

Anti-Discrimination and Harassment Policy and Title IX Statement

Policy

Research College of Nursing is committed to providing equal opportunities for all persons and does not discriminate or retaliate on the basis of race, color, creed, religion, sex, pregnancy status, sexual orientation, marital status, national origin or ancestry, age, gender, disability, citizenship or intending citizenship status, gender identity, veteran status, or any other status protected by law (“protected status”). This policy extends to admissions, employment, housing, services, and in the other educational programs and activities that Research College of Nursing operates (collectively “programs and activities”). Harassment, whether verbal, non-verbal, or physical, that is based on any of these protected status constitutes a form of discrimination if it denies or limits a person’s ability to participate in or benefit from Research College of Nursing’s programs and activities. This policy covers employees, students, applicants for employment or admission, contractors, vendors, visitors, guests, and participants in College-sponsored programs and activities. The academic or work relationship sometimes extends beyond the Research College of Nursing campus. Therefore, in some situations, this policy may apply to allegations of discrimination or retaliation that occurs off campus or during after-hours functions sponsored by Research College of Nursing.

Sex discrimination committed by any member of the Research community - student, faculty, administrator, staff or clinical partner - against any other member is prohibited. Sex discrimination includes sexual assault, sexual harassment, dating violence, domestic violence and stalking. Faculty members and others in positions of authority should be sensitive to questions of consent that may be raised by such behaviors, and to the conflict of interest inherent in intimate relationships where professional and educational relationships are also involved.

Definitions

Sexual harassment means unwelcome, unsolicited, uninvited, offensive, or undesirable conduct of a sexual nature directed at or affecting another person of the same sex or of the opposite sex.

Sexual assault is divided into two categories:

Forcible sexual assault is any sexual act directed against another person forcibly and/or against that person’s will and includes forcible rape, forcible sodomy, sexual assault with an object and forcible fondling.

Non-forcible sexual assault is any sexual act directed against another person non-forcibly or against that person’s will where the victim is incapable of giving consent and includes unlawful, non-forcible sexual intercourse, incest and statutory rape.

Examples of sexual harassment may include:

- Pressure for a dating, romantic or intimate relationship
- Unwelcome touching, kissing, hugging or massaging
- Pressure for or forced sexual activity
- Unnecessary references to parts of the body
- Remarks about a person’s gender or sexual orientation
- Sexual innuendoes or humor
- Obscene gestures
- Sexual graffiti, pictures or posters
- Stalking or cyberbullying

- Email and internet use that violates this policy

Sexual violence is a form of sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to use of drugs or alcohol or to an intellectual or other disability. Some examples of sexual violence may include rape, sexual assault, sexual battery and sexual coercion.

Confidentiality and Reporting

The College will take all reasonable steps to maintain the confidentiality of all parties involved in an alleged sex offense. Confidentiality, however, cannot be guaranteed. Parties involved will be informed if the College cannot ensure confidentiality.

Consequences

Students found in violation of the College's Sex Offense Policy will be subject to disciplinary action, up to and including expulsion from the College. Even if student offenders are not prosecuted by criminal justice authorities, the College can pursue disciplinary action. The College may suspend or remove from campus housing a student accused of a sex offense pending the outcome of an investigation or disciplinary hearing if, in judgment of the College, the student poses a potential threat to him or herself or others. Any student found to be harassing or intimidating others who have filed sex offense complaints face disciplinary charges as outlined in the Student Code of Conduct.

Procedures for Addressing Harassment and Discrimination Allegations

1. Students who are victims of a sex offense should report the offense to the Director of Student Affairs or a member of the housing staff. Students are also encouraged to report such offenses to the Research Safety and Security Department and the Kansas City police. Students should take into consideration the nature of the offense (severity) when deciding to whom the alleged offense should be reported and the importance of preserving evidence as may be necessary to the proof of criminal sexual assault. Students may wish to request assistance in notifying campus security or local police.
2. Employees responsible for reporting such offenses are expected to promptly report sexual harassment that they observe or learn about.
3. When a student reports a sex offense, the Director of Student Affairs will meet with the complainant to discuss the range of resources and alternatives available to her/him.
4. If a student requests confidentiality, the College will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality.
5. The Director of Student Affairs will conduct a full investigation of the complaint. The investigation needs to be completed in a timely manner. Most investigation periods should not exceed 60 calendar days. This time frame can vary depending upon the complexity of the investigation and the severity and extent of the harassment.
6. The investigation will be conducted in a prompt, adequate, reliable and impartial manner, including the opportunity for the parties to present witnesses and other evidence.
7. The preponderance of the evidence standard will be used for investigating alleged sex discrimination and sexual harassment.
8. Both parties are afforded similar and timely access to any information used at the hearing.
9. The complainant has the option of formal or informal resolution. The Director of Student Affairs will discuss options with the complainant.
10. In the informal procedure, the complainant writes a letter to the accused, giving the details in the above statement. This letter should also state that a copy is being given to the Director of Student

Affairs. The Director of Student Affairs prepares written notification of the complaint received, alleged violation(s) of College policy and that an attempt at informal resolution is to be scheduled. The notice and letter are sent to the accused. The Director of Student Affairs will take all reasonable steps to ensure confidentiality for all parties throughout the process.

11. Informal resolution will involve separate meetings by the Director of Student Affairs with each party. Proposals for resolution are discussed by the Director of Student Affairs with each party, after which the Director of Student Affairs will decide what disciplinary or other action will be taken. If a mutually satisfactory resolution of the complaint is achieved, a letter saying so, signed by both parties, will be secured by the Director of Student Affairs, with a copy to each party.
12. If both parties do not agree to the informal process, or if the informal process does not lead to mutually satisfactory resolution of the complaint, then the formal process will be followed.
13. The complainant has the right to end the information process at any time and begin the formal stage of the complaint process.
14. If both parties do not agree to the informal process, or if the informal process does not lead to mutually satisfactory resolution of the complaint, the formal process described in the "College Standards and Student Conduct" section of this guide will be followed.
15. The College has an obligation to make reasonable efforts to investigate and address instances of sex discrimination when it know or should have known about such instances regardless of complainant cooperation and involvement.

Victims of sex offenses will be assisted to avail themselves of counseling resources. They may also change academic and/or living arrangements precipitated by the offense if they wish to do so and if these changes are reasonably available.

The disciplinary sanctions that may be imposed through either the informal or the formal process are described in this guide.

The policy prohibits retaliation against anyone who brings an accusation of sex discrimination, or who helps with the investigation or resolution of the alleged offense. Such retaliation is subject to discipline. Also subject to discipline is anyone who brings false allegations of sex discrimination.

Title IX Statement

It is the policy of Research College of Nursing to prohibit discrimination on the basis of age, color, disability, gender, national origin, race, religion, sex or veteran's status in regard to the administration of all campus programs, services and activities, and the admission of students, employment actions, or other sponsored activities.

Research College of Nursing is committed to providing equal opportunities for all persons and does not discriminate or retaliate on the basis of race, color, creed, religion, sex, pregnancy status, sexual orientation, marital status, national origin or ancestry, age, gender, disability, citizenship or intending citizenship status, gender identity, veteran status, or any other status protected by law ("protected status"). This policy extends to admissions, employment, housing, services, and in the other educational programs and activities that Research College of Nursing operates (collectively "programs and activities"). Harassment, whether verbal, non-verbal, or physical, that is based on any of these protected status constitutes a form of discrimination if it denies or limits a person's ability to participate in or benefit from Research College of Nursing's programs and activities. This policy covers employees, students, applicants for employment or admission, contractors, vendors, visitors, guests, and participants

in College-sponsored programs and activities. The academic or work relationship sometimes extends beyond the Research College of Nursing campus. Therefore, in some situations, this policy may apply to allegations of discrimination or retaliation that occurs off campus or during after-hours functions sponsored by Research College of Nursing.

Research College of Nursing complies with federal, state, and local equal opportunity laws and strives to keep the workplace free from all forms of illegal discrimination and retaliation.

Title IX of the Education Amendments of 1972 and certain other federal and state laws prohibit discrimination on certain bases in education programs and activities operated by Research College of Nursing. Research College of Nursing complies with the requirements of Title IX of the Education Amendments of 1972, 20 U.S.C. Sec. 1681, et seq., and subsequent regulations, which prohibits discrimination on the basis of sex in all programs and activities receiving federal financial assistance. Research College of Nursing receives such assistance and complies with this law and its implementation of regulation at 34 C.F.R. Part 106 (<http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html>).

To ensure compliance with Title IX, Research College of Nursing has designated the Title IX Coordinator as the primary contact responsible for developing, adopting and/or assuring the dissemination of the College's nondiscrimination policy and for making the policy available to the College's community. In addition, the Office of Human Resources and Equal Opportunity will make the policy available to faculty, staff, the College community and the public.

Inquiries concerning the application of these laws to programs and activities of Research College of Nursing or any individual who believes he or she has been discriminated against in violation of the College's nondiscrimination policy, including sexual harassment or gender discrimination, or who has witnessed discrimination against another, may obtain information and assistance regarding the College's policies and responsive processes from the following resources:

1. Research College of Nursing faculty, staff, and students with inquiries concerning the application of Title IX to the College's programs and activities, or for inquiries regarding allegations of discrimination or grievances concerning Title IX are encouraged to contact:

Director of Student Affairs
Title IX Coordinator
Research College of Nursing
2525 East Meyer Blvd.
Room 121
Kansas City, MO 64119
(816) 995-2806

2. Individuals with inquiries concerning the application of Title IX may also contact:

Office for Civil Rights
U.S. Department of Health and Human Services
Region VII Kansas City (Iowa, Kansas, Missouri, Nebraska)
601 East 12th Street – Room 353

Kansas City, MO 64106

800-368-1019

Fax 816-426-3686

TDD 800-537-7697

OCR.Mail@hhs.gov (for non-privacy related inquiries)

<http://www.hhs.gov/ocr/office/file/index.html>

3. Associated College policies and procedures may be found on the College Policies website researchcollege.edu