



**BOARD POLICIES**

<b>DIVISION</b> II. College Employees	<b>POLICY NUMBER</b> 2.01.19 [1]
<b>CATEGORY</b> 2.01.19 Prohibition of Sexual Discrimination and Sexual Harassment (Title IX Allegations)	<b>DATE</b> Adopted: 08/2020

2.01.19 PROHIBITION OF SEXUAL DISCRIMINATION AND SEXUAL HARASSMENT (TITLE IX ALLEGATIONS)

I. Purpose  
 Joliet Junior College (JJC) is committed to providing workplace and educational environments, as well as other benefits, programs, and activities that are free from discrimination, harassment, and retaliation. To ensure compliance with federal and state civil rights laws and regulations and to affirm its commitment to promoting the goals of fairness and equity in all aspects of the educational program or activity, JJC has developed institutional policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, and for allegations of retaliation, including but not limited to those allegations. JJC values and upholds the equal dignity of all members of its community and strives to balance the rights of the parties in the grievance process during what is often a difficult time for all those involved.

The Secretary of Education amended the regulations implementing Title IX of the Education Amendments of 1972 (Title IX) to be effective August 14, 2020. The final regulations specify how recipients of Federal financial assistance covered by Title IX, including postsecondary institutions must respond to allegations of sexual harassment consistent with Title IX’s prohibition against sex discrimination. The regulations are intended to effectuate Title IX’s prohibition against sex discrimination by requiring colleges to address sexual harassment as a form of sex discrimination in education programs or activities. JJC is committed to adhering to the regulations, as outlined in this Policy and the accompanying institutional policies and procedures. These policies and procedures can be located at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX).

Any allegations that do not meet the standards outlined in the Title IX regulations will be investigated and addressed through Board Policy 2.01.01 Prohibition of Sexual Discrimination, Harassment and Interpersonal Misconduct (Non-Title IX Allegations). The accompanying institutional procedures for both policies can be located at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX).



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II. Definitions

- A. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:
  - (1) An employee of JJC conditioning the provision of an aid, benefit, or service of JJC on an individual’s participation in unwelcome sexual conduct (quid pro quo harassment);
  - (2) Unwelcome conduct determined by a reasonable person to be so severe and pervasive and objectively offensive that it effectively denies a person equal access to JJC’s education program or activity; or
  - (3) “Sexual assault” as defined by the [Clery Act](#) (20 U.S.C. 1092) or “dating violence,” “domestic violence,” or “stalking” as defined in the [Violence Against Women Act-VAWA](#) (34 U.S.C. 12291).
- B. Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.
- C. Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

A complete listing of all applicable definitions related to this policy can be found in the institutional policies and procedures at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX).

III. Jurisdiction

- A. Education program or activity means locations, events, or circumstances where JJC exercises substantial control over both the Respondent and the context in which the sexual harassment or discrimination occurs and also includes any building owned or controlled by JJC.
- B. The requirements of this policy, in accordance with federal regulations, apply only to sex discrimination occurring against a person in the United States.
- C. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the education program or activity of JJC.
- D. Allegations of incidents that take place outside of these parameters but are not able to be considered through the Title IX process may be considered through Policy



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2.01.01 Prohibition of Sexual Discrimination, Harassment and Interpersonal Misconduct (Non-Title IX Allegations), as allowed by the regulations.

IV. Title IX Coordinator  
 The College has designated the Compliance Officer as the Title IX Coordinator and has identified additional Deputy Title IX Coordinators as listed at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX). Individuals alleging a violation of Title IX as defined by Board Policy 2.01.16 Prohibition of Sexual Discrimination and Sexual Harassment (Title IX Allegations) or of any area covered by this policy may report this allegation to the Title IX Coordinator or Deputy Coordinators as listed.

V. Independence and Conflict-of-Interest  
 The Title IX Coordinator oversees the Title IX Deputies and Investigators, all reports, and will act with independence and authority, free from bias and conflicts of interest. The Title IX Coordinator oversees all resolutions under this policy and related institutional policies and procedures. The members of the Title IX team are vetted and trained to ensure they are not biased for or against any party in a specific case, or for or against Complainants and/or Respondents, generally.

To raise any concern involving bias or conflict of interest by the Title IX Coordinator or member of the Title IX team, contact the JJC Executive Director of Diversity, Equity, Inclusion and Compliance at (815)280-2737. Concerns of bias or a potential conflict of interest by any other Title IX Team member should be raised with the Title IX Coordinator using contact information at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX).

Reports of misconduct or discrimination committed by the Title IX Coordinator should be reported to the JJC Executive Director of Diversity, Equity, Inclusion and Compliance. Reports of misconduct or discrimination committed by any other Title IX Team member should be reported to the Title IX Coordinator using contact information at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX).

VI. Reporting Allegations of Sexual Discrimination and Sexual Harassment  
 The College encourages victims of sexual discrimination and sexual harassment, including sexual or dating violence, to talk to a professional or other support person about what happened to get the support they need and so that the College can provide



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information on options for reporting. Complete procedures related to options for reporting and supports provided to both parties can be found at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX).

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX).

The Title IX Coordinator or any other designated individuals, as defined in the institutional policies and procedures, with actual knowledge of sexual harassment in an education program or activity of JJC against a person in the United States, must respond promptly in a manner that meets the regulatory standard. The Title IX Coordinator or designee must promptly contact the Complainant to discuss the availability of supportive measures as defined, consider the Complainant’s wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint.

In response to a formal complaint, JJC must follow a grievance process that complies with the regulations, as outlined in the institutional procedures. JJC will provide supportive measures, as defined in the institutional procedures to all Complainants and Respondents.

Individuals can also report online, using the reporting form posted at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX) or by phone through the JJC Sexual Misconduct Hotline at (815) 280- 2888, available 24 hours a day.

Anonymous reports are accepted but are not able to be investigated through the Title IX process without a formal complaint. Because anonymous reporting carries no obligation to initiate a formal response, a Complainant should not fear a loss of privacy by making a report that allows JJC to discuss and/or provide supportive





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includes a report or formal complaint of sexual harassment that is filed for the purpose of interfering with any right or privilege secured by Title IX.

JJC must keep confidential the identity of any individual who has made a report or complaint of sex discrimination to the extent possible. This also includes any individual who has made a report or filed a formal complaint of sexual harassment, any individual who has been reported to be the perpetrator of sex discrimination, any Complainant, any Respondent, and any witness, except as may be permitted by law (the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law,) or to carry out the purposes of 34 CFR part 106. This includes the conduct of any investigation, hearing, or judicial proceeding arising thereunder. Complaints alleging retaliation may be filed according to the grievance procedures for sex discrimination located at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX).

**VIII. Consequences of Policy Violation**

Members of the College Community who are found in violation of this policy or the related institutional policies and procedures will be subject to disciplinary action. Employees found in violation are subject to action that could include reprimand, demotion, denial of promotion, termination from employment or from educational programs, or other appropriate administrative action. Students found in violation are subject to disciplinary action in accordance with the Student Code of Conduct.

The College also will subject to discipline any person who knowingly makes a false report or otherwise provides false information in connection with a report of sexual discrimination, harassment or misconduct involving a member of the college community. This prohibition against false reports or statements does not apply to reports or statements which are made in good faith but ultimately found not to be substantiated.

**IX. Grievance Process**

JJC has adopted and will annually publish and communicate grievance procedures that provide for the prompt and equitable resolution of student and employee complaints. JJC will also publish the grievance process annually that complies with the federal regulations for formal complaints as defined. These procedures are available at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX). The process is based on the presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is



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made at the conclusion of the grievance process.

- X. Training  
 JJC will ensure that Title IX Coordinators, investigators, decision-makers, and any person who participates in any part of the process, receive training in accordance with federal and state laws and related guidance. The components of the required training is as outlined in the institutional procedures that are available at [www.jjc.edu/Title-IX](http://www.jjc.edu/Title-IX).
  
- XI. Procedures  
 The College maintains published institutional policies and procedures related to implementing this policy in accordance with federal and state regulations.