



# Sexual Harassment Policy

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Harassment Policy**

Adams State University's our primary concern is student safety. Sexual Violence creates an atmosphere that prevents the victim from accessing the benefits of higher education. Because sexual violence creates a potential civil rights violation, allegations of sexual violence is handled differently than other allegations of Adams State Student Conduct violations. Adams State University does not consider the use of alcohol or drugs by a victim as a relevant fact in determining responsibility for sexual violence.

## **“Yes Means Yes” Adams State University Sexual Harassment Policy for Students**

### **I. THE LAW**

Sexual harassment is against the law. Sexual harassment/ sexual violence of students is a violation of Title IX of the 1972 Education Amendments in that it constitutes discrimination based on gender.

## **II. COMMITMENT**

Adams State University prohibits, and will not tolerate, discrimination that violates federal or state law. Additionally, The University has its own anti-discrimination policy and this policy and its grievance procedure, will be strictly adhered to by the University. The University will not tolerate sexual harassment or any form of sex based discrimination. Sex based discrimination includes discrimination based upon sexual orientation and gender identity. Likewise, the University will not tolerate any form of retaliation against any student or employee for reporting discrimination or assisting in the investigation of a complaint.

## **III. DEFINITION AND EXAMPLES OF SEXUAL HARASSMENT**

Sexual harassment is unwelcome conduct of a sexual nature. Sexual harassment can include unwelcome sexual advances, requests for sexual favors both verbal and nonverbal, or physical conduct of a sexual nature. The harasser could be a member of the faculty, staff, someone outside the campus community or a fellow student.

Sexual harassment of a student can deny or limit, on the basis of sex, the student's ability to participate in or to receive benefits, services, and/or opportunities in the university's programs.

Sexual harassment can take many forms ranging from unwanted comments regarding appearance, to subtle pressure for sexual activity, to unwelcome physical touching, to sexual violence.

Adams State University adheres to a "yes means yes" standard for sexual consent. "Yes means yes" places the burden on the party initiating a sexual encounter to seek and achieve consent for every step in the sexual encounter. The burden is not on the victim to say "no" but on the initiator to affirmatively seek a "yes."

Other examples of sexual harassment include (but are NOT limited to):

- Comments about another person's body
- Sexually explicit pictures or suggestive objects placed in a living or work space (that a reasonable person would find offensive)
- Unwanted propositions of a sexual nature, or demands for sexual favors.
- Stalking
- Unwanted telephone calls, text messages, social media messages or e-mails with sexually explicit content.

- Unwanted sexual contact.

## **IV. DEFINITION OF RETALIATION**

Retaliation is any adverse action taken against an individual who files a complaint about discrimination or who participates in an investigation of alleged discrimination designed to punish that individual for their participation in the investigation.

## **V. DIRECTOR OF TITLE IX**

Adams State University has a Director of Title IX who is responsible for monitoring the overall implementation of Title IX for the University. Also, the Director of Title IX provides counseling, mediation as well as prompt and effective investigation and resolution of complaints.

Ana Guevara, Director of Title IX and Office of Equal Opportunity

## **VI. ADDITIONAL AREAS OF SEX DISCRIMINATION MONITORED BY THE DIRECTOR OF TITLE IX**

Students may not be discriminated against on the basis of sex in:

- Admission
- Access to course enrollment
- Access to facilities
- Counseling
- Competitive athletics
- Graduation requirements
- Student rules, regulations and benefits
- Treatment as a married and/or pregnant student
- Housing, financial aid
- Most other aid benefits or services

For additional information on sexual harassment or discrimination, please contact Ana Guevara, Director of Title IX and OEO.

Additional contact information:

- Adams State University Counseling and Career Services-719- 587-7746

- Tu Casa- Domestic violence/ sexual assault- [719-589-2465](tel:719-589-2465)
  - Adams State University Police Department- [719-587-7901](tel:719-587-7901)
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- Anti-Discrimination Policy (<https://www.adams.edu/administration/oeo/anti-discrimination-policy/>)
  - Anti-Discrimination Statement (<https://www.adams.edu/administration/oeo/anti-discrimination-statement/>)
  - Procedure for Discrimination Complaints and Grievances (<https://www.adams.edu/administration/oeo/procedure-for-discrimination/>)
  - Reporting Sexual Harassment (<https://www.adams.edu/administration/oeo/reporting-sexual-harassment/>)
  - Reporting Sexual Misconduct (<https://www.adams.edu/administration/oeo/reporting-sexual-misconduct/>)
  - Sexual Harassment Policy (<https://www.adams.edu/administration/oeo/sexual-harassment-policy/>)
  - Title IX & The Jeanne Clery Act (<https://www.adams.edu/administration/oeo/title-ix-clery/>)
  - Consent (<https://www.adams.edu/administration/oeo/consent/>)
  - Reporting Discrimination (<https://www.adams.edu/administration/oeo/reporting-discrimination/>)
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- Accessibility Services (<https://www.adams.edu/accessibility/ada/>)
  - Additional Student Complaint Procedures (<https://www.adams.edu/students/complaint/>)
  - Adams State Police Department (<https://www.adams.edu/police/>)
  - Adams State Policies & Publications (<https://www.adams.edu/publications/>)
  - Counseling Center (<https://www.adams.edu/students/counseling-center/>)
  - LGBTQ+ (<https://www.slvpride.org/>)
  - Title IX Training (PDF) ([https://drive.google.com/drive/folders/1lV\\_gejpn-N6K0uHRHNKbqEnSEL0NO1LL?usp=sharing](https://drive.google.com/drive/folders/1lV_gejpn-N6K0uHRHNKbqEnSEL0NO1LL?usp=sharing))
  - Title IX training 8/28/23 ([https://drive.google.com/file/d/1\\_KOkBZQBVGf\\_iJmajn\\_vyS6k7B7nkA0e/view?usp=drive\\_link](https://drive.google.com/file/d/1_KOkBZQBVGf_iJmajn_vyS6k7B7nkA0e/view?usp=drive_link))
  - US Department of Education (<https://www2.ed.gov/about/offices/list/ocr/docs/howto.html>)

## Contact

### Ana Guevara

Director of Title IX & OEO

Student Union Building, Suite 327

719-587-8213

anaguevara@adams.edu (mailto:anaguevara@adams.edu)

### Delilah Chavez

Director of Clery Compliance

Asst. Dir. Title IX

Student Union Building, Suite 325

719-587-8224

delilahchavez@adams.edu (mailto:delilahchavez@adams.edu)

If there is an immediate risk to safety, threat, or harm call 911 immediately.

## Other Resources

Alamosa Police Department

719-589-2548

Colorado Crisis Services 24 Hotline (<https://coloradocrisiservices.org/>)

844-493-8255

Text “talk” to 38255

National Suicide Prevention

988

Tu Casa Domestic Violence 24-hr Hotline

719-589-2465

- RAINN (<https://rainn.org/about-national-sexual-assault-telephone-hotline>)

- SLV Behavioral Health Group (<https://www.slvbhg.org/>)