

# 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 fundamentally opposed to any form of sexual harassment (which includes gender discrimination, 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* 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) 278-6218

**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


**Danika Drake,**  
*Pivotal Point Family Therapy*  
112 S Broadway Ave.,  
Sterling, KS 67579  
To make an appointment:  
counseling@sterling.edu  
or  
studentlife@sterling.edu

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

**Dana Ely, RN, BSN,**  
*Campus Health Director*  
Student Union Building  
Campus Health Office  
nurse@sterling.edu  
620 278-4505

## OTHER RESOURCES

**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](https://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.

# BYSTANDER INTERVENTION

Bystander intervention means safe and positive options that may be carried out by all individuals to prevent harm or intervene when there is a risk of violence or abuse. It includes recognizing situations of potential harm, understanding conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

# SEX BASED DISCRIMINATION INCLUDES:

“**Sexual Harassment**” is conduct on the basis of sex that constitutes Quid Pro Quo Sexual Harassment, Hostile Environment Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, or Stalking.

“**Quid Pro Quo Sexual Harassment**” is an employee of the College conditioning the provision of an aid, benefit, or service of the College on an individual’s participation in unwelcome sexual contact.

“**Hostile Environment Sexual Harassment**” is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person access to the College’s education programs and activities.

“**Sexual violence**” is a particularly severe form of prohibited sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent because of his or her mental or physical incapacity, including instances where the victim is incapable of giving consent because of age. Attempts are included. Sexual assault consists of rape, touching private body parts, or attempted sexual intercourse without consent of the victim.

“**Domestic Violence**” are crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Kansas, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of Kansas.

# DATE OF INCIDENT

“**Dating Violence**” is violence committed by a person –

- 1. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- 2. Where the existence of such a relationship will be determined based on a consideration of the following factors:
  - The length of the relationship;
  - The type of relationship; and
  - The frequency of interaction between the persons 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**” is intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because an individual has made a report or 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.