

# **Hanover College Policy on Sex/Gender Harassment, Discrimination and Misconduct**

## **Introduction**

It is the policy of Hanover College to comply with Title IX of the Education Amendments of 1972, which prohibits discrimination (including sexual harassment and sexual violence) based on sex in the College's educational programs and activities. Title IX also prohibits retaliation for asserting or otherwise participating in claims of sex discrimination.

Members of the college community, guests and visitors have the right to be free from all forms of sex/gender harassment, discrimination and misconduct, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The college believes in zero tolerance for sex/gender-based misconduct. Zero tolerance means that when an allegation of misconduct is brought to an appropriate administrator's attention, protective and other remedial measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the victim and community are remedied, including serious sanctions when a responding party is found to have violated this policy. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and college procedures establish a mechanism for determining when those expectations have been violated.

The college's sex/gender harassment, discrimination and misconduct policies are not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that include controversial or sensitive subject matters protected by academic freedom [Academic freedom extends to topics that are pedagogically appropriate and germane to the subject matter of courses or that touch on academic exploration of matters of public concern].

The college uses the preponderance of the evidence (also known as "more likely than not") as a standard for proof of whether a violation occurred. In campus resolution proceedings, legal terms like "guilt," "innocence" and "burdens of proof" are not applicable, but the university never assumes a responding party is in violation of university policy. Campus resolution proceedings are conducted to take into account the totality of all evidence available, from all relevant sources.

## **TITLE IX COORDINATOR**

Hanover College has designated a Title IX Coordinator & Title IX Deputy Coordinator to oversee compliance with all aspects of the sex/gender harassment, discrimination and misconduct policy. The Coordinator reports to the Vice President of Student Life and is housed in the Student Life Office. Questions about this policy should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to discrimination or harassment may do so by reporting the concern to the college Title IX Coordinator:

### **Title IX Coordinator**

Casey Heckler  
Brown Campus Center 214  
812-866-6740

[heckler@hanover.edu](mailto:heckler@hanover.edu)

### **Student on Student Complaints**

### **Deputy Title IX Coordinator**

Shelley Preocanin  
Long Administration Building 102  
812-866-7097  
[preocanins@hanover.edu](mailto:preocanins@hanover.edu)  
**Complaints regarding Employees**

## **Office for Civil Rights (OCR)**

A person may also file a complaint with the Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting: the [U.S. Department of Education's website](#) or calling 1-800-421-3481.

## **Scope of Policy**

### **Covered Incidents**

The Sexual Misconduct Board shall hear only matters in which a student of the College alleges to have been victimized by a violation of the College's sexual misconduct policy at the hands of another student of the College. Sexual misconduct or harassment matters in which students are not involved shall be handled by other policies of the College. (See below for links to policies.)

[Staff](#)

[Faculty](#)

**What is Sexual Misconduct?** As regards students, sexual misconduct is an umbrella term that covers several inappropriate sexual activities. Sexual misconduct applies to all students, employees and vendors regardless of sexual orientation or gender identity. These activities include but are not limited to:

- **Sexual exploitation**-which is the unauthorized posting of visual representations of an individual; the refusal to refrain from such postings when requested; and actions that could be construed as voyeurism.
- **Sexual harassment**-which includes but is not limited to verbal or written conduct of a sexual nature, stalking, and other forms of non-physical, unwelcome attention.
  - **Hostile environment caused by sexual harassment**-any situation in which there is harassing conduct based on sex or gender that is severe and pervasive or persistent and objectively offensive such that it alters the conditions of education or employment from both a subjective and an objective viewpoint.
  - **Quid Pro Quo**- which is unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature where submission to or rejection of such conduct results in adverse educational or employment action.
- **Sexual assault**-which can be either non-consensual sexual contact or non-consensual intercourse. Non-consensual sexual contact is defined as intentional sexual contact without consent to any body part.
- **Non-consensual sexual intercourse** is defined as intercourse without consent (whether by an acquaintance or a stranger); attempted rape; sodomy (oral sex or anal intercourse) without consent; or sexual penetration with an object without consent.
- **Non-consensual sexual contact**- Sexual contact without effective consent, the deliberate touching of a person's intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using Force to cause a person to touch his or her own or another person's intimate parts.
- **Relationship violence** - Relationship violence can be defined as a pattern of behavior in any relationship that is used to gain or maintain power and control over an intimate partner. Abuse is physical, sexual, emotional, economic or psychological actions or threats of actions that influence another person. This

includes any behaviors that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure or wound someone.

- **Stalking** -a knowing or an intentional course of conduct involving repeated or continuing harassment of another person that would cause a reasonable person to feel terrorized, frightened, intimidated, or threatened and that actually causes the victim to feel terrorized, frightened, intimidated, or threatened.

## **Consent**

**What is Consent?** Effective consent is informed, freely and actively given, mutually understandable words or action, which indicate a willingness to engage in mutually agreed upon sexual activity.

- Consent is a voluntary agreement to engage in sexual activity;
- Past consent does not imply future consent;
- Silence or an absence of resistance does not imply consent;
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
- Consent can be withdrawn at any time; and
- Coercion, force, or threat of either invalidates consent.
- Someone who is incapacitated cannot consent;
  - Incapacitation (such as due to the use of drugs or alcohol (voluntary or involuntary), when a person is asleep or unconscious, or because of an intellectual or other disability that prevents the student from having the capacity to give consent)
  - One may not engage in sexual activity with another whom one knows or should reasonably know to be physically incapacitated.

## **Other Misconduct Offenses (will fall under Title IX when sex or gender-based)**

- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender;
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
- Bullying, defined as
  - Repeated and/or severe
  - Aggressive behavior
  - Likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally
  - That is not speech or conduct otherwise protected by the 1<sup>st</sup> Amendment.
- Any other University policies may fall within this section when a violation is motivated by the actual or perceived membership of the reporting party's sex or gender.

## **Related Misconduct, Intimidation & Retaliation of a Witness**

Any reported violations of the Standards of Conduct directly related to a report of alleged sexual misconduct may be considered by the Sexual Misconduct Board in accordance with these procedures. This may include, but is not limited to, conduct that threatens the complainant or any other participant, violations of the rules of confidentiality, intimidating a witness from participating, or Standards of Conduct violations arising in the course of the sexual misconduct.

Hanover College strictly prohibits retaliation against any individual for reporting, providing information, exercising ones rights or responsibilities, or otherwise being involved in the process of responding to, investigating, or addressing allegations of sex discrimination, sexual harassment, and sexual violence. Therefore, any retaliation, intimidation, threats, coercion, or discrimination against any such individual, undertaken or attempted either directly or by someone acting on behalf of another, will be addressed in the most serious way by Hanover College, and individuals who engage in such actions are subject to discipline up to and including suspension, expulsion, or dismissal from the College, consistent with College procedure. Anyone who is aware of possible retaliation or has other concerns regarding the response to a complaint of sexual misconduct should report such concerns to the Title IX Coordinator or to any Student Life Staff Member, who shall take appropriate actions to address such conduct in a prompt and equitable manner.

## **Sanctions**

The following sanctions may be imposed upon any member of the community found to have violated the Sex/Gender Harassment, Discrimination and Misconduct Policy. The following are the typical sanctions that may be imposed upon students or organizations singly or in combination:

### **Student Sanctions**

- Warning
- Probation
- Suspension
- Dismissal
- Withholding Diploma
- Revocation of Degree
- Transcript Notation
- Organizational Sanctions
- Other Actions

### **Sanctioning for Sexual Misconduct**

- Any person found responsible for violating the Non-Consensual Sexual Contact policy (where no intercourse has occurred) will likely receive a sanction ranging from probation to dismissal, depending on the severity of the incident, and taking into account any previous disciplinary violations\*
- Any person found responsible for violating the Non-Consensual Sexual Intercourse policy will likely face a recommended sanction of suspension or dismissal (student)\*.
- Any person found responsible for violating the Sexual Exploitation or Sexual Harassment policies will likely receive a recommended sanction ranging from warning to dismissal, depending on the severity of the incident, and taking into account any previous disciplinary violations\*

\*The decision-making body reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will deviate from the range of recommended sanctions unless compelling justification exists to do so.

## **Confidentiality and Reporting of Offenses Under This Policy**

All college employees (faculty, staff, administrators) are expected to immediately report actual or suspected discrimination or harassment to appropriate officials, though there are some limited exceptions. In order to make informed choices, it is important to be aware of confidentiality and mandatory reporting requirements when consulting campus resources. On campus, some resources may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate university officials - thereby offering options and advice without any obligation to inform an outside agency or individual unless a victim has requested information to be shared. Other resources exist for a victim to report crimes and policy violations and these resources will take action when an incident is reported to them. The following describes the two reporting options at university:

### **Confidential Reporting**

If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:

#### **On-campus:**

##### **Counseling Services:**

Catherine LeSaux, LCSW  
Director of Counseling Services  
Brown Campus Center 303  
812.866.7399  
[lesaux@hanover.edu](mailto:lesaux@hanover.edu)

Sara Crafton, M.Ed  
Brown Campus Center 302  
812.866.7074  
[Crafton@hanover.edu](mailto:Crafton@hanover.edu)

##### **Pastoral Care:**

Catherine Knott, M. Div, Th. M  
Brown Campus Center 207  
812.866.7087  
[knott@hanover.edu](mailto:knott@hanover.edu)

##### **Health Services**

Sandi Alexander-Lewis, MSN, APRN, FNP-C  
Brown Campus Center 302  
812.866.7082  
[alexanderlewis@hanover.edu](mailto:alexanderlewis@hanover.edu)

All of the above employees will maintain confidentiality except in extreme cases of immediate threat or danger, or abuse of a minor. These employees will submit [timely, quarterly, semesterly, yearly] anonymous, aggregate statistical information for Clery Act purposes unless they believe it would be harmful to a specific client, patient or parishioner.

**Off-campus:**

**Kings Daughters Health Services Emergency Room**

(812) 801-0022;

Main Hospital: 812 801-0800

1373 East State Road 62

Madison, IN 47250

**University of Louisville Hospital**

(502) 562-3015

Sexual Assault Nurse Examination (SANE) has two clinic locations.

Medical/forensic exam can be performed at either the University Hospital Emergency Department or the SANE Clinic at the Center for Women and Families.

**University Hospital**

530 South Jackson Street

Louisville, KY 40202

SANE Program Office Phone: (502) 562-4064

Main Hospital Phone: (502) 562-3000

**The Center for Women and Families**

Joan E. Thomas, M.D. Campus

927 South 2<sup>nd</sup> Street

Louisville, KY 40201

Business line: (502) 581-7222

Toll-free 24 hours Crisis Hotline; (877) 803-7577

Amanda Corzine RN, BSN, SANE, Asst. Coordinator, Louisville SANE Program

(502) 562-4064

**Kosair Hospital** (for 17 years of age and younger)

(502) 629-6000

231 E. Chestnut Street

Louisville, KY 40202

**DOMESTIC VIOLENCE HOTLINES**

**Safe Passages Domestic Violence Services.**

If you are unsafe, please dial 911. Crisis/Helpline at 1-877-733-1990

**LEGAL ADVOCACY**

**Madison Jefferson County Clearinghouse,**

100 East First Street

Madison, IN 47250

1 800 787 5627 or 812 265-2652.

Pro bono legal assistance

**Jefferson County Prosecutor's Office,**

Victim Assistance Program (812) 265-8932

**Formal Reporting Options**

All college employees have a duty to report, unless they fall under the “Confidential Reporting” section above. Reporting parties may want to consider carefully whether they share personally identifiable details with non-confidential employees, as those details must be shared by the employee with the Title IX Coordinator and/or Deputy Coordinators. Employees must share all details of the reports they receive. Generally, climate surveys, classroom writing assignments, human subjects research, or events such as Take Back the Night marches or speak-outs do not provide notice that must be reported to the Coordinator by employees. Remedial actions may result without formal university action.

If a victim does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the victim may make such a request to the Title IX Coordinator or Deputy Coordinators, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. In cases indicating pattern, predation, threat, weapons and/or violence, the College will likely be unable to honor a request for confidentiality. In cases where the victim requests confidentiality and the circumstances allow the College to honor that request, the College will offer interim supports and remedies to the victim and the community, but will not otherwise pursue formal action. A reporting party has the right, and can expect, to have reports taken seriously by the College when formally reported, and to have those incidents investigated and properly resolved through these procedures.

Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told. Information will be shared as necessary with investigators, witnesses and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party's rights and privacy.

Reports to the Title IX Coordinator can be made via email, phone or in person at the contact information below:

**Title IX Coordinator**

Casey Heckler

Brown Campus Center 214

812-866-6740

[heckler@hanover.edu](mailto:heckler@hanover.edu)

Failure of a non-confidential employee, as described in this section, to report an incident or incidents of sex or gender harassment or discrimination of which they become aware, is a violation of university policy and can be subject to disciplinary action for failure to comply with college policies.





