

Pickens Technical College does not permit discrimination or harassment in our work environment, educational programs, and activities. Pickens Technical College can respond to discrimination and/or harassment only if it is aware of the allegations made. Further, Pickens Technical College can more effectively investigate the sooner the allegation is brought to its attention. If you feel that you have been discriminated against, harassed, or are the victim of a sexual misconduct, you may file a complaint. Please contact the Title IX Coordinator, Social Worker or any Administrator to file a complaint.

## **BE INFORMED**

### **What is Title IX?**

Title IX of the Education Amendments of 1972 prohibits gender-based discrimination and harassment in educational programs or activities at institutions that receive Federal financial assistance. For more information visit the [U.S. Department of Education](#) website.

### **What is Title IX Policy?**

Pickens Technical College prepares all students for Post-Secondary and Workforce Readiness (PWR) by providing unsurpassed, equitable Career and Technical Education (CTE). At the core of our beliefs and mission, is our desire to build a safe and secure campus community. As such, Pickens Technical College prohibits acts of sex and gender based discrimination which includes sexual misconduct. Sexual misconduct is a broad term that identifies forms of discrimination and harassment based on sex including, sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking. Sexual misconduct includes other acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. We must all work together to create a safe campus

### **What is the Title IX Procedure?**

Pickens Technical College has a procedure that involves a process of make a report to the college. This report will ensure a thorough, reliable, timely, and impartial investigation and resolution.

The standard of evidence used in adjudication of cases of sexual misconduct is the **preponderance of evidence** standard—it is more likely than not, that a violation of this policy has occurred. When a violation is determined, Pickens Technical College will take prompt corrective action and impose appropriate sanctions. The College complies with federal, state and local laws, including the reporting of certain crimes to law enforcement authorities.

**STEP 1:** File a Complaint with Pickens as Soon as Possible after the Incident Occurs.

**STEP 2:** Preliminary Review and Assessment of Complaint.

**STEP 3:** Notice of Sexual Misconduct Complaint to Distributed to All Concerned Parties.

**STEP 4:** Investigation.

**STEP 5:** Review of Investigation Findings and Decision.

## **SUPPORT STAFF FOR TITLE IX:**

### **General Phone Number: 303-340-4910**

Students can call the general number above and ask for a staff member by name or use the extensions listed below.

**NAME: Patricia Duhalde, Title IX Coordinator and Assistant Director**

**LOCATION:** Building "A"

**EXTENSION:** 27726

**EMAIL:** [prduhalde@aps.k12.co.us](mailto:prduhalde@aps.k12.co.us)

The Title IX Coordinator is responsible for coordinating our efforts to comply with and carry out the requirements under Title IX and all associated regulations. Other staff members who can offer assistance and support with reports of sexual misconduct include:

#### **Administration:**

**NAME: Teina McConnell, Executive Director**

**LOCATION:** Building "A".

**PHONE NUMBER:** Extension 27701

**EMAIL:** [tlmccConnell@aps.k12.co.us](mailto:tlmccConnell@aps.k12.co.us)

## **Victims' Rights**

Pickens Technical College complies with federal, state and local laws, including the reporting of all crimes to law enforcement authorities. Victims of sexual misconduct are entitled to the following rights:

#### ***Victims have the right to:***

- Be notified of existing resources for counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available within the college and in the community.
- Be notified about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. Pickens Technical College will make such accommodations or provide such protective measures if the victim requests them and they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.
- File a formal complaint report to Pickens Technical College. Complaints should be filed with The Dean of Students, the Title IX Coordinator, Counselors in the Student Services Office, the School Nurse, or with any administrator. Victims are encouraged to use these offices for formal reporting.
- Report to law enforcement authorities.
- Decline to report to law enforcement.
- An advisor of one's choosing throughout the Pickens Technical College Title IX investigation.
- Know the sexual history of victims is not relevant to the truth of the allegation; therefore, information regarding the victim's sexual history, other than the relationship between the victim and the alleged aggressor, will not be considered in investigations.

- Know that any disclosure of sexual misconduct made to a college campus authority or responsible employee will result in a report as an annual crime statistic (with all identifying information withheld).
- Know in those cases where a student has been a victim of sexual assault and/or a violent crime while under the influence of alcohol, Pickens TECHNICAL COLLEGE will not pursue disciplinary actions against the student victim (or against a witness) for his or her improper use of alcohol (e.g., underage drinking). A student victim who is under the influence of alcohol at the time of a sexual assault is entitled to college and community assistance and encouraged to seek help.
- File a **complaint** with the U.S. Department of Justice and/or U.S. Department of Education Office for Civil Rights.

## Definition of Consent

Consent is informed, freely and actively given, and mutually understood permission or agreement. If physical force, coercion, intimidation, and/or threats are used, there is no consent. If a person is mentally or physically incapacitated or impaired so that they cannot understand the sexual situation, there is no consent. This includes impairment due to alcohol or drug consumption and being asleep or unconscious.

Consent is a clear understanding that someone is willing to do something. It must be voluntary.

Silence IS NOT consent.

If the person is younger than 18 OR is physically or mentally incapacitated due to any of the following, then there CANNOT BE CONSENT:

- Disability
- Alcohol or drug use
- Involuntary physical restraint
- Sleep
- Unconsciousness
- Blackout

Using force, violence, intimidation, or unreasonable pressure to get what you want is NOT consent.

**Examples** of some of the behaviors that would constitute a lack of consent include the following:

- Engaging in sexual activity with an unconscious or semi-conscious person;
- Engaging in sexual activity with someone who is asleep or passed out;
- Engaging in sexual activity with someone who has said “no”;
- Engaging in sexual activity with someone who is not reciprocating by body movement;
- Engaging in sexual activity with someone who is vomiting, unable to stand without assistance, or has to be carried to bed;
- Allowing another person to engage in sexual activity with your partner without his or her consent;

- Requiring any person to perform any sexual activity as a condition of acceptance into a fraternity, sorority, athletic, or any other organization affiliated with the College;
- Telling someone you will “out” him/her if he/she doesn’t engage in sexual activity (e.g., threatening to disclose the person’s sexual orientation without his/her consent);
- Telling someone you will fail him/her or give him/her a grade different from what is deserved if he/she don’t agree to engage in sexual activity; or
- Facilitating or assisting in a sexual assault including purchasing or providing alcohol or drugs to further a sexual assault.

## **Definition of Sexual Misconduct**

A broad term that identifies forms of discrimination and harassment based on sex including sexual harassment, sexual assault, sexual exploitation, dating violence, domestic violence, and stalking. Sexual misconduct includes other acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

## GET HELP

### What to Do If You Have Been Assaulted

After a sexual assault, victims often sense a loss of control. This is normal. Know that there are people on and off campus who will offer support and can help you make the decisions that are right for you to take care of yourself. It is important to remember that:

- You have choices.
- There is no one right way to take care of yourself.

Here are some things that are important for you to consider:

1. **Talk to someone you trust** like a friend, family member, counselor or victim advocate.
2. **Seek medical assistance** as soon as possible. Sexual assault can result in injury or illness that you may not immediately see or feel. It is important that you seek appropriate medical care promptly.
3. **Preserve physical evidence.** Resist the urge to change clothes, bathe, douche, eat, drink or brush your teeth. Do not go to the bathroom if possible. This is so that physical evidence can be collected and preserved. You do not need to decide at this time whether you want to pursue legal action but if you save the evidence, it offers you more options in the future when you are better able to decide.
4. **Discuss your options confidentially *without*** prompting a report to the College by contacting staff at Pickens such as the Counselors or School Nurse.
5. **File a report with the College** by contacting the Title IX Coordinator, School Nurse, or College Administrators.
6. **File a report with the Aurora Police Department.**

### What to Do If Someone You Know Has Been Assaulted

After a sexual assault, victims often sense a loss of control. This is normal. The individual will likely seek support from a friend. Knowing how to respond will be very helpful to your friend.

- **Listen.** Give your friend the time he/she needs to talk. There may be moments of silence. Do not feel pressured to say something. Support your friend by listening to his/her story.
- **Respect your friend's privacy.** Your friend has confided in you. Do not share information without his/her permission.
- **Get support** if you need it. Contact counselors, the school nurse, the Dean of Students, or Title IX Coordinator.
- **Help to empower your friend.** Let your friend know that he/she has choices and that there is no one right way to take care of oneself following a sexual assault.
- **Educate yourself about resources** to offer to your friend. Check this website for a list of providers near our campus.

## RESOURCES

**National Sexual Assault Telephone Hotline: 800-656-HOPE (4673)**

**The Blue Bench, Denver's rape crisis center. 24 Hours**

**English = (303) 322-7273.**

**Spanish = 303-329-0031**

**TTY = 303-329-0023**

**Aurora Mental Health Crisis Line 24 Hours 303-617-2300**

### **On Campus Personnel:**

**General Phone Number: 303-340-4910**

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**NAME: Patricia Duhalde, Title IX Coordinator and Assistant Director**

**LOCATION: Building "A",**

**EXTENSION: 27726**

**EMAIL: [prduhalde@aps.k12.co.us](mailto:prduhalde@aps.k12.co.us)**

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### **Pickens School Nurse:**

**NAME: Sharon Dacus**

**LOCATION: Building "A".**

**PHONE NUMBER: Extension 27704**

**EMAIL: [srdacus@aps.k12.co.us](mailto:srdacus@aps.k12.co.us)**

### **Administration:**

**NAME: Teina McConnell, Executive Director**

**LOCATION: Building "A".**

**PHONE NUMBER: Extension 27701**

**EMAIL: [tmccConnell@aps.k12.co.us](mailto:tmccConnell@aps.k12.co.us)**

**NAME: Eric Ward, Assistant Director**

**LOCATION: Building "A".**

**PHONE NUMBER: Extension 27925**

**EMAIL: [elward@aps.k12.co.us](mailto:elward@aps.k12.co.us)**

**NAME: Allen Golden, Assistant Director**

**LOCATION: Building "A".**

**PHONE NUMBER: Extension 27777**

**EMAIL: [algolden@aps.k12.co.us](mailto:algolden@aps.k12.co.us)**

NAME: **Kevin Simpson, Director Student Services**

LOCATION: Building "B".

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