

# LEARNER LIFE

## TITLE IX

Title IX of the Education Amendments of 1972 protects people from sex discrimination in educational programs and activities, including sexual harassment at institutions that receive federal financial assistance.

An environment free from discrimination on the basis of sex and free from sexual misconduct is essential to learning. Learners and collaborators form a community of unique individuals that respects and embraces diversity and teaches learners to uphold and support people's differences. A safe learning environment also is essential to learning. Complaints and allegations of sexual misconduct are taken very seriously. Learners impacted by sexual misconduct may use provided resources for help and support.

Unlawful discrimination on the basis of sex is prohibited. Harassment is defined as sexual assault, dating violence, domestic violence, and stalking. Gender-based discrimination, sexual exploitation, interpersonal violence, complicity in the commission of any act prohibited by the policy, and false reporting also are prohibited. Learners are prohibited from retaliating against a person for the good faith reporting of any of these forms of conduct or participation in any investigation or proceeding under the Title IX policy. Title IX administrators will take prompt and equitable action to eliminate prohibited conduct, prevent its recurrence, and remedy its effects. Learner Services conducts ongoing prevention, awareness, and training programs for learners and collaborators.

Learners and collaborators alike should take reasonable actions to stop an act of prohibited conduct. Community members who take such actions can expect support and assistance from designated collaborators.

Learners should use the [Title IX Handbook](#) to learn more about reporting, resources, prevention and awareness programs, and other information regarding Title IX.

### Reporting Prohibited Conduct

Anyone who experiences or becomes aware of an incident of prohibited conduct should report the incident to the College immediately through one of the following reporting procedures:

- Contact the College's Title IX coordinator or deputy Title IX coordinator, via email at [TitleIX@Nightingale.edu](mailto:TitleIX@Nightingale.edu), or by phone at (801) 689-2160.
- Submit a report online. A report may be made anonymously by using the [Title IX form](#). The College will use information in anonymous reports to better understand the scope of sexual and interpersonal violence on campus and to develop and implement prevention efforts. However, if anyone is named, the report will no longer be considered anonymous, and the College will proceed accordingly.

There is no time limit for reporting prohibited conduct, and reporting an incident does not necessarily mean that an investigation will be pursued. To encourage the reporting of prohibited conduct, disciplinary action will not be pursued for disclosure of illegal personal consumption of drugs or alcohol where such disclosures are made in connection with a good faith report or investigation of prohibited conduct. After a report is made, the Title IX coordinator will consult with the reporting party to determine whether any supportive measures are necessary for their safety or well-being. These supportive measures may include changes in living arrangements, adjustments to class or work schedules, no-contact orders, rescheduling exams, or restricting access to facilities or programs.

Title IX administrators will investigate learner complaints, and a learner/collaborator who has committed a Title IX offense will be subject to the Disciplinary Action Policy. More information can be found in the Title IX Handbook located on the [College's website](#).

### Violations of Criminal Law

Behavior that violates this policy also may constitute a crime under state law. For example, the State of Utah criminalizes and punishes forms of sexual assault, domestic violence, stalking, and false reporting. This compilation of criminal statutes is not exhaustive but is offered to notify the College community that some forms of prohibited conduct may subject a person to criminal prosecution and punishment in addition to any sanctions under this policy. Sexual Assault: Unlawful Sexual Activity, Utah Code Ann. 76-5-401; Rape, Utah Code Ann. 76-5-402; Forcible Sodomy, Utah Code Ann. 76-5-403; Forcible Sexual Abuse, Utah Code Ann. 76-5-404; Aggravated Sexual Assault, Utah Code Ann. 76-5-405; Domestic Violence: Utah Code Ann. 77- 36-1; Stalking: Utah Code Ann. 76-5-106.5; Criminal Defamation: Utah Code Ann. 76-9-404.

### Confidential Resources

To ensure the safety of the College community, College collaborators are required to report information they receive about prohibited conduct to the Title IX coordinator. Learners who wish to speak with someone confidentially should contact one of the resources below. None of the information shared with these resources will be provided to other individuals at the College.

Resource	Telephone Number	Notes
Rape Recovery Center	(801) 467-7282	2035 South 1300 East

		Salt Lake City, UT 84105
Utah Sexual Violence Crisis Line	(888) 421-1100	24-hour Crisis Line
National Sexual Assault Hotline	(800) 656-4673	24-hour Hotline
Family Justice Center (YWCA)	(801) 537-8600	24-hour Crisis Line 310 East 300 South Second Floor Salt Lake City, UT 84111
Higher Ed EAP Program	(800) 252-4555	Employee Assistance Program

### **Title IX and Violence Against Women Act (VAWA)**

Nightingale College is committed to maintaining a healthy and safe learning environment that promotes responsibility and respect in matters of sexual conduct. Since Title IX/VAWA offenses are a violation of trust and respect, they are prohibited and will not be tolerated. This policy applies to academic, educational, cocurricular, and off-campus conduct. Title IX/VAWA offenses include sexual harassment, rape and sexual assault, domestic violence, dating violence and stalking. Nightingale College will support and assist victims of sexual violence by directing them to community resources for medical care, counseling, and to local law enforcement.