

Student Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking



Reporting Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking

The College can only respond to allegations of sexual harassment, sexual misconduct, domestic violence, dating violence, retaliation, or stalking if they are reported. Reporting enables the College to promptly provide support to the impacted student(s), and to take appropriate action against the responding party to prevent a recurrence and protect the campus community. Any student who believes she or he may be the victim of sexual harassment, sexual misconduct, domestic violence, dating violence, retaliation, or stalking is encouraged to report to OJC through one or more of the following resources:

Emergency Response 911

Title IX Coordinator/Director of Human Resources

1802 Colorado Ave.
Macdonald Hall Room 221
La Junta, CO 81050
719-384-6824

Otero Junior College Security Department (non-emergency) 719-469-2613

All OJC employees and volunteers including faculty, staff, and students acting in their employment or volunteer roles, are mandatory reporters of any violations or alleged violations of sexual harassment, sexual misconduct, domestic violence, dating violence, stalking, and retaliation involving students. Any faculty or staff receiving reports of these incidents regarding a student should contact the Vice President of Student Services at 719-384-6833.

In the event of an emergency, call 911.

Domestic Violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or partner of the impacted student, by a person with whom the impacted student shares a child in common, by a person who is cohabitating with or has cohabitated with the impacted student as a spouse or partner, by a person similarly situated to a spouse of the impacted student under the domestic or family violence laws of the State of Colorado or other jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress.

Consent

Consent to sexual activity is informed, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Sexual activity with someone known, or who should be known, to be mentally or physically incapacitated by alcohol or other drug use, unconsciousness or blackout, or otherwise unable to give consent, is in violation of CSU policy and the laws noted above.

Domestic Violence, Dating Violence, and Stalking Defined

Sexual Harassment is harassment that is of an implicitly or overtly sexual nature, or is based on a person's actual or perceived sex, gender, sexual orientation, gender identity, or gender expression. Sexual harassment, including sexual assault, can involve persons of the same or opposite sex, and includes any unwelcome sexual advance, request for sexual favors, or other conduct of a sexual nature.

Sexual Misconduct is any conduct that constitutes sexual assault, sexual exploitation, or sexual violence. Sexual assault means an actual or attempted sexual contact with another person without that person's consent; sexual exploitation occurs when a person takes non-consensual or abusive sexual advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses herein; and sexual violence is a severe form of sexual harassment, and refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent, including but not limited to rape, sexual assault, sexual battery, sexual coercion or similar acts in violation of state or federal law.

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 impacted student; and where the existence of such relationship shall be determined based on a consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

College Policy

Otero Junior College strives to create and maintain a study and work environment that is fair, humane, and responsible so that each member of the College community is treated with dignity and rewarded for such relevant considerations as ability and performance. The College prohibits any acts of sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking by students, or any retaliation related to acts or reports of any acts. When allegations of this nature are reported, and a student is found to have violated OJC policy, sanctions will result and may include expulsion from OJC. All members of the OJC community are expected to not infringe upon the rights of others.

The Law

Sexual harassment and sexual violence is prohibited in the education context by Title IX of the Education Amendments of 1972 and in the employment context by Title VII of the Civil Rights Act of 1964, as amended, and Section 304 of the Violence Against Women Reauthorization Act of 2013.



Confidentiality

Complaints of sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking are treated with the greatest degree of confidentiality possible. In all situations, confidentiality is maintained on a strict need-to-know basis; however, confidentiality can only be respected insofar as it does not interfere with the College's obligation to investigate allegations of misconduct that require the College to take corrective action.

Law Enforcement

Otero Junior College recognizes the importance of protecting the privacy of persons impacted by sexual assault and takes seriously its obligation to balance that privacy interest with legitimate concerns for the safety of others. When necessary to address the risks to the campus community (or specific persons), information regarding reported incidents may be shared with law enforcement personnel (LJPD or other agencies, as appropriate). OJC emphasizes the importance of encouraging victims of sexual assault to report to law enforcement directly. Assistance with how to make a report to law enforcement may be obtained from any of the offices listed on the Resources page of this brochure.



Retaliation

OJC prohibits retaliation against individuals who engage in the protected activity of filing complaints of sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking or who participate in complaint processes. Retaliatory action is regarded as a basis for a separate complaint under the College's procedures and can lead to sanctions.

OTERO
JUNIOR COLLEGE



Learn more at:
www.ojc.edu/about/policies/default.aspx
719-384-6824

Resources

Student Sexual Harassment and Violence Policy:
http://www.ojc.edu/about/policies/sexual_harrassment_policy.aspx

Title IX Coordinator/Director of Human Resources
1802 Colorado Ave.
Macdonald Hall Room 221
La Junta, CO 81050
719-384-6824
The Title IX Coordinator provides information about the student conduct process, legal and criminal options, and other possible remedies.

Vice President of Student Services
Conflict Resolution and Student Conduct Services
1802 Colorado Ave.
McBride Hall Room 132
La Junta, CO 81050
719-384-6833
The Vice President of Student Services assists with the academic-related needs of students who have experienced sexual misconduct and may provide changes to academic situations and will notify the student as to what changes are reasonably available.

Off Campus Resources:
Southeast Mental Health Services
711 Barnes Ave
La Junta, CO 81050
719-384-5446
www.semhs.org

Arkansas Valley Resource Center
10 West 4th Street
La Junta, CO 81050
719-384-7764

An equal access and equal opportunity college.