

REPORTING VIOLATIONS OF TITLE IX POLICY

Any person may report sex discrimination or sexual harassment, whether or not the person reporting is the person alleged to be the victim. This reporting may be done in person, by mail, by telephone, or by email, using the contact information listed for the Title IX coordinator, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or email address, or by mail to the office address listed for the Title IX coordinator (see back).

When notice of sexual harassment or allegation of sexual harassment has been given to the college's Title IX coordinator or any official of the college who has authority to institute corrective measures on behalf of the college, the college is considered to have "actual knowledge" of the allegation or violation and, thereby, must respond promptly to Title IX sexual harassment in a manner that is not "deliberately indifferent," which means in a way that is not clearly unreasonable in light of the known circumstances.

WHAT HAPPENS WHEN I MAKE A REPORT?

You retain the right to confidentiality and privacy as well as the right to decide whether or not you wish the college to begin the Formal Grievance Process or the Informal Resolution Process. If you report an allegation of sexual harassment, the Title IX coordinator will help you understand what supportive measures are available to you and how to make a Formal Complaint, which enables the Formal or Informal process to begin.

All are encouraged to read the detailed information regarding the Formal Grievance Process (which includes an investigation and a live hearing) and the Informal Resolution Process (which is a mediation process also intended to eliminate harassment and discrimination). These can be found in the full Title IX Policy published on the MLC website:

mlc-wels.edu/student-life/title-ix-policy

The purpose of Martin Luther College's anti-harassment policy is to comply with all applicable legal requirements prohibiting harassment against any member of the MLC community. Moreover, as a Christian community, MLC has committed itself to ensuring a working and learning environment in which God's Word and will are first and foremost and God's people are encouraged and admonished accordingly. Therefore, it is the purpose of this policy to maintain a work and academic environment free of unlawful harassment, which includes sexual assault or misconduct.

TALK TO US

SEEK SUPPORT

New Ulm Medical Center
507.233.1000

**Campus Nurse/
Title IX Advocate**
Kelsey Horn
507.441.1372

Rape Crisis Resources
CADA
4 N. Minnesota St.
New Ulm MN 56073
Office 507.233.6663
24-Hour Crisis Line
800.477.0466
www.cadamn.org

MAKE A FORMAL REPORT

Anonymous Report

A student or employee may file an anonymous complaint of sexual harassment and/or sexual violence through the MLC Advocate site. The report will be filed with the college Student Life Office and investigated as best as feasibly possible. A person may submit an anonymous report through the college's Portal site, which can be accessed here:

mlc-wels-advocate.symplicity.com/public_report/

Title IX Coordinator

Jeffrey L. Schone
VP for Student Life
WCC - Admin Suite
schonejl@mlc-wels.edu
507.217.9764

Deputy Title IX Coordinator

Andrea E. Wendland
Director of Human Resources
WCC - 158
wendlaae@mlc-wels.edu
507.766.4690

Law Enforcement

A person always has the ability and right to report criminal sexual assault to the New Ulm Police Department. Their phone number is 507.233.6750.

Find a complete description of MLC's Title IX Policy and reporting procedures at mlc-wels.edu/student-life/title-ix-policy



Title IX Sexual Misconduct

A Resource Guide for Students

It is the policy of Martin Luther College to provide an educational, employment, and business environment free of all forms of sex discrimination, including but not limited to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, as defined in this policy and as otherwise prohibited by state and federal statutes. Sexual harassment, including acts of sexual assault and sexual misconduct, is a form of sex discrimination and is prohibited at the college. The sexual harassment of college students, faculty, and staff by non-college employees and guests doing business or providing services on campus (e.g., contractors and vendors) also is prohibited by this policy. This policy applies to all college students, faculty, and staff, to other members of the Martin Luther College community, and to contractors, consultants, and vendors doing business or providing services to the college.



WHAT IS SEXUAL HARASSMENT?

Sexual harassment is outlined in the Title IX regulations within three categories:

1. “**Quid pro quo**”

- A benefit is directly tied to an unwelcome sexual advance
- Sexual harassment that involves a proposed exchange of actions

2. **Unwelcome Conduct** determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies equal access to the college’s education programs or activities

*[For purposes of this policy, **education program or activity** means locations, events, or circumstances in which the college exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the college.]*

- Gender-based sexual harassment
- Sexual exploitation/misconduct occurs when a student/employee takes non-consensual or abusive sexual advantage of another
- Virtual sexual harassment (email, SMS, social media, etc.)

3. **Clery Act and Violence Against Women Act crimes**

- Sexual assault - rape, fondling, incest, statutory rape
- Dating/Domestic violence
- Stalking
- Hazing

Prohibited Conduct in this policy includes harassment and discrimination, including but not limited to sexual discrimination, unwelcome sexual advances, unwelcome requests for sexual favors, and other unwelcome verbal, nonverbal, physical, or virtual conduct or communications of a sexual nature.

Sexual harassment may consist of repeated actions or may even arise from a single incident if sufficiently extreme. The complainant and the alleged perpetrator may be of either gender and need not be of different genders.

General examples include, but are not limited to, attempting to coerce an unwilling person into a sexual relationship; repeatedly subjecting a person to egregious, unwelcome sexual attention; punishing a refusal to comply with a sexual request; conditioning a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking; gender-based bullying.

NATIONALLY, 1 IN 5 WOMEN ARE VICTIMS OF COMPLETED OR ATTEMPTED SEXUAL ASSAULT WHILE IN COLLEGE*

WHAT SHOULD I DO IF I AM ASSAULTED?

If the incident(s) involve sexual assault or rape, you are encouraged to immediately contact local law enforcement and/or go to the Emergency Room at New Ulm Medical Center and ask to be seen by a health care professional who specializes in examining sexual assault victims. Such incidents are also considered a form of sexual harassment and may be reported under MLC’s Sexual Harassment (Title IX) Policy.

WHAT SHOULD I DO IF I BELIEVE I OR A FRIEND HAS BEEN HARASSED?

If you experience, observe, hear about, or believe someone has been sexually harassed in any way, you may make a report of the facts of the incident(s) by contacting people on campus who have different abilities to maintain confidentiality. Please ask the person to whom you make a report about his or her ability to maintain your confidentiality and privacy. The college will not tolerate sexual harassment of its students or employees. Where sexual harassment is found, steps will be taken to end it immediately and prevent it from reoccurring.

* Sources for these are the Dear Colleague Letter issued by the U.S. Department of Education and resources from the Regional Crime Victims Crisis Center.

WHAT IF I’M NOT SURE MY EXPERIENCE TRULY CONSTITUTES HARASSMENT?

The college encourages members of the campus family to report incidents of sexual harassment. Once reported, the Title IX coordinator will begin the process to determine whether a violation has occurred. You have the ability to report—the college has the responsibility to investigate and make a determination.

THE MAJORITY OF ASSAULTS ARE PERPETRATED BY INDIVIDUALS KNOWN BY THE VICTIM*

WHAT IF I WANT TO REPORT AN INCIDENT, BUT I KNOW I BROKE A RULE UNDER THE COLLEGE STUDENT CODE OF CONDUCT?

The college encourages the reporting of harassment whenever it occurs. Sometimes, victims are hesitant to report to college officials because they fear that they may be charged with policy violations, such as underage drinking, at the time of the incident. To encourage reporting of harassment, the college, where possible, pursues a policy of offering victims of harassment limited immunity from being charged with policy violations related to the particular incident.

USE OF ALCOHOL AND DRUGS SIGNIFICANTLY INCREASES THE LIKELIHOOD OF ASSAULT*