



**PENNCO  
TECH  
TRADE SCHOOL**

## TITLE IX TRAINING HANDOUT FOR STUDENTS 2024

### I. Understanding Title IX

Title IX of the Education Amendment of 1972 is a federal law that prohibits discrimination on the basis of sex in any program or activity receiving federal financial assistance. Title IX prohibits sex-based discrimination in its multiple forms, including sexual assault, sex-based harassment, dating violence, domestic violence, and stalking. Its scope also includes discrimination based on sex stereotypes, sex characteristics, pregnancy, or related condition, sexual orientation, and gender identity.

This means:

- **You have the right to equal opportunities in academics and activities.**
- **Protection against sexual harassment and violence**
- **Fair treatment in all educational programs and activities**

### **Pennco Tech's Non- Discrimination Policy**

Pennco Tech adheres to all federal and state civil rights laws and regulations prohibiting discrimination in private institutions of higher education. Pennco Tech does not discriminate against any employee, applicant for employment, student, or applicant for admission on the basis of race, creed, color, religion, disability, veteran status, gender, age, marital status, sex, sexual orientation, gender identity or expression, pregnancy, genetic information, citizenship, ethnic or national origin, or any other protected category under applicable local, state, or federal law, including protections for those opposing discrimination or participating in any resolution process on campus.

## **Pennco Tech Policy Against Retaliation**

Pennco Tech prohibits unlawful retaliation against anyone who has reported unlawful sexual, sex-based and gender-based harassment, discrimination, or retaliation, as well as those who support any individual making such complaint or who provide information or participate in an investigation into any such good faith complaint or report. Fear of retaliation should not be a barrier to reporting incidents of sexual harassment or discrimination, or to the making of any good faith complaints whatsoever. Retaliation is a serious violation of Pennco Tech policy and will not be tolerated. Retaliation is, in addition to the underlying conduct about which a Complainant has complained, grounds for disciplinary action. Anyone who experiences conduct that they believe to be retaliation, should immediately report it to the Title IX Coordinator at 267-554-7623.

### **II. Your Rights and Responsibilities Under Title IX**

#### **As a student you have the right to:**

- **Non-Discrimination:** Students have the right to an education free from discrimination based on sex, which includes protection from sexual harassment and violence.
- **Reporting:** Students have the right to report incidents of sex discrimination, harassment, or violence to their school and expect the school to respond promptly and effectively.
- **Supportive Measures:** Students have the right to receive supportive measures from their school, such as counseling, academic accommodations, and no-contact orders, even if they do not file a formal complaint.
- **Fair Process:** Students have the right to a fair and impartial investigation and resolution of complaints, including the right to present evidence and have an advisor of their choice during disciplinary proceedings.
- **Confidentiality:** Schools must keep the identity of complainants and respondents confidential, except as necessary to carry out a thorough investigation and resolution.
- **Appeals:** Students have the right to appeal decisions made in Title IX cases if the school's policy allows for appeals. Please see appeals process the full Pennco Tech Title IX Sexual Harassment/Non Discrimination Policy located on the Pennco Tech Student Portal.

#### **Students Responsibilities:**

- **Awareness and Reporting:** Students should be aware of what constitutes sexual harassment and violence and are encouraged to report any incidents they experience or witness.
- **Cooperation:** If involved in a Title IX investigation, students are expected to cooperate with school officials and provide honest, accurate information.
- **Respect:** Students should respect the rights of others and refrain from engaging in any form of sex-based discrimination, harassment, or violence.

- **Adherence to Policies:** Students must adhere to their school's Title IX policies and procedures, including participating in any required training or educational programs.

### **School Responsibilities:**

- **Prompt Action:** Schools must take immediate and appropriate action to investigate and resolve complaints of sex discrimination.
- **Clear Policies:** Schools are required to have clear policies and procedures for handling Title IX complaints, which must be widely disseminated to students and staff.
- **Training and Education:** Schools must provide training for students and staff on Title IX rights and responsibilities, how to report incidents, and how to prevent sexual harassment and violence.
- **Equitable Treatment:** Schools must ensure that complainants and respondents are treated equitably, including providing supportive measures to both parties.

**These rights and responsibilities are designed to create an educational environment where all students feel safe, respected, and free from discrimination based on sex. If you need more specific information or have questions about Title IX policies at your school, it is advisable to contact your school's Title IX coordinator.**

### **III. Definitions Relevant to Sexual Harassment and Discrimination:**

**Sexual Harassment:** *Sexual Harassment:* Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- An employee of Pennco Tech's conditioning the provision of an aid, benefit, or service of Pennco Tech on an individual's participation in unwelcome sexual conduct (otherwise known as "quid pro quo harassment");
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Pennco Tech's education Program or Activity; or
- Any instance of sexual assault, as defined by the Clery Act, dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA), which definitions are included herein

**Discrimination:** Treating someone unfavorably or denying them rights because of their sex or gender identity.

**Hostile Environment:** A "hostile environment" exists when sex-based harassment is sufficiently serious to deny or limit a student's or employee's ability to participate in or benefit from Pennco Tech's Programs or Activities.

A hostile environment can be created by anyone involved in a Pennco Tech Program or Activity (e.g., administrators, employees, students, and campus visitors).

## **Forms of Sexual Harassment and Discrimination**

- **Verbal:** Catcalling, sexual jokes, comments on someone's appearance, spreading sexual rumors, or repeated unwelcome sexual advances.
- **Physical:** Unwanted touching, hugging, kissing, or physical assault.
- **Visual:** Displaying sexually explicit images, making obscene gestures, or sending inappropriate texts/emails.
- **Online:** Cyberstalking, sending explicit content without consent, or harassing someone via social media.

### **Recognizing Sexual Harassment: and Discrimination:**

- **Observing Patterns:** Repeated behaviors that create a hostile environment, such as persistent teasing or derogatory remarks based on gender.
- **Changes in Behavior:** A noticeable change in a peer's behavior or performance could indicate they are experiencing harassment or discrimination.
- **Reports from Peers:** Listening to and taking seriously reports from peers about harassment or discrimination incidents.

### **Responding to Sexual Harassment and Discrimination**

- **Immediate Actions:** If safe, tell the harasser to stop. Document the incidents by noting dates, times, witnesses, and descriptions.
- **Reporting:** Report the behavior to a trusted adult, School Director, or Title IX Coordinator. Schools are required to have a Title IX coordinator to handle complaints.
- **Seeking Support:** Reach out to support services such as counseling centers, or hotlines.

### **School's Responsibility Under Title IX**

- **Prompt Investigation:** Schools must promptly investigate reports of sexual harassment and discrimination.
- **Supportive Measures:** Schools must offer supportive measures to complainants, such as counseling, schedule changes, or no-contact orders.
- **Disciplinary Actions:** If harassment is confirmed, schools must take appropriate disciplinary actions against the harasser.

#### **IV. Reporting Procedures:**

##### Who Can Report vs. Who Must Report

As a general rule, Title IX states that *any person may report* sexual harassment regardless of whether they are the alleged victim of conduct that could constitute sexual harassment, and regardless of whether they are a member of the campus community.

However, all members of Pennco Tech (students, faculty, staff, and administrators) who are aware of or witness prohibited conduct as defined in this Policy **must** promptly report all details of the reports they receive or the behavior they witness to the Title IX Coordinator or its designees whom are authorized to take corrective measures on behalf of the Title IX Coordinator. In this vein, all members of Pennco Tech are considered “Non-Confidential Resources” because they cannot keep information concerning an alleged incident of sexual harassment confidential. Rather, they must report such information to the Title IX Coordinator, Teresa Gallagher or its designees so that the Pennco Tech can respond to the report or allegations in accordance with this Policy. The Title IX Coordinator’s designees include the Deputy Title IX Coordinators Daniele Cattell and Gordon Ernst. Such personnel will assist the Complainant in navigating this Policy and/or notifying law enforcement, if such assistance is requested.

Failure of a Non-Confidential Resource to report an alleged incident of sexual harassment of which they become aware is a violation of this Policy and can result in disciplinary action against such persons.

All other reporting parties may want to carefully consider whether they share personally identifiable details with Confidential or Non-Confidential Resources. The following section describes the different mechanisms that can be utilized to report alleged incidents of sexual harassment.

#### **V. Pregnancy and Related Conditions:**

Under Title IX, sex discrimination also includes any discrimination based on pregnancy or related conditions, such as childbirth, termination of pregnancy, lactation, related medical conditions and recovery. Through the assistance of the Title IX Coordinator, we’ll protect you from such discrimination by:

- Clearly informing you of your rights related to pregnancy or related conditions. (Please see the attached handout Fact Sheet \_ Pregnant & Parenting Students Rights).

## VI. Protection for LGBTQIA I Individuals

Title IX prohibits discrimination and harassment based on.

- Sexual Orientation
- Gender Identity
- Sex Characteristics

Policies and practices that prevent a student from participating in an education program or activity consistent with gender identity generally violate Title IX.

### VII: Definitions under Title IX:

- **Complainant:** Individual alleged to have been subjected to conduct that could constitute sex discrimination.
- **Respondent:** Individual alleged to have violated the prohibition on sex discrimination.
- **Grievance Procedures:** Process providing for the prompt, equitable resolution of sex discrimination complaints.
- **Quid pro quo Harassment:** Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature by a person having power or authority over another constitutes *quid pro quo* sexual harassment when submission to such sexual conduct is made either explicitly or implicitly a term or condition of evaluation of an individual's educational development or performance.
- **Retaliatory Harassment:** Any materially adverse action taken *because of* a person's participation in a protected activity. Protected activity includes reporting an incident that may implicate this Policy, participating in the resolution process, supporting a party, or assisting in providing information relevant to an investigation.
- **Sexual Assault:** Consists of either non-consensual sexual intercourse or non-consensual sexual contact.
- **Dating violence:** The term "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 victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors
  - (1) The length of the relationship.
  - (2) The type of relationship.
  - (3) The frequency of interaction between the people involved in the relationship.
- **Domestic violence:** The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the

- **Stalking:** Repetitive and menacing pursuit, following, harassing, and/or interfering with the peace and/or safety of another.
- **Consent:** Consent is knowing, voluntary, and clear permission by word or action to engage in sexual activity. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to determine that the other has consented before engaging in the activity. If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action showing consent at some point during the interaction or thereafter, but clear communication from the outset is Pennco Tech's expectation. Consent cannot be given by someone who is forced to provide consent, or by a person that is incapacitated.

## **Sexual Harassment and Anti-discrimination Scenarios:**

### **Scenario 1: Quid Pro Quo Harassment**

**Scenario:** Taylor, a student, is struggling in a class and asks Professor Lee for help. During their meeting, Professor Lee implies that Taylor could receive a better grade in exchange for going on a date. Taylor feels uncomfortable and doesn't know what to do.

**Answer:**

- **Identify the Issue:** This is quid pro quo harassment, where a person in authority offers a benefit in exchange for sexual favors.
- **Appropriate Actions:** Taylor should document the incident, noting the date, time, and details of the conversation. Taylor can report the behavior to the Title IX coordinator or another trusted authority at the school.
- **Explanation:** Schools have a responsibility under Title IX to address such reports promptly and equitably. They should investigate and take necessary action to protect the student from further harassment and retaliation.

### **Scenario 2: Hostile Environment**

**Scenario:** Alex, a student, frequently hears sexist jokes and comments from a group of classmates during study sessions. Despite asking them to stop, the behavior continues, making Alex uncomfortable and anxious about attending these sessions.

**Answer:**

- **Identify the Issue:** This situation may create a hostile environment, as the repeated comments interfere with Alex's ability to participate in educational activities.

- **Appropriate Actions:** Alex should report the behavior to a school counselor, teacher, or Title IX coordinator. It's important to document specific instances, including dates, times, and what was said.
- **Explanation:** A hostile environment occurs when conduct is severe, pervasive, and objectively offensive. The school must investigate and take steps to prevent further harassment and ensure a safe environment.

### Scenario 3: Discrimination Based on Sexual Orientation

**Scenario:** Jamie, an openly gay student, is excluded from group projects and social activities by some classmates, who express discomfort with Jamie's sexual orientation. This makes Jamie feel isolated and unwelcome.

**Answer:**

- **Identify the Issue:** This is discrimination based on sexual orientation, which is prohibited under Title IX.
- **Appropriate Actions:** Jamie should report the incidents to the Title IX office, including any specific examples of exclusion or discriminatory remarks. The school is obligated to address and remedy the situation.
- **Explanation:** Title IX protects students from discrimination based on sex, including sexual orientation. The school should provide support to Jamie and educate the community on inclusive practices.

### Scenario 4: Intersectionality and Discrimination

**Scenario:** Pat, a Black student with a disability, experiences both racist comments and ableist remarks from different classmates. Pat feels that these issues are not being adequately addressed by the school.

**Answer:**

- **Identify the Issue:** This scenario involves intersectional discrimination, where multiple forms of discrimination intersect and compound.
- **Appropriate Actions:** Pat should report all incidents to the Title IX coordinator, emphasizing the intersectional nature of the discrimination. The school should take a comprehensive approach to address these issues.
- **Explanation:** Intersectionality considers how various forms of discrimination interact. Schools must address all forms of discrimination under Title IX, including race and disability.

### Scenario 5: Retaliation

**Scenario:** After reporting a sexual harassment incident involving a classmate, Morgan experiences backlash from peers, including exclusion and negative comments. Morgan fears social isolation as a result.



**Answer:**

- **Identify the Issue:** Retaliation against someone for reporting harassment is prohibited under Title IX.
- **Appropriate Actions:** Morgan should inform the Title IX office about the retaliation. The school is required to take steps to prevent and address retaliation, ensuring Morgan's safety and well-being.
- **Explanation:** Retaliation can take many forms, including social ostracism and negative treatment. Schools must protect individuals who report harassment or discrimination.

**Scenario 6: Bystander Responsibility**

**Scenario:** Sam witnesses a fellow student, Casey, being teased for wearing traditional cultural clothing. Sam feels uncomfortable but is unsure how to intervene.

**Answer:**

- **Identify the Issue:** This situation involves cultural harassment and presents an opportunity for bystander intervention.
- **Appropriate Actions:** Sam can choose to intervene directly by expressing disapproval of the behavior, support Casey by offering comfort, or report the incident to a school authority. It's important to prioritize safety when intervening.
- **Explanation:** Bystanders can play a crucial role in stopping harassment. Schools should provide training on safe intervention strategies and create an environment where standing up against discrimination is encouraged.

## How to Report

- **Non-Confidential Reporting**

As noted, any person – regardless of their status with Pennco Tech– *may* report sex discrimination, including sexual harassment to the Title IX Coordinator or its designees.

Pennco Tech considers *all employees (including student employees)*, other than those employees designated as confidential resources below, to be Non-Confidential Resources. Non-Confidential Resources are obligated to report any

knowledge of an incident of sexual harassment they become aware of to the Title IX Coordinator or its designees. In addition, non-employees are also encouraged to report violations.

Reports can be made in person, by mail, by telephone, or by email mail to the contacts listed below:

### **Title IX Coordinator Executive Director of Human Resources**

**Teresa Gallagher**

**3815 Otter Street**

**Bristol, PA 19007**

**[tgallagher@penncotech.edu](mailto:tgallagher@penncotech.edu)**

**Direct dial- \*267-554-7623**

### **Deputy Title IX Coordinator Bristol Campus School Director**

**Danielle Cattell**

**3815 Otter Street**

**Bristol, Pa 19907**

**[dcattell@pencotech.edu](mailto:dcattell@pencotech.edu)**

**Direct dial \*267-554-7613**

### **Deputy Title IX Coordinator -Blackwood Campus School Director**

**Gordon Ernst**

**99 Erial Road**

**Blackwood, NJ 08012**

**[gernst@penncotech.edu](mailto:gernst@penncotech.edu)**

**Direct Dial \*856-373-5593**

### **Electronic and Anonymous Reporting**

You may also file a complaint about sexual misconduct using the appropriate links below. While anonymous complaints are accepted, Pennco Tech's ability to address misconduct reported anonymously is significantly limited.

Individuals may use this <https://www.pennco.edu/report.html> to electronically file a report of sexual misconduct anonymously with Pennco Tech.

Individuals may also file a report electronically by email to: [Reporting@penncotech.edu](mailto:Reporting@penncotech.edu)

An immediate auto-response email with information about resources and options will be sent in response to reports filed by email.

### **Other Pennco Tech Reporting Options:**

Pennco Tech does NOT use any third-party service for reporting complaints, including anonymous complaints, by phone or online.

### **Criminal Reporting Options**

Pennco Tech does NOT employ its own Campus Police. You should immediately report any sexual misconduct that also constitutes criminal conduct to the civil authorities for the Campus you attend listed below regardless of whether the individual who is making the report chooses to pursue criminal charges.

Local law enforcement information: Always call 911 for an immediate response

Blackwood Campus local Police: Gloucester Township Police 856-228-4500;

Bristol Campus local Police: Bristol Township Police 215-785-4040

State Police information:

Blackwood Campus; Bellmawr State Police Barracks: 856- 933-0550

Bristol Campus: Bensalem State Police Barracks: 215-942-3900

### **VIII. Supportive Measures and Resources:**

**Interim Measures:** Below is a list of supportive measures available to complainants and respondent include, but not limited to:

- Referral to counseling, medical, and/or other health services
- Referral to the Employee Assistance Program
- Student financial aid counseling
- Altering campus housing situation

- Altering work arrangements for employees or student-employees
- Altering access to Pennco Tech’s facilities, Programs or Activities
- Safety planning
- Providing campus escorts
- Providing transportation accommodations
- Implementing contact limitations (no contact orders) between the parties
- Academic support
- Offering adjustments to academic deadlines, course schedules, etc.

**Resources:**

- Resources available for confidentiality are: Rape, Abuse, and Incest National Network: [www.rainn.org](http://www.rainn.org)
- National Sexual Assault Hotline: 1-800-656-HOPE
- The National Domestic Violence Hotline: 1-800-799-7233
- Love is Respect: 1-866-331-9474; text “loveis” to 22522
- PA-Bucks County Network of Victim Assistance (NOVA): 24 HOUR HOTLINE: 1-800-675-6900
- or [www.novabucks.org](http://www.novabucks.org) NJ-Coalition Against Sexual Assault HOTLINE: 1-800-601-7200.

**IX. Investigative Process:**

As part of the investigation process, Pennco Tech typically takes the following steps, if not completed already (not necessarily in order):

- In coordination with campus partners (e.g., the Title IX Coordinator, Title IX Coordinator Deputies), initiates or assists with any necessary interim Supportive Measures;
- Identifies all Pennco Tech policies implicated by the allegations of the Formal Complaint;
- Evaluates the allegations of a Formal Complaint to determine if any of the following grounds for dismissal exist:
  - If the conduct alleged in the Formal Complaint would not constitute sexual harassment, even if proved;
  - If the conduct alleged in the Formal Complaint did not occur in a Pennco Tech Program or Activity;

*The above-noted assessment may be addressed at the outset of the investigation and at any time during the Investigation or Live Hearing.*

*Any such dismissal does not preclude the Pennco Tech from taking other action under other provisions of Pennco Tech's Code of Conduct.*

- Commence a thorough, reliable, and impartial investigation by developing a strategic investigation plan, including a witness list, evidence list, intended investigation timeframe, and order of interviews for all parties and witnesses;
- Interview all relevant individuals and conduct follow-up interviews as necessary.
- The Investigators will make good faith efforts to notify the parties of any meeting or interview involving the other party, in advance where possible, and allow each party the opportunity to suggest questions they wish the Investigators to ask of the other party and witnesses.
- Provide the parties and witnesses with an opportunity to review and verify the Investigators' summary notes from interviews and meetings with that specific party or witness.

The Investigators will make reasonable efforts to conclude the investigation promptly and without unreasonable deviation from the intended timeline. The parties will be given periodic status updates regarding the status of the investigation.

**X. Institutional Policies:**

**Please note the full Pennco Tech Title IX Sexual Harassment/Discrimination Policy will be posted on both Pennco Tech Bristol and Blackwood campus websites in the Student portal as well as all applicable training materials.**

**Acknowledgement of Training Handouts:**

**Student Name:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Student Signature:** \_\_\_\_\_