SEXUAL MISCONDUCT POLICY & RESOURCE GUIDE
PROVIDED BY THE OFFICE OF CAMPUS LIFE

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SEXUAL MISCONDUCT POLICIES
All of Oglethorpe University’s policies related to Sexual Violence and Misconduct can be found by reading Section 11.3 of the University Bulletin. Our faculty and staff work to provide the most updated policies on Sexual Violence and Misconduct, so please be sure to read directly from the highlighted link.

REPORT AN ACT OF VIOLENCE
We encourage all members of our community to report any act of violence, suspicious activity, or concerns on our campus. A report can be filed in one of the following ways:

Online: Please click this link to submit an online Incident Report
Via Phone: (404) 504-1998
In Person: Student Commons, First Floor TLCC
To the Title IX Coordinator: Cindy Vaios, cvaios@oglethorpe.edu or 404-364-8479

These reports should include as much detail as possible, and though reports filed online and via phone can be submitted anonymously, please provide the name of the individual needing help. Reports and names of individuals are only shared with appropriate university staff members.
Title IX has been defined by the US Government in the following way:

“Title IX of the Education Amendments of 1972 is a federal civil rights law that prohibits discrimination on the basis of sex against any person in education programs and activities receiving federal funding. Programs or activities receiving federal financial assistance include virtually all public and private colleges and universities, and all public elementary and secondary schools.

Students, staff, faculty, and other employees; women, girls, men, and boys; straight, LGBT, and gender-nonconforming persons; persons with and without disabilities; and international and undocumented persons all have the right to pursue education, including athletic programs, scholarships, and other activities, free from sex discrimination, including sexual violence and harassment.

Sex-based discrimination in public schools also implicates legal rights under Title IV of the Civil Rights Act, which is enforced by the U.S. Department of Justice.”

On April 4, 2011, the Department of Education released what is now known as the “Dear Colleague” Letter which further defined how universities must respond to acts of sexual violence and misconduct.

Oglethorpe University refers to Title IX and the “Dear Colleague” Letter language and guidelines whenever creating or adapting sexual misconduct policies. These policies can be found in section 11.3 in the Oglethorpe University Bulletin and on the definitions section below.

There are several ways to define sexual misconduct and sexual violence. From definitions in state law to definitions that you may find on support websites, describing types of violence can vary based on where you’re looking.

Here is how Oglethorpe University, Title IX and the “Dear Colleague” Letter define acts of Sexual Violence:

**Sexual Violence**
- **OU Definition:** “Sexual violence” refers to physical sexual acts perpetrated against a person’s will or where a person is incapable of giving consent due to the victim’s use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX. (Section 11.3.1.1 of the University Bulletin)
- **Title IX Definition:** Same as OU definition as seen in the “Dear Colleague” Letter.

**Sexual Misconduct**
- **OU Definition:** “Sexual Misconduct” is the deliberate contact with an intimate body part of another person without that person’s consent. Intimate body parts include the genitalia, the anus, the groin, the buttocks, or the breasts of a female. (Section 11.3.1.2 of the University Bulletin)
- **Title IX Definition:** Not defined.

**Sexual Harassment**
- **OU Definition:** “Sexual harassment” is defined as unwelcome sexual advances or requests for sexual favors or other unwelcome verbal or physical conduct of a sexual nature when submission to or rejection of such advances, requests, or conduct is made, wither explicitly or implicitly, (i) a term or condition of educational benefits, privileges, or placement services or as a basis for the evaluation of academic achievement of a student, or (ii) a term or condition of employment or a basis for employment decisions concerning any employee. / Sexual harassment does not refer to compliments or other behavior of a socially acceptable
Title IX Definition: Sexual harassment is unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual violence is a form of sexual harassment prohibited by Title IX. (From the “Dear Colleague” Letter)

Sexual Assault
- OU Definition: “Sexual assault” is the penetration, however slight, of another person’s vagina or anus with any object or body part, or of the mouth with a penis or sexual object, without that person’s consent. (Section 11.3.1.4 of the University Bulletin)
- Title IX Definition: Not defined.

To see how the US Government defines these terms and more, please click here.
For Georgia State Laws and legal definitions, please click here.

WHAT DO I DO IF AN ACT OF VIOLENCE HAPPENS?

At Oglethorpe, we never want an act of power-based violence to happen, but if it does, here’s what we recommend:

Get safe. If an assault has recently occurred, make sure that you remove yourself from any dangerous situation. It is important that you get to a safe place so you can contact other resources to help you.

Ask for help. Our Campus Safety Officers and Residence Life staff members are readily available to help you 24/7 while students are on campus. You may also want to contact a friend, a family member, or someone you trust to help you get through this process. Please use the numbers below to report your incident of violence to a campus resource:

CAMPUS SAFETY: 404-504-1998
RESIDENCE LIFE: 404-364-8520
RA ON DUTY: BUILDING NUMBERS POSTED IN EACH RESIDENCE HALL
TITLE IX COORDINATOR: Cindy Vaios, cvaios@oglethorpe.edu or 404-364-8479

After an act of any type of violence, it is normal to feel that you required new safety needs. Changing your room or residence hall, phone number, or academic schedule can be arranged through the Office of Campus Life. Please reach out to a university staff member as soon as possible so we can start providing help and attention.

Seek immediate medical attention. In acts of sexual violence and misconduct, you may need to seek medical attention. When seeing a medical professional, they will: (1) identify and treat any physical injuries (sometimes internal injuries may have occurred); (2) administer sexually transmitted infection prevention measures and give options for pregnancy prevention; (3) collect any forensic evidence; (4) test for any altering or “date rape” drugs.

BEFORE YOU SEEK MEDICAL ATTENTION, PRESERVE PHYSICAL EVIDENCE:
- Please try not to shower, change your clothes, brush your teeth, urinate, eat, drink, smoke, or take any medications until you receive medical attention.
- If you have changed clothes since the assault, please bring the clothes that you were wearing during the assault with you when you go to seek medical attention. If you have not changed clothes, please bring a change of clothes and shoes with you, if possible, as the medical professionals will likely keep the clothes that you’re wearing as evidence. If you need a change of clothes brought to you, please let the member of our response team know. Please be aware that all forensic evidence must be collected as soon as possible but definitely within 72 hours of the assault. Having evidence collected does not obligate you to pursue legal or disciplinary action — it merely preserves the option for you to do so.
• NOTE: Seeking medical attention after an act of sexual violence can be very emotionally and physically difficult. Please allow a member of our response team to accompany you to seek medical attention. A response team member can be reached through Campus Safety at (404) 504-1998. You may also bring a friend, family member, or another person that you trust.

Know your rights. Oglethorpe University’s Policy on Sexual Misconduct, Harassment, and Assault can be found in section 11.3 in the University Bulletin and the policy on Retaliation can be found in section 2.7.3.3. Sometimes the language that is used to describe these incidents of violence can get confusing. Please look at the terms in this guide in order to familiarize yourself with our language surrounding Sexual Misconduct, Harassment, and Assault. In these cases, we refer to the person making a complaint of violence as the “complainant” and the person who is being accused of an act of violence as the “respondent.”

Review your options. Pressing charges and seeking justice can help victims of sexual violence rebuild senses of safety and control. In incidents of sexual violence, the incident can be looked at from two different views: a university case and a criminal case.

• University Case: All reports of sexual violence will be investigated thoroughly and completely by the university. For options on how to file a report with the university, please scroll to the next section. Once a report is filed, a member of our response team will work to get to you as soon as possible. Since all acts of power-based violence are covered under Title IX, please visit this page to learn more about the Title IX process and staff members who will be helping you. If you have questions about the university judicial process or the sexual misconduct policy after looking at the links on this site, please contact a member of Campus Life staff.
• Criminal Case: A member of our Campus Safety or Campus Life Team can instruct you on how to report an act of violence to the proper channels in order to pursue a criminal case. You can also contact the Brookhaven Police Department to have an officer take your statement and begin the process.

Understand how to report. We encourage all members of our community to report any act of violence, suspicious activity, or concerns on our campus. A report can be filed in one of the following ways:

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Via Phone: (404) 504-1998
In Person: Student Commons, First Floor TLCC
To the Title IX Coordinator: Cindy Vaios, cvaios@oglethorpe.edu or 404-364-8479

These reports should include as much detail as possible, and though reports filed online and via phone can be submitted anonymously, please provide the name of the individual needing help. Reports and names of individuals are only shared with appropriate university staff members.

CONFIDENTIALITY NOTICE: Georgia State Law determines how confidentiality is kept during criminal investigations. Though all university staff members will do their best to keep all student information private, not all staff members are allowed to keep information confidential during criminal proceedings. For questions about who to talk to on campus about an act of violence, please contact our student Title IX Coordinator.

Connect with resources. During the time following an incident of sexual violence, it is common for people to become overwhelmed and emotional. A member of our staff is happy to connect you with resources directly, but please think about reaching out to the following resources as soon as you need them:

OU Counseling Center
PTSD
Day League (former DeKalb Rape Crisis Center)
RAINN

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WHAT DO I DO IF I AM ACCUSED OF AN ACT OF VIOLENCE?

When someone is accused of committing an act of violence against another person, here’s what we recommend:

**Understand the terms.** Please look at the terms in this guide in order to familiarize yourself with our language surrounding Sexual Misconduct, Harassment, and Assault. In these cases, we refer to the person making a complaint of violence as the “complainant” and the person who is being accused of an act of violence as the “respondent.”

**Ask for help.** Following the complainant reporting an incident of violence, the respondent is notified of the alleged incident by our Title IX Coordinator. The Title IX Coordinator will meet with the respondent to make sure that they understand their rights as a student and connect them to their advocate. Both the compliant and respondent will receive an advocate who will help each student through the duration of the conduct process.

Learning that you’ve been accused of an act of violence can be very overwhelming. Our Counseling Center and Residence Life staff members are readily available to help you 24/7 while students are on campus. You may also want to contact a friend, a family member, or someone you trust to help you get through this process. Please use the numbers below to connect to a campus resource:

- **COUNSELING CENTER:** 404-364-845
- **RESIDENCE LIFE:** 404-364-8520
- **CAMPUS SAFETY:** 404-504-1998
- **TITLE IX COORDINATOR:** Cindy Vaios, cvaios@oglethorpe.edu or 404-364-8479

**Know your rights.** Oglethorpe University’s policy on Sexual Misconduct, Harassment, and Assault can be found in section 11.3 in the University Bulletin, and the policy on Retaliation can be found in section 2.7.3.3. Sometimes the language that is used to describe these incidents of violence can get confusing. Scroll up to the definitions section of this document to see how Oglethorpe University, the State of Georgia, and Title IX defines this language.

**Understand how to report.** We encourage all members of our community to report any act of violence, suspicious activity, or concerns on our campus. A report can be filed in one of the following ways:

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**Connect with resources.** During the time following an incident of sexual violence, it is common for people to become overwhelmed and emotional. A member of our staff is happy to connect you with resources directly, but please think about reaching out to resources as soon as you need them via the OU Counseling Center.
UNIVERSITY RESOURCES

The Office of Campus Life
Located in the Student Commons, Turner Lynch Campus Center
Staff can assist a student in filing formal complaints or, if the student does not want to file a formal complaint, the staff can work with the student to address concerns over housing, class assignments or schedules, leaves of absence, academic withdrawal, or other concerns. The office staff can also assist the student in notifying Campus Safety or law enforcement, if the student so requests.

The OU Counseling Center
Located in Goodman Hall, First Floor across to the Conference Room
Students can meet with a confidential mental health counselor. The Counseling Center provides support and information, appropriate referral services, and a safe space to all involved students.

Campus Safety
Located in the Student Commons, Turner Lynch Campus Center
Campus Safety Officers can advise students of their options, help preserve evidence while the student considers their options, and assist students with safety planning. Call (404) 504-1998 to report an act of violence or to request assistance. Officers are on duty 24 hours a day throughout the year and can help get students connected to the appropriate resources.

University Chaplain
Call (205) 807-4907 or email jrichardson2@oglethorpe.edu to schedule an appointment
Chaplain John Richardson is available to provide supportive counseling and assistance to all students regardless of religious affiliation.

COMMUNITY RESOURCES

Atlanta is full of resources related to sexual assault and violence, but these are the resources that OU recommends:

Day League
24 Hour Crisis Hotline Available at (404) 377-1428
Located off the Decatur stop via MARTA, this non-profit organization offers a 24 hour crisis hotline, hospital accompaniment, free individual counseling and support groups, legal assistance, and prevention education. All services are free and confidential.

Northside Hospital
1000 Johnson Ferry Road NE, Atlanta, GA 30342
Located less than 4 miles from campus, this is the recommended Emergency Room for Oglethorpe students. Please contact Campus Safety at (404) 504-1998 if you are in need of a hospital transport.

Planned Parenthood of Atlanta
Call (404) 688-9300 to set-up an appointment
Located off the Georgia State University stop via MARTA, this non-profit organization provides emergency contraception, pregnancy testing and services, and STD testing. Most services are free or of little cost.

Brookhaven Police Department
Call (678) 937-2852 to file a report
Located on Buford Highway, Brookhaven PD is Oglethorpe’s resource for Georgia law enforcement. When a call is placed to the number above or 911, a Brookhaven officer is dispatched to lend assistance. Please notify Campus Safety at (404) 504-1998 if an officer has been called to assist you.