



Violence Against Women Act

This guide details Southeast Technical College (STC) resources and options available to individuals impacted by sex-based harassment, including sexual assault, domestic violence, dating violence and stalking. This pamphlet contains information to help you understand your options if you or someone you know experiences sex-based misconduct.

In compliance with federal law (Title IX), STC appointed a Title IX Coordinator to make sure members of STC community receive Title IX protections as guaranteed by federal law and STC policy. Contact information for the Title IX Coordinator is listed inside.

Experiencing sex-based misconduct can be overwhelming and STC regrets that any of our community members may have had such an experience. STC is here to support you and ensure you are empowered to make choices that are best for your needs, without pressure and with respect to your privacy.

If you have experienced sex-based misconduct you have options:

- Do nothing until you are ready.
- Contact Title IX Coordinator for resources and to answer questions. This is confidential.
- Contact STC Campus Security. This is not confidential.
- Seek STC counseling or off-campus counseling. This is confidential.
- Initiate a criminal case with Campus Security or local law enforcement.
- Initiate a civil process.

STC encourages individuals that experience sex-based misconduct to immediately contact Campus Security or local law enforcement. The individual is also encouraged to contact a medical provider to ensure they are safe and cared for. It allows the preservation of evidence if the individual wishes to pursue criminal charges and/or a protection order now or later.

If you are off campus and you experience a sex-based misconduct, you can contact local law enforcement at 911. If you are in Sioux Falls, you also have the option to contact the non-emergency number of the Sioux Falls Police Department at 605-367-7000. If you are in Huron, you can contact the Huron Police Department at 605-353-8550.

STC encourages individuals to make a report to the Title IX Coordinator:

Jim Larson

Compliance Officer/Title IX Coordinator

jim.larson@southeasttech.edu

605-367-5681

Reporting options are not mutually exclusive. An investigation can be done both internally and externally at the same time.

Assistance

The Title IX Coordinator assists victims through this difficult time and is well-trained in matters of trauma, domestic violence, dating violence, sexual assault and stalking. When the Title IX Coordinator receives a report, the coordinator will:

- Help the victim contact law enforcement and initiate criminal proceedings, if the victim chooses to do so. There will be no pressure to make a report, and the victim can decide not to notify law enforcement.
- Provide the victim with a comprehensive list of resources. This list includes services available by STC, in the community or national resources. The list consists of counseling services, victim advocacy, legal assistance, student financial aid and other services for victims of sex-based harassment.
- Provide information and assistance to the victim by requesting supportive measures from the college such as changing schedules, living situations, safety plans or emergency assistance. The college will provide such accommodations/supportive measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to law enforcement.
- Explain to the victim the procedures involved for STC disciplinary action/resolution options in cases of sex-based misconduct.

The Title IX Coordinator will work with the victim to ensure their wishes are

considered with respect to the supportive measures that are planned and implemented. These actions include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services.
- Referral to Employee Assistance Program.
- Referral to community-based service providers.
- Student Financial Aid counseling.
- Altering work arrangements for employees or student-employees.
- Implementing contact limitations (no contact orders) between the parties.
- Class schedule modifications.
- Academic support, extensions of deadlines or other course/program adjustments.
- Any other modifications deemed appropriate by the Title IX Coordinator.

OFF-CAMPUS RESOURCES

CONFIDENTIAL RESOURCES:

The Compass Center – 605-339-0116
1704 S Cleveland Ave, Sioux Falls, SD 57103

HOSPITAL RESOURCES:

Avera Health – 605-322-8000
Sanford Health – 605-333-1000
Falls Community Health – 605-367-8793
SD Urban Indian Health – 605-339-0420

NON-CONFIDENTIAL RESOURCES:

Children's Inn – 605-338-4880
113 N St. Paul Ave, Sioux Falls, SD 57103
South Dakota Network Against Family Violence and Sexual Assault – 605-731-0041
1704 S Cleveland Ave #5, Sioux Falls, SD, 57103
National Center for Victims of Crimes – 202-467-8700

Confidentiality

Most employees at STC are obligated to report all sex-based misconduct they become aware of to the Title IX Coordinator. Reports are confidential to the Title IX Coordinator and will be protected. The Title IX Coordinator will contact the victim when a report is received to discuss the victim's wishes and options.

All modifications and supportive measures provided by STC will be maintained as confidential as long as it does not impair with the ability to institute those measures. STC will not include any personal identifiable information about parties to the Clery Act reporting as required by the Violence Against Women's Act.

Protection Orders

Any person who obtains a protection order, no contact order, restraining order or any similar lawful orders issued by a criminal, civil or tribal court should provide a copy to the Title IX Coordinator. The Title IX Coordinator will help in developing a safety plan, which is a plan for STC and the victim to reduce risk of harm while on campus or coming and going from campus. SDCL 25-10-3.1 states that any person

may apply for a protection order if they are in a relationship with another party.

25-10-3.1. Persons entitled to apply for protection order.

Any person who is involved in one of the following relationships with another party:

1. Spouse or former spouse;
2. Is in a significant romantic relationship or has been in one during the past twelve (12) months with the abusing party;
3. Has a child or is expecting a child with the abusing party;
4. Parent and child, including a relationship by adoption, guardianship or marriage; or
5. Siblings, whether of the whole or half blood, including a relationship through adoption or marriage;

is entitled to apply for a protection order or a temporary protection order pursuant to the provisions of this chapter.

Along with SDCL 25-10-3.1, South Dakota also has SDCL 22-19A-8 that allows a person to apply for a protection order in the cases of stalking behavior, physical injury as a result of an assault, or a crime of violence.

Possible STC Resolutions/Sanctions

Impacted individuals have several options at STC for resolution.

Initiate a complaint and investigation with the Title IX Coordinator. The Title IX Coordinator will begin an investigation into the allegations. This can be done while law enforcement is also investigating if the impacted individual started a criminal complaint. The Title IX Coordinator will interview parties and relevant witnesses, collect evidence and write an investigation report or provide a summary of evidence for the parties to review.

Once the investigation is complete, there is a 10-day wait while it is reviewed by the parties. After this time, there is an impartial hearing in front of a decision maker. The decision maker will decide. This decision is based on a preponderance of the evidence (over 50%). In other words, the violation of policy is more likely to have occurred than not have occurred.

There is a time that any party can appeal the judgment. After the appeal time is completed, sanctions are enforced, if ordered.

Student: *warning, required counseling, probation, suspension, expulsion or other sanctions deemed appropriate.*

Employee: *warning, performance improvement plan, required counseling, required training, probation, suspension without pay, termination or other sanctions deemed appropriate.*

A victim of sex-based harassment may also start a criminal report or take civil action at any time, even though they have made a report to the Title IX Coordinator.