

## Respondent Rights

- As a respondent (the one accused of violating our policy), you have numerous rights. Anyone accused of sexual harassment is sent a comprehensive email notification that includes information about the allegation(s), the name of the person who made the allegation(s), information about our policy and the Title IX Grievance Procedure, and a list of support services. In addition, you will receive the name of the individual whom you can ask additional questions.
- You also have the right to be treated fairly and to have the investigation and grievance process explained to you. You have a right to know the allegations and to have an advisor of your choice support you throughout the process who can conduct cross-examination at a live hearing.
- All parties participating in the process also have a right to be free from any type of retaliation.
- In addition, all parties have the right to available support services and referrals for additional services.
- You are encouraged to learn about all of your rights which are posted at [gtc.edu/TitleIX](https://gtc.edu/TitleIX).

## A Note about Retaliation

It is prohibited for Gateway or any member of Gateway's community to take materially adverse action by intimidating, threatening, coercing, harassing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by law or policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy and procedure.

Charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitute retaliation.

The exercise of rights protected under the First Amendment does not constitute retaliation.

[gtc.edu/TitleIX](https://gtc.edu/TitleIX)

## Supportive Measures

Following a report of sexual harassment and in accordance with Gateway's Title IX Grievance Procedures, the College will take steps to provide supportive protective measures to the parties involved in an alleged incident of sexual harassment. The Title IX Coordinator (or designee) may assist involved parties with obtaining supportive measures to the extent that such measures are reasonable and can be accommodated. These measures, which can include schedule changes and security escorts, are meant to ensure the safety as well as emotional and physical well-being of all involved parties.

## Responding Party Support and Resources

### *Confidential Resources*

#### **Student Support Counselors**

Elkhorn: 262-741-8300

Burlington/HERO: 262-741-8300

Kenosha/Horizon: 262-564-2300

Racine/iMET: 262-619-6300

#### **Employee Assistance Program (for Gateway employees)**

Ascension: 800-540-3758

[eap@ascension.org](mailto:eap@ascension.org)

### *Non-Confidential Services*

#### **Office for Equal Opportunity and Civil Rights**

262-564-3062

#### **Campus Security**

Elkhorn: 262-741-8208

Burlington/HERO: 262-767-5208

Kenosha/Horizon: 262-564-2208

Racine/iMET: 262-619-6208

You can find a more extensive list of resources at:

[gtc.edu/TitleIX](https://gtc.edu/TitleIX)

Gateway Technical College



**TITLE IX:  
Information on  
Sexual Harassment:  
Gateway  
policies,  
procedures,  
and respondent  
services**



# Gateway Technical College is committed to creating a safe and positive learning environment for the entire college community where the dignity and respect of all members is valued and protected.

Sex discrimination and sexual harassment are prohibited by Gateway policy as well as a number of federal laws including Title IX, Title VII of the Civil Rights Act, Violence Against Women Act, and the Clery Act, which mandate Gateway's response to such allegations. Some of these prohibited offenses may also constitute criminal acts under Wisconsin law.

Gateway's Equal Opportunity, Civil Rights, and Sexual Harassment applies to all students, employees, contractors, guests, and visitors of the college. The College has jurisdiction over all acts of sexual harassment and discrimination involving members of the campus community including those that occur off-campus, depending on the circumstances.

You are encouraged to view the full policy and additional resources at [gtc.edu/TitleIX](http://gtc.edu/TitleIX).

## What is Sexual Harassment?

<i>Sexual Harassment</i>	<i>Quid Pro Quo (this for that) Sexual Harassment</i>
<i>Forcible Rape</i>	<i>Forcible Sodomy</i>
<i>Sexual Assault with an Object</i>	<i>Incest</i>
<i>Statutory Rape</i>	<i>Domestic Violence</i>
<i>Dating Violence</i>	<i>Stalking</i>
<i>Sexual Exploitation*</i>	
<i>gtc.edu/titleIX</i> for definitions and more information. *This conduct isn't covered by Title IX but is prohibited by our policy.	

## What To Do If You've Been Accused of Sexual Harassment

### *Remain calm and get support*

This can be a stressful time and you may experience a variety of emotions. Seek the assistance of a trusted friend or use some of the resources listed in this brochure. Keep in mind that a fair, impartial, and thorough investigation is required before the college makes a finding and imposes any sanctions as a result of the allegations. In addition, you have rights throughout the process, including a right to an advisor of your choice (or Gateway can appoint one for you). Respondent resources are available from the Title IX Coordinator and at [gtc.edu/TitleIX](http://gtc.edu/TitleIX).

### *Learn about the process*

The college does not conduct criminal investigations; however, the Complainant (the one(s) making the accusations) may decide to file a report with law enforcement as well. The Office for Equal Opportunity and Civil Rights investigates violations of college policy. Should all parties agree, most cases are eligible for informal resolution. Cases that fall under the Title IX Grievance Procedure are entitled to a live hearing and cross-examination of the other party(ies) and witnesses. Allegations that are dismissed under Title IX may be addressed under policy H:120-Equity Resolution Process which can be found at [gtc.edu/eoo](http://gtc.edu/eoo).

Respondents can learn more about Title IX and Civil Rights laws, policies, and procedures by completing the training available on our Title IX website.

### *Cooperate with the investigation*

The goal of an investigation, if initiated, is to gather evidence, interview the parties and witnesses, and make an objective determination based on a preponderance of evidence standard while protecting the rights of all involved. For cases that fall under the Title IX Grievance Procedure, you will have the right to a live hearing with the Wisconsin Division of Hearings and Appeals and to cross examine the other party(ies) and witnesses.

### *Preserve the evidence*

Do not destroy or delete any potential evidence. Both parties have the right to submit any relevant evidence during an investigation, including emails, texts, physical evidence, and the like.

## Sexual Harassment and Consent

***Simply put, consent is knowing, voluntary, and clear permission through word or action to engage in a mutually agreed upon sexual activity or contact.***

It is the responsibility of the person engaging in sexual contact to make sure consent is ongoing and clear for each sexual activity. Please keep the following in mind regarding consent:

- A person may withdraw consent at any time.
- Pressuring another person to engage in sexual acts nullifies consent.
- Silence or lack of resistance regarding sexual acts alone does not constitute consent.
- Previous consent to a sexual activity does not imply consent to any future activity.
- Simply engaging in a dating relationship does not constitute consent for any specific sexual activity.