

# WHAT TO DO IF YOU HAVE EXPERIENCED SEXUAL VIOLENCE:

## 1. GET SAFE

Call SMC Campus Safety.....864-587-4003 or call 911.

## 2. GET MEDICAL ATTENTION

It is important to seek medical attention as soon as possible to determine the possibility of physical injury, to prevent or treat sexually transmitted diseases and to detect the presence of sedative drugs such as Rohypnol or GHB.

## 3. PRESERVE EVIDENCE

- Do not shower, bathe, douche, wash your hands, brush your teeth, urinate, eat, drink change your clothes or wash your bedding if you have been assaulted or raped.
- Do not disturb anything at the scene of the assault or throw away any evidence.
- Write down everything that you can remember about the incident.
- Preserve electronic evidence. Text messages, emails, voicemails, records of recent phone calls and posts on social media may provide critical evidence and should not be deleted.

### THE RECOMMENDED HOSPITAL IS:

- Spartanburg Regional Medical..... 864-560-6000  
101 E. Wood Street, Spartanburg, SC 29303

### ON CAMPUS:

SMC Health Services..... 864-587-4277

## 4. SEEK SUPPORT

### CAMPUS DESIGNATED CONFIDENTIAL RESOURCES:

- Chaplain  
Rev. Tim Drum..... 864-587-4282  
Chapel
- SMC Counseling Center..... 864-699-4649  
Burgess Student Center
- SMC Health Services  
Gina Robertson ..... 864-587-4277  
Kingman Hall

You may be able to report to these individuals without triggering a campus investigation. Normally, these employees will report no identifying information to College authorities without your permission. However, in some circumstances reporting may be required.

### OTHER CAMPUS RESOURCES:

Most other college employees must report all relevant details about alleged sexual misconduct to the Title IX Coordinator or a Deputy Title IX Coordinator.

### OFF CAMPUS RESOURCES:

SAFE Homes Rape Crisis Coalition  
24-hour hotline.....800-273-5066

## 5. REPORT PROMPTLY

### HOW TO REPORT:

- Campus Police ..... 864-587-4003  
Kingman Hall
- Title IX Coordinator  
Jenny Dunn..... 864-587-4271  
Buchheit Administration Bldg.  
dunnj@smcsc.edu
- Title IX Deputy Coordinator  
Trina Gilliam ..... 864-699-4632  
Burgess Student Center  
gilliamt@smcsc.edu
- Title IX Deputy Coordinator  
Dan Kenneally ..... 864-587-4270  
Barrett Learning Center  
kennead@smcsc.edu
- Dean of Students  
Teresa D. Ferguson..... 864-587-4002  
Burgess Student Center  
fergusont@smcsc.edu

### ANONYMOUS REPORTING

Campus Conduct Hotline: 866-943-5787

### REPORTING TO LAW ENFORCEMENT

You may make a report to local law enforcement by contacting the Spartanburg County Sheriff's Office at 911 or 864-503-4500, 8045 Howard Street, Spartanburg, SC 29303.

The Campus Police are available to assist a victim in filing criminal charges.

The Spartanburg Methodist College Title IX/Sexual Misconduct Policy and online reporting form are available at [www.smcsc.edu/resources/title-ix-statementsexual-violence/](http://www.smcsc.edu/resources/title-ix-statementsexual-violence/)



# SPARTANBURG METHODIST COLLEGE DOES NOT TOLERATE SEXUAL MISCONDUCT OF ANY KIND.

THE SPARTANBURG METHODIST COLLEGE  
TITLE IX/SEXUAL MISCONDUCT POLICY  
AND  
ON-LINE REPORTING FORM  
ARE AVAILABLE ON THE SMC WEBSITE AT:

[www.smcsc.edu/resources/  
title-ix-statementsexual-violence/](http://www.smcsc.edu/resources/title-ix-statementsexual-violence/)

## WHAT YOU NEED TO KNOW:

MEMBERS OF THE SMC COMMUNITY, INCLUDING STUDENTS, STAFF, FACULTY AND GUESTS, HAVE THE RIGHT TO BE FREE FROM SEXUAL HARASSMENT OR SEXUAL MISCONDUCT.

SEXUAL MISCONDUCT IS DEFINED AS ANY UNWELCOME CONDUCT OR ACT OF A SEXUAL NATURE PERPETRATED AGAINST AN INDIVIDUAL WITHOUT EFFECTIVE CONSENT OR WHEN AN INDIVIDUAL IS UNABLE TO FREELY GIVE CONSENT.

SEXUAL MISCONDUCT PROHIBITED BY THIS POLICY INCLUDES, BUT IS NOT LIMITED TO, SEXUAL HARASSMENT AND DISCRIMINATION, SEXUAL ASSAULT, STALKING, DOMESTIC AND DATING VIOLENCE.



SPARTANBURG METHODIST COLLEGE  
1000 POWELL MILL ROAD  
SPARTANBURG, SC 29301-5899

# DEFINITIONS

## **SEXUAL HARASSMENT: UNWELCOME SEXUAL ADVANCES, REQUESTS FOR SEXUAL FAVORS AND OTHER VERBAL OR PHYSICAL CONDUCT OF A SEXUAL NATURE CONSTITUTE SEXUAL HARASSMENT WHEN:**

- Submission to such conduct is made either explicitly or implicitly as a term or condition of instruction, employment, academic advancement or participation in any College activity.
- Submission to or rejection of such conduct by an individual is used as a basis for evaluation in making employment, academic or personnel decisions affecting an individual; or
- Such conduct is so severe, persistent or pervasive that it interferes with an individual's work or educational performance, or creates an intimidating, hostile, or offensive environment for work, learning, or participating in any College activity.

Sexual harassment may involve the behavior of a person of either sex toward a person of the same or opposite sex when that behavior falls within the operative definition of sexual harassment.

**CONSENT: CONSENT IS AFFIRMATIVE, CONSCIOUS, AND VOLUNTARY AGREEMENT TO ENGAGE IN SEXUAL ACTIVITY.** Past consent does not imply future consent. Silence or absence of resistance does not imply consent. Consent must be clearly demonstrated through mutually understandable words and/or actions. Consent can be withdrawn at any time. Consent to one form of sexual activity cannot be assumed to be consent to any other form of sexual activity. Relying on non-verbal communications can lead to misunderstandings. Whether consent has been given will be determined contemporaneously with the activities in question. According to the South Carolina Code of Law, consent cannot be given by someone who is:

- Very young or very old
- Mentally or physical incapacitated
- Under the influence of alcohol or drugs
- Asleep or unconscious

**SEXUAL ASSAULT: SEXUAL ASSAULT IS ANY FORM OF SEXUAL CONTACT DIRECTED AGAINST ANOTHER PERSON THAT OCCURS WITHOUT THE EXPLICIT CONSENT OF THE RECIPIENT,** including sexual acts committed against a person who is incapable of giving consent (e.g. due to the individual being under the influence of drugs or alcohol, or because an intellectual or other disability prevents the individual from having the capacity to give clear, unambiguous consent). Sexual assault may occur through the use of verbal, emotional or physical force, intimidation or coercion. Sexual assault may include, but is not limited to, rape, sodomy, forcible oral copulations, sexual assault with an object, sexual battery, forcible fondling and threat of sexual assault. It also includes any intentional sexual touching, however slight, with an object or body part, by a man or woman upon a man or woman without explicit consent of that individual. According to the SC Code of Law, sexual assaults may be prosecuted as Assault and Battery under the prohibitions of Criminal Sexual Conduct laws.

**DOMESTIC VIOLENCE: DOMESTIC VIOLENCE IS DEFINED UNDER SC STATE CRIMINAL LAW AS PHYSICAL HARM, BODILY INJURY, ASSAULT OR THREAT OF PHYSICAL HARM BY:**

- A current or former spouse of the victim.
- A person with whom the victim shares a child in common.
- A person who was cohabiting with or has cohabited with the victim as a spouse or intimate partner.
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of the State of South Carolina.
- Any other person against an adult or youth victim who is protected from the person's acts under the domestic or family violence laws of the State of South Carolina.

**DATING VIOLENCE: DATING VIOLENCE OCCURS WHEN ONE PERSON INTENTIONALLY HARMS SOMEONE WITH WHOM THEY HAVE OR HAVE HAD A ROMANTIC OR INTIMATE RELATIONSHIP.** The existence of such a relationship is determined based on consideration of the length of the relations, the type of relations and the frequency of interaction between the persons involved in the relationship. Dating violence may include:

- Physical abuse: hitting, shoving, kicking, biting or throwing objects.
- Emotional abuse: yelling, name-calling, bullying, embarrassing, preventing interaction with friends, telling someone that they deserve abuse or providing gifts to "make up" for abuse.
- Sexual abuse and violence: forcing someone to engage in a sexual activity or engaging in sexual activity when one of the persons is unable to consent.

**STALKING: STALKING IS DEFINED AS A PATTERN OF INTENTIONAL, SUBSTANTIAL AND UNREASONABLE INTRUSION INTO THE PRIVATE LIFE OF A TARGETED PERSON THAT WOULD CAUSE A REASONABLE PERSON**

1) to fear for his or her safety or the safety of others or 2) to suffer emotional distress. Stalking involves repeated (two or more occasions) of visual or physical proximity, nonconsensual communication, or verbal, written, electronic or implied threats, or a combination thereof. Stalking behaviors may include persistent patterns of leaving or sending the victim unwanted items or presents that may range from seemingly romantic to bizarre, following or lying in wait for the victim, damaging or threatening to damage the victim's property, defaming the victim's character, or harassing the victim via the Internet by posting personal information or spreading rumors about the victim.

## YOUR RIGHTS

**1. TO REPORT** Victims can seek help with the police or with campus security without pursuing a campus complaint and/or criminal charges. Seeking assistance does not obligate the victim to take further action. However, reporting may provide a way to regain a sense of control. Refusal to report the situation to the College will limit the College's ability to respond. Charges may be initiated through the College's Title IX procedures and/or through the criminal justice system. If you request, a College official will assist you in making a report to the Spartanburg County Sheriff's Department. Any investigation conducted by the Sheriff's office will be done separate and apart from the College's investigation.

**2. TO PROTECTION** When you make a report, the College can take immediate action to stop the harassment and prevent further harm. These actions include but

are not limited to: removing the student from campus housing, rescheduling classes, issuing a "no contact" order. The Title IX Coordinator or Deputy Coordinators will assist you in this process.

## 3. TO OBTAIN CONFIDENTIAL SUPPORT

SMC encourages all victims of sexual violence to get assistance as soon as possible. The College Chaplain can assist you with obtaining resources available to help you while keeping the matter confidential. In most cases, College counselors and the College nurse can talk with you without revealing any personally identifying information about an incident to the College. Services are free. Working with a counselor will provide a safe place for you to discuss your feelings and gain additional resources both on and off campus.

## 4. TO REMAIN FREE FROM RETALIATION

SMC will tolerate no retaliation against students or employees for reporting an incident of alleged sexual misconduct or sexual harassment or any other type of harassment or in participating in the investigation of any complaint. Retaliation exists when College action is taken against a party or participant in the complaint process that adversely affects the individual's employment or academic status and is motivated in whole or in part by the individual's participation, or lack thereof, in the complaint process. Any acts of retaliation shall be grounds for disciplinary action up to and including expulsion/dismissal for students and termination/dismissal for faculty, staff or students.

**5. TO OBTAIN AMNESTY** SMC encourages the reporting of sexual misconduct so all those affected can receive the support and resources needed. To encourage reporting violations the College affords limited immunity from sanctions for other policy violations related to the incident to victims and witnesses if violations do not jeopardize the health or safety of others.

**6. TO CONFIDENTIALITY** The privacy of all parties will be respected and safeguarded. Information related to a report of misconduct will be shared with only those College employees who have a "need to know" in order to assist in an investigation and/or resolution of a complaint. Confidentiality cannot be guaranteed but will be maintained to the greatest extent possible. In order to comply with federal and state law or when warranted by the nature of the information received, the College may not be able to honor a request for confidentiality in some circumstances.