
  - On-line, 24-hour chat with a trained professional: [online.rainn.org](http://online.rainn.org)
  - 24-Hour Crisis Line: (800) 656-HOPE (4673)
- **Law Enforcement**:
  - Emergency - 911
  - Beatrice Police - Non-emergency (402) 223-4080
  - Lincoln Police - Non-emergency (402) 441-6000
  - Milford Police - Non-emergency (402) 761-2772
  - Falls City Police Department - Non-emergency 402-245-4422

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2 Southeast Community College makes no representation or endorsement as to the quality, effectiveness, or appropriateness of any of these services. The directory is provided as an informational service only.
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• Nebraska City Police Department - Non-emergency 402-873-6666
• Plattsmouth Police Department - Non-emergency 402-296-3311
• Wahoo Police Department - Non-emergency 402-443-4155
• York Police Department - Non-emergency 402-363-2640

• **Medical Treatment:**
  - Beatrice Community Hospital and Health Center; 4800 Hospital Parkway; (402) 228-3344
  - Bryan LGH East Campus; 1600 S. 48th St., Lincoln, NE; (402) 481-1111
  - Bryan LGH West Campus; 2300 S. 16th St., Lincoln, NE; (402) 481-1111
  - CHI Health St. Elizabeth Medical Regional Ctr; 555 S. 70th St., Lincoln, NE; (402) 219-8000
  - Memorial Health Care Center; 300 North Columbia, Seward, NE; (402) 643-2971

**COUNSELING, MENTAL HEALTH, AND OTHER SERVICES**

Every fall, in addition to the Annual Notifications of Consumer Information and Student Right to Know, SCC provides information to students, staff, faculty and the general public information on how to report incidents of sexual assault, domestic violence, dating violence, and stalking with written notification of their rights and options, including the options for assistance as detailed above. Below is a list of services available for victims, both within the institution and in the community.

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A large part of preventing sexual misconduct and other inappropriate behavior, such as bullying, involves recognition of warning signs and early intervention efforts.

“**Bystander intervention**” means safe and positive actions that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, bullying or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

“**Risk reduction**” means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

**1.1.1 WHAT DOES IT MEAN TO BE AN ACTIVE BYSTANDER?**

The College asks that every one of the SCC student body and staff ‘Be an Active Bystander. This means that as an Active Bystander you care about the SCC community, as well as the surrounding community you live in. Rather than being passive, when they witness troubling
behavior, Active Bystanders take action to make sure that SCC is a safe, accepting and fun place to go to school and work.

Being an Active Bystander means

- Being Aware
- Deciding to Act
- And when you, “See Something, Say Something.”

There are many situations that would call for an Active Bystander to intervene, including disrespectful or abusive behavior, homophobic, racist or sexist jokes, discrimination, risky behavior resulting from substance use, hate behavior or comments or taking advantage of power imbalances (like status, size, or level of inebriation).

Being an Active Bystander doesn’t have to be dramatic. It can be as simple as saying something like, “Are you OK?” or “Can I talk to you for a sec?” or “That’s really not cool” or “Are you kidding me, really?” Some keys to safe Bystander Actions are:

**Get backup**
- Get your friends together. “It’s time to leave.”
- Get your friends for back-up. Sometimes having your friends to back you up makes it easier to intervene.
- If intervening in the situation would be dangerous for you to do, call - campus security personnel OR call 911—it’s always an option for intervention.

**Distraction**
- Invite yourself to tag along.
- “Hey, this party is lame, let’s go somewhere else.”

**Silent stare**
- Sometimes a disapproving look can be far more powerful than words.

**Humor**
- Reduces the tension of an intervention and makes it easier for the person to hear you.
- Do not undermine what you say with too much humor. Funny doesn’t mean unimportant.

**Bring it home**
- Say something, "I hope no one ever talks to you like that."
- Challenge a sexist/rape joke, "I don't get it, can you explain why that joke is funny?"

**Be a friend**
- "I gotta tell you that the way you acted makes you look like a jerk."
- "As your friend, I thought you were better than this."

**Your Rights**
• Be free from all types of sex discrimination, including sexual misconduct, sexual harassment, and sexual violence;
• Bring forward a complaint in good faith;
• Be informed of complaint procedures and options for resolution;
• Expect a complaint to be thoroughly investigated;
• Interim measures to ensure safety pending the outcome of an investigation;
• Be advised of investigation outcomes;
• Be free from retaliation;

REPORTING SEXUAL VIOLENCE

When an institution knows or reasonably should have known of possible sexual violence, it must take immediate and appropriate steps to investigate or otherwise determine what occurred. If the sexual violence created a hostile environment, then it is SCC’s responsibility to take prompt and effective steps to reasonably end the sexual violence, eliminate the hostile environment, prevent recurrence, and remedy its effects. If a student reports sexual assault to you, it is important to contact SCC Campus Safety & Security personnel and the Title IX Coordinator immediately. It is important that you do not take the matter into your own hands and try to begin the investigative process.

REPORTING OPTIONS

Title IX complaints may be reported:

• Directly with the Title IX Coordinator, either in person or through the TIPS reporting system available on The Hub and SCC website;
• The TIPS reporting system;

Reporting parties may report anonymously through TIPS, but anonymous reports may limit the College’s ability to respond to the harassment or discrimination alleged.

In addition to SCC’s institutional response, reporting parties are not precluded from pursuing civil or criminal redress. Nor does SCC’s investigation into alleged violations of College policy depend on the outcome of a civil or criminal matter.

Further, a party may file a complaint with the Office of Civil Rights regarding SCC’s investigation. The Office for Civil Rights (OCR) of the U.S. Department of Education enforces Title IX. For more information, see: http://www2.ed.gov/about/offices/list/ocr/complaintprocess.html.