



Title IX: Sex Discrimination, Harassment and Misconduct

What is it and how do I report it?

What is Title IX?

Title IX of the Education Amendments of 1972 prohibits sex discrimination in educational programs and activities. No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

What Behaviors are Prohibited by Title IX?

Sexual harassment (which includes sexual violence and assault) is a form of sex discrimination and therefore a violation of Title IX. Specific behaviors that are prohibited by Title IX include rape, sexual assault, sexual battery, sexual exploitation, and other forms of non-consensual sexual activity; stalking; and relationship violence. Many behaviors that violate Title IX also constitute crimes.

What is Sexual Harassment?

Sexual harassment is a form of sex-based discrimination consisting of unwelcome verbal, non-verbal or physical conduct relating to sex or gender (ranging from sexual violence, to unwelcome sexual advances, to more subtle verbal and non-verbal behavior) that is implicitly or explicitly:

- A term or condition of employment, or status in a course, program or activity; OR
- A basis for employment/educational decisions; OR
- Has the purpose or effect of:
 - Interfering with one's work or educational performance;
 - Creating an intimidating, hostile or offensive work or learning environment; or
 - Interfering with or limiting one's ability to participate in or benefit from an institutional program or activity

Examples of Sexual Harassment:

- Pressure for sexual activity
- Sexual innuendos and comments
- Sexually explicit questions
- Requests for sexual favors
- Unwelcome touching, hugging, stroking, squeezing
- Spreading rumors about a person's sexuality
- Sexual ridicule
- Displaying or sending sexually suggestive electronic content, including but not limited to emails, text messages, etc.
- Pervasive displays of pictures, calendars, cartoons, or other materials with sexually explicit or graphic content
- Stalking a person
- Attempted or actual sexual violence

These examples are not all-inclusive of the types of situations that may constitute sexual harassment.

Florida Keys Community College does not discriminate on the basis of race, color, national origin, ethnicity, age, sex, marital status, military status, genetic information, sexual orientation, pregnancy, religion, or disability in its programs, activities, or employment practices. Please visit <http://www.fkcc.edu/notice-of-non-discrimination/> for more information.

Who is Protected?

Men as well as women are protected, including when the harasser and victim are of the same sex, and regardless of either’s sexual orientation or gender identity. Third parties are protected where harassment directed at others, or sexual conduct between consenting participants, adversely affects the third party’s work or learning environment.

Is Retaliation Prohibited?

Yes. FKCC’s policy prohibits retaliation for making a good faith complaint about sexual harassment, including sexual violence, or for participating in or otherwise being associated with an investigation of alleged sexual harassment/violence. Anyone who believes, or receives a complaint, that prohibited retaliation has or is occurring should immediately contact the Title IX Coordinator.



How Do I Report Sexual Discrimination, Harassment, or Violence?

Any College community member with knowledge that harassment has or may be occurring should file an Incident Report available on FKCC’s website: <https://publicdocs.maxient.com/incidentreport.php?FloridaKeysCC>

They may also contact the College’s Title IX Coordinator:

Dr. Erika MacWilliams, Dean, Student Affairs
 (305) 809-3277 or erika.macwilliams@fkcc.edu
 Florida Keys Community College, 5901 College Road, Key West, FL 33040

College community members who are designated as reporting personnel and/or in positions of authority, who know or receive a complaint of sexual harassment must report it to the Title IX Coordinator and must relay any request for confidentiality by the complainant. Failure to so report may result in discipline.

The Title IX Coordinator will investigate the complaint or report (subject to confidentiality requests except in limited cases) and take other appropriate remedial and preventative action. Disclosure by students of drug or alcohol use as part of a complaint or in the course of an investigation will not be used against the student in a disciplinary proceeding or voluntarily reported to law enforcement.

Note: Reporting sexual harassment to the College/Title IX Coordinator does not replace the right to pursue other options or remedies under the law, nor satisfy any timeliness requirements for asserting a state or federal law claim.

Reporting Sexual Crimes:

Off-campus sexual assault and other sexual harassment that may constitute a crime should immediately be reported to local law enforcement by calling 911.

On-campus sexual assaults and crimes should be immediately reported to the following:

- o Key West Police Department: 911 or (305) 809-1000
- o Campus Security: (305) 809-3543 or (305) 467-6912

Additionally, regardless of the place of occurrence, sexual assault and other sexual harassment that may constitute a crime should be reported to the Title IX Coordinator.

Confidential Support Resources:

- HelpLine, Inc.: (305) 296-4357
- Domestic Abuse Hotline: 1 (800) 500-1119
- Domestic Abuse Shelter: Lower Keys Shelter: (305) 292-6647
 Middle Keys Shelter: (305) 743-4440
 Upper Keys Shelter: (305) 451-5666
- Florida Coalition Against Domestic Violence: 1 (800) 500-1119
- Florida Council Against Sexual Violence: 1 (888) 956-7273
- Guidance Care Center: Lower Keys: (305) 292-6843
 Middle Keys: (305) 434-9000
 Upper Keys: (305) 451-8018
- Mental Health Services: (305) 434-7660
- Rape Crisis Hotline: 1(888) 956-7273
- Sheriff’s Office Victim Advocates: Lower Keys: (305) 809-1090
 Middle Keys: (305) 289-2430
 Upper Keys: (305) 853-3211