

Policy Title: Title IX Policy

Purpose:

This policy informs all prospective students, current students, and all CMN employees of college policies and procedures regarding sex discrimination and sexual harassment to which all students, members of the faculty, and non-faculty personnel are expected to adhere during their time at CMN. In addition, comprehensive information is provided regarding the reporting of sex discrimination and sexual harassment and avenues to seek immediate assistance in compliance with Violence Against Women Reauthorization Act of 2013, Title IX of the Education Amendments of 1972, Campus SaVE Act, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and other applicable education and labors laws.

Scope:

This policy is applicable to Students, Employees, Visitors and Contractors. CMN must respond when sex discrimination and harassment occur in the school's education program or activity, against a person in the United States. Education program or activity includes locations, events, or circumstances over which the school exercised substantial control over both the respondent and the context in which the discrimination or harassment occurred, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution. Title IX applies to all of a school's education programs or activities, whether such programs or activities occur on-campus or off-campus, including online instruction.

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by e-mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time, including during non-business hours, by using the telephone number or e-mail address, or by mail to the office address, listed for the Title IX Coordinator.

Individuals are responsible for immediately reporting any knowledge or information concerning sexual harassment to the CMN Title IX Coordinator identified in this policy which covers unwelcome conduct of a sexual or gender-based nature, whether committed on-campus, or off-campus where CMN has control over the respondent or the context of the harassment.

CMN encourages victims of sexual harassment to talk with a counselor. Different employees within the scope of CMN's resources have different abilities to maintain a victim's confidentiality.

CMN Employees are required to report all the details of an incident (including the identities of both the complainant and respondent) to the Title IX Coordinator. A report to CMN employees (called "responsible employees") constitutes a report to CMN and places CMN on notice to take appropriate steps to address the situation.

Compliance with this policy does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA). For the purpose of this policy, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex discrimination or sexual harassment offense and any sanction that is imposed against the respondent. This policy also applies to retaliation by CMN or any person against any other person when for the purpose of interfering with Title IX rights, or because the person has participated or refused to participate in any manner in a proceeding under Title IX that is prohibited.

Policy Statement:

The College Menominee Nation (CMN) prohibits discrimination based on sex in employment and education programs and activities both on and off campus. This policy applies to all students, employees, visitors and contractors; to conduct on campus, off-campus, and at college-sponsored activities; and, through technology resources provided by or used at CMN.

Title IX of the Education Amendments of 1972 and other laws, prohibit discrimination on the basis of sex in employment and education programs and activities. Title IX protects all persons from sex discrimination, which includes sexual harassment and sexual violence. CMN will process all sex discrimination complaints it receives, including complaints of sexual harassment and sexual violence, regardless of where the conduct occurred, to determine whether the conduct occurred in the context of an employment or education program or activity, or had continuing effects on campus. If alleged off- campus sexual harassment or sexual violence occurred in the context of an education program or activity or had continuing effects on campus, the complaint will be treated the same as a complaint involving on- campus conduct. This includes complaints of sexual assault or harassment by students, employees, visitors, and contractors.

Assistance Following an Incident of Sexual Harassment

Immediate Assistance:

Persons who have complaints of sexual harassment may file their complaints with the Title IX Coordinator (Tessa James) located at CMN's Main Campus in Glen Miller Hall - Welcome Center, P.O. Box 1179, Keshena, WI 54135, GMH-101H , phone: 715-799-6226, ext. 3039, or email: cmntitleix@cmn.edu.

Victims of sexual violence should get to a place of safety and call the Menominee Indian Tribal Police Department at 715-799-3321 or Green Bay Police Department at 920-448-3200. Immediately obtain medical treatment; time is a critical factor for evidence collection and preservation. An assault should be reported directly to a law enforcement officer, and college officials will aid in facilitating this process. Filing a police report will not obligate the complainant to prosecute, nor will it subject the reporting party to scrutiny or judgmental opinions from officers. Filing a police report will ensure that a complainant of sexual violence receives the necessary medical treatment and tests, at no expense to the complainant to the extent provided for by Oklahoma law, and provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later.

COMPLAINANT OR WITNESS: Contact the Menominee Indian Tribal Police Department at 715-799-3321 or Green Bay Police Department at 920-448-3200.

Ongoing Assistance:

In order to ensure the safety and well-being of the complainant, CMN may take interim measures such as changing work schedules, academic schedules, addressing transportation issues, withdraw from/retake a class without penalty, and access academic support (e.g., tutoring), leaves of absence, campus escort services, or similar measures. In addition, while an investigation is pending CMN may initiate a “no contact order” between the parties that carries a sanction of expulsion if violated.

CMN does not offer internal counseling options, but law enforcement officials and college representatives are available to facilitate access to support services, which may be obtained through Menominee Tribal Police – Crime Victims Program 715-799-6168, Maehnowesekiyah Wellness Center (Domestic Violence) at 715-799-3835 or the Green Bay Police Department at 920-448-3200.

Several service organizations in Wisconsin have provided telephone numbers and made available other services for students, faculty, staff and campus community members. CMN Campus Support will assist any interested person in contacting these agencies.

Additional Support Services:

211 Wisconsin: 24-hour helpline

National Domestic Violence Hotline: 1-800-799-7233 (SAFE)

Rape, Abuse & Incest National Network Hotline: 1-800-656-4673 (HOPE)

Communication Services for the Deaf (TTY): 1-800-252-1017 (TTY)

Communication Services for the Deaf (Voice): 1-866-845-7445 (Voice)

Wisconsin Coalition Against Sexual Assault: 608-257-1516

Title IX Coordinator and Staff

Title IX Coordinator has primary responsibility for overseeing the process of coordinating CMN’s compliance efforts, receiving complaints, investigations, hearing, sanctions, appeals, and education and training associated with this policy.

To file a complaint or submit questions concerning actions governed by this policy contact the Title IX Coordinator (Tessa James) located at CMN’s Main Campus in Glen Miller Hall - Welcome Center, P.O. Box 1179, Keshena, WI 54135, GMH-101H , phone: 715-799-6226, ext. 3039, or email: cmntitleix@cmn.edu.

Co-Coordinators of Title IX have secondary responsibility and assist in the duties of the Title IX Coordinator. Co-Coordinators include the Chief of Staff and Director of Campus Support (Melinda Cook) located at CMN’s Main Campus in Glen Miller Hall – Presidents Office, P.O. Box 1179, Keshena, WI 54135, GMH-207, phone: 715-799-6226, ext. 3040, or email: cmntitleix@cmn.edu.

The HR Generalist (Sarah Lyons) located at CMN's Main Campus in Glen Miller Hall – Human Resources, P.O. Box 1179, Keshena, WI 54135, GMH-212, phone: 715-799-6226, ext. 3173, or email: cmntitleix@cmn.edu.

- Title IX Investigators may include but not be limited to CMN staff. The primary responsibility of the investigator is to collect statements and any evidence related to any allegations of a Title IX policy violation as directed by the Title IX Coordinator. Investigators will receive appropriate Title IX and trauma informed training.
- Title IX Hearing Officers may include a CMN administrator or external legal counsel. The primary responsibility of the hearing officer will be to ensure both parties receive due process in the event allegations of a Title IX policy violation are directed to a hearing by the Title IX Coordinator. Hearing Officers will receive appropriate Title IX and trauma informed training.
- Title IX Hearing Members may include CMN faculty or staff members. The primary responsibility of the hearing member is to listen to both sides of the complaint. Each hearing member will evaluate the information being provided by both parties to decide whether a Title IX policy violation took place. Hearing members will receive appropriate Title IX training.

Procedure Title: Title IX Procedure

Policy Status: Revised

Legal Review

Posted: Yes

Approval Body: College of Menominee Nation - Board of Directors

Date Effective: September 28, 2020 ***Next Review Date:*** TBD

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