

STONE CHILD COLLEGE

Title IX Policy on Sexual Harassment and Misconduct

I. Policy Statement

Stone Child College is committed to fostering a safe, educational, and working environment free from all forms of sex discrimination. This includes sexual harassment, sexual assault, dating violence, domestic violence, and stalking. Stone Child College strictly prohibits all such conduct and will respond promptly and equitably to all reports.

The formal complaint and investigation process for Title IX cases will be conducted in accordance with this policy and Stone Child College's Title IX Grievance Procedures. These procedures are separate from the general student disciplinary process.

II. Definitions of Prohibited Conduct

The following definitions align with federal law and apply to all members of the Stone Child College community:

1. **Sexual Harassment:** Unwelcome conduct on the basis of sex that a reasonable person determines to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Stone Child College's education program or activity. This includes:
 - a. **Quid Pro Quo Harassment:** An employee of Stone Child College conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct.
 - b. **Hostile Environment Harassment:** Unwelcome conduct based on sex that creates a hostile, intimidating, or offensive environment.
2. **Sexual Assault:** Any sexual act directed against another person without their consent.
3. **Dating Violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
4. **Domestic Violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or who has cohabitated with the victim as a spouse or intimate partner, or by any other person against an adult or youth victim who is protected by the domestic or family violence laws of the Chippewa Cree Tribe and any other applicable law.

5. **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress.

III. Reporting and Resources

Stone Child College encourages all members of the community to report incidents of sexual harassment and misconduct. There is no time limit for reporting an incident, although timely reporting is encouraged to aid in evidence gathering.

1. **Title IX Coordinator and Non-Confidential Resources:** The Title IX Coordinator is the primary point of contact for all reports of sexual harassment and misconduct. The Dean of Student Services and all other Stone Child College staff are also non-confidential resources who can provide information about the formal complaint process and available supportive measures. Reports can be made to:
Title IX Coordinator: India Demontiney Director of Human Resources 8294 Upper Box Elder Road , Box Elder MT 59521 406.395.4875 ext 1285 india.demontiney@stonechild.edu
2. **Confidential Resources:** Students seeking confidential support can contact Stone Child College's Counseling Services. These services can provide support and guidance without initiating a formal report to Stone Child College or law enforcement, unless required by law or a person is a danger to themselves or others.

IV. Supportive Measures

Upon receiving a report, Stone Child College will promptly offer reasonable and appropriate supportive measures, which may include academic accommodations, changes to campus work or living arrangements, and no-contact orders. These measures are available to all reporting and responding parties, regardless of whether a formal complaint is filed.

V. Grievance and Investigation Procedures

1. **Formal Complaint:** A formal complaint may be initiated by a reporting party or signed by the Title IX Coordinator. Upon receipt, a thorough, fair, and impartial investigation will be conducted in a timely manner. Both parties will be given an equal opportunity to present evidence and have a clear understanding of the process.
2. **Decision:** A written determination of the outcome will be provided to both the reporting and responding parties simultaneously.

3. **Appeals:** Both the reporting party and the responding party have the right to appeal the decision to the Stone Child College Disciplinary Appeals Committee. Grounds for appeal will be limited to:
 - a. A procedural irregularity that affected the outcome of the matter;
 - b. New evidence that was not reasonably available at the time of the determination and that could affect the outcome of the matter; or
 - c. The Title IX Coordinator, investigator, or decision-maker had a conflict of interest or bias that affected the outcome of the matter.

VI. Prohibition Against Retaliation

Stone Child College strictly prohibits retaliation against any person for reporting an incident of sexual harassment or misconduct, participating in an investigation, or opposing any act or practice made unlawful by Title IX. Retaliation is a serious violation of this policy and will be addressed through the appropriate disciplinary process.

VII. External Reporting

In addition to Stone Child College's internal process, a student or employee may also file a formal complaint of sex discrimination with the U.S. Department of Education's Office for Civil Rights (OCR) or other relevant external agencies, including the EEO Officer, the Chippewa Cree Law Enforcement, or the Chippewa Cree Tribal Courts.