

Sexual Misconduct and Discrimination Policy

Version 2.0

Approved: March 29, 2016

Effective: December 1, 2016

1 Policy Statement

IntelliTec Colleges (“IntelliTec”) is committed to providing equal opportunity in employment and educational opportunities, and an environment free of all forms of improper or unlawful harassment, discrimination, and violence in its educational programs and activities, including admissions and employment practices.

IntelliTec will not tolerate any discrimination, harassment, or violence of any kind including, but not limited to, discrimination, harassment or violence based on sex/gender (including pregnancy and childbirth), sexual orientation, gender identity, gender expression, nonconformity with sex stereotypes, age, national origin, disability, veteran status, or any other category protected by federal, state, or local law.

More specifically, IntelliTec complies with Title IX of the Education Amendments of 1972, Titles VI and VII of the Civil Rights Act of 1964, Violence Against Women Reauthorization Act (VAWA) and regulations for any other applicable federal, state, or local law and will promptly address conduct deemed to be in violation of this policy.

2 Scope

This policy applies to all members of the IntelliTec community, including students, faculty, and administration as well as third-parties (*e.g.*, vendors and invitees). Discrimination or harassment on those bases listed above is not tolerated at our institution. In addition, this policy applies to all conduct involving students, faculty, staff, and third parties that occurs on College controlled properties and at College sponsored events, as well as offsite conduct when that conduct can affect the College community. This policy applies to all individuals identified regardless of sex, gender, sexual orientation, gender identity, or gender expression. *Confidentiality: see Section 7.1 and 7.2.*

3 Assistance Options following an instance of Sexual Misconduct

3.1 Immediate Assistance

IntelliTec Colleges prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as defined by the Clery Act. **In the event of an emergency, please contact 911.** Immediate assistance can also be obtained by contacting the Deputy Title IX Coordinator designated for your campus or IntelliTec’s Title IX Coordinator. Additional off-campus confidential assistance may be obtained by contacting LifeWorks, The Employee and Student Assistance Program (ESAP), which provides access to certified counselors immediately over the phone and referrals to local counselors for up to three (3) free visits per incident. LifeWorks may be contacted 24 hours a day, 365 days a year, at 1-888-267-8126 or en Español at 1-888-732-9020. Additional resources may also be accessed on their website at www.lifeworks.com.

Other local community resources may be available at each campus; please see the Campus Director, Director of Education(DOE), Associate Director of Education(ADOE) or the Deputy Title IX Coordinator for additional assistance. If there is no immediate emergency, additional law enforcement assistance may be obtained by contacting:

Albuquerque Police Department	(505) 242-COPS or (505) 242-2677
Colorado Springs Police Department	(719) 444-7000
Grand Junction Police Department	(970) 549-5000
Pueblo Police Department	(719) 553-2538

3.2 Healthcare Options for Treatment of Sexual Assault

Victims should seek treatment for injuries, preventative treatment for sexually transmitted diseases, and other health services, including but not limited to mental health services for post traumatic event counseling. Rapid medical treatment is often key to preserving key evidence of assault; it is recommended that victims seek treatment as soon as possible following an incident.

See Appendix A for available local resources.

3.3 Ongoing Assistance: Counseling, Advocacy, and Support

Resource packets with materials relating to sexual violence, national and local resources, are available from your Deputy Title IX Coordinator. LifeWorks (*Section 3.1*) may also be contacted for support, local information, and counseling options for individuals effected by sexual or domestic violence.

Immediately following a report of sexual misconduct, IntelliTec will provide written notification to students and employees regarding counseling options, victim’s school and local resources, and other support services that the campus and local community can provide. In addition, options for accommodations and interim measures are provided including who to contact to request such assistance. Student and employees will be informed of their rights and options moving forward after the complaint.

Individuals may also seek ongoing support (*See Interim Measures, Section 4*) during institutional disciplinary or criminal processes from the IntelliTec Title IX Coordinator, the campus Deputy Title IX Coordinator, or from others in campus administration such as the Campus Director, DOE, or ADOE. Confidential services are available through LifeWorks (*See Section 3.1 for contact information*).

4 Academic Accommodations and Interim Measures

Upon receipt of a complaint or report of a violation of this policy, IntelliTec Colleges will provide reasonable and appropriate interim measures designed to preserve the complainant’s educational experience, the safety of all parties, and the broader IntelliTec community. In addition, IntelliTec will maintain the integrity of the investigative and/or resolution process and place a strong emphasis on deterring retaliation. Certain interim measures may be available to the complainant regardless of whether the complainant seeks formal disciplinary action. Interim measures may include but are not limited to:

- Re-scheduling of assignments and/or testing without penalty;
- No penalty for absence or missed professional grades;
- Leave of absence (LOA) process;
- Completion of a Student Support Plan (SSP);
- Special arrangements for completion of labs or hands-on testing;
- Waiving or compensation of re-take test fees;
- Access to counseling services;
- Changes in class schedule, including the ability to transfer course sections or withdraw from a course;
- Change in work schedule or job assignment;
- Ability to re-take courses with no charge or penalty to the student;
- Additional tutoring or open lab time, as needed;
- Enforcement of any court, college, or law enforcement no contact or restraining order;
- Assistance or accommodations with any disabilities that may have occurred according to the IntelliTec College's Accommodation Policy;
- And other remedies that can be used to achieve the goals of this policy and are reasonable in nature.

Any interim measures will not disproportionately impact the complainant. Requests for interim measures may be made by the complainant to IntelliTec's Title IX Coordinator. The Title IX Coordinator is responsible for ensuring the implementation of interim measures and coordinating IntelliTec's response with the appropriate offices on campus. All individuals are encouraged to report concerns about the failure of another to abide by any restrictions imposed through interim measures. IntelliTec will take immediate action to enforce a previously implemented measure, and disciplinary penalties can be imposed for failing to abide by a College-imposed interim measure.

IntelliTec will maintain as much confidentiality as possible when providing accommodations or protective measures for individuals. Only employees who need to know will be informed to ensure the accommodations and/or protective measures can be carried out appropriately.

5 Title IX Coordinators

5.1 IntelliTec Title IX Coordinator

IntelliTec Colleges Title IX Coordinator is responsible for providing oversight of all aspects of the response to any allegations which would violate the sexual misconduct and discrimination policy. IntelliTec's Title IX Coordinator is Peter Ristig and he may be contacted by phone at (719) 632-8116 ext. 1019 or at pristig@intellitec.edu. Additional details regarding specific duties of IntelliTec's Title IX Coordinator may be found in the following sections:

- Section 4: Academic Accommodations and Interim Measures
- Section 7: Reporting Policies and Protocols
- Section 8: Investigation Procedures and Protocols
- Section 9: Grievances and Adjudication Procedures

5.2 Deputy Title IX Coordinators

IntelliTec also maintains Deputy Title IX Coordinator's at each campus who are responsible for providing

oversight of all aspects of the response to any allegations which would violate the sexual misconduct policy at their campus.

Albuquerque Deputy Title IX Coordinator	Roxanna Billie Phone: (505) 508-5225 ext. 4000 Email: rbillie@intellitec.edu
Colorado Springs Deputy Title IX Coordinator	Katie Hager Phone: (719) 632-7626 ext. 1128 Email: khager@intellitec.edu
Grand Junction Deputy Title IX Coordinator	Jennifer Berrie Phone: 970-245-8101 ext. 3009 Email: jberrie@intellitec.edu
Pueblo Deputy Title IX Coordinator	Dawn Hawkins Phone: (719) 542-3181 ext. 2020 Email: dhawkins@intellitec.edu

6 Definitions

6.1 Sex Discrimination

Sex discrimination is adverse treatment of an individual based on sex, rather than individual merit. Sex discrimination encompasses but is not limited to, sexual violence, sexual harassment, sexual assault, stalking, dating/domestic violence, retaliation, and other related forms of sex discrimination. Examples of conduct that can constitute sex discrimination because of sex include, but are not limited to:

- Singling out or targeting an individual for different or adverse treatment (e.g., more severe discipline, lower salary increase);
- Failing or refusing to hire or allow participation by an individual in a College activity;
- Terminating or removing an individual from employment or an educational program; or
- Verbally harassing, abusing, or demeaning a targeted individual with conduct designed to impact that individual adversely.

6.2 Sexual Violence:

The following behaviors constitute sexual violence and are prohibited under this policy. All forms of sexual violence are serious offenses and will result in College discipline. Sexual violence involving force, duress, or inducement of incapacitation, or where the perpetrator has deliberately taken advantage of another person's state of incapacitation, will be deemed especially egregious and may result in expulsion or termination of employment. The consumption of alcohol or use of illegal substances will not ordinarily constitute a mitigating factor or circumstance when it contributes to, or is involved in, an alleged act of sexual violence.

6.2.1 Non-Consensual Sexual Penetration:

Any act of vaginal or anal penetration by a person's penis, finger, other body part, or an object, or oral penetration by a penis, without consent.

6.2.2 Non-Consensual Sexual Contact:

Any sexual touching other than non-consensual sexual penetration without consent. Examples of non-consensual sexual contact may include genital-genital or oral-genital contact not involving penetration; contact with breasts, buttocks, or genital area, including over clothing; removing the clothing of another person; and kissing.

6.2.3 Dating Relationship Violence:

This policy prohibits acts of violence, threat, or intimidation that harm or injure a partner in a current or former dating relationship (defined below). These acts include, but are not limited to, sexual or physical abuse or the threat of such abuse. Dating relationship violence can be a single act or pattern of behavior.

6.2.4 Domestic Violence:

Domestic violence under this policy includes acts of violence, threat, or intimidation that harm or injure members of a family or household. A “household” exists when individuals who are married or have an intimate relationship share access to the same private living space or bathroom.

6.3 Stalking:

Stalking under this policy is a course of conduct (i.e., more than one act) directed at a specific person which would cause a reasonable person to feel fear, to experience substantial emotional distress, or to fear for their safety or the safety of a third person. Acts that together constitute stalking may be direct actions or may be communicated by a third party, and can include, but are not limited to, threats of harm to self, others, or property; pursuing or following; non-consensual (unwanted) communication by any means; unwanted gifts; trespassing; and surveillance or other related types of observation.

6.4 Sexual Exploitation:

Sexual exploitation is any act whereby one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another who has not provided consent, and that does not constitute non-consensual sexual penetration or non-consensual sexual contact. Examples may include, but are not limited to, voyeurism (i.e., spying on others who are in intimate or sexual situations); or recording, photographing, transmitting, viewing, or distributing intimate or sexual images or sexual information without the knowledge and consent of all parties involved.

6.5 Sexual Harassment:

Sexual harassment is any unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- Submission to, or rejection of, such conduct is made implicitly or explicitly a term or condition of instruction, employment, or participation in any College activity or benefit;
- Submission to, or rejection of, these behaviors by an individual is used as a basis for evaluation in making academic or personnel decisions; or
- These behaviors are sufficiently severe and/or pervasive to have the effect of unreasonably interfering with an individual's educational experience, working conditions, or living conditions by creating an intimidating, hostile, or offensive environment.

6.6 Sexually Inappropriate Conduct:

Unwelcome sexual conduct may not rise to the level of sexual harassment or sexual exploitation, but that is sexual in nature, is also prohibited under this policy. Examples include but are not limited to, lewdness and obscene or sexually offensive gestures and comments.

6.7 Retaliation:

Retaliation is any attempt to seek retribution against an individual or group of individuals involved in filing a complaint or report under this policy, filing an external complaint, participating in a disciplinary process, or opposing in a reasonable manner an action believed to constitute a violation of this policy. Retaliation can take many forms, including, but not limited to, adverse action or violence, threats, and intimidation. Actions in response to a good faith report or response under this policy are considered retaliatory if they have a materially adverse effect on the working, academic, or College-controlled environment of an individual or if they hinder or prevent the individual from effectively carrying out his/her College responsibilities.

6.8 Dating Relationship:

Dating relationship means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based upon consideration of (1) the length of the relationship, (2) the nature of the relationship, and (3) the frequency and type of interaction between the persons involved in the relationship. Dating relationships may include, but are not limited to, dating relationships, "hook-up" relationships, and relationships in which partners are characterized as "girlfriends" or "boyfriends."

6.9 Consent and Incapacitation:

In reviewing possible violations of sexual misconduct, IntelliTec considers consent as the voluntary, informed, un-coerced agreement through words and/or actions freely given, which a reasonable person would interpret as a willingness to participate in mutually agreed-upon sexual acts. Consensual sexual activity happens when each partner willingly and affirmatively chooses to participate.

6.9.1 Consent

Indications that consent is not present may include, but are not limited to, when physical force is used or there is a reasonable belief of the threat of physical force, when duress is present, when one person overcomes the physical limitations of another person, and when a person is incapable of making an intentional decision to participate in a sexual act, which could include instances in which the person is in a state of incapacitation. Important points regarding consent include:

- Consent to one act does not constitute consent to another act.
- Consent on a prior occasion does not constitute consent on a subsequent occasion.
- The existence of a prior or current relationship does not, in itself, constitute consent.
- Consent can be withdrawn or modified at any time.
- Consent is not implicit in a person's manner of dress.
- Accepting a meal, a gift, or an invitation for a date does not imply or constitute consent.
- Silence, passivity, or lack of resistance does not necessarily constitute consent.
- Initiation by someone who a reasonable person knows or should have known to be deemed incapacitated is not consent.

6.9.2 Incapacitation

Incapacitation is the inability, temporarily or permanently, to give consent because the individual is mentally and/or physically helpless, either voluntarily or involuntarily, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if they demonstrate that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence of the drug. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, lack of awareness of circumstances or surroundings, or the inability to communicate for any reason. An individual may experience a blackout state in which he/she appears to be giving consent, but do not actually have conscious awareness or the ability to consent. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. The relevant standard that will be applied is whether the respondent actually knew, or a sober reasonable person in the same position should have known, that the other party was incapacitated and therefore could not consent to the sexual activity.

6.10 Additional Definitions

- **Complainant** refers to the individual(s) who has been the subject of prohibited conduct, regardless of whether that individual makes a complaint or seeks disciplinary action.
- **Respondent** refers to the individual(s) who has been accused of prohibited conduct. The term third party refers to any individual who is not a College student, faculty member, or staff member (e.g., vendors, alumni/ae, or local residents).
- **Responsible Employee** refers to all faculty, academic and campus management, and all persons in a position of perceived authority. This means they are required to disclose any complaints including names of those involved to the Title IX Deputy Coordinators and/or IntelliTec's Title IX Coordinator to ensure proper measures are taken. The responsible employee must notify complainants of their responsibilities to report the incident or suspected Title IX violation to appropriate personnel.

7 Reporting Policies and Protocols

IntelliTec Colleges encourages all individuals to report any alleged or suspected violation of this policy to the Title IX Coordinator or Title IX Deputy Coordinators and to report potential criminal conduct to law enforcement. IntelliTec employees who become aware of potential violations of this policy are required to notify the Title IX Coordinator or Deputy Title IX Coordinator. You may notify the following personnel regarding an incident or suspected Title IX violation:

- IntelliTec Title IX Coordinator,
- Deputy Title IX Coordinators,
- Members of management,
- or a Responsible Employee as defined in Section 6.10.

IntelliTec strongly encourages that any criminal conduct be reported to law enforcement and will provide any assistance necessary in contacting and notifying appropriate law enforcement if requested. In addition, should the individual decline to notify such authorities, IntelliTec will support that decision.

7.1 Confidentiality

IntelliTec Colleges has independent obligations to report and/or investigate potential misconduct, even if a complainant does not wish to initiate an official process. Therefore, absolute confidentiality cannot be promised with respect to a formal complaint of discrimination, harassment, sexual harassment, violence (i.e., dating violence, domestic violence, sexual assault, or stalking), or retaliation received through IntelliTec's reporting options. IntelliTec wishes, however, to create an environment in which legitimate complaints are encouraged, while also protecting the privacy of all involved in an investigation. Complaints about violations of these policies will therefore be handled in strict confidence, with facts made available only to those who need to know in order for IntelliTec to promptly and thoroughly investigate and resolve the matter.

7.2 Confidential Resources

While IntelliTec Colleges does not offer on-campus confidential resources, IntelliTec does make the LifeWorks available to all students and staff. Any discussions with LifeWorks are considered confidential and will not constitute an official complaint or notification of a responsible employee. This resource is confidential and should be used when a person either does not desire to make an official complaint or is not ready to make an official report.

Information shared with Confidential Resources (including information about whether an individual has received services) will be disclosed to others only with the individual's written permission or, if applicable, ethical or legal obligations compel the professional to reveal such information (e.g., if there is suspected abuse or neglect of a minor).

7.3 Options for Complainants and Other Reporting Parties

Anyone who seeks to make a complaint or report may complete one of the following actions. These options are considered official notifications or complaints and will initiate IntelliTec's investigation procedures under Title IX.

- File an internal complaint or report with IntelliTec's Title IX Coordinator or Deputy Title IX Coordinators, thereby invoking IntelliTec's internal investigation process. This can be completed by:
 - Scheduling an appointment or walk-in and see responsible employees as listed above.
 - Call appropriate personnel to report a potential violation. *See Sections 5.1 and 5.2 for contact information.*
 - Email or submit written complaints to the Deputy Title IX Coordinators or IntelliTec Title IX Coordinator. *See Sections 5.1 and 5.2 for contact information.*
- Request interim measures from IntelliTec's Title IX Coordinator.
- If on or off campus, contact the local police department (*See Section 3.1*) for assistance in filing a criminal complaint and preserving physical evidence.

An individual may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue an internal complaint and a criminal complaint). When initiating any of the above options, an individual does not need to know whether he/she wishes to request any particular course of action nor how to label what happened.

7.4 Amnesty

In order to encourage reports of conduct prohibited under this policy, IntelliTec Colleges will offer amnesty to the alleged victim or reporting witness with respect to any alcohol and drug use violations as defined in IntelliTec's student conduct code. IntelliTec may also offer amnesty or leniency to the alleged victim or reporting witness with respect to other violations of campus policy which may be disclosed as a result of such reports, depending on the circumstances involved. IntelliTec may recommend alcohol or drug counseling/education services through LifeWorks to students violating IntelliTec's student conduct code or drug and alcohol policies.

7.5 Non-Retaliation

IntelliTec prohibits retaliation against an employee or student for filing a complaint or for assisting in a complaint investigation. If you perceive retaliation for making a complaint or for your participation in an investigation, please follow the complaint procedure outlined above (*See section 7.3*). The situation will be investigated and responded to appropriately, based upon the finding(s) of the investigation. Interim measures may be taken to prevent or mitigate retaliation.

7.6 Clery Act Reporting

IntelliTec Colleges must be in compliance with the Clery Act and will annually report crime data statistics for public release as required. IntelliTec's Title IX Coordinator in conjunction with the Clery Act Coordinator must report statistics related to Title IX violations which meet the requirements of the Clery Act reports. The Clery Act Coordinator will contact local law enforcement to obtain any anonymous statistics in regards to campus safety and security.

In addition, certain incidents that are a violation of Title IX may trigger the Clery Act requirement for timely warnings and emergency notifications to students. In the event that such an incident does occur, IntelliTec will issue necessary warnings and notifications as required to ensure the safety of all students and employees.

8 Investigation Procedures & Protocols

In determining whether alleged conduct violates this policy, IntelliTec makes a commitment to consider the totality of the facts and circumstances involved in the incident, including the nature of the alleged conduct and the context in which it occurred. Any of the prohibited conduct defined in this policy can be committed by individuals of any sex, and it can occur between individuals of the same or different sex(es). It can occur between strangers or acquaintances, as well as persons involved in sexual, dating, or family relationships.

The investigation will be overseen by IntelliTec's Title IX Coordinator and/or the Deputy Title IX Coordinators and will entail a thorough review of all evidence, interviews, electronic records, audio, etc. related to the complaint. IntelliTec does not provide any confidential resources on campus; therefore, any complaints will be investigated in accordance with this policy. We will keep the manner as confidential as possible and will include only parties that must be informed. IntelliTec Colleges allows complainants and respondents to have a third party present if they choose.

IntelliTec Colleges will make every effort to conduct and complete an investigation with action within thirty (30) days of the initial complaint. Some situations of a more complex nature may require additional time to ensure that all evidence and claims are thoroughly investigated. All those involved will be notified in writing of any extensions to timeframes needed. The thirty (30) days may also be extended in the event that one of the following occurs:

- Availability or unavailability of a witness or relevant/material documents;
- Recalcitrance of a witness and/or any necessary party;
- Delay or other uncooperative actions of any necessary party;
- Number of witnesses;
- Coordination with law enforcement efforts;
- Holidays and vacation periods; or
- Any other unforeseeable event/circumstance which impacts the investigation.

Once notified of a formal investigation, all parties are required to preserve any and all evidence pertaining to the investigation. IntelliTec will make every effort to fully investigate all aspects of every claim to ensure equitable treatment of all parties during the investigative process. At the conclusion of the investigation, IntelliTec will create a report summarizing the investigation including evidence reviewed, interviews conducted, and any additional resources consulted during the investigation.

IntelliTec Colleges will fully comply with any investigation efforts conducted by law enforcement and will share all necessary information requested. As there are no confidential resources on campus, anything shared with IntelliTec may be provided to law enforcement.

IntelliTec will take immediate steps to protect complainants pending the final outcome of an investigation, including academic accommodations and other interim measures. These steps may include any of the interim measures listed in this policy (*See Section 4*).

9 Grievance and Adjudication Procedures

IntelliTec is committed to conducting an investigation that is thorough, prompt, and impartial. Mediation is never appropriate in sexual misconduct cases and will not be utilized in the investigation of any related conduct.

9.1 Preponderance of the Evidence

In making his/her determination, the investigator(s) shall observe a preponderance of the evidence standard. This means reaching a conclusion based upon all available facts and information as to whether one party's evidence outweighs the evidence of the other.

9.2 Conflicts of Interest

Investigations will be conducted by Deputy Title IX Coordinators and/or by IntelliTec's Title IX Coordinator. If there are any conflicts of interests in the investigation, a different internal or external party will be assigned to the investigation. If the complaint is in regards to the Title IX Coordinator, the complaint will be referred to the President of IntelliTec Colleges.

Based on the outcomes of the investigation, appropriate sanctions, if any, will be determined by the company student disciplinary process and then approved by campus and/or corporate management. Complainants should submit in writing any concerns regarding conflict of interest or impartiality to IntelliTec's Title IX Coordinator or President of the Company.

During the investigation process, both parties may and are encouraged to present any evidence related to the claim. IntelliTec will not allow either party to directly question the other party. Parties may submit questions to the investigator in relation to the claim and IntelliTec will ensure it is included in the investigation, if it is relevant to the case. Evidence of a prior consensual dating or sexual relationship between the parties by itself does not imply consent or preclude a finding of sexual misconduct.

9.3 Adjudication Process

Employees, faculty, and students who violate IntelliTec's policies may be subject to disciplinary action. Employees who have violated this policy will be subject to disciplinary action including and up to termination depending on the investigation and determination of wrong-doing. Students will be subject to disciplinary action including and up to expulsion depending on the investigation and determination of wrongdoing. Interim measures (*See Section 4*) may become permanent measures as needed. Additionally, IntelliTec has the ability to bring in a crisis counselor and make them available to our students via LifeWorks as necessary.

The parties will be informed of the results of the adjudication, including:

- Simultaneous written notice to both parties of the outcome of the complaint and the option to appeal, if applicable;
- a statement that the school will not require a party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the proceeding.

All parties are strongly encouraged to not discuss the investigation or proceedings with other witnesses to preserve the quality of evidence and the subsequent investigation.

9.4 Sanctions

IntelliTec Colleges takes all reports and incidents of Clery crimes and VAWA offenses very seriously. Sanctions can range from written warnings and suspensions to termination or expulsion. Below are specific sanctions as they relate to VAWA offenses.

Domestic and dating violence incidents will result in a written warning for minor offenses that do not involve physical harm. Serious offenses which involve physical harm or repeat offenses of any severity would result in expulsion or termination.

Stalking incidents may result in anything from a written warning to expulsion or termination depending on the severity of the offense. In addition, any protective or restraining orders will be enforced and offenders may be required to change schedules or classes to avoid potential contact. If the stalking incident(s) are combined with additional offenses such as domestic or dating violence, immediate expulsion or termination would result. Refusal to accept class or schedule changes may also result in expulsion or termination.

Sexual Assault (specifically rape, fondling, incest, or statutory rape) incidents will result in termination or expulsion.

9.5 Grievance and Appeals

IntelliTec Colleges provides a grievance procedure to be followed by all students who seek resolution of a grievance, complaint, or concern related to disciplinary action or attendance at IntelliTec.

- The student should attempt to resolve the grievance at the staff or faculty level nearest the source or cause of the concern; most concerns can be resolved there.
- If the issue cannot be resolved at the source, the student is encouraged to present the concern to the Department/Supervisor.
- If the concern is not resolved at the Department/ Supervisor level the student may contact the Director of Education/Associate Director of Education.
- If after a timely review with the above, management staff (which may include a report to the student of the findings and decision) the student remains dissatisfied with the decision, the student may submit a written grievance to be considered by the Campus Director.
 - The written document must include a clear statement of the grievance, complaint or concern, and request a specific remedy, corrective action, or suggest a resolution for the Campus Director's consideration.
 - The Campus Director will be allowed five working days in which to discuss the matters with all interested parties and provide the student a written determination stating the reasons for the decision.
- When further appeal is desired the student may pursue the matter by contacting:

The Corporate Offices of IntelliTec Colleges
2504 E. Pikes Peak Avenue, Suite 305
Colorado Springs, Colorado 80909
719.632.8116

If you feel your complaint has not been successfully resolved through IntelliTec's internal processes, there are additional outside sources that may be contacted. Once you have exhausted all complaint and appeals processes available at the school and are still dissatisfied with the results, you may appeal to the below locations as applicable.

For schools located in Colorado:

The Colorado Department of Higher Education
Division of Private Occupational School Board
1560 Broadway, Suite 1600,
Denver, Colorado, 80202
<http://higher.ed.colorado.gov/DPOS/Students>
303-866-2723

There is a two-year limitation (from the student's last date of attendance) for the Division to take action on student complaints.

For schools located in New Mexico:

The New Mexico Higher Education Department,

2044 Galisteo Street, Suite #4, Santa Fe, NM 87505
http://www.hed.state.nm.us/students
505-476-8400

There is a three-year limitation (from the student's last date of attendance) for the Division to take action on student complaints.

Schools accredited by the Accrediting Commission of Career Schools and Colleges must have a published procedure and operational plan for handling student complaints. If a student does not feel that the school has adequately addressed a complaint or concern, the student may consider contacting the Commission. All complaints considered by the Commission must be in written form, with permission from the complainant(s) for the Commission to forward a copy of the complaint to the school for a response. The complainant(s) will be kept informed as to the status of the complaint as well as the final resolution by the Commission.

Please direct all inquiries to:

Accrediting Commission of Career Schools and Colleges
2101 Wilson Blvd., Ste. 302
Arlington, VA 22201
(703) 247-4212
Website: www.accsc.org

A copy of the Commission's Complaint Form is available at the school and may be obtained by contacting the Campus Director.

10 Prevention and Education

IntelliTec strives to provide consistent and accurate prevention and educational tools to students and employees. IntelliTec College's environment encourages students and staff to report any violations or perceived violations to their Deputy Title IX Coordinator, IntelliTec's Title IX Coordinator, or other responsible employees who may be able to assist.

Mandatory student and employee education includes:

- New Student Orientation Outlining the Title IX Policy,
- Annual Student Training and Education regarding school policy & prevention,
- New Employee Orientation Outlining the Title IX Policy
- Annual Employee Training regarding school policy and prevention.

In addition, potential student and staff training may include:

- Guest speakers and Community advocates,
- Participation in Community events,
- Participation in Sexual Assault Awareness Month,
- And other on-site resources as needed.

The training specifically includes a complete review of IntelliTec Colleges' Title IX Policy including what constitutes sexual violence, the definition of consent, investigation procedures, reporting options, grievance procedures, and disciplinary actions. In addition, training will include information on the effects

of trauma, bystander intervention, alcohol and drug roles in sexual violence incidents, retaliation policies, and education on who to contact and how to report incidents of sexual violence.

11 Employee Training

IntelliTec Colleges seeks to ensure that all employees and staff are well-educated and trained on the IntelliTec's Title IX Policy and federal regulations involving Title IX, the Clery Act, and VAWA. IntelliTec provides initial training through the New Employee Orientation and on-boarding process and will provide follow-up annual training for all responsible employees. Additionally, the Deputy Title IX Coordinators receive initial training regarding their roles and investigative processes and receive additional follow-up annual training to ensure compliance and understanding of IntelliTec's policies and procedures. IntelliTec's Title IX Coordinator receives annual outside training to ensure the campus is meeting all requirements and keeping policies and procedures up-to-date.

Employees will be specifically trained on:

- the scope of the policy,
- options for assistance regarding a notification,
- The role of the Title IX & Title IX Deputy Coordinators
- Definitions,
- Reporting, Investigating, and Grievance Policies,
- Education and prevention,
- The role of a responsible employee,
- And confidentiality requirements and notifications to students.

In addition, any employees that may conduct an investigation will be trained on:

- Scope of investigation,
- Investigation planning,
- Communication with witnesses,
- Confidentiality/privacy,
- Evidence gathering and retention,
- Interviews,
- Investigation documentation,
- And investigation finding and reporting.

If you have questions regarding content, reporting, the Title IX Policy, or your role, please contact IntelliTec's Title IX Coordinator, Peter Ristig, at 719-632-8116. Please contact the Title IX Deputy Coordinators or the Title IX Coordinator if you suspect a student or colleague may have been affected by sexual violence. If there is any doubts or concerns, report.

12 Appendix A: Off-Campus Resources

Listed below are local resources for each campus that can be contacted for a variety of support services. In addition, national resources are listed below with basic contact information for ongoing support and assistance for students and employees.

12.1 Rape Crisis Center of Central New Mexico (Albuquerque)

Address: 9741 Candelaria NE
Albuquerque, New Mexico, 87112
Phone: (505) 266-7712
24 Hour Hotline: (505) 266-7711 or Toll Free (888) 811-8282
Web Address: <http://rapecrisiscnm.org>

The Rape Crisis Center of Central New Mexico provides advocacy, support, and counseling for teens (ages 13 years and older) and adult victims of sexual violence. The Rape Crisis Center of Central New Mexico serves victims of harassment, sexual assault, and sexual abuse. Services include: legal assistance and advocacy, counseling with trained victim advocates and professional counselors, 24-hour hotline, and support groups for those experiencing post-traumatic stress. **All services are offered free of charge. Walk-ins are welcome and appointments can also be scheduled.**

12.2 Agora Crisis Center, (Albuquerque)

Address: University of New Mexico
Albuquerque, New Mexico, 87131
24 Hour Helpline: (505) 277-3013 or (855) 505-4505
Website: <http://www.agoracares.org>
Email: agora@unm.edu

The Agora Crisis Center provides counseling and supportive services for anyone who has experienced a crisis. The Agora Crisis Center services are also provided to victims of harassment, sexual assault, and sexual abuse. Online emotional support (chat), information and referrals (including referrals to local support groups), volunteer opportunities, and community education and training workshops. **All services are offered free of charge and are available to anyone in need (university students, teens, adults, etc.).**

12.3 TESSA (Colorado Springs)

Address: Myron Stratton Campus 435 Gold Pass Heights
Colorado Springs, CO, 80906
Phone: (719) 633-1462 (719) 632-2342
24 Hour Crisis Hotline: (719) 633-3819
Email: info@tessacs.org
Web Address: www.tessacs.org

TESSA is a full service domestic violence resource agency serving victims of domestic violence and sexual assault in El Paso and Teller counties. TESSA services are also provided to victims of harassment and sexual abuse. TESSA advocates provide crisis intervention, safety planning, counseling, and community referral services. Individual psychotherapy and therapeutic support groups are available for domestic violence and sexual assault victims. **All services are offered free of charge and are available to anyone in need (university students, teens, adults, etc.).**

12.4 Latimer House (Grand Junction)

Address:	1003 Main Street Grand Junction, Colorado, 81501
Phone:	(970) 241-0324
24 Hour Hotline	(970) 241-6704
Web Address:	http://www.htop.org/adult/lh/services

The Latimer House provides advocacy, support, and counseling for pre-teens (ages 12 years and older), teens, and adult victims of sexual violence and domestic violence. The Latimer House also serves victims of harassment and sexual abuse. Services include: crisis intervention, case management, legal assistance and advocacy, counseling, 24-hour hotline, information & referrals, and support groups. Most services are offered free of charge. Counseling is either free for those who qualify or charged a rate based on a sliding fee scale. ***Walk-ins are welcome and appointments can also be scheduled.***

12.5 Pueblo Rape Crisis Services (Pueblo)

Address:	503 North Main Street, Suite 526 Pueblo, Colorado, 81003
Phone:	(719) 544-1191
24/7 Confidential Crisis Hotline:	(719) 549-0549
Email:	admin@rapecrisiservices.org
Web Address:	http://www.rapecrisiservices.org

Pueblo Rape Crisis Services is a non-profit agency that provides services and support for victims of sexual violence in Southeastern Colorado. Pueblo Rape Crisis Services provides education, case management, support groups, advocacy, and referrals to other local services for victims of harassment, sexual assault, and sexual abuse. The Adult Female Survivors of Sexual Violence support group meets on Tuesdays, from 5:30 PM to 7:00 PM. ***All services are offered at no charge.***

12.6 National Resources

Rape, Abuse & Incest National Network (RAINN)

- <https://rainn.org/>
- National Sexual Assault Hotline: 1-800-656-HOPE (4673)

National Center for Victims of Crime

- <https://victimsofcrime.org/>
- Victim Connect (Referral Service) 1-855-4-VICTIM

Colorado Coalition Against Domestic Violence

- <http://ccadv.org/>

New Mexico Coalition of Sexual Assault Programs, Inc.

- <http://nmcsap.org/>

Not Alone (Together Against Sexual Assault)

- <https://www.notalone.gov/>

The National Domestic Violence Hotline

- <http://www.thehotline.org/>
- 1-800-799-SAFE (7233)

Veterans Crisis Line

- <https://www.veteranscrisisline.net/>
- 1-800-273-8255 or text 838255