

WHAT IS TITLE IX?

Title IX is a federal law which prohibits discrimination based on sex in any educational program or activity. Title IX of the Education Amendments of 1972 reads:

"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 educational program or activity receiving federal financial assistance."

STERLING COLLEGE'S COMMITMENT

In accordance with Title IX and the principles of human dignity and intrinsic value as found in Biblical Scripture, Sterling College affirms that its students, faculty, and staff have the right to be free from harassment by any member of the College Community. Sterling College student body includes all on-campus students, online students, graduate students, and dual-credit students.

PROHIBITED CONDUCT STATEMENT

Sterling College stands opposed to and prohibits sex discrimination that occurs within its "Education Programs and Activities" including any form of sex-based harassment, sexual violence, dating violence, domestic violence, and stalking) and will do all in its power to promote an environment that allows students, faculty, and staff to be free from the intimidation and coercion that accompanies such actions. All such incidents of harassment will be subject to appropriate disciplinary action.

NOTICE OF NON-DISCRIMINATION

It is the intent of Sterling College, through its policy on equal opportunity, to comply with Titles VI and VII of the Civil Rights Act of 1964; Title IX of the Educational Amendments of 1972; Executive Order 11246, Section 504, of the Rehabilitation Act of 1973; and all the related regulations. Sterling College, in compliance with these acts, does not discriminate on the basis of race, color, national origin, sex, age, or disability in admission or access to, treatment, or employment in its programs and activities.

CAMPUS BYSTANDER EDUCATION

All of us have been bystanders: we heard or have seen something, and we may or may not have acted. In most situations there are three participants: victim, perpetrator, and bystander. The bystander has the power to change the situation when they Step Up. Don't underestimate the positive impact that you can have on a situation either by acting to prevent or intervene when there is a risk of violence

FIVE STEPS FOR THE BYSTANDER

1. Notice the Event
2. Interpret it as a Problem
3. Assume Personal Responsibility
4. Step UP!
5. Know How to Help

EXAMPLES OF WHERE STEPPING UP CAN MAKE A DIFFERENCE:

- Sexual Violence
- Hate/Bias Incidents
- Cyber Bullying
- Hazing
- High-Risk Drinking
- Gambling
- Depression
- Physical Violence

GET INVOLVED

When the bystander notices the event as a problem early enough, he or she can prevent the event.

**SPEAK UP!
SEE SOMETHING,
SAY SOMETHING.
TAKE ACTION!**

CONTACT INFORMATION FOR REPORTING OR ASSISTANCE

Richard Webb,
Title IX Coordinator
Upper Kelsey Hall #304
titleix@sterling.edu
richard.webb@sterling.edu
620-278-4215
620-204-0025 (TIX cell)

Jason Briar,
VP for Student Life
Student Life Office
jason.briar@sterling.edu
620-278-4232

Sterling Police Department
118 N Broadway Ave
Sterling, KS
620-278-2100 Or
9-1-1 in cases
of emergencies

RD ON DUTY:
620-278-6218

CONFIDENTIAL CAMPUS REPORTING RESOURCES

Campus Counselor
Kelsey Hall, Room #113
David Miller
david.miller@sterling.edu
620-278-4297

Campus Pastor
Student Union Building
Student Life Office
Jose Carrillo
jose.carrillo@sterling.edu
620-278-4251

Campus Health Director
Student Union Building
Dana Ely
nurse@sterling.edu
620 278-4505

OTHER RESOURCES

Rice County District Hospital
619 S. Clark
Lyons, KS
620-257-5173

Hutchinson Regional Medical Center – Hutchinson Hospital
1701 E. 23rd
Hutchinson, KS
620-665-2000
(Please call prior to arrival if possible)

Sterling Medical Center
239 N Broadway
Sterling, KS
620-278-2123

Sexual Assault Advocate at Brighthouse
Cami Ryan
107 E Ave North
Lyons, KS
620-257-3272
620-663-2522
(24-hour crisis line)



Title IX Education and Campus Resources



FOR MORE INFORMATION:
sterling.edu/title-ix

REPORTING SEXUAL MISCONDUCT TO THE COLLEGE

Any student or employee victim of sexual misconduct may report the incident directly to any employee. ALL employees are mandated to report sexual misconduct incidents to the Title IX Coordinator, except for those identified and mandated as Confidential Resources. After an individual reports an alleged sexual assault or sexual misconduct, the Title IX Coordinator will provide them with safety planning which can include the following if reasonably available:

1. Change of on-campus student's housing.
2. Transferring class sections when available.
3. Assistance in exploring incompletes or withdrawal.
4. Assistance with contacting the police.

REPORTING INCIDENTS TO THE POLICE

Individuals are strongly encouraged to report all incidents to the police; however, it is the individual's decision whether or not to file a police report. If the individual wishes, the College will aid in contacting the police and accompanying her/him to the hospital and/or police station. Individuals will have access to support and referral services on-campus regardless of whether she/he decides to report the incident to the police. Individuals are strongly encouraged to have both a medical exam to ensure their well-being and a rape kit collected in order to gather forensic evidence. When relevant, victims of sexual offenses have the right to seek an order of protection, no contact order, restraining order, or similar lawful order.

PREGNANCY AND RELATED CONDITIONS

The College has a duty to provide certain accommodations to students with Pregnancy and Related Conditions. Reasonable modifications based on individualized Student needs, determined after consultation with the Title IX Coordinator or designated accommodation staff, and Student may be allowed.

SEX BASED DISCRIMINATION INCLUDES:

“Sex-Based” means on the basis of sex, sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

“Sex Based Harassment” is a form of Sex Discrimination and means sexual harassment and other Sex-Based harassment that constitutes Quid Pro Quo Harassment, Hostile Environment Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking.

“Quid Pro Quo Sexual Harassment” is an employee, agent, or other person authorized by the College to provide an aid, benefit, or service under its Education Programs or Activities explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct.

“Hostile Environment Sexual Harassment” means unwelcome Sex-Based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's Education Programs or Activities (i.e., creates a hostile environment).

“Sexual Assault” consists of one or more of the following:

- Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, or by a sex-related object. This definition also includes instance in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity (include due to the influence of drugs or alcohol) or because of age. Physical resistance is not required on the part of the victim to demonstrate lack of consent.
- Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is unable to give consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by Kansas law.
- Sexual intercourse with a person who is under the statutory age of Consent as defined by Kansas law.

“Domestic Violence” meaning felony or misdemeanor crimes committed by a person who:

- Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the State of Kansas, or a person similarly situated to a spouse of the victim.
- Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner.
- Shares a child in common with the victim; or
- Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the State of Kansas.

“Dating Violence” meaning violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship.
- The type of relationship.
- The frequency of interaction between the people involved in the relationship.

“Stalking” is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for their safety or the safety of others; or
- Suffer substantial emotional distress.

“Consent” refers to clear words or clear actions that a reasonable person would understand as agreement to engage in the sexual conduct at issue. Silence, in and of itself, does not constitute consent. A person who is Incapacitated is not capable of giving Consent. Consent must be given voluntarily. It cannot be procured through physical violence, threats, blackmail, or other unreasonable pressure for sexual activity. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Previous relationships or prior consent do not imply consent to future sexual acts. In order to give effective consent, a person must be of legal age.

“Retaliation” means intimidation, threats, coercion, or discrimination against any person by the College, a Student, or an Employee or other person authorized by the College to provide aid, benefit, or service under its Education Programs or Activities, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a Complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.

CONFIDENTIAL REPORTING

CONFIDENTIALLY REPORTING SEXUAL MISCONDUCT

Should a victim wish to report an incident of sexual misconduct confidentially, incidents may be reported to mandated confidential sources including the campus chaplain, campus nurse, campus sexual assault advocate, or the campus counselor. These individuals are not required to report any incident to any other department/person due to their position within this college. Confidential reporting may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for Confidential Resources, or by any other means that results in the designated confidential party receiving the report. Such a report may be made at any time by using the telephone number or electronic mail address, or by mail to the office address, listed for the Confidential Resource.

PRIVACY OF INFORMATION

Sterling College will make every effort reasonably possible to maintain privacy of an individual who makes a report through the Title IX Office and to protect the information reported, subject to the “due process” rights of an accused. The degree to which confidentiality or privacy can be protected however, also depends upon SC's legal duty to respond to the information reported and the professional role of the person being consulted. Employees, NOT mandated as a Confidential Resource, do NOT have the choice of keeping reports private or confidential. Any employee being consulted by a disclosing party, should make these limits clear before their disclosure of any facts. As required by law under the Clery Act, all disclosures to any SC employee of an on-campus act of sexual misconduct are tabulated for statistical purposes without personal identifying information.

PROHIBITION AGAINST RETALIATION

All persons are absolutely prohibited from taking any action against any other member of the College community, including but not limited to, the complainant, respondent, or witnesses to an alleged incident of sexual misconduct. Any person engaging in any retaliatory action(s) will be subject to a separate complaint and appropriate sanctions for determined violations up to and including suspension from the College.