

2024-2025

# TITLE IX

## **Gender Discrimination and Sexual Harassment**

for students, faculty and staff of Anderson University



**Title IX Office**

at ANDERSON UNIVERSITY

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*This is an annual publication of Anderson University to inform students and employees about their rights under Title IX and resources available if they experience sexual harassment or sexual misconduct. The information provided in this publication was accurate as of August 9, 2024 and adhere with the 2020 regulations. Changes to federal regulations may require future changes to this publication.*

# WHAT IS TITLE IX?

As a Christ-centered university, Anderson University is committed to the statement in Genesis 1 that all people are made in God's image. Thus, all people are deserving of great respect! Based on this truth, as well as on our obligations as a recipient of federal funds, Anderson University is committed to complying with Title IX of the Education Amendments of 1972.

Title IX 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 educational program or activity receiving federal financial assistance."

## **NOTICE OF TITLE IX NONDISCRIMINATION**

Anderson University does not unlawfully discriminate in its programs and activities on the basis of sex and complies with state and federal laws prohibiting sex discrimination. As a Christ-centered institution of higher learning, the University exercises its rights under state and federal law to use religion as a factor in making employment decisions. Some regulations issued under Title IX relating to discrimination on the basis of sex are not consistent with the University's religious tenets and do not apply to the University (34 CFR § 106.12(a)).

## **STATEMENT OF COMPLIANCE WITH TITLE IX**

As part of the Higher Education Act Amendments of 1972, included was Title IX, which states: "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 program or activity receiving Federal financial assistance...." Other federal and state laws also address discrimination and harassment based on sex and gender for students, staff, faculty, and third parties in higher education. Anderson University is firmly committed to establishing an environment free from such discrimination and prohibits acts including sexual harassment, sexual harassment including sexual violence (i.e., sexual assault and nonconsensual sexual touching, forcible or not), relationship abuse (including domestic and dating violence), and stalking.

It is the policy of Anderson University to comply with all applicable provisions of Title IX, which prohibit discrimination (including sexual harassment and sexual misconduct or violence) based on sex in the University's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination, harassment, or misconduct.

Anderson University affirms the right of reporting parties to determine whether they wish to be involved in the University's Title IX processes to address harassment or discrimination. It should be noted, however, that we cannot take corrective action toward behavior about which we are unaware. Regardless, the University is

committed to supporting reporting parties through numerous available support services. The University encourages those who wish to receive confidential support services regarding harassment and discrimination to seek assistance from the AU Counseling Center, Thrive Wellness Center, the Campus Ministries staff, designated athletic trainers, and/or First Light. The University will also provide support to any reporting party who wishes to file a complaint of illegal behavior to Campus Safety or other local law enforcement.

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## ***SEXUAL HARASSMENT***

Title IX sexual harassment is conduct on the basis of sex that satisfies one or more of the following:

- A University employee conditioning the provision of a University aid, benefit, or service on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's Education Program or Activity; or
- Sexual Assault, Dating Violence, Domestic Violence, or Stalking

Examples might include:

- Persistent unwelcome sexual advances or requests for sexual favors
- Pervasive commentary about an individual's body or sexual activities
- Repeated and unwelcome sexually oriented teasing, joking, or flirting; or
- Verbal abuse of a sexual nature.

# CLERY ACT/VAWA VIOLATIONS

Title IX defines several offenses that are part of the Jeanne Clery Act of 1990 or the Violence against Women Act as sexual harassment under Title IX. These offenses are thus included for consideration as Title IX Sexual Harassment.

## ***Sexual Assault***

Sexual assault is an offense classified as a forcible or non-forcible sex offense under the Uniform Crime Reporting System of the Federal Bureau of Investigation. It includes forcible or statutory rape; forcible sodomy; sexual assault with an object; forcible fondling; and incest.

## ***Dating Violence***

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 shall be determined based on a consideration of the following factors:
  - a. length of the relationship;
  - b. type of relationship;
  - c. frequency of interaction between the persons involved in the relationship.

Examples may include hitting; kicking; punching; threats of violence to the individual or family members, friends, or pets; intimidation; or emotional or sexual abuse.

## ***Domestic Violence***

Domestic violence includes felony or misdemeanor 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 South Carolina, 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 South Carolina. Examples are similar to dating violence, such as hitting, kicking, punching, threats of violence, intimidation, or emotional or sexual abuse.

## ***Stalking***

Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

# ABOUT CONSENT

Virtually every Title IX case turns on the question of CONSENT – did the Complainant consent to whatever the Respondent has been accused of doing?

Consent at first seems like a simple term, but it can be difficult to define. For instance, it is not defined at all in South Carolina law, so we must draw a definition from its descriptions of crimes.

The following definition seems both descriptive and holistic, and we ask you to consider it: “We define consent in higher education as *radical respect for physical, intellectual, and emotional boundaries* (Kulbaga & Spencer, *Campuses of Consent*, 2019).” Also, consider this: Sex without consent is violence; sex without consent is likely a Title IX violation; sex without consent may also be a crime.

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## IF YOU EXPERIENCE ASSAULT

What follows is information for any member of the Anderson University community who may have experienced an incident that might qualify as the crime of either sexual assault, dating violence, domestic violence, or stalking.

### **WHAT IF I AM ASSAULTED? SAFETY FIRST!**

Go to a safe place as soon as possible following an assault. If you have immediate safety concerns, call **911 or Campus Safety at 864.231.2060**.

### **SEEK MEDICAL ASSISTANCE**

Regardless of whether you intend to report your assault to the police, AU recommends that you get medical attention as soon as possible. You may have hidden injuries or need information about pregnancy or sexually transmitted infections.

### **PRESERVE EVIDENCE**

Even if you have no immediate intent to report the incident to the police, preserving evidence is important in case you later decide to press criminal charges or pursue a Title IX complaint against the other person. Physical evidence may also help you obtain an order from a court or the University requiring the other person to stay away from you.

- If you have been sexually assaulted, it is better if you DO NOT shower or bathe, douche, wash hands, use the toilet, brush your teeth, change clothing, or wash clothing or bedding. If you change clothes, carefully place all clothing worn at the time (or bedding) into a paper bag.

- At a hospital, a sexual assault examination (also known as a forensic exam) can be conducted to gather evidence, whether you intend to press criminal charges or not. This procedure includes a physical exam where a doctor or trained nurse collects the evidence of the assault. You will need to bring an extra set of clothing, as the clothing worn during the assault may be collected as evidence.
- If you believe you may have been drugged, traces of the drug may still be detected for up to 96 hours after ingestion (depending on dosage and individual metabolism). In general, evidence collection is best if done immediately following an assault. The more time that passes between the sexual assault and medical collection of evidence, the less likely it is that the evidence will be useful in the prosecution of a criminal case.
- It may be helpful for you to immediately write down everything you can remember about the incident, including what the assailant(s) looked like (e.g., height, weight, scars, tattoos, hair color, clothes); any unusual odor; any noticeable signs of intoxication; anything the assailant(s) said during the assault; what kinds of sexual activities were demanded/carried out; if weapons, threats, or physical force were used; and any special traits noticed (e.g., limp, speech impediment, use of slang, lack of erection). Writing this down will not only aid you in recalling details should you choose to report, but it can also be empowering, as it allows you an element of control in a situation where control was previously taken away from you.
- Remember to preserve electronic evidence. Text messages, emails, voicemails, records of recent phone calls, and social media posts may all provide critical evidence and should not be deleted from your cellphone, computer, or other device. Police or University investigators can help you document and preserve electronic evidence.

## **SEEK COUNSELING OR OTHER SUPPORT**

We strongly recommend that you consider seeking counseling as soon as possible following an assault. The University is committed to supporting you, whether you decide to file a criminal report or Title IX complaint or not. Counseling provides a safe place to talk about your feelings and concerns. If you decide to keep the matter confidential, a licensed counselor can and will respect your wishes.

The following services are available on campus or in the community to support victims of sexual assault and sexual violence:

### **Thrive Wellness Center**

Counseling Center & Health Center..... 864.622.6078

**AU Campus Ministries** ..... 864.231.2077

## **First Light**

Sexual Assault Trauma Services for Anderson & Oconee Counties..... 864.231.7273  
For immediate crisis assistance 24/7 ..... 855.810.4882

**ANMED Emergency Room Patient Advocate** ..... 864.231.2077

## **Rape, Abuse, Incest National Network (RAINN)**

RAINN offers national anonymous hotline support to survivors and allies at 1.800.656.HOPE (4673). If you would rather chat with someone online, RAINN also operates the National Sexual Assault Online Hotline, a live, secure, anonymous crisis chat support. To access help 24 hours a day, visit: <http://www.rainn.org/get-help>.

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# **HOW TO REPORT**

You have the right to report sexual harassment, sexual assault, dating or domestic violence, or stalking to the Title IX Coordinator or one of the Deputy Coordinators (see last page for contact information). The report may be made

1. in person during normal business hours;
2. at any time during or outside of normal business hours by mail, telephone, or email; or
3. at any time using any other means.

You may also report such incidents to any faculty or staff member and ask that faculty or staff member to help you get the information to the Title IX Coordinator.

You also have the right to file a separate criminal complaint with Campus Safety/Police Department. As sexual assault, dating violence, domestic violence, and stalking are crimes as well as policy violations, AU encourages you to report these to the police and will provide you with assistance in doing so.

Filing a report does not obligate you to bring charges, but it will open that option to you and may make our campus community safer for you and others.



# ANDERSON UNIVERSITY'S RESPONSE *TO SEXUAL HARASSMENT*

## **ANDERSON UNIVERSITY WILL:**

- Respond to its knowledge of Sexual Harassment in its Education Program or Activity promptly and reasonably.
- Treat Complainants and Respondents equitably.
- Offer Supportive Measures to the Complainant whether the Complainant files a Formal Complaint or not.
- Consider the Complainant's wishes with respect to Supportive Measures.
- Explain to the Complainant the process for filing a Formal Complaint.
- Follow the University's grievance procedure before imposing any disciplinary sanctions or other sanctions against a Respondent.

## **CONCURRENT POLICY VIOLATIONS**

AU recognizes that a student may be hesitant to report an incident of sexual harassment if their own or another involved person's conduct may have violated another AU policy (e.g., alcohol or drugs) that could result in disciplinary sanctions.

Sexual harassment/misconduct will always be the primary focus of a Title IX investigation and adjudication, and the University will not take disciplinary action toward students involved in such cases regarding these secondary behaviors. We may, however, institute supportive measures, educational discussions and/or interventions for the well-being of the student.

## **SUPPORTIVE MEASURES**

AU will offer Supportive Measures as appropriate, reasonably available to the Complainant, the Respondent, or a person who may become a Respondent before or after a Formal Complaint is filed, or if no Formal Complaint is filed. These measures are designed to restore or preserve equal access to the University's Education Program or Activity without unreasonably burdening the other Party.

## **EXAMPLES OF SUPPORTIVE MEASURES MAY INCLUDE:**

- Additional excused absences from classes or leave of absence
- Deadline extensions or other course-related adjustments
- Provision of an escort to move safely on campus
- Modifications of work or class schedules
- Mutual no-contact orders
- Adjustments to campus housing or work assignments

# RESOLUTION AND SUPPORT

Whenever Anderson University has actual knowledge of sexual harassment in its educational program or activity, the Title IX Coordinator is responsible for coordinating a University response that is prompt and reasonable in light of the known circumstances. The University will:

- Presume that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance procedure.
- Follow this grievance procedure before the imposition against the Respondent of any disciplinary sanctions or other actions that are not Supportive Measures.
- Provide any Party whose participation is invited or expected written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the Party to prepare to participate.
- Not allow an Informal Resolution in a complaint in which an employee of the university is the Respondent.
- Allow both parties to have an advisor of their choice, who may but does not have to be an attorney. If a party does not have an advisor for the Live Hearing, the University will appoint an advisor of its choosing.
- Design remedies to restore or preserve equal access to the University's Education Program or Activity.
- Provide remedies to a Complainant where a determination of responsibility for Sexual Harassment has been made against the Respondent.
- Require all persons who serve in any Title IX role not to have a material conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.
- Ensure that Title IX Coordinators, investigators, and decision-makers receive appropriate training, including how to serve impartially and avoid prejudging facts, conflicts of interest, and bias.
- Apply the preponderance of the evidence standard in making determinations with respect to all Formal Complaints, whether against students, faculty, or non-faculty employees.

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***All cases will be handled with compassion, care, and concern for all persons involved.***

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# RESOURCES

## TITLE IX REPORTS

The Title IX Coordinator or a Deputy Coordinator will meet with a Complainant, discuss the incident, offer Supportive Measures, outline the process for filing a Formal Complaint, and explain the process of investigation and adjudication.

### Title IX Coordinator

Robyn H. Sanderson ..... 864.231.5514  
Associate Vice President for Student Development  
Dean of Student Development  
G. Ross Anderson, Jr. Student Center, Office 157  
title9@andersonuniversity.edu

### Deputy Coordinators

Ms. Amy Porpilia ..... 864.231.2131  
Director of Human Resources

Mr. Matt Finley ..... 864.231.5679  
Associate Athletic Director – Compliance

Mr. Tyrome Philson ..... 864.622.6514  
Dean of Student Support and Engagement

## CONFIDENTIAL SUPPORT FOR SEXUAL HARASSMENT

**Thrive Wellness - Counseling Center** ..... 864.231.6078  
Erin Maurer, Director  
Clinical Staff

**Thrive Wellness - Health Center** ..... 864.231.6078  
Deb Taylor, Director  
Clinical Staff

**Sports Medicine** ..... 864.231.2144  
Scott DeCiantis, Director  
All Certified Athletic Trainers

**Campus Ministries** ..... 864.231.2077  
Director of Campus Ministries  
Director of Women's Ministries/Community Missions  
Assistant Director of BCM  
Men's and Athletic Minister

**OTHER USEFUL CONTACT NUMBERS**

Anderson University Campus Safety.....	864.231.2060
Office of Student Development .....	864.231.2075
Office of Residence Life.....	864.622.6011
Anderson Police Department .....	864.260.4444



**Title IX Office**  
at ANDERSON UNIVERSITY