

Shawnee
Community College

TITLE IX DEFINITIONS

DEFINITIONS

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- A. Quid Pro Quo Harassment
- B. Hostile Environment Harassment
- C. Clery/VAWA Offenses (Automatically Sexual Harassment)

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1. Sexual Harassment (Title IX Definition)

- “**Sexual harassment**” under the 2020 regulations means conduct on the basis of sex that satisfies **one or more** of the following:

A. Quid Pro Quo Harassment

- An employee of the institution
- Conditions the provision of an aid, benefit, or service of the school
- On an individual’s participation in unwelcome sexual conduct



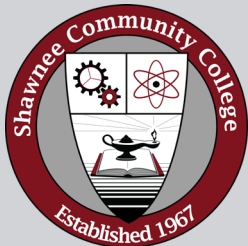
1. Sexual Harassment (Title IX Definition)

B. Hostile Environment Harassment

Unwelcome conduct that is:

- Severe,
- Pervasive, and
- Objectively offensive, such that it effectively denies a person equal access to the school's education program or activity.

The “severe, pervasive, and objectively offensive” standard comes directly from the Supreme Court’s *Davis* decision and was codified in the 2020 rule.



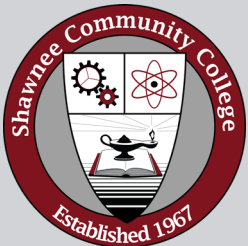
1. Sexual Harassment (Title IX Definition)

C. Clery/VAWA Offenses (Automatically Sexual Harassment)

The following, as defined by the Clery Act/VAWA, **always** meet the Title IX definition of sexual harassment:

- Sexual Assault
- Dating Violence
- Domestic Violence
- Stalking

These do **not** need to meet the “severe, pervasive, and objectively offensive”



2. Sexual Assault (Clery Act Definition)

Includes any of the following:

A. Rape

Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ, **without consent**.

B. Fondling

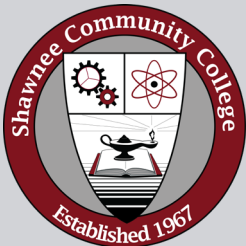
Touching private body parts for sexual gratification, **without consent**, including when the person is incapacitated.

C. Incest

Sexual intercourse between persons related within the degrees prohibited by law.

D. Statutory Rape

Sexual intercourse with a person under the statutory age of consent.

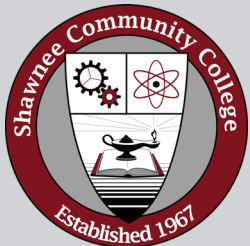


3. Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

Includes:

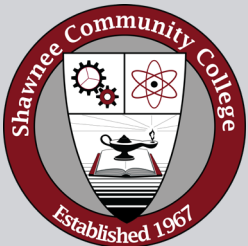
- Physical violence
- Sexual violence
- Threats of harm
- Patterns of abusive behavior



4. Domestic Violence

Violence committed by:

- A current or former spouse/intimate partner
 - A person with whom the victim shares a child
 - A cohabitating partner
 - Any person similarly situated under domestic/family laws
 - Anyone else protected under state domestic violence laws
- This includes physical, sexual, emotional, or psychological abuse.



5. Stalking

A course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for their **safety** or someone else's,
- or**
- Suffer **substantial emotional distress**

Includes repeated following, monitoring, or harassing using any means—including electronic communication.



6. Consent (SCC Definition Incorporation)

At Shawnee Community College (SCC), consent refers to the definition established in SCC's **Student Code of Conduct** and **Sexual Misconduct/Title IX Policy**.

In general, SCC defines consent as:

- A **clear, affirmative**, and **voluntary** agreement to engage in sexual activity
- Given by individuals with the **capacity** to consent
- **Ongoing**, and may be withdrawn at any time
- **Cannot** be obtained through coercion, force, intimidation, threats, manipulation, or when a person is incapacitated (including due to alcohol, drugs, or unconsciousness)



SCC's full and official definition of consent is found in its
Title IX & Sexual Misconduct Policy.

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7. Complainant

An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

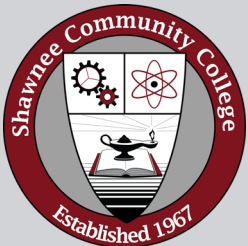
8. Respondent

An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

9. Formal Complaint

A document filed by the complainant **or** signed by the Title IX Coordinator alleging sexual harassment and requesting that the school investigate.

Must contain the complainant's physical or digital signature.



10. Education Program or Activity

Locations, events, or circumstances where the school:

- Exerts substantial control over the respondent, and
- Substantial control over the context in which the harassment occurs

Includes buildings owned/leased by recognized student organizations.

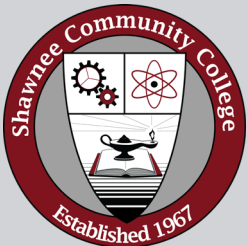


11. Actual Knowledge

Notice of sexual harassment or allegations of sexual harassment to:

- The Title IX Coordinator
- An official with authority to institute corrective measures
- In higher education, any employee (if the school designates this in policy)

Once the school has “actual knowledge,” it must respond.



12. Supportive Measures

Non-disciplinary, non-punitive individualized services offered **to** restore or preserve equal access to education.

Examples:

- Counseling
- Deadline extensions
- Adjusted schedules
- No-contact orders
- Campus escorts
- Housing modifications

Provided **with or without** a formal complaint.



13. Standard of Evidence

Institutions must choose one:

- Preponderance of the Evidence, or
- Clear and Convincing Evidence

Must apply it consistently to:

- All students and employees
- All Title IX complaints



14. Retaliation

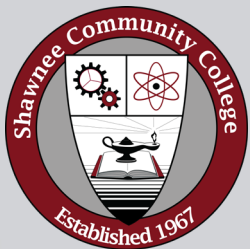
Any action taken to intimidate, threaten, coerce, or discriminate against someone because they:

- Filed a complaint
- Participated in the Title IX process
- Spoke up about misconduct

Retaliation is strictly prohibited.



THANK YOU!



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