

Delaware College of Art & Design Title IX Policy

Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. §1681 et seq., is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. Delaware College of Art & Design (the “College”) must comply with Title IX.

Under Title IX, schools must operate free from gender-based discrimination, including sexual harassment.

Any of the following conduct on the basis of sex, sexual orientation, or gender identity constitutes sexual harassment:

- An employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual’s participation in unwelcome sexual conduct (often called “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 the school’s education program or activity; or
- Sexual assault, dating violence, domestic violence, or stalking.

The College will take immediate action to eliminate sex discrimination, sexual harassment, or sexual violence, prevent its recurrence, and address its effects. The College has a responsibility to respond promptly and equitably if the College has actual knowledge of or notice of sexual harassment allegations within the College’s campus environment, education program, or activity. An education program or activity includes locations, events or circumstances over which the College has exercised substantial control over both the respondent and the context in which the sexual harassment occurs and also includes any building owned or controlled by a student organization that is officially recognized by the College.

The College defines Actual Knowledge as notice of sexual harassment or sexual harassment allegations to a school’s Title IX Coordinator or any school official who has the authority to institute corrective measures on behalf of the recipient or to any employee of an elementary or secondary school.

A criminal investigation into allegations of sexual harassment or sexual violence does not relieve the College of its duty under Title IX to resolve complaints promptly and equitably.

The College does not discriminate on the basis of sex, sexual orientation, or gender identity, nor does it tolerate discrimination on the basis of sex or gender identity in its education programs and activities or employee work environments. The College strives to provide an environment free from sex discrimination, including sexual harassment. The College encourages students, parents, and staff to identify barriers to a discrimination-free school environment. Any person (e.g., the alleged victim or any third party) may make a report to the Title IX Coordinator.

Complaints and/or inquiries concerning allegations of sexual harassment or discrimination on the basis of sex, sexual orientation, or gender identity, shall be directed to the College’s Title IX coordinator in person, or by phone, mail, or e-mail, to the Office of Civil Rights, or the Assistant Secretary of the U.S. Department of Education. Any person (e.g., the alleged victim or any third party) may report to the Title IX Coordinator. All complaints will be received and investigated in a prompt and equitable manner.

The College’s Title IX Coordinator can be contacted at:

600 N. Market Street
Wilmington, DE 19801

TitleIXCoordinator@dcad.edu

The Office of Civil Rights is located at:

Office for Civil Rights, Philadelphia

U.S. Department of Education
The Wanamaker Building
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
Tel: (215) 656-8541
Fax: (215) 656-8605
Email: OCR.Philadelphia@ed.gov

The Title IX Coordinator's responsibilities include overseeing all complaints of sex or gender identity discrimination and sexual harassment and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. If a report of sexual harassment is made to a College employee, the employee will inform the Title IX Coordinator.

When the Title IX Coordinator is aware of an allegation of sexual harassment, the Title IX Coordinator will promptly and confidentially reach out to the student or staff member alleging sexual harassment to discuss available options, including, but not limited to:

- The availability of supportive measures to restore access to the school's education program or activity with or without the filing of a formal complaint;
- The right to file a complaint to initiate an investigation into the sexual harassment allegations; and
- The process for filing a formal complaint.

The Title IX Coordinator will provide the complainant with information concerning the right to supportive measures even if no formal complaint is filed. The College will consider the alleged victim's wishes with respect to requests for supportive measures.

The respondent may also benefit from supportive measures. Supportive measures are free, individualized services designed to restore or preserve equal access to education, protect safety, or deter sexual harassment, are not disciplinary or punitive without unreasonably burdening any other person. Examples of supportive measures may include:

- Counseling.
- Extensions of deadlines or other course-related or work-related adjustments,
- Modifications of work or class schedules,
- Campus escort services,
- Leave of absence,
- Increased security or monitoring of certain parts of campus; and/or
- Mutual restrictions on contact between individuals.

The College will keep confidential any supportive measures provided to the extent it does not impair the College's ability to provide the supportive measure. The Title IX Coordinator is responsible for coordinating effective supportive measures.

[Formal Complaint of Sexual Harassment](#)

A formal complaint is an official document alleging sexual harassment. The College will investigate the allegations set forth in a formal complaint.

A formal complaint must be submitted by the employee, student, or the student's parent or legal guardian (in some cases) or signed by the Title IX Coordinator.

Formal complaints may be filed with the Title IX Coordinator in person, by mail, by telephone, or by email:

600 N. Market Street

Wilmington, DE 19801

TitleIXCoordinator@dcad.edu

Even if the student or employee opts not to file a formal complaint, the Title IX Coordinator may decide to file a formal complaint independently, which starts an investigation.

Emergency Removal: A respondent may be removed from the College's work environment, education programs, or activities on an emergency basis if the respondent poses an immediate threat to anyone's physical health or safety.