

College Procedure: 500.10 – Sexual Misconduct Involving Students
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Reason for Procedure

Kirkwood Community College is committed to creating and maintaining a community where students who participate in College programs and activities can work and learn together in an atmosphere free from sexual misconduct. This procedure is designed to assist victims in easily recognizing the different forms of sexual misconduct and how to comfortably seek assistance. It also informs all students of their expectations under the procedure.

The Procedure

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I. The Policy

This procedure prohibits sexual misconduct in any form, including sexual assault, sexual harassment, sexual exploitation, stalking, domestic violence, dating violence, and retaliation, all as defined in Section II. The College will respond to reports of sexual misconduct in accordance with this procedure.

II. Definitions

Sexual harassment can include unwelcome behavior (verbal, written, physical) that is directed at someone because of that person's sex or gender, and that meets either of the following criteria:

- A College employee or agent explicitly or implicitly conditions an educational decision or benefit on submission to sexual conduct (e.g., sexual favors for a better grade, more playing time; threatening (explicitly or implicitly) negative consequences if the student rejects sexual advances).¹ OR
- The behavior creates a hostile, intimidating or demeaning environment that is sufficiently severe, pervasive or objectively offensive to substantially interfere with or deny participation in a student's educational activities and benefits or employment opportunities. Examples can include persistent efforts to develop a sexual relationship; bullying/cyber-bullying of a sexual nature or for a sexual purpose; unwelcome commentary about an individual's body or sexual activities; unwanted sexual attention; repeated and unwelcome sexually-oriented teasing, joking or flirting; verbal abuse of a sexual nature. Behavior could be verbal, non-verbal (e.g., gestures, touching), written or electronic.
- Determination as to whether the alleged conduct constitutes sexual harassment should take into consideration all of the circumstances, including the context in which the alleged incidents occurred.

Sexual assault occurs when physical sexual activity is engaged in without the consent of the other person or when the other person is unable to consent to the activity due to incapacitation.

Consent means words or clear, unambiguous actions that show a knowing and voluntary agreement to engage in mutually agreed-upon sexual activity.

- Consent is *voluntary*. It must be given without coercion, force, threats, or intimidation.
- Consent is *affirmative*. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will. Silence or the absence of resistance does not equate to consent.
- Consent is *clear*. If confusion or uncertainty on the issue of consent arises anytime during the sexual interaction, the sexual activity should cease.
- Consent is *revocable*. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must

¹ If the alleged perpetrator of sexual harassment or misconduct is a Kirkwood employee, complainants may choose to report the conduct to the Executive Director, Human Resources, instead of or in addition to, other individuals to whom reports may be made under this Policy.

be mutual consent to engage in sexual activity—every time. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

- Consent cannot be given when a person is *incapacitated*.

Incapacitation means the inability (temporarily or permanently) to give consent because the individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring.

- Being intoxicated by drugs or alcohol oneself does not diminish the responsibility to obtain consent from the other party.
- The factors to be considered when determining whether consent was given include whether the accused knew, or whether a reasonable person should have known, that the complainant was incapacitated.

Sexual exploitation involves taking sexual advantage of another person, even though the behavior might not constitute sexual assault. Examples can include, but are not limited to:

- Distribution or publication of sexual or intimate information about another person without consent
- Electronic recording, photographing, or transmitting sexual or intimate utterances, sounds, or images without knowledge and consent of all parties
- Engaging in indecent exposure
- Sexual intimidation, which is an implied or actual threat to commit a sex act against another person, or behavior used to coerce participation in a sex act, when no sex act actually occurs
- Voyeurism, which involves both secretive observation of another's sexual activity or secretive observation of another for personal sexual pleasure

Retaliation. This procedure prohibits retaliation against a person who reports sexual misconduct, assists someone with a report of sexual misconduct, or participates in any manner in an investigation or resolution of a sexual misconduct report. Retaliation includes threats, intimidation, reprisals, and/or adverse actions related to employment or education.

Stalking is purposefully engaging in a course of conduct² directed at a specific person (“target”) that would cause a reasonable person to fear bodily injury to, or the death of, the target or a member of the target’s immediate family;

- a. when the person (“stalker”) knows or should know that the target will be placed in reasonable fear of bodily injury to, or the death of, the target or a member of the target’s immediate family by the course of conduct; and
- b. the stalker’s course of conduct induces fear in the target of bodily injury to, or the death of, the target or a member of the target’s immediate family.

² “Course of Conduct” means repeatedly maintaining a visual or physical proximity to a person without legitimate purpose or repeatedly conveying oral or written threats, threats implied by conduct, or a combination thereof, directed at or toward a person.

Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of:

- a. The length of the relationship.
- b. The type of relationship.
- c. The frequency of interaction between the persons involved in the relationship.

Domestic Violence means an assault,³ under any of the following circumstances:

- a. The assault is between family or household members, who resided together at the time of the assault;
- b. The assault is between separated spouses or persons divorced from each other and not residing together at the time of the assault.
- c. The assault is between persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time.
- d. The assault is between persons who have been family or household members residing together within the past year and are not residing together at the time of the assault.

Investigators mean the individuals designated by the Vice President for Student Services to conduct investigations of alleged sexual misconduct, and to determine whether to grant a hearing, as described in Article VI, Formal Resolution, of this Policy.

Sexual Misconduct Board means the group of faculty, staff, and administrators appointed by the Vice President for Student Services to hear complaints of sexual misconduct, and who are trained to do so.

Student includes all persons taking courses at Kirkwood Community College, either full-time or part-time, pursuing degree or non-degree programs including continuing education and distance courses. Persons who withdraw after allegedly violating the Student Code, who are not officially enrolled for a particular term but who have a continuing relationship with the College, or who have been notified of their acceptance for admission are also considered "students," although not enrolled in this institution.

III. Policy Scope

A. Jurisdiction

This procedure applies to all Kirkwood Community College students, as defined in Section II, regardless of sexual orientation, and in particular students who:

³ Assault, under Iowa law, means:

- a. Any act which is intended to cause pain or injury to, or which is intended to result in physical contact which will be insulting or offensive to another, coupled with the apparent ability to execute the act; or
- b. Any act which is intended to place another in fear of immediate physical contact which will be painful, injurious, insulting, or offensive, coupled with the apparent ability to execute the act; or
- c. Intentionally pointing any firearm toward another, or displaying in a threatening manner any dangerous weapon toward another.

- Are victims of any form of sexual misconduct, by any other person (student, employee, or others outside the College community)
- Are accused of engaging in behavior prohibited by this procedure

Any person may file a complaint alleging sexual misconduct against a student. However, with respect to any complaint that is 1) by a person who is not a member of the College community, and 2) relating to non-College conduct, the College reserves the right to determine, in its sole discretion, whether the conduct described in the complaint bears a sufficient nexus to the educational program or employment relationship of a Kirkwood student/employee or constitutes a sufficient risk to the College community to proceed under this Policy.

B. Geographic Location (On and Off Campus)

This procedure applies to any allegation of sexual misconduct against a Kirkwood student, regardless of where the alleged sexual misconduct occurred.

IV. Confidentiality

Kirkwood is committed to creating an environment that encourages students to come forward if they have experienced any form of sexual misconduct. The College will work to safeguard the identities and privacy of the students who seek help or who report sexual misconduct. However, it is important that students understand the limits on confidentiality of individuals whom they may contact for such assistance. Different people, depending on their positions, have different obligations with regard to confidentiality.

Under Iowa law, communications with some individuals are confidential. Students who want to maintain confidentiality should always confirm whether confidentiality applies to the communication *before* they make the communication. Generally, confidentiality applies when a student seeks services from the following persons:

- Trained and statutorily certified victim's advocate (this includes advocates working from the Riverview Center or Waypoint Services). *See Section VII. Confidential Advocacy and Support.*
- Licensed Psychological counselor (including counselors Kirkwood Counseling Services)
- Licensed Health care provider (including medical professionals at Kirkwood Student Health)
- Personal attorney representing the victim
- Religious/spiritual counselor

Any other College employee cannot guarantee complete confidentiality. However, information is disclosed only to select officials who have an essential need to know in order to carry out their job responsibilities. As is the case with any educational institution, the College must balance the needs of the individual student with its obligation to protect the safety and well-being of the community at large. Therefore, depending on the seriousness of the alleged incident, further action may be necessary, including a timely warning notice. The notice, would not contain any information identifying the student who brought the complaint.

V. Reporting Sexual Misconduct, including Sexual Assault and Sexual Harassment

Contacting Police or Campus Security does not mean a student must pursue charges. Campus Security and local law enforcement can advise students of their options and can also preserve evidence while the person considers her/his options.

A. Reporting to Law Enforcement

Because sexual misconduct may constitute *both* a violation of college policy *and* criminal activity, the college strongly encourages, but does not require, students to report concerns of sexual misconduct to law enforcement as soon as possible after the incident. A student may proceed under this procedure whether or not he or she elects to report to law enforcement as well.

1. For emergencies, contact 9-1-1.
2. To contact law enforcement in non-emergency situations, call the non-emergency number for your local police department.

B. Reporting to Kirkwood

To seek assistance and support, or to report misconduct in non-emergency situations, contact the Dean of Students Office, 108 Iowa Hall, 319-398-5540 or Campus Security, 319-389-1774. Other reporting options include:

- Submitting a Silent Witness Report: <https://www.kirkwood.edu/site/index.php?p=16760>
- Contacting Title IX Coordinator, Jon Buse, Vice President Student Services, at jon.buse@kirkwood.edu, 319-398-4977, 307 Mansfield Center.
- Contacting a Deputy Title IX Coordinator:
 - Bobbi Miller, Associate Dean of Students, 319-398-7798, bobbi.miller@kirkwood.edu
 - Melissa Jensen, Director Emergency Services and Campus Security, 319-398-5491, melissa.jensen@kirkwood.edu
 - Melissa Payne, Dean of Students, 319-398-5584, Melissa.payne@kirkwood.edu
 - Wes Fowler, Executive Vice President of Human Resources, 319-398-7797, wes.fowler@kirkwood.edu

C. Amnesty for Complainants and Participants in Investigations

The College will not pursue disciplinary action for improper use of alcohol or other drugs against a student who reports in good faith an incident of sexual misconduct, or who participates in good faith in an investigation into an incident of sexual misconduct.

D. Time Frames for Reporting and Response

The College strongly encourages prompt reporting of complaints and information. While there is no time limit in invoking this Policy in responding to complaints of alleged sexual misconduct, a complaint should be submitted as soon as possible after the event takes place.

Individuals are encouraged to report sexual misconduct immediately in order to maximize the College's ability to respond promptly and equitably. The College does not, however, limit the timeframe for reporting. The College will not be able to pursue disciplinary action against an individual who is no longer affiliated with the College. Under those circumstances, the College will still conduct a Title IX review.

In all cases, the College will conduct a prompt and equitable investigation of allegations of sexual misconduct. Generally, the College will *attempt* to complete the process within 60 days. However, the

time frames set forth in these procedures are meant to provide guidance, and the College may alter or extend time frames, with notice to the parties, as appropriate. The time it takes to complete the resolution of a sexual misconduct complaint may vary based on the complexity of the investigation and the severity and extent of the alleged conduct, as well as on whether there is a parallel criminal investigation, or if school breaks occur during the process.

VI. Process for Responding to Reports of Sexual Misconduct

A. Initial Steps

1. Initial Meeting with the Complainant

Upon receipt of any report of sexual misconduct, the Dean of Students or designee will first schedule a meeting with the reporter (referred to as “Complainant” for ease of reference, although a report does not necessarily have to result in a formal complaint) in order to provide the Complainant a general understanding of this Policy and to identify forms of support or immediate interventions available to the Complainant. The intake meeting may also involve a discussion of any accommodations that may be appropriate concerning the Complainant’s academic, employment, or housing arrangements.

If the Complainant would like assistance throughout any College investigation or adjudication process, the Dean of Students Office will make a student services staff member available to the Complainant. This staff member is not an “advocate” as that term is used below (see Article VII, A, *Confidential Advocacy and Support*), nor is that staff person a representative who will speak on behalf of the Complainant in any investigatory or adjudication process. Rather, the staff member serves as a point of contact to answer questions and explain processes, to make sure the Complainant’s expressed needs are being addressed, and to join the Complainant in meetings if requested. The Dean also will provide the same resource to students accused of sexual misconduct.

At the initial intake meeting with the Complainant, the Dean or designee will seek to determine how the Complainant wishes to proceed. The Complainant may opt for: (1) formal resolution (see section B, below); (2) informal resolution (see section C, below); or (3) not proceeding.

2. Notification of the Title IX Coordinator

The Dean of Students or designee will notify the Title IX Coordinator and the deputy Title IX coordinator(s) of the report (even if the report does not proceed). This is to keep the Title IX Coordinator apprised of any potential patterns of misconduct and/or the need for further training or other prevention measures.

B. Formal Resolution

A Complainant may elect to pursue a formal resolution, which involves a hearing before the Sexual Misconduct Board. Such a hearing is also referred to as “formal resolution,” and is described more specifically in this section.

1. Investigation

When the Complainant indicates a desire to pursue formal resolution, the Dean of Students will meet with the Complainant and prepare a written complaint. The Dean will consult with the Title IX coordinator and the deputy Title IX coordinators in appointing a person(s) to serve as investigator(s) of the complaint. The investigator(s) may be a College administrator or someone retained by the College, such as an attorney, mental health professional, or another person trained to conduct investigations of

sexual misconduct. The investigators serve as neutral fact-finders, who during the course of the investigation, typically conduct interviews with the Complainant, the accused student(s) and each third-party witness; visit and take photographs at each relevant site; and where applicable, coordinate with law enforcement agencies to collect and preserve relevant evidence.

2. Investigative Report

After conducting the investigation, the investigator(s) will complete an investigative report that includes, among other things:

- Summaries of interviews with the complainant, the accused student and each third-party witness; photographs of relevant sites and related logs; electronic and forensic evidence; and a detailed written analysis of the events in question.
- A recommendation on whether or not there should be a hearing, based on factors including whether there is a substantial dispute in the facts, the availability of witnesses and evidence, etc. The Title IX coordinator will make the ultimate decision on whether a hearing will be held.

The investigative report will be distributed, concurrently, to both of the parties and to the Dean of Students and Title IX Coordinator. If a hearing is held, the Sexual Misconduct Board will also be provided with a copy of the report.

3. Determining Whether to Hold a Hearing

If the Title IX Coordinator decides, upon consideration of the investigator's recommendation, to hold a hearing, notice of that determination will be delivered, concurrently, to the Dean, the Complainant, and the accused student(s). A student whose request for a hearing is denied by the Title IX Coordinator may appeal that decision to the President or designee, whose decision will be final.

4. Complainant Changes Election to Informal Resolution or Accused Student Elects to Accept Responsibility.

After reviewing the investigative report, the Complainant may decide to elect Informal Resolution instead of formal resolution, by making such a request to the Dean of Students prior to the hearing date. At any point prior to the hearing, the accused student may elect to admit responsibility for the alleged sexual misconduct. In such cases, the Dean of Students or designee will propose a resolution to the complaint and a sanction. If both the Complainant and the accused student agree to the proposed sanction, the complaint is resolved without a hearing and without any further rights of appeal by either party. If either the complainant or the accused student objects to the proposed sanction, a hearing before the Board will be convened for the sole purpose of determining a sanction, and in these cases, the decision of the Board may be appealed pursuant to paragraph 13, "Appeals," below. For purposes of this sanction hearing, all of the other provisions of this Policy relating to the imposition of a sanction for Sexual Misconduct will apply.

5. Advisors

The Complainant and the Accused Student may have an advisor present to assist them during the pre-hearing, hearing, and appeal stages of the complaint process. The advisor may be an attorney chosen at the student's expense. However, advisors are not permitted to speak or to participate directly in the process, including at any hearing before a Sexual Misconduct Board. Students should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.

6. Notice of Hearing and Pre-Hearing Meetings.

If a hearing is scheduled, the Dean of Students will provide written notice to both parties pursuant to Article IV. A. 4 of the Student Conduct Code. In addition, the Dean of Students or designee will schedule separate meetings with the Complainant and the accused student to review the hearing procedures and the complaint of sexual misconduct.

7. Hearing Procedures

Unless otherwise stated in this Policy, the pre-hearing and hearing procedures will follow the rules and procedures described in Article IV, of the Student Conduct Code.

8. Conduct of the Hearing

Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in these proceedings. During the hearing, the parties will be expected not to repeat undisputed details or non-material circumstances that would merely duplicate information contained in the investigative report or in other written materials. Only the Board Chair and Board members may question the parties and other witnesses directly. The parties may pose written questions to the Chair to be asked of the other party or other witnesses consistent with Article IV, A, 10, i, of the Student Conduct Code. All procedural questions, including the decision to accept evidence and/or statements, will be made by the Chair, in his or her sole discretion.

- In cases of sexual assault, measures may be taken to avoid contact during the hearing between the complainant and the alleged perpetrator (e.g., videoconferencing).

9. Standard of Proof

The determination of whether or not a violation of this Policy occurred will be made on the basis of whether it is more likely than not that the accused student violated this Policy. This standard is more formally referred to as the “preponderance of evidence” standard. In making its determination, the Board will carefully consider all of the evidence presented and follow the procedures stated in this Policy and the applicable sections of the Student Conduct Code in order to ensure as fair a hearing as possible for all parties.

10. Sanction

The Board is required to consider the suspension or expulsion (permanent suspension) of any student found responsible for sexual assault; however, the Board may impose any sanction that it finds to be fair and proportionate to the violation and in accordance with Article IV, B, of the Student Conduct Code.

11. Decision

The Board Chair will notify the Dean of Students of the decision and any sanctions imposed in writing within five (5) business days of completion of the hearing. Within ten (10) business days of completion of the hearing, the Dean of Students will notify the Complainant and accused student of the decision and any sanctions imposed.

12. Appeals

Within five (5) business days of delivery of the written decision to them, the Complainant, accused student, or both, may appeal the Board’s decision and/or the sanction imposed to the President or designee. Such appeals will be in writing and will be delivered to the Dean of Students or his or her

designee. The President or designee will determine if the decision and/or sanctions imposed will be stayed pending the outcome of the appellate decision.

Except as required to explain the basis of new information, an appeal will be limited to a review of the verbatim record of the hearing and supporting documents for one or more of the following purposes:

- Determine whether the Sexual Misconduct Board Hearing was conducted in substantial compliance with prescribed procedures. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
- Determine whether substantial evidence supports the Board's findings of fact.
- Determine whether the sanction(s) imposed were appropriate for the violation of this Policy and/or the Student Conduct Code which the student was found to have committed.
- Consider new, material information, which was not brought out in the original hearing, because such information was not known or was not available to the person appealing at the time of the original hearing.

The President of the College or designee may affirm, reverse, or modify the decision regarding the violation and/or sanctions imposed. The appeal decision of the President or designee is the final decision of the College, and no further appeals are permitted under this Policy.

All parties will be informed of the results of the appeal decision as promptly as possible.

C. Informal Resolution

A Complainant who does not wish to pursue formal resolution may request a less formal proceeding, known as "Informal Resolution." Although less formal than formal resolution, Informal Resolution is an appropriate resolution process; it is not mediation.

1. Election of Informal Resolution

The College Title IX Coordinator will assess the severity of the alleged harassment and the potential risk of a hostile environment for others in the community to determine whether informal resolution may be appropriate.

2. Investigation

Upon determining that informal resolution is appropriate, and in instances when the Complainant makes such a request to the Dean of Students, the Title IX Coordinator will assign the informal resolution to an Investigator. The Investigator will consult further with the person initiating the request, inform the person who is the subject of the allegations, and gather additional relevant information as necessary from the parties and others, as indicated. The Title IX Coordinator also may put in place any appropriate interim measures to protect the educational and work environment. The Title IX Coordinator or the Investigator will attempt to aid the parties in finding a mutually acceptable resolution.

3. Advisors

The complainant and the accused student each may be assisted by an advisor throughout the Informal Resolution process. Advisors are assigned and subject to the same restrictions set forth for advisors in Formal Resolution (outlined above).

4. Informal Resolution Where Accused Student Acknowledges Responsibility

If during the course of the Informal Resolution, the accused student elects to admit responsibility for the alleged sexual misconduct, the Investigator will propose a resolution to the complaint and a sanction. If both the complainant and the accused student agree to the proposed sanction, the complaint is resolved without a hearing and without any further rights of appeal by either party. If either the complainant or the accused student objects to the proposed sanction, a hearing before the Sexual Misconduct Board will be convened for the sole purpose of determining a sanction, and in these cases, the decision of the board is subject to appeal pursuant to Article VI, B, 12, "Appeals," above. For purposes of this sanction hearing, all of the other provisions of this policy relating to the imposition of a sanction for Sexual Misconduct will apply.

5. Election of Formal Resolution

The College or the complainant may, at any time prior to the conclusion of the informal resolution, elect to end such proceedings and initiate formal resolution instead. In such cases, statements or disclosures made by the parties in the course of the informal resolution may be considered in the subsequent formal resolution.

6. Privacy of Informal Resolution

In order to promote honest, direct, communication, information disclosed during informal resolution must remain private while the informal resolution is pending, except where disclosure may be required by law or authorized in connection with duties on behalf of the College.

D. Complainant Does Not Wish to Pursue Resolution or Requests Confidentiality

If the Complainant does not wish to pursue formal or informal resolution and/or requests that his or her report remain confidential, the Dean of Students or designee will inform the Complainant that the College's ability to respond may be limited. The Dean or designee may conduct a preliminary investigation into the alleged sexual misconduct and may weigh the Complainant's request against the following factors:

1. The seriousness of the alleged sexual misconduct,
2. Whether there have been other complainants of sexual misconduct against the same accused student, and
3. The accused student's right to receive information about the allegations, including the name of the complainant.

The Dean or designee will inform the Complainant if the College cannot ensure confidentiality. Even if the College cannot take disciplinary action against the accused student because the Complainant insists on confidentiality or that the complaint not be resolved, the College reserves the authority to undertake an appropriate inquiry, issue a "no contact" order, and/or take other reasonably necessary measures, including the Immediate Actions described in VI. E, below, to promote a safe learning environment for the complainant and/or the entire College community.

E. Immediate Actions (Interim Measures)

The Dean of Students Office and Campus Security may take immediate interim actions to protect the safety of the college community, to enable students with complaints and witnesses to continue studies, and to ensure the integrity of an investigation. These actions may include interim suspension of the accused student or no-contact notices between the individuals involved. The Dean of Students Office and Campus Security may also take additional actions, as appropriate, including but not limited to:

- Modifying class or work schedules, or housing arrangements
- Addressing other academic concerns (e.g., absences, assignments, grades, leaves of absence, withdrawal)
- Safety planning
- Education/training

VII. Resources and Services for Students

There are campus and community services available to students regardless of whether or not a student chooses to report a violation of this Policy to the College or local law enforcement. The College strongly encourages students to seek assistance to care for themselves emotionally and physically through confidential crisis intervention, health care, and counseling. As students tend to their health, they should keep in mind that medical examinations are time-sensitive, and are critical in preserving evidence of sexual assault so that options can be considered at a later time.

A. Confidential Advocacy and Support

Riverview Center (Cedar Rapids)

Riverview Center provides trained advocates to assist victims of sexual assault. Advocates can assist students with medical and legal advocacy, counseling, and case management. Advocates can speak with students confidentially as they consider their options. Any communication with a Riverview Center advocate is legally protected under Iowa Code Section 915.20, which allows for confidential communications that cannot be disclosed without the student's permission.

50 2nd Ave Bridge

Cedar Rapids, IA 52401

319-540-0080

Website: www.riverviewcenter.org

Sexual Assault Hotline (24 hours a day) 888-557-0310

Waypoint Services (Cedar Rapids)

Waypoint provides shelter and support for women and families in crisis due to domestic violence or sexual assault.

318 5th Street SE

Cedar Rapids, IA 52401

319-365-1458

24 Hour Crisis & Support Line 800-208-0388 or 319-363-2093

RVAP (Iowa City and Surrounding Counties)

RVAP is a comprehensive sexual abuse response center based in Iowa City, Iowa. RVPA provide support, information and advocacy to members of the Iowa City community and citizens of the following areas:

- Cedar County
- Iowa County
- Johnson County
- Washington County

332 S. Linn Street, Suite 100

Iowa City, IA 52240

319 335-6000
800-228-1625
Website: www.rvap.org

Kirkwood Counseling Services

Students can meet with a counselor during normal business hours. Services are free and confidential.
Contact information: www.kirkwood.edu/counseling

Cedar Rapids Campus
108 Iowa Hall
319-398-5540

Iowa City Campus
One Stop Office
319-887-3658

In an emergency after hours, students may call the 24-hour Foundation 2 hotline at 319-362-2174 or 800-332-4224.

The ISAH- Iowa Sexual Abuse Hotline (Statewide)

ISAH provides 24-hour free and confidential phone counseling, support, information, and referrals to anyone affected by sexual violence directly or indirectly.

Optimal Phone Interpreters are available for non-English speaking callers and Relay Iowa services for those who have difficulty hearing. Please allow additional time to effectively connect with interpreters and agents.

24 Hour Crisis & Support Line 1-800-284-7821

B. Additional Resources for Students

1. College Title IX Coordinator

The College has designated Jon Buse, Vice President for Student Services as the Title IX Coordinator to ensure Title IX compliance for the campus. Because sexual assault is considered to be a severe form of sexual harassment, an alleged victim may wish to file a sexual harassment complaint with the Title IX Coordinator. The Title IX Coordinator is responsible for ensuring a non-discriminatory campus environment that is free from harassment. Questions or concerns may be directed to (319) 398-4977 or 307 Mansfield Center, Kirkwood Community College.

Deputy Title IX Coordinators are:

- Bobbi Miller, Associate Dean of Students, 319-398-7798
- Melissa Jensen, Director Emergency Services and Campus Security, 319-398-5491
- Melissa Payne, Dean of Students, 319-398-5584
- Wes Fowler, Vice President, Human Resources, 319-398-7797

2. Campus Security

Campus Security provides services 24 hours a day and can respond to reports of emergencies. Campus Security works closely with law enforcement and can assist students understanding their options for reporting incidents and assisting students in contacting local law enforcement to report an incident of sexual misconduct. Contacting Campus Security or law enforcement does not mean a student must

pursue criminal charges. Campus Security can also assist students in safety planning and provides escorts to students while on campus. Contact information: 319-389-1774; www.kirkwood.edu/security

3. Dean of Students Office

Staff can assist a student in filing a report or, if the student is not ready to file a report, the staff can work with him or her to address concerns over housing, class assignments or schedules, leaves of absence, withdrawal or other academic concerns. Staff can also assist the student in notifying Campus Security or local law enforcement, if requested by the student and provides referrals to students to resources such as counseling or a confidential advocate.

108 Iowa Hall

319-398-5540

C. External Resources

A Complainant may choose to file a complaint with the state and federal agencies listed below.

Office for Civil Rights (OCR) – Chicago Office

U.S. Department of Education

Citigroup Center

500 W. Madison Street, Suite 1475

Chicago, IL 60661

Phone: (312) 730-1560

Fax: (312) 730-1576  TDD: (877) 521-2172

Email: OCR.Chicago@ed.gov

Web: www.ed.gov/ocr

Equal Employment Opportunity Commission (EEOC)

Reuss Federal Plaza

310 W. Wisconsin Avenue, Suite 800

Milwaukee, WI 53203-2292

Phone: (800) 669-4000

Fax: (414) 297-4133

TTY: (800) 669-6820

Web: www.eeoc.gov/

Iowa Civil Rights Commission (ICRC)

Grimes State Office Building

400 E. 14th Street

Des Moines, IA 50319

Toll free: (800) 457-4416

Phone: (515) 281-4121

Fax: (515) 242-5840

TDD: (877) 521-2172

Web: <https://icrc.iowa.gov/>

VIII. Reporting Requirements

The College can take action only if the College is made aware of the behavior. Therefore, if a College employee becomes aware of a complaint or other violation of this Policy, the employee must bring the information to the Title IX Coordinator or a Deputy Title IX Coordinator so that concerns are heard and services can be offered to the affected students.

IX. Prevention, Training, and Policy Communication

The College is committed to education, communication and training in order to prevent sexual misconduct and to assure an appropriate response when incidents occur. The College will provide information on the following to students, faculty and staff:

- Preventing sexual misconduct
- Procedures for responding to incidents of sexual misconduct
- Resources available to students in cases of sexual misconduct
- Pertinent contents of relevant policy and law

The College will maintain the above information on a website and will provide information about this Policy to all new students through orientation and to all registered students annually. This Policy is also available for distribution in printed form from the Dean of Students Office, Campus Security, and Human Resources and other College personnel involved in prevention and/or response activities.

The College will provide training on the above information to all College personnel involved in providing any part of the college’s response to reports of alleged sexual misconduct. All Sexual Misconduct Board members will receive annual training in their responsibilities. This training may include expertise drawn from campus and community resources, professional organizations, and other experts on the topic of sexual misconduct.

References

Definitions

Term	Definition
Term 1	
Term 2	
Term 3	
Term 4	

Revision Log

Version Number	Date Approved	Approved by	Brief Description of Change
	9/30/2014	Jon Buse, Vice President, Student Services	
		Cabinet	Procedure template 10/1/2019