



HUTCHINSON COMMUNITY COLLEGE

Know Your Rights: Title IX Requires HutchCC to Address Sexual Harassment and Sexual Violence¹ ***Office of Equity & Compliance***

Title IX of the Education Amendments of 1972 prohibits sex discrimination – which includes sexual harassment and sexual violence– in educational programs and activities. All public and private schools, school districts, colleges, and universities receiving any Federal funds must comply with Title IX. If you have experienced sexual harassment or sexual violence, here are some things you should know about your Title IX rights:

HutchCC Must Respond Promptly and Effectively to Sexual Harassment & Sexual Violence

- You have the right to report the incident to HutchCC, have HutchCC investigate what happened, and have your complaint resolved promptly and equitably.
- You have the right to choose to report an incident of sexual violence to College officials or local law enforcement. But a criminal investigation does not relieve HutchCC of its duty under Title IX to respond promptly and effectively.
- HutchCC must adopt and publish procedures for resolving complaints of sex discrimination, including sexual harassment and sexual violence. These procedures for sex discrimination must afford you a prompt and equitable resolution.
HutchCC's version of this required policy and procedures is called the [Equal Opportunity, Harassment and Non-Discrimination Policy and Procedures](#).
- HutchCC should ensure that you are aware of your Title IX rights and any available resources, such as victim advocacy, housing assistance, academic support, counseling, disability services, health and mental health services, and legal assistance.
- HutchCC must designate a Title IX coordinator and make sure all students and employees know how to contact him or her. The Title IX coordinator should also be available to meet with you. ***Here at HutchCC the Title IX coordinator, referred to as the Coordinator of Equity & Compliance, is Jacob Gunden.*** He may be reached at 620-665-3512 or at [email Jacob Gunden](#).
- All students and employees are protected by Title IX, regardless of whether they have a disability, are international or undocumented, and regardless of their sexual orientation and gender identity.

¹This document outlines your rights under Title IX. You may have additional rights under other federal and state laws.

HutchCC Must Provide Interim Measures as Necessary

- HutchCC must protect you as necessary, even before it completes any investigation. HutchCC should start doing this promptly once the incident is reported.
- Once you tell HutchCC about an incident of sexual violence, you have the right to receive some immediate help, such as changing classes, dorms, or transportation. When taking these measures, HutchCC should minimize the burden on you.
- You have the right to report any retaliation by HutchCC employees, the alleged perpetrator, and other students, and HutchCC should take strong responsive action if it occurs.

HutchCC Should Make Known Where You Can Find Confidential Support Services

- HutchCC should clearly identify where you can go to talk to someone confidentially and who can provide services like advocacy, counseling, or academic support. Some people, such as counselors or victim advocates, can talk to you in confidence without triggering a College investigation.
- Because different employees have different reporting obligations when they find out about sexual violence involving students, HutchCC should clearly explain the reporting obligations of all College employees.
- Even if you do not specifically ask for confidentiality, HutchCC should only disclose information to individuals who are responsible for handling the College's response to sexual violence. HutchCC should consult with you about how to best protect your safety and privacy.

HutchCC Must Conduct an Adequate, Reliable, and Impartial Investigation

- You have the right to be notified of the timeframes for all major stages of the investigation.
- You have the right to present witnesses and evidence.
- If the alleged perpetrator is allowed to have a lawyer, you have the right to have one too.
- HutchCC must resolve your complaint based on what they think is more likely than not to have happened (this is called a preponderance-of-the-evidence standard of proof or '50% plus a feather'). HutchCC cannot use a higher standard of proof.
- You have the right to be notified in writing of the outcome of your complaint and any appeal, including any sanctions that directly relate to you.
- If HutchCC provides for an appeal process, it must be equally available for both parties.
- You have the right to have any proceedings documented, which may include written findings of fact, transcripts, or audio recordings.
- You have the right not to "work it out" with the alleged perpetrator in mediation. Mediation is not appropriate in cases involving sexual assault.

HutchCC Must Provide Remedies as Necessary

- If an investigation reveals that sexual harassment or sexual violence created a hostile environment, HutchCC must take prompt and effective steps reasonably calculated to end the behavior, eliminate the hostile environment, prevent its recurrence, and, as appropriate, remedy its effects.
- Appropriate remedies will generally include disciplinary action against the perpetrator, but may also include remedies to help you get your education back on track (like academic support, retaking a class without penalty, and counseling). These remedies are in addition to any interim measures you received.
- HutchCC may also have to provide remedies for the broader student population (such as training) or change its services or policies to prevent such incidents from repeating.

If you want to learn more about rights, responsibilities, HutchCC's policy and procedures, or would like to know more about your reporting options related to Title IX here at HutchCC, you may contact Jacob Gunden, HutchCC's Coordinator of Equity & Compliance, at 620-665-3512 or [email Jacob Gunden](#). Additional information is also available on the [HutchCC public website](#), then click "Campus Safety & Equity."

If you want to learn more about your rights, or if you believe that HutchCC is violating federal law, you may contact the U.S. Department of Education, Office for Civil Rights, at 800-421-3481 or [email OCR](#). If you wish to fill out a complaint form online, you may do so at [Complaint Forms](#).