

Gender-Based and Sexual Misconduct Policy

Purpose

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in educational programs and activities that receive federal financial assistance. Examples of programs and activities subject to Title IX protection include athletics, recruitment, admissions, financial aid, and scholarships. Under Title IX, sex discrimination also includes sexual harassment, violence, and assault.

“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 education program or activity receiving Federal financial assistance.”

Surry Community College students, employees, contractors, guests, and visitors have the right to be free from all forms of gender-based and sexual discrimination. These include, but are not limited to: sexual violence, sexual harassment, domestic violence, intimate partner violence, dating violence and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe on the rights of others.

Surry Community College has zero-tolerance for gender-based and sexual misconduct. When a complaint or allegation of misconduct is brought to the attention of the College, the *Student and Employee Grievance Policy* will be applied. When the respondent is found to be in violation of this policy, sanctions will be issued to the respondent to correct the behavior and to reasonably ensure that the actions will not be repeated.

Any mandatory reporter informed of a gender-based or sexual misconduct incident involving students and/or other College employees is expected to inform the Title IX Coordinator immediately. Please refer to the *Mandatory Reporters Guide* for more information.

The College’s response to sexual violence, sexual harassment, domestic violence, intimate partner violence, dating violence and stalking is governed by the Jeanne Clery Disclosure Act and Section 304 of the 2013 Amendments to the Violence Against Women Act.

Definitions and Examples

- I. Student
 - A. Any individual that is currently enrolled and paid for a curriculum or continuing education course at Surry Community College.
- II. Employee
 - B. Any individual who is hired by Surry Community College to provide services in exchange for compensation.

III. Complainant

C. The individual who reports cases of policy violations.

IV. Respondent

D. The individual who is accused of engaging in conduct prohibited by policy.

V. Consent

E. In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing, and voluntary consent prior to and during sexual activity. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't want. Consent to some forms of sexual activity cannot be automatically taken as consent to any other forms of sexual activity. Silence, without action demonstrating permission, cannot be assumed to show consent. Previous relationships or prior consent cannot imply consent to future sexual acts.

In order to give effective consent, one must be of legal age. In North Carolina, the legal age of consent is 16 years of age.

The North Carolina General Statutes identify those who cannot consent and define "sexual act," "sexual contact," and "touching." (§14-27.1):

1. "Mentally disabled" means:
 - i. a victim who suffers from mental retardation.
 - ii. a victim who suffers from a mental disorder, either of which temporarily or permanently renders the victim substantially incapable of appraising the nature of his or her conduct, or of resisting the act of vaginal intercourse or a sexual act, or of communicating unwillingness to submit to the act of vaginal intercourse or a sexual act.
2. "Mentally incapacitated" means:
 - i. a victim who due to any act committed upon the victim is rendered substantially incapable of either appraising the nature of his or her conduct, or resisting the act of vaginal intercourse or a sexual act.
3. "Physically helpless" means:
 - i. a victim who is unconscious.
 - ii. a victim who is physically unable to resist an act of vaginal intercourse or a sexual act or communicate unwillingness to submit to an act of vaginal intercourse or a sexual act.
4. "Sexual act" means:
 - i. cunnilingus, fellatio, anilingus, or anal intercourse, but does not include vaginal intercourse. Sexual act also means the penetration, however slight, by any object into the genital or anal opening of another person's body: provided, that it shall be an affirmative defense that the penetration was for accepted medical purposes.

5. "Sexual contact" means:
 - i. touching the sexual organ, anus, breast, groin, or buttocks of any person.
 - ii. a person touching another person with their own sexual organ, anus, breast, groin, or buttocks.
 - iii. a person ejaculating, emitting, or placing semen, urine, or feces upon any part of another person.

6. "Touching" as used in subdivision (5) of this section, means:
 - i. physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim. (1979, c. 682, s. 1; 2002-159, s. 2(a); 2003-252, s. 1; 2006-247, s. 12(a).)

Additionally, there is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex. When individuals make it clear that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Alcohol and/or other drugs can place the capacity to consent in question. When alcohol and/or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing. This policy also covers a person of whose capacity to consent is altered due to mental disability, sleep, involuntary physical restraint, or from taking date rape drugs (Rohypnol, GHB, Ketamine, Burundanga, etc.).

Under this policy: “No” means “No” and “Yes” may not always mean “Yes.” Anything but a clear, knowing, and voluntary consent to any sexual activity is equivalent to a “No.”

The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegation under this policy.

Consensual Relationships

There are inherent risks in any romantic or sexual relationship between individuals in unequal positions (instructor/student, staff/student, and/or supervisor/employee). These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each party, particularly in retrospect. Circumstances may change, and conduct that was previously welcomed may become unwelcome. When both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation.

Surry Community College does not wish to interfere with private choices regarding personal relationships when these relationships do not interfere with the mission and policies of the College. For the personal protection of members of this community, relationships in which power differentials are inherent (instructor/student, staff/student, and/or supervisor/employee) are discouraged.

Consensual romantic or sexual relationships in which one party maintains a direct supervisory or evaluative role over the other party are unethical. Therefore, persons with direct supervisory or evaluative responsibilities who are involved in such relationships must bring those relationships to the timely attention of their supervisor, or the Director Human Resources. Once brought to the attention of the appropriate administrator, action will be taken to remove the employee from the supervisory or evaluative responsibilities, and/or shift the student out of being supervised or evaluated by someone with whom they have established a consensual relationship. While no relationships are prohibited by this policy, failure to self-report such relationships to a supervisor or to the Director of Human Resources as required can result in disciplinary action for an employee.

Sexual Harassment

Sexual harassment is unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, denies or limits someone's ability to participate or benefit from the College's educational programs and/or activities. Sexual harassment is based on power differentials *quid pro quo*, which can create a hostile environment, and/or be retaliatory in nature.

Types of Sexual Harassment:

1. Hostile Environment

Includes any situation in which there is harassing conduct that is sufficiently severe, persistent, or pervasive that it alters the conditions of employment, or limits, interferes with or denies educational benefits or opportunities, from both a subjective (the alleged victim's viewpoint) and objective (reasonable person's) viewpoint.

The determination of whether an environment is "hostile" must be based on all of the circumstances. These circumstances could include, but not limited to:

- a. The frequency of the conduct.
- b. The nature and severity of the conduct.
- c. Whether the conduct was physically threatening.
- d. Whether the conduct was humiliating or perceived as humiliating.
- e. The effect of the conduct on the complainant's mental or emotional state.
- f. Whether the conduct was directed at more than one person.
- g. Whether the conduct arose in the context of other discriminatory conduct.
- h. Whether the conduct unreasonably interfered with the complainant's educational or work performance.
- i. Whether the statement is a mere utterance of an epithet which engenders offense in an employee or student, or offends by mere discourtesy or rudeness.

- j. Whether the speech or conduct deserves the protection of academic freedom or the 1st Amendment.

2. Quid pro quo

Sexual harassment exists when there are unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature; and submission to or rejection of such conduct results in adverse educational or employment actions.

3. Retaliatory harassment

An adverse employment or educational action taken against a person because of the person's participation in a complaint or investigation of discrimination or sexual misconduct.

Examples include:

- Attempting to coerce an unwilling person into a sexual relationship.
- Repeatedly subjecting a person to egregious, unwelcome sexual attention.
- Punishment for refusal to comply with a sexually based request.
- Conditioning a benefit on complying with sexual advances.
- Sexual violence, intimate partner violence, dating violence, stalking, and gender-based bullying.

Force

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.

There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not defined by force.

Non-Consensual Sexual Contact

Non-consensual sexual conduct is any intentional sexual touching, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force.

Examples include:

- Intentional contact with the breast, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts.
- Intentional bodily contact in a sexual manner, though not involving contact with/of/by breast, buttocks, groin, genitals, mouth or other orifice.

For more information on North Carolina's General Statutes related to Non-Consensual Sexual Contact, please refer to statutes §14-27.4, §14-27.4A, §14-27.5, and §14-27.5A at [North Carolina General Assembly](#).

Non-Consensual Sexual Intercourse

Non-consensual intercourse is any sexual intercourse, however slight, with any object, by a man or woman upon a man or woman that is without consent and/or by force.

Examples include:

- Vaginal penetration by a penis, object, tongue or finger.
- Anal penetration by a penis, object, tongue or finger.
- Oral copulation (mouth to genital contact or genital to mouth contact).

For more information on North Carolina's General Statutes related to Non-Consensual Sexual Intercourse, please refer to statutes §14-27.2, §14-27.2A, §14-27.3, §14-27.7, §14-27.7A, and §14-27.8 at [North Carolina General Assembly](#).

Sexual Exploitation

Sexual exploitation occurs when a person takes a non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.

Examples include, but are not limited to:

- Invasion of sexual privacy.
- Prostituting another person.
- Non-consensual video or audio-taping of sexual activity.
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex).
- Engaging in voyeurism (practice of obtaining sexual gratification by looking at sexual objects or acts, especially secretly).
- Knowingly transmitting an STD/STI or HIV to another person.
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals.
- Sexually-based stalking and/or bullying may also be form of sexual exploitation.

Domestic Violence

As defined by the Office on Violence Against Women, US Department of Justice, domestic violence is a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

- **Physical Abuse:** Hitting, slapping, shoving, grabbing, pinching, biting, hair pulling, etc. are types of physical abuse. This type of abuse also includes denying a partner medical care or forcing alcohol and/or drug use upon him or her.

- **Sexual Abuse:** Coercing or attempting to coerce any sexual contact or behavior without consent. Sexual abuse includes, but is certainly not limited to: marital rape, attacks on sexual parts of the body, forcing sex after physical violence has occurred, or treating one in a sexually demeaning manner.
- **Emotional Abuse:** Undermining an individual's sense of self-worth and/or self-esteem is abusive. This may include, but is not limited to constant criticism, diminishing one's abilities, name-calling, or damaging one's relationship with his or her children.
- **Economic Abuse:** Is defined as making or attempting to make an individual financially dependent by maintaining total control over financial resources, withholding one's access to money, or forbidding one's attendance at school or employment.
- **Psychological Abuse:** Elements of psychological abuse include - but are not limited to - causing fear by intimidation; threatening physical harm to self, partner, children, or partner's family or friends; destruction of pets and property; and forcing isolation from family, friends, or school and/or work.

Domestic violence can happen to anyone regardless of race, age, sexual orientation, religion, or gender. Domestic violence affects people of all socioeconomic backgrounds and education levels. Domestic violence occurs in both opposite-sex and same-sex relationships and can happen to intimate partners who are married, living together, or dating.

Domestic violence not only affects those who are abused, but also has a substantial effect on family members, friends, co-workers, other witnesses, and the community at large. Children who grow up witnessing domestic violence are among those seriously affected by this crime. Frequent exposure to violence in the home not only predisposes children to numerous social and physical problems, but also teaches them that violence is a normal way of life, thereby increasing their risk of becoming society's next generation of victims and abusers.

The North Carolina General Statutes use the following definition for domestic violence (§50B-1):

- a) Domestic violence means the commission of one or more of the following acts upon an aggrieved party or upon a minor child residing with or in the custody of the aggrieved party by a person with whom the aggrieved party has or has had a personal relationship, but does not include acts of self-defense:
 1. Attempting to cause bodily injury, or intentionally causing bodily injury.
 2. Placing the aggrieved party or a member of the aggrieved party's family or household in fear of imminent serious bodily injury or continued harassment, as defined in G.S. 14-277.3, that rises to such a level as to inflict substantial emotional distress.
 3. Committing any act defined in G.S. 14-27.2 through G.S. 14-27.7.
- b) For purposes of this section, the term "personal relationship" means a relationship wherein the parties involved:
 1. Are current or former spouses.
 2. Are persons of opposite sex who live together or have lived together.

3. Are related as parents and children, including others acting in loco parentis to a minor child, or as grandparents and grandchildren. For purposes of this subdivision, an aggrieved party may not obtain an order of protection against a child or grandchild under the age of 16.
 4. Have a child in common.
 5. Are current or former household members.
 6. Are persons of the opposite sex who are in a dating relationship or have been in a dating relationship. For purposes of this subdivision, a dating relationship is one wherein the parties are romantically involved over time and on a continuous basis during the course of the relationship. A casual acquaintance or ordinary fraternization between persons in a business or social context is not a dating relationship.
- c) As used in this Chapter, the term “protective order” includes any order entered pursuant to this Chapter upon hearing by the court or consent of the parties. (1979, c. 561, s. 1; 1985, c. 113, s. 1; 1987, c. 828; 1987 (Reg. Sess., 1988), c. 893, ss. 1, 3; 1995 (Reg. Sess., 1996), c. 591, s. 1; 1997-471, s. 1; 2001-518, s. 3; 2003-107, s. 1; 2009-58, s. 5.)

Stalking

As defined by the Office on Violence Against Women, US Department of Justice, stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Stalking can include:

- Repeated, unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, and/or email.
- Repeatedly leaving or sending victim unwanted items, presents, or flowers.
- Following or lying in wait for the victim at places such as home, school, work, or recreation place.
- Making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets.
- Damaging or threatening to damage the victim's property.
- Harassing the victim through the Internet.
- Posting information or spreading rumors about the victim on the Internet, in a public place, or by word of mouth.
- Obtaining personal information about the victim by accessing public records, using internet search services, hiring private investigators, going through the victim's garbage, following the victim, contacting victim's friends, family work, or neighbors, etc.

The North Carolina General Statutes use the following definition for stalking and the punishment set forth for stalking (§14-277.3A):

- a) Legislative Intent. – The General Assembly finds that stalking is a serious problem in this State and nationwide. Stalking involves severe intrusions on the victim's personal privacy and autonomy. It is a crime that causes a long-lasting impact on the victim's quality of life and creates risks to the security and safety of the victim and others, even

in the absence of express threats of physical harm. Stalking conduct often becomes increasingly violent over time.

- b) The General Assembly recognizes the dangerous nature of stalking as well as the strong connections between stalking and domestic violence and between stalking and sexual assault. Therefore, the General Assembly enacts this law to encourage effective intervention by the criminal justice system before stalking escalates into behavior that has serious or lethal consequences. The General Assembly intends to enact a stalking statute that permits the criminal justice system to hold stalkers accountable for a wide range of acts, communications, and conduct. The General Assembly recognizes that stalking includes, but is not limited to, a pattern of following, observing, or monitoring the victim, or committing violent or intimidating acts against the victim, regardless of the means.
- c) Definitions. – The following definitions apply in this section:
 - 1. Course of conduct. – 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, is in the presence of, or follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - 2. Harasses or harassment. – Knowing conduct, including written or printed communication or transmission, telephone, cellular, or other wireless telephonic communication, facsimile transmission, pager messages or transmissions, answering machine or voice mail messages or transmissions, and electronic mail messages or other computerized or electronic transmissions directed at a specific person that torments, terrorizes, or terrifies that person and that serves no legitimate purpose.
 - 3. Reasonable person. – A reasonable person in the victim's circumstances.
 - 4. Substantial emotional distress. – Significant mental suffering or distress that may, but does not necessarily, require medical or other professional treatment or counseling.
- d) Offense. – A defendant is guilty of stalking if the defendant willfully on more than one occasion harasses another person without legal purpose or willfully engages in a course of conduct directed at a specific person without legal purpose and the defendant knows or should know that the harassment or the course of conduct would cause a reasonable person to do any of the following:
 - 1. Fear for the person's safety or the safety of the person's immediate family or close personal associates.
 - 2. Suffer substantial emotional distress by placing that person in fear of death, bodily injury, or continued harassment.
- e) Classification. – A violation of this section is a Class A1 misdemeanor. A defendant convicted of a Class A1 misdemeanor under this section, who is sentenced to a community punishment, shall be placed on supervised probation in addition to any other punishment imposed by the court. A defendant who commits the offense of stalking after having been previously convicted of a stalking offense is guilty of a Class F felony. A defendant who commits the offense of stalking when there is a court order in effect prohibiting the conduct described under this section by the defendant against

the victim is guilty of a Class H felony.

- f) Jurisdiction. – Pursuant to G.S. 15A-134, if any part of the offense occurred within North Carolina, including the defendant's course of conduct or the effect on the victim, then the defendant may be prosecuted in this State. (2008-167, s. 2.).

Dating Violence

As defined by the Office on Violence Against Women, US Department of Justice, violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim is dating violence. The existence of such a relationship shall be determined based on a consideration of the following factors:

- the length of the relationship.
- the type of relationship.
- the frequency of interaction between the persons involved in the relationship.

The North Carolina General Statute §50B-1 for domestic violence also includes dating violence within the statute.

Privacy and Confidentiality

Privacy

Privacy generally means that information related to a report under this policy will only be shared with a limited number of employees that “need to know” in order to provide support for the individuals involved in the report and to ensure the safety of the individuals and the College community. While not bound by confidentiality, these employees will be discrete and respect the privacy of all individuals in the process.

Confidentiality

Confidentiality means information shared by an individual with designated campus or community professionals cannot be revealed to any other entity without the express written consent of the individual, unless required by law. These campus and community professionals include mental health and health care providers (within established patient-client privilege), ordained clergy, and attorneys (within established professional-client privilege), all of whom must keep information confidential by virtue of their professional licenses.

The complainant can seek confidential guidance, counsel, or advice from one of the counselors in the Office of Health, Wellness, and Development. If the complainant reports an incident, but requests confidentiality, the College will evaluate the request in terms of the College’s ability to provide a safe and nondiscriminatory environment for students and employees. The College will take all reasonable steps to investigate and respond to the complaint while keeping the confidentiality of the complainant and all parties involved, but it may limit the response by the College.

If the complainant decides not to pursue the allegations, the College will determine if the alleged incident impairs the ability of the College to provide a safe and nondiscriminatory environment

for students and employees. The College may decide to proceed with an investigation, even though the complainant decides not to pursue the allegations, if it determines the incident impairs the ability of the College to provide a safe and nondiscriminatory environment.

If the College decides to proceed with an investigation, or it cannot ensure confidentiality of the complainant, it will notify the complainant and all parties involved.

The College will assist any individual who reports conduct incidences to find confidential support services on campus and/or in the community. Such services include advocacy, counseling, academic support, medical support and/or mental health services. Some sources of confidential support can happen without triggering an investigation by the College.

Jurisdiction

Time Frame

There are no time limitations for reporting an alleged incident of gender-based or sexual misconduct. However, if the alleged incident is not reported in a timely manner, the College may have difficulty in responding. The College will always provide support for the complainant regardless when the complaint is made.

Location

The College will respond to alleged incident of gender-based or sexual misconduct when the misconduct occurs on campus, or during a College sponsored event (regardless of location), or when the complainant or the respondent is a student or an employee. If the respondent is unknown or is not a member of the College community, the Title IX Coordinator will assist the complainant in identifying appropriate campus resources and/or local authorities if the student would like to file a report.

Third Party Reports

In cases where the gender-based or sexual misconduct is reported to the Title IX Coordinator by a third-party, the Title IX Coordinator will notify the complainant that a report has been received. The Title IX Coordinator will meet with the complainant to discuss options and resources for the complainant.

Standard of Evidence

During the formal investigation and resolution, the standard of proof the College will use to assess the complaint is a preponderance of evidence standard. This standard means that the alleged incident more likely happened, than not happened. This standard is different from the level used in a criminal investigation. Most criminal investigation will use a standard of *beyond a reasonable doubt*, or *clear and convincing*.

Remedies and Sanctions

Any student or employee found to be in violation of any gender-based or sexual misconduct is subject to disciplinary and corrective action. In cases involving employees, this includes measures up to and including education, counseling, suspension and/or termination from employment. In cases involving students, this includes education, counseling, suspension and/or expulsion from the College.

Visitors or third-party vendors who are accused of any gender-based or sexual misconduct are subject to disciplinary and corrective action. In cases involving visitors, the accused could be banned from any or all SCC campuses or events indefinitely.

Vendors or other agencies in contract with the College will be promptly notified if any of their employees are accused of engaging in gender-based or sexual misconduct. As such, the vendor's employees may be banned from any or all SCC campuses or events indefinitely. Furthermore, the College could terminate the contract of the vendor.

If the investigation reveals that interim remedies need to be put in place to protect the complainant or remove the complainant from a hostile environment, the College will take prompt action to eliminate and prevent any hostile environment and remedy the situation for the complainant. Interim measures could include, but are not limited to, restrictions on contact between the complainant and the accused ("No-Contact Order"), interim suspension(s) of the accused, academic course and schedule change(s), employment schedule change(s), campus escort, and counseling support.

Appropriate remedies will include disciplinary and corrective action against the accused when they have engaged in gender-based or sexual misconduct, but it will also include remedies and resources to help the complainant get his/her education or employment back on track.

Retaliation Prohibition

Retaliation is strictly prohibited by law against anyone who in good faith reports a suspected violation of campus policy, who assists in making such complaint, or who cooperates in the investigation. Retaliation means taking any adverse action in response to a complaint being made. Written complaints of retaliation should be brought directly to the attention of the Director of Human Resources or the Chief Academic Officer and Curriculum Programs. The written complaint should specify the following:

- Name of alleged offender(s)
- Date, time, and place of the incident
- Description of the incident
- Names of witnesses to the incident

Such complaints will be promptly investigated in a separate investigation from the initial complaint of misconduct. If retaliation is found, the person retaliating will be subject to corrective action up to and including termination from employment, in cases involving employees, or in the case of a student up to and including suspension and/or expulsion.

Frivolous or False Claims

Making a complaint about gender-based or sexual misconduct is very serious and could result in criminal proceedings and/or College sanctions. Therefore, the complainant should not bring a frivolous or malicious claim against a student or employee. Disciplinary action will be taken against any person bringing a charge of gender-based or sexual misconduct in bad faith.

Amnesty for Alcohol and Drug Use/Abuse

The health and safety of every student and employee at Surry Community College is of utmost importance. To encourage the reporting of alleged incidents of gender-based or sexual misconduct, neither complainants, respondents, nor witnesses or bystanders will face disciplinary actions under the *Student Code of Conduct* or the *Drug and Alcohol Use/Abuse Policies* if they personally engage in the unlawful or prohibited use of alcohol and/or drugs during the alleged incident of gender-based or sexual misconduct.

Amnesty only applies to personal use of alcohol and/or drugs and does not extend to other potential violations under the *Student Code of Conduct* or the *Drug and Alcohol Use/Abuse Policies*. For example, if the respondent distributes alcohol and/or drugs to the complainant, the respondent may face disciplinary action under the *Drug and Alcohol Use/Abuse Policy* for the distribution of alcohol and/or drugs to the complainant.

Title IX Coordinators

Federal regulations mandate that Surry Community College designate at least one employee that is trained to coordinate its effort and comply with and carry out its responsibilities under Title IX. The trained coordinator(s) must:

- Be knowledgeable of College policies and procedures on sex discrimination, as well as drafting and revising these policies to ensure compliance;
- Be annually trained and possess comprehensive knowledge of all areas of their responsibility, including policies, procedures, complaints, Federal and state laws, regulations and policies that overlap with Title IX;
- Be able to provide assistance to any College student or employee on community resources and how to file a report of gender-based or sexual misconduct;
- Be responsible for overseeing training, prevention, and education efforts for gender-based and sexual misconduct; and
- Be responsible for implementing this policy and other related policies, including monitoring outcomes, identifying and addressing any patterns, compliance, record keeping, and analyzing data.

All complaints and inquiries about Title IX should be made to:

Dr. Jami Woods

Vice President, Student Services and Curriculum Programs

Title IX Coordinator

A-Building, first floor

Surry Community College

630 South Main Street

Dobson, NC 27017

(336) 386-3266

woods@surry.edu

For complaints about employees and visitors, you may also contact:

Melonie Weathers

Deputy Title IX Coordinator Director, Human Resources A-Building, second floor

Surry Community College

630 South Main Street

Dobson, NC 27017

(336) 386-3207

weathers@surry.edu