

SCC AWARENESS CAMPAIGN

SCC’s primary campaign will be held during all orientation days. Ongoing campuses awareness activities will be offered during Welcome sessions at the start of each semester, and during Spring Fling. A yearly poster design contest will be held in which designs are voted on by the campus community.



Preventing Sexual Violence



For more information, please contact  
southwesterncc.edu  
828.339.4000



SEXUAL HARASSMENT AND TITLE IX

Title IX of the Education Amendments of 1972 states that: 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.

Sexual harassment is a form of sex discrimination that is prohibited by Title IX. It creates a hostile and inappropriate environment that is not conducive to learning and working. As a student or employee of our college community, you are fully protected under all Title IX classes and SCC prohibits all offenses as defined by Title IX.

Sexual harassment includes behavior that is sexual in nature, unwelcome, and denies or limits a student’s ability to participate in or benefit from a school’s educational program.

Sexual harassment can vary depending upon the harasser. The harassment may be physical, verbal, or non-verbal. Males and females may be the victim or perpetrator of sexual harassment. Sexual harassment may occur between individuals of the same sex. Sexual harassment may occur between students, employees, or third parties on campus. Sexual harassment may occur in any program, on-campus, or off-campus during school-sponsored activities.

Quid Pro Quo

Quid pro quo is a type of sexual harassment in which a supervisor, professor, or someone who has more power requests sexual favors from a person with less power in exchange for employment or academic benefits.

Hostile Environment

When harassing conduct is sufficiently severe or pervasive so as to impair the educational or employment benefits offered by educational institutions, it can be classified as a hostile environment and sexual harassment. A hostile environment may be created by sexually related pictures, jokes, e-mails, or other inappropriate behavior. Typically, a one-time occurrence of the conduct is not sufficient to create a hostile environment. Unlike quid pro quo harassment, a power relationship need not exist in order to create a hostile environment.

Sexual Violence

Sexual violence is a form of sexual harassment prohibited by Title IX. It includes criminal conduct.

According to the Dear Colleague Letter dated April 4, 2011, sexual violence is defined as: Physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol.

An individual also may be unable to give consent due to an intellectual disability or other type of 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.

This definition includes rape, sexual assault, sexual battery, sexual coercion, unwanted touching, dating violence, and sexually motivated stalking.

Sources: U.S. Department of Education, Office of Civil Rights, Dear Colleague Letter, Washington, D.C., 4/4/11

SEXUAL COERCION

By definition, sexual coercion is “the act of using pressure, alcohol, drugs, or force to have sexual contact with someone against his or her will. Postrefusal sexual persistence is defined as persistent attempts to have sexual contact with someone who has already refused.”

Pressure comes in various forms: emotional, physical and verbal. If a partner uses any of the following to become physical, he or she could be pressuring:

Lying	Threatening	Badgering
Blackmailing	Holding you down	Name-calling
Guilt	Yelling	

Source: <http://www.911rape.org/getting-help/what-to-do-if-you-are-raped>

Think of sexual coercion as a spectrum or a range. It can vary from someone making verbal requests for sexual contact to forced contact against his or her will. Rape is the most severe form of sexual coercion. Not all sexual coercion is that extreme. By this definition, “sexual contact” can include kissing, caressing, petting, etc.

Source: <http://www.loveisrespect.org/if-you-don%E2%80%99t-want-you-don%E2%80%99t-have-info-about-sexual-coercion>

TITLE IX ADMINISTRATORS & FILING A COMPLAINT

Southwestern Community College has two Title IX Administrators who are responsible for:

- Overseeing all Title IX complaints and investigations to provide prompt, fair, and equitable resolutions;
- Identifying and addressing any patterns or systemic problems that arise;
- Meeting with students or employees, to provide support and to answer questions;
- Working with other college officials;
- Coordinating training, education and communication related to Title IX;
- Not having other job duties that may create a conflict of interest;
- Being available to assist school law enforcement regarding how to respond appropriately to reports of sexual violence;
- Ensuring that Southwestern Community College adheres to Title IX responsibilities.

How to File a Title IX Complaint

- Southwestern Community College encourages students and employees to report sexual harassment/sexual violence to an SCC employee or to use the student concerns portal available on the MySCC link at the top of the SCC website. Once on MySCC, select *Students-Report Behavior Concerns*.
- File in person with an SCC Title IX Administrator Compliance Officer

<b>Students file complaints with:</b>	<b>Employees file complaints with:</b>
Cheryl Contino-Conner	Lisa Sizemore
Dean of Students	Director of Human Resources
Balsam Center, Room 116	Balsam Center, Room 181
cheryl@southwesterncc.edu	l_sizemore@southwesterncc.edu
828.339.4245	828.339.4280

Policies and Disciplinary Procedures

For information regarding Southwestern Community College’s student discipline policy go to [www.southwesterncc.edu/human-resources](http://www.southwesterncc.edu/human-resources), select: Policies and procedures; human resources, and policy 4.03.03.

For more information about Southwestern’s employee discipline policy go to [southwesterncc.edu/human-resources](http://southwesterncc.edu/human-resources), select policies and procedures, select student services, and select policies 6.03.01, 6.03.03 and 6.03.03.01.

**SOMEONE WHO HAS BEEN SEXUALLY ASSAULTED SHOULD:**

1. Go to a safe place.
2. If they want to report the crime, notify the police or sheriff immediately. Reporting the crime can help in regaining a sense of personal power and control.
3. Call a friend, a family member, or someone else who can be trusted and can provide support.
4. Preserve all physical evidence of the assault, Do not shower, bathe, douche, eat, drink, wash hands or brush teeth, until after having a medical examination. Save all clothing worn at the time of the assault. Place each item in a separate paper bag (do not use plastic bags). Do not clean or disturb anything in the area where the assault occurred.
5. Get medical care as soon as possible. Go to a hospital emergency department or a specialized forensic clinic that provides treatment for sexual assault victims. Even if they think that they do not have any physical injuries, they should still have a medical examination and discuss with a health care provider the risk of exposure to sexually transmitted infections and the possibility of pregnancy resulting from the sexual assault. Having a medical exam is also a way to preserve physical evidence of a sexual assault.
6. If it is suspected that someone may have been given a “rape drug,” ask the hospital or clinic administrators medical care to take a urine sample. Drugs such as Rohypnol and GHB are more likely to be detected in urine than in blood.
7. Write down as much as they can remember about the circumstances of the assault, including a description of the assailant.
8. Get information whenever they have questions or concerns. After a sexual assault, they have a lot of choices and decisions to make - getting medical care, making a police report, and telling other people. The victim may have concerns about the impact of the assault and the reactions of friends and family members. Victims can get information by calling a rape crisis center, a hotline, or other victim assistance agencies.
9. Talk with a counselor who is trained to assist rape victims. Counseling can help victims learn how to cope with the emotional and physical impacts of the assault. They can find a counselor by contacting a local rape crisis center, a hotline, a counseling service, or other victim assistance agencies.

**What happens when sexual harassment or sexual violence is reported?**

Southwestern Community College is committed to investigating reports of sexual harassment and sexual violence in a prompt, fair, and equitable manner.

Southwestern Community College will provide appropriate accommodations in order to minimize a hostile environment, prevent the recurrence of a sexual harassment/violence incident, and address its effects. Accommodations may include but are not limited to the following:

- Schedule changes so that the victim and alleged perpetrator are not in the same class (es) or work environment.
- Counseling
- Sexual assault response team advocates (REACH)
- Academic support services
- Withdrawal from a course without penalty
- Assistance with absence or grade appeal process
- Providing guidance in filing a complaint with law enforcement and assistance from campus personnel to do so
- Security escort to and from class/work
- Employee Assistance Program Referral

**COMPLAINANT RIGHTS**

The complainant, the individual who reports sexual harassment/sexual violence, has the right to:

- Present his/her case, which includes the right to an adequate, reliable, and impartial investigation of complaints, the right to have an equal opportunity to present witnesses and other evidence, and the right to the same appeal process for both parties
- Be notified of the time frame in which Southwestern Community College will conduct a full investigation of the complaint, the parties will be notified of the outcome of the complaint and the parties may file an appeal, if applicable
- Have his/her complaint decided using a preponderance of the evidence standard, i.e., it’s more likely than not that sexual harassment or violence occurred
- Be notified in writing of the outcome of the complaint
- The information about the sanction imposed on the perpetrator when the sanction directly relates to the complainant
- Know that the complainant can end the informal process at any time and begin the formal stage of the complaint process

Southwestern Community College cannot require complainants to abide by a non-disclosure agreement, in writing or otherwise, because the Clery Act requires that both parties be informed of the outcome, including sanction information, of any institutional proceeding alleging a sex offense.

Individuals who wish to learn more about complainant’s rights or if one believes the College is violating federal law, contact the U.S. Department of Education, Office for Civil Rights, at ocr@ed.gov or 1.800.421.3481. A complaint form can also be completed online at: <http://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

**CONFIDENTIALITY**

Adhering to confidentiality is of the utmost importance at Southwestern Community College. Southwestern Community College will take all necessary steps to protect the identity of the complainant. There may be some incidents or information that cannot be kept confidential. The staff of Southwestern Community College will notify a complainant when information cannot be kept confidential.

If a complainant requests confidentiality and decides not to file charges in a sexual violence case, an anonymous report of the incident must be made in order to comply with the Clery Act (campus crime reporting). SCC’s on-campus counselor can talk with the complainant in confidence. If the safety of others in the community could be at risk, the good of the whole may need to be weighed against one student’s confidentiality request. Complainants have the option of avoiding contact with the alleged perpetrator. The staff of Southwestern Community College will discuss options with the complainant.

**SOUTHWESTERN COMMUNITY COLLEGE WILL SUPPORT THOSE WHO REPORT SEXUAL HARASSMENT/SEXUAL VIOLENCE BY:**

- Providing College and community resources
- Making referrals, as appropriate
- Accompanying the complainant to the hospital and/or law enforcement office, if desired
- Helping with filing a complaint, report, and/or grievance
- Providing information on obtaining a protective order
- Assisting with other appropriate accommodations, such as schedule changes
- Assisting with academic and attendance concerns
- Assisting with preparation for disciplinary proceedings, if requested
- Providing follow-up, as needed

**RETALIATION**

Retaliation for reporting sexual harassment/sexual violence is prohibited by Title IX. Retaliation of any type should be reported to a Title IX Administrator immediately. The Title IX Administrator will take prompt and immediate action to stop the retaliation and/or new cases of harassment.

**HOW TO HELP SOMEONE WHO EXPERIENCES SEXUAL HARASSMENT/SEXUAL VIOLENCE**

Sometimes those who experience sexual harassment/sexual violence are hesitant to report the incident. Anyone who is aware of such incidences are encouraged to listen to the victim and direct him/her to the appropriate campus and/or community resources. Getting professional help for a friend is the best way to help.

**Safe and Positive Options for Bystanders/Witnesses and Friends**

There are usually bystanders who inadvertently support sexual harassment/sexual violence. They do so by not intervening when they see inappropriate interactions. By not intervening, they are condoning the behavior.

**What Bystanders Can Do**

In order to stand up against sexual harassment/sexual violence, one can:

- Believe violence is unacceptable and say so
- Treat all people with respect
- Say something when someone blames the victim
- Talk with friends about confronting violence
- Encourage friends to trust their instincts
- Be aware of campus and community resources
- Not laugh at sexist or racist jokes
- Look out for friends at parties and bars
- Educate yourself and friends
- Use campus resources
- Attend awareness events
- Empower victims to tell their stories

In addition, one can:

- Report the incident to a school official immediately
- Ask a friend in a potentially dangerous situation if he/she wants to leave
- Make sure the friend gets home safely
- Ask the victim what he/she needs
- Provide the victim with options
- Call the campus counselor, community counseling agency, or community crisis center for support

**TITLE IX RESOURCES**

In compliance with Title IX, Southwestern Community College does not deny or limit any student or employee the ability to participate in or benefit from any program offered by the institution on the basis of sex or gender.

For more information on Title IX not contained within this document visit [www2.ed.gov/about/offices/list/ocr/docs/tix\\_dis.html](http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)

**ADDITIONAL RESOURCES**

Southwestern Community College Counselor: Peter Buck  
phone: 828.339.4243 or email: [pbuck@southwesterncc.edu](mailto:pbuck@southwesterncc.edu)

REACH of Macon County (also serving Jackson County):  
828.586.8969

Jackson County Sheriff’s Office: 828.586.8901

Western North Carolina Legal Services: 828.586.8931

Meridian Health Services (Counseling): 828.631.3973  
After hours: 828.226.4818

**NON-DISCRIMINATION**

Southwestern Community College does not and shall not discriminate in any of its activities or operations, on the basis of race, color, religion (creed), gender, gender expression, age, national origin (ancestry), disability, marital status, sexual orientation, or military status.