



Georgia  
Perimeter  
College®

# Campus Save Act/ Title IX

**SEXUAL MISCONDUCT TRAINING  
FOR ACADEMIC AFFAIRS**

# What is Title IX?

## **Title IX of the Educational Amendments of 1972**

**Prohibits sex discrimination against students and employees in educational institutions, programs, or activities.**

## **Other Federal Mandates:**

**The Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act** (requires policies and procedures for sexual assault as well as timely warning and external reporting of crimes)

**Section 304 of the Violence Against Women Reauthorization Act of 2013** (extends Clear to include dating violence, domestic violence, and stalking)

**Additionally the President formed a White House Commission on Women and Girls**

# **Dear Colleague Letter: April 2011**

- **A significant guidance document from OCR.**
- **Provides roadmap to a school for compliance.**
- **Reinforces the schools are responsible for addressing harassment that it know or reasonably should have known about.**
- **Investigations must be adequate, reliable and impartial.**
- **Both parties can present witnesses and other evidence if it goes to a hearing.**
- **No retaliation.**

# How does Title IX relate to me?

**Title IX prohibits discrimination on the basis of sex, which includes:**

- Sexual harassment
- Sexual violence
- Dating violence
- Domestic violence
- Stalking
- Sexual exploitation
- Sexual coercion
- Sexual assault
- Sexual battery
- Rape
- The failure to provide equal opportunity in athletics
- Discrimination based on pregnancy

# What is Georgia Perimeter College's role?

Georgia Perimeter College strictly prohibits any acts of sexual misconduct (including assault or harassment) to any member of the student body, faculty, staff, administration, or visitors to campus, whether they are guests, patrons or independent contractors.

(This is in addition to our policies defining student code of conduct and nondiscrimination).

# **Understanding Title IX violations**

**Defining Sexual Harassment and Sexual Violence**

# Sexual harassment

**Sexual harassment is defined by law and includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of the sexual nature. Sexual harassment may include but is not limited to:**

- Unwanted sexual statements
- Unwanted personal attention
- Unwanted physical or sexual advances

# Sexual harassment

## **Unwanted sexual statements may include:**

- Sexual or “dirty” jokes
- Comments on physical attributes
- Spreading rumors about or rating others in terms of sexual activity or performance
- Talking about one’s sexual activity in front of others
- Displaying or distributing sexually explicit drawings, pictures, and/or written material

**Unwanted sexual statements can be made in person, in writing, electronically (email, instant messaging, texts, blogs, web pages, etc.) or otherwise.**



# Sexual harassment

## **Unwanted personal attention may include:**

- Letters
- Telephone calls / text messages / electronic messaging
- Visits
- Pressure for sexual favors
- Pressure for unnecessary personal interaction
- Pressure for dates

**Unwanted personal attention occurs when a sexual/romantic intent appears evident but remains unwanted.**

# Sexual harassment

**Unwanted physical or sexual advances may include:**

- Touching
- Hugging
- Kissing
- Fondling
- Leering
- Exposing oneself
- Touching oneself sexually for others to view

# Sexual violence

**Sexual violence is defined as any physical act which is sexual in nature that is committed by force or without the full and informed consent of all persons involved. Sexual violence may include but is not limited to:**

- Dating violence
- Domestic violence
- Stalking
- Sexual exploitation
- Sexual coercion
- Sexual assault
- Sexual battery
- Rape

(Definitions of each of the above may be found in the policy and procedure included on our website)

# Recognizing where things go wrong

## Understanding consent

- Consent is defined as words or actions that demonstrate a knowing or voluntary willingness to engage in mutually-agreed upon sexual activity.
- Consent cannot be gained by force, by ignoring objections, or by taking advantage of another's incapacitation.
- Consent may not be inferred from silence or any other lack of active resistance.
- Consent may not be implied by attire or inferred from an individual by spending money on that individual (e.g., buying a meal on a date or drinks at a bar).
- Consent to one type of sexual act does not imply consent to another type of sexual act.
- Once a person says "no," it does not matter if or what kind of sexual behavior has occurred previously.

# Alcohol/drugs and consent

**The use of alcohol or drugs may but does not automatically affect a person's ability to consent to sexual contact.**

The consumption of alcohol or drugs may create a mental incapacity if the nature and degree of the intoxication goes beyond the stage of merely reduced inhibition and has reached a point where the victim does not understand the nature and consequences of the sexual act. In such case, the person cannot consent.

A person who is passed out or unconscious as a result of the consumption of alcohol or drugs is physically helpless and is not able to consent.

# **What to do if someone tells you they were assaulted**

**Tend to their needs (medical attention, safety, etc.).**

**Provide comfort.**

**Listen.**

**Be aware of your limitations and scope of your role at this point.**

**Get statements if the person is capable at the time. Ask for as much detail as possible including names and contact info of witnesses, dates, locations, times, etc.**

**Report to your respective supervisor and a Title IX coordinator.**

# **Reporting / Statements**

**Who, What, When, Where?**

**Photos of the scene, if appropriate.**

# Reporting basics

## Who should report possible Title IX violations?

- Students are encouraged to report incidents of sexual misconduct.
- College employees are required to report.

## What should be reported?

- All available information relating to the incident.

## When should the matter be reported?

- As soon as you become aware that a violation has occurred.



# Where to report Title IX violations

## **Students should report to:**

- Dean of Student Services ,
- Assistant Title IX Campus Coordinator (ACC), or
- Public Safety Department.

(Locations and telephone numbers are on the brochure and on the GPC website – search “sexual misconduct”.)

## **Faculty or Staff should report to:**

- HR Director, Affirmative Action and Compliance,
- Assistant Title IX Coordinator, or
- Public Safety Department.

# Confidentiality

The college will maintain confidentiality as long as it does not interfere with the college's legal obligation or ability to investigate allegations of misconduct.

- Students can report Title IX violations **confidentially** to staff in Counseling Services / Student Health Services.
- Other college employees are **mandated reporters**, which means they **must** report alleged sexual misconduct.

# Investigations

**Upon receipt of a complaint or an incident report, the Title IX Coordinator (TC) will appoint an Assistant Title IX Coordinator/ Investigator (ACC) to open a formal case file, conduct an investigation and confer with the Title IX Coordinator on interim actions, accommodations for the alleged victim, use of Personal Counseling, or other necessary remedial short-term actions if needed.**

# Retaliation

**Engaging in retaliatory acts against a person who reports an alleged violation of this policy or testifies, assists, or participates in a conduct proceeding or investigation is strictly prohibited.**

# Additional information

Questions pertaining to Title IX may be directed to the Title IX Coordinator, Jim Rasmus, Chief HR Officer, Amanda Reddick, Director AA and Compliance, or the Campus Student Deans.

The college's full policy / procedure may be accessed at <http://depts.gpc.edu/gpcmisconduct/reportingmisconduct.htm> or search on the GPC website under "sexual misconduct".

# Academic Specifics

- Do not engage in discussions with students or make comments to students that could be interpreted as sexually oriented.
- Do report anything you see or hear that may be violation whether it was one of your students or not.
- Be prepared for the immediate accommodation of a student who has reported an issue and needs to change sections or maybe even campuses.
- Be prepared to cover classes if we have a situation that requires us to suspend an instructor pending an investigation.
- Be prepared to accommodate a student who is pregnant or in a “parenting” situation.
- If a student is reporting a situation to you, be prepared to listen and to discuss the alternatives with them and walk them or call Public Safety or the Student Dean to assist.

# In Summary

**Be Smart**

**Be Safe**

**Be Respectful**