

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

ON CAMPUS:

SMC Health Services..... 864-587-4277
7:30am - 4:30pm, Monday - Thursday
7:30am - 1:30pm, Friday

4. SEEK SUPPORT

CAMPUS DESIGNATED CONFIDENTIAL RESOURCES:

- Chaplain..... 864-587-4282
Chapel
- SMC Counselor 864-587-4356
Burgess Student Center
- SMC Health Services..... 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 harrasment 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 / 864-583-9803
National Sexual Assault Hotline
(RAINN).....1-800-656-4673 (HOPE)
Live Chat: www.ohl.rainn.org/online 24/7
Domestic Violence Hotline
24-hour hotline..... 1-800-799-7233 (SAFE)
Men's Domestic Abuse Helpline
24-hour hotline..... 1-888-743-5754

5. REPORT PROMPTLY

HOW TO REPORT:

- Campus Safety 864-587-4003
Kingman Hall
- Title IX Coordinator
Teresa Ferguson..... 864-587-4002
Buchheit Administration Bldg.
fergusont@smcsc.edu
- Title IX Deputy Coordinator
Jenny Dunn..... 864-587-4271
Buchheit Administration Bldg.
dunnj@smcsc.edu
- Title IX Deputy Coordinator
Dan Kenneally 864-587-4270
Barrett Learning Center
kennead@smcsc.edu

ANONYMOUS REPORTING:

Campus Conduct Hotline: 866-943-5787

REPORTING TO LAW ENFORCEMENT:

Spartanburg County Sheriff's Office at 911 or 864-503-4527
Spartanburg County Solicitors Office Victim Assistance at 864-596-2575
For assistance in filing a complaint with local law enforcement, the SMC Campus Safety Department is available 24 hours a day, seven days a week.

2020-2021

**THE SPARTANBURG METHODIST COLLEGE
TITLE IX/SEXUAL HARRASSMENT 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/)**



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



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

WHAT YOU NEED TO KNOW:

SEXUAL HARRASSMENT

MEMBERS OF THE SMCCOMMUNITY, INCLUDING STUDENTS, STAFF, FACULTY, VISITORS AND INDEPENDENT CONTRACTORS HAVE THE RIGHT TO BE FREE FROM SEXUAL HARASSMENT. SEXUAL HARASSMENT IS CONDUCT ON THE BASIS OF SEX AND INCLUDES EMPLOYEE QUID PRO QUO, UNWELCOME CONDUCT, SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING.

The Spartanburg Methodist College Title IX/Sexual Harrassment Policy is available on the SMC website at: <https://www.smcsc.edu/title-ix-statement/>. An on-line reporting form is also available on the website.

SEXUAL HARASSMENT is conduct on the basis of sex. This includes employee qui pro quo and unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to education programs or activity. This also includes Sexual Assault, Domestic Violence, Dating Violence and Stalking as defined below.

QUID PRO QUO AND ENVIRONMENTAL HARASSMENT is one of two types of conduct: “quid pro quo” harassment, in which submission to sexual advances or request for sexual favors is made an explicit or implicit basis for making employment or educational decisions; and “environmental” harassment, in which verbal or physical conduct, because of its severity or persistence, has the effect of interfering with an individual’s work or educational performance, or of creating an intimidating, hostile, or offensive environment for work, learning or participating in any College program or activity.

Harassment creates a hostile or offensive learning environment when it is sufficiently severe or pervasive that it has the effect of denying or limiting a student’s ability to participate in or benefit from the College’s programs. Harassment creates a hostile or offensive work environment when it is sufficiently severe or pervasive that it has the effect of changing the terms or conditions of the employee’s employment.

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 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. Past consent to a particular activity does not constitute consent to similar acts in the future. Whether consent has been given will be determined contemporaneously with the activities in question. 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 is any sexual act directed against another person without the consent of the victim, including sexual acts committed against a person who is incapable of giving consent, such as someone who is incapacitated due to drugs, alcohol, medication or other reasons, incapable due to mental state,

a minor. 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.

DOMESTIC VIOLENCE is defined by the College as a felony or misdemeanor crime of violence committed 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.

To constitute Domestic Violence under this policy, the relationship between the parties must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or currently or formerly involved in an intimate relationship.

DATING VIOLENCE is 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 is determined based on the reporting party’s statement and with consideration of the length of the relations, the type of relationship 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 the 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 due to the use of alcohol or drugs. This may also be a separate offense as sexual harassment.
- Threat of violence or abuse.

STALKING is 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. For purposes of this policy “course of conduct” means two or

more acts, including but not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property. For purposes of this policy, “reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim. For purposes of this policy, “substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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 Complainant 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 complainant 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 complainants of sexual violence to seek 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 not tolerate retaliation against students or employees for reporting an incident of alleged Sexual Harassment or Sexual harassment or for in participating or refusing to participate the in College’s response to such allegations. Retaliation exists when action is taken against a participant in the complaint process that adversely affects the individual’s employment or academic status or participation in College programs or activities and is motivated in whole or in part by the individual’s reporting of an incident of Sexual Harassment or Sexual harassment or by the individual’s participation, or lack thereof, in the College’s response to any such complaint including any investigation or disciplinary process undertaken in connection with any such complaint. Acts of retaliation shall be grounds for disciplinary action up to and including expulsion/dismissal for students and termination/dismissal for faculty and staff.

5. TO OBTAIN AMNESTY SMC encourages the reporting of Sexual Harassment and Sexual harassment so all those affected can receive the support and resources needed. To encourage reporting by a complainant or witness of violations, the College affords limited immunity from sanctions for other policy violations related to the incident to the complainant and witnesses if violations do not jeopardize the health or safety of others. In place of any otherwise appropriate disciplinary response, the College may choose to pursue educational or therapeutic remedies.

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. The College will, to the best of its ability, respect a request for confidentiality in cases involving Sexual Harassment or Sexual harassment. However, confidentiality cannot be guaranteed and situations may arise which require the College to override a request for confidentiality in meeting the requirements of SC state law and federal law requirements to provide an environment that is safe and free from sex discrimination, Sexual Harassment, and Sexual harassment. Honoring a request for confidentiality or a request that the College not investigate a complaint may limit the College’s ability to respond to the incident and pursue disciplinary action. As such, such requests cannot always be granted.