

PCIHEALTH TRAINING CENTER | Dallas and Richardson Campus

Title IX Sexual Harassment and Violence Policy

NOTICE of NONDISCRIMINATION

PCI Health Training Center does not discriminate on the basis of sex or gender in its educational programs and activities. Title IX requires that PCI does not discriminate in this manner. Individual inquiries regarding PCI's policy regarding Title IX may be directed to:

James White, Title IX Coordinator, 8101 John W. Carpenter Freeway, Dallas, TX 75247.
(214) 630-0568. titleIXCoordinator@pcihealth.com.

Inquiries may also be directed to:

PCI Health Training Center
ATTN: Gayla Taylor, School Director
8101 John W. Carpenter Freeway
Dallas, TX 75247
214.630.0568
gtaylor@pcihealth.com

PCI Health Training Center
ATTN: Ginny Straley, School Director
1300 International Parkway
Richardson, TX 75081
214.576.2600
gstraley@pcihealth.com

PCI Health Training Center firmly upholds its policy of nondiscrimination, providing a safe educational environment, free of harassment, violence, and discrimination for all occupants on campus. This includes any complaint filed by students against school employees, other students, or third parties

DEFINITION of TITLE IX

Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX. Under Title IX, sexual harassment and acts of sexual violence are forms of sex or gender discrimination.

United States Department of Education – Office for Civil Rights; Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§1681 et seq., 34 C.F.R. Part 106

COMPLIANCE

PCI Health Training Center upholds and complies with all applicable laws and regulatory requirements as set by the U.S. Department of Education. Regarding Title IX, PCI is obligated to the following:

- PCI will respond to student-on-student harassment occurring off-campus, if the victim files a complaint with the School or the conduct creates a hostile on-campus environment;
- PCI is required to conduct its own Title IX investigation and proceed under its own notice and grievance procedures, even if the conduct is subject to a criminal investigation or complaint;
- PCI is required to use a preponderance of the evidence standard in its grievance procedures;
- PCI is required to notify the complainant and accused student of the outcome of the

complaint or appeal, along with periodic updates.

GRIEVANCE PROCEDURE

Should any occupant of this campus experience sexual harassment, which includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, they are to immediately report the incident to a PCI school official. PCI school official will immediately report complaint to the Title IX Coordinator. PCI will take immediate action to investigate any claim of sexual harassment, eliminate the harassment, prevent its recurrence, and address the effects. Further, the School will uphold the Office for Civil Rights policy with regards to the grievance procedure effects. Further, the School will uphold the Office for Civil Rights policy with regards to the grievance procedure:

- Notice to students and employees of the grievance procedures, including where complaints may be filed;
- Application of the procedures to complaints alleging harassment carried out by employees, other students, or third parties;
- Adequate, reliable, and impartial investigation of complaints, including the opportunity for both parties to present witnesses and other evidence;
- Notice to parties of the outcome of the complaint;
- An assurance that the School will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, if appropriate.

Mediation will not be used to resolve a sexual assault complaint.

Under Title IX, a complainant has the right to file a criminal complaint at any point during the School's internal investigation to a claim. PCI will, without delay, investigate any and all claims of sexual harassment, violence, and discrimination. During an investigation of a complaint, PCI will allow equal opportunity to all parties to present relevant witnesses and other evidence. All parties will be afforded similar and timely access to any information that will be used at a hearing.

In any hearing, PCI is not required by OCR to allow parties to have legal representation present at any stage of the proceedings. However, if PCI deems it necessary, then both may be allowed legal representation and their involvement in the proceedings. Should PCI find it necessary to provide for appeal of any findings or remedy, it will do so for both parties involved.

NOTICE of OUTCOME and FERPA

Upon the completion of any investigation, PCI will, without hesitation, notify both parties in writing about the outcome of both the complaint and any appeal, and whether harassment was found to have occurred.

The Family Educational Rights and Privacy Act – **FERPA** permits PCI to disclose to the harassed student information about the sanction imposed upon a student who was found to have engaged in harassment when the sanction directly relates to the harassed student. This includes an order that the harasser stay away from the harassed student, or that the harasser is

prohibited from attending school for a period of time, or transferred to another class, or is terminated from the School. Further, when the conduct involves a crime of violence or a non-forcible sex offense, FERPA permits PCI Health Training Center to disclose to the alleged victim the final results of a disciplinary proceeding against the alleged perpetrator, regardless of whether the School concluded that a violation was committed. PCI also has the right to disclose to anyone – not just the alleged victim – the final results of a disciplinary proceeding if it determines that the student is an alleged perpetrator of a crime of violence or a non-forcible sex offense, and, with respect to the allegations made, the student has committed a violation of PCI’s rules and policies.

**Violence Against Women Reauthorization Act of 2013 (VAWA) Policy
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PCI Health Training Center does not discriminate on the basis of sex or gender in its educational programs and activities. Individual inquiries regarding PCI’s policy regarding Violence Against Women, at any time may be directed to:

PCI Health Training Center
ATTN: Gayla Taylor, School Director
8101 John W. Carpenter Freeway
Dallas, TX 75247
214.630.0568
gtaylor@pcihealth.com

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