Welcome to New Student Orientation

Title IX
**Title IX:** A comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity.

**Clery Act** – A federal law that requires colleges and universities to **disclose information regarding crime statistics** and security measures in an Annual Security Audit.

**VAWA – Violence Against Women Act,** amends Clery Act to include dating violence, domestic violence, sexual assault and stalking as reporting categories. Gender identity and national origin are added as new categories for hate crimes. Requires institutions to offer training and awareness programs.
NINE FAST FACTS ABOUT SEXUAL ASSAULT AND TITLE IX

1. **Title IX prohibits** sex discrimination in education programs that receive federal funding. (This means all public and charter K-12 schools, some private K-12 schools, and nearly all colleges and universities.)

2. **Sexual harassment**, including sexual assault, is a type of sex discrimination that’s banned by Title IX.

3. **Sexual assault** = a physical sexual act done **against a person’s will**. This includes situations in which a person is incapable of giving consent due to drug or alcohol use.

4. **One in five women** are victims of completed or attempted sexual assault while in college. That’s over 2 million women.

5. Sexual harassment creates a **hostile environment** when it is sufficiently serious that it interferes with or limits a student’s ability to participate in or benefit from an educational program. (Rape is sufficiently severe to create a hostile environment.)
If a school knows (or reasonably should know) about sexual harassment, including sexual assault, that creates a hostile environment, Title IX requires the school to take immediate action to eliminate the harassment, prevent its recurrence, and address its effects.

Schools are required to adopt and publish grievance procedures for students who complain of sex discrimination, including sexual assault.

If you file a complaint with the school, regardless of where the assault occurred, your school must process the complaint under its grievance procedures.

Because a Title IX investigation is different from a law enforcement investigation, even if you file a police report your school is independently required to investigate the assault. This investigation must be prompt, thorough, and impartial.
1 in 4 women are sexually assaulted while in college. Fewer than 5% report the crime.

99% of perpetrators are males.

94% of victims of sexual assault are women.

Approximately 6.1% of men reported experiencing attempted or completed sexual assault since entering college.
- Nearly 3 out of 4 Victims are freshman or sophomores - generally happens early in the semester.

- 20% of perpetrators are repeat offenders. And stats show they are on their 6th or 7th assault.

- 90% of college campus assaults involve victims who know their assailants.

- 40% of Victims Delay Reporting – Average Delay = 11.3 months.
Methods of Sexual Assault:

<table>
<thead>
<tr>
<th>Method</th>
<th>Percentage</th>
<th>Drugs and Alcohol</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incapacitation</td>
<td>33%</td>
<td></td>
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<tr>
<td>Physical Force</td>
<td>29%</td>
<td></td>
</tr>
<tr>
<td>Filed Consent</td>
<td>18%</td>
<td>Miscommunication, happens often with women who have been abused</td>
</tr>
<tr>
<td>Sexual Coercion</td>
<td>13%</td>
<td></td>
</tr>
<tr>
<td>Drug</td>
<td>7%</td>
<td>Facilitated</td>
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**Significant Underreporting:**

- Shame/Embarrassment/Fear
- Lack of confidence in the process
- Unsure of how to report
- Confused over acceptable standards of conduct
- Fear of punishment for activities preceding assault
- Membership in marginalized groups
Top Cited Reasons for Under-reporting:

- Lack of confidence in the process.
- Unsure of how to report.
Review of important terminology in SCC’s Preventing Sexual Violence Brochure

CONSENT = A CLEAR “YES!”
Examples of Sexual Misconduct or possibly Sexual Harassment.

A sexually inappropriate remark here or there won't generally rise to the level of a hostile environment; however, such comments are often a precursor to a viable sex harassment grievance. Here are two examples.

A male student tells a female student he finds her attractive and what he'd like to do to her if they were alone. He never touches her, but his comments become more frequent.

A female student corners another student and makes a propositions. Whenever possible thereafter, she brushes against the other student, gives hugs, or massages a shoulder.
Examples of Sexual Misconduct or possibly Sexual Harassment (if it is repeated enough or severe enough in only one instance)

Making sexual propositions or pressuring for sexual favors.

Unwelcome sexual advances.

Displaying sexually explicit drawings, pictures, social media, or written materials.

Performing sexual gestures or touching oneself sexually in front of others. Exposure.

Telling sexual or dirty jokes.
Review of important information in SCC Policy 6.03.03

CONSENT = A CLEAR “YES!”
What’s the Difference between Confidential and Anonymous?

Confidential – Only people who need to know, know. Trust in the professionals at SCC.

Anonymous – Who????
• **Confidential Employee** – is not required to report incidents of sexual misconduct to the College’s Title IX Coordinator if confidentiality is requested by the student. Campus counselors are considered Confidential Employees. If a student is unsure of someone’s duties and ability to maintain one’s privacy, the student should ask the person before he/she speaks to him/her. *If the campus is in danger then the safety of the campus overrides the student request for confidentiality.*

• **SCC Confidential Employees**: Peter Buck, Sarah Altman
• **Responsible Employee** – a College employee who has the authority to take action to redress sexual harassment/misconduct; who has been given the duty of reporting incidents of sexual harassment/misconduct or any other misconduct by students to the Title IX coordinator; or who a student reasonably believes has this authority or duty. The College’s Responsible Employees include all College administrators (Deans, Directors, Coordinators and Vice Presidents). If a student is unsure of someone’s duties and ability to maintain one’s privacy, the student should ask the person before he/she speaks to him/her.
• Title IX Student Administrator and Filing a Complaint:

• Cheryl Contino-Conner
  Dean of Students
  Balsam Center, Room 116
  Cheryl@southwesterncc.edu
  828-339-4245

You are encouraged to report all Title IX violations. You can report in person, or use the student concerns portal located on your MySCC link.
Investigating Title IX violations:

Investigations will occur in a prompt, fair and equitable manner, as defined by policies: 6.03.03 – Discrimination and Unlawful Harassment; 6.03.01 – Campus Security Reporting, Clery Act.

Appropriate accommodations will be provided during the investigation.
The Investigation decision is decided using a “preponderance of evidence” standard, i.e., it’s more likely than not that the sexual harassment or violence occurred. 51% rule.

Much different from court decisions:

- Preponderance of Evidence
- Clear and Convincing
- Beyond a Reasonable Doubt
Complainant Rights:

Case presentation

Notification of investigation time frame

Decision = Preponderance of Evidence

Notified in writing of outcome, including sanction as it relates to the complainant.
Staying SAFE on Campus:

If you have to work in an isolated lab, class room or area, tell someone! Or better yet, ask someone to come with you. Your safety can be seriously compromised in isolated spaces.

Make it tough for someone to take you by surprise – don’t wear ear buds when walking, running or studying alone.
Staying SAFE on Campus:

**Parking lots** = Hold off on phone calls. Though it might make you feel safer, it actually distracts your attention.

Have your car key in hand, ready to put in the lock as you are walking to your car. Check the backseat and under the car before entering. Always keep your car locked whether you are in it or not.
Staying SAFE, in general:

A large % of victims know their attackers. So,

Clearly communicate your intentions – say “NO” and mean it.

Alcohol and other drugs compromise your safety by lowering inhibitions and clouding judgment.

If you go somewhere with friends, make sure that everyone is accounted for before leaving.
Staying SAFE, in general:

Don’t be alone with someone you just met.

Be aware of date rape drugs.

Trust your instincts.
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.
Proactive Bystander Strategies:

Believe violence is unacceptable and say so.

Treat all people with respect.

Say something when someone blames the victim.

Encourage friends to trust their instincts.

Not laugh at sexist or racist jokes.

Look out for friends at parties, at school, in student areas.

Empower victims to tell their stories.
- SCC promotes a safe learning environment.

- **Student Concerns Portal:**
  - Southwesterncc.edu
  - mySCC; students/sexual harassment & Title IX; consumer information

- We operate with a **ZERO tolerance** for bullying, discrimination, hate crimes, hate language and sexual dating/domestic violence.
Visit SCC’s **Title IX** webpage:

From SCC’s homepage, click on:

Students

Sexual Harassment and Title IX

https://www.southwesternncc.edu/sexual-harassment-and-title-ix