



In the context of Title IX of the Education Amendments of 1972, discrimination on the basis of sex in education programs and activities receiving Federal financial assistance is prohibited. Sexual harassment of students is prohibited by Title IX and can be considered a form of discrimination.

State and Federal Law have determined that sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment prohibited by Title IX. Misconduct, which is so severe or pervasive that it unreasonably interferes with a person's College employment, academic performance or participation in College programs or activities and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive is prohibited.

Sexual Misconduct is a broad term encompassing:

- Physical Sexual Violence
- Sexual Exploitation
- Sexual Harassment
- Non-Consensual Sexual Contact and Non-Consensual Sexual Intercourse

The following are some illustrations of inappropriate actions:

- An instructor, staff member, supervisor, or administrator indicates that a student can earn a better mark by providing sexual favors to the instructor or supervisor.
- An instructor, staff member, supervisor, administrator, or student makes unwelcome physical contact with a student or another employee.
- An instructor, staff member, supervisor, administrator, or student tells sexually offensive or degrading jokes or stories; uses sexually oriented profanity; or makes offensive gestures of a sexual nature.
- An instructor, staff member, supervisor, administrator, or student makes unwelcome comments about the appearance or anatomy of another individual.
- An instructor, staff member, supervisor, or administrator who promises preferential treatment in return for sexual favors, makes unwelcome sexual advances, and displays sexually suggestive objects or pictures.

Sexual Misconduct violates MiSPP policy and Federal civil rights law and may also be subject to criminal prosecution. Complainants have the right to file a criminal

complaint. Any criminal complaint will not impede MiSPP's investigation of and response to the complaint of sexual misconduct or harassment.

All those in the academic environment must exercise their own good judgment to avoid engaging in conduct that may be perceived by others as sexual harassment/misconduct.

Complaints of Discrimination, Harassment or Sexual Harassment/Misconduct

If a harassment complaint is filed by a member of the MiSPP community with a faculty member, supervisor or administrator, the complaint will be investigated immediately under the direction of the President in accordance with the following procedures:

- A formal investigation will begin within seven (7) days of advisement and will be conducted by the Vice President.
- All claims will be treated seriously and information and facts will be communicated only on a "need to know" basis.
- Witnesses and all individuals interviewed will be instructed to maintain discussions in the strictest confidence. The number of persons who have access to the information will be limited. Both parties may present witnesses and other evidence.
- Each allegation will be treated as a separate incident.
- After completion of the investigation, the Vice President will provide written notice to both parties of the outcome of both the complaint and any appeal, in compliance with Title IX and FERPA.
- If it is determined that a faculty, staff, supervisor or administrator has engaged in harassment or misconduct of any kind, immediate and appropriate action will be taken. This may include verbal or written warnings, suspension with or without pay, or termination of employment.
- If it is determined that a student has engaged in harassment of any kind, immediate and appropriate action will be taken. This may include a written warning, probation or dismissal.
- Retaliation against the complainant or anyone involved is not allowed. If it occurs, further disciplinary action will be taken.

MiSPP's designated Title IX Coordinator is the Vice President, Diane Zalapi. All questions or complaints of discrimination, harassment or sexual harassment/misconduct should be directed to:

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