

BETHEL COLLEGE

TITLE IX

Frequently Asked Questions

WHAT SHOULD I DO IF I OR A FRIEND MAY HAVE BEEN SEXUALLY ASSULTED AT BETHEL COLLEGE?

You or your friend have several options. First, we suggest seeking medical attention as soon as possible. You can also call Newton Police at 316-283-3191 (or #911) to report a possible assault and they will in turn help you or your friend get the care needed. You can also contact any member of the Student Life staff, who can assist you in this process. Off-campus resources include the Harvey County Domestic Violence and Sexual Assault 24-Hour Crisis Hotline at 316-283-0350 or the Prairie View Mental Health 24-Hour Crisis Line at 800-362-0180. If you wish to pursue a complaint against the alleged perpetrator, or if you wish to discuss your options, you may contact the Bethel College Title IX Compliance Officer (Coordinator) or any member of the Title IX Team.

WHAT SHOULD I DO ABOUT PRESERVING EVIDENCE OF A SEXUAL ASSAULT?

Physical evidence of a sexual assault must be collected from a victim within 72 hours, though evidence can often be obtained from towels, sheets, clothes, etc., for much longer periods of time. If you believe you have been a victim of a criminal sexual assault, you should go to the Newton Medical Center Emergency Room, before washing yourself or your clothing. The victim advocate on call (316-283-0350) can accompany you to the hospital. Having the evidence collected in this manner will help keep all options available, but will not obligate you to any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should you decide later to exercise that option. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence.

WHAT SHOULD I DO IF I AM UNCERTAIN THAT WHAT I EXPERIENCED CONSTITUTES SEXUAL ASSAULT?

If you believe that you have experienced a sexual assault or any form of sexual misconduct, but are unsure of whether it was a violation of the college's sexual misconduct policy, you should contact a member of the Bethel College Student Life staff or the Title IX Compliance Officer, who can help you to define and clarify the event(s) and advise you of your options. If you wish to initiate privileged conversation that will not be reported to the Title IX Compliance Officer, please contact Peter Goerzen (campus pastor) or Joanna Bjerum (director of student wellness).

WHAT SHOULD I DO IF I OR A FRIEND EXPERIENCES SEXUAL MISCONDUCT AT AN OFF-CAMPUS EVENT, OR ON ANOTHER COLLEGE CAMPUS?

If you experience sexual misconduct on any college campus, regardless of the school, know that options are available to you. Generally, sexual misconduct complaints are handled and, if the survivor chooses this route, adjudicated by the college where the alleged perpetrator is enrolled. All colleges and universities are required to have a designated Title IX officer on campus to help with the reporting of sexual misconduct and to help survivors access resources. Any member of Bethel College's Title IX Team can assist you with understanding your options if you have experienced sexual misconduct on another college campus.

If you or a friend experiences sexual misconduct at an off-campus event, please notify any member of the Student Life staff or the Title IX Compliance Officer. Bethel College community standards and Title IX protections extend to student activities off campus.

DOES MY COMPLAINT REMAIN CONFIDENTIAL?

It depends. Different individuals and offices on campus have differing levels of confidentiality. Two members of the Bethel College community have been identified as confidential counselors with whom you may speak to in confidence. These individuals are Peter Goerzen (campus pastor) and Joanna Bjerum (director of student wellness). These two individuals are not obligated to share conversations about sexual assault or harassment based on gender to the Title IX Compliance Officer. All other Bethel College employees (faculty, coaches, office staff, etc.) have been identified as mandated reporters. When you share concerns that fall under the umbrella of Title IX with these employees, they will forward this information to the Title IX Compliance Officer.

In all instances, the privacy of all parties to a complaint of sexual misconduct must be strictly observed, except insofar as it interferes with Bethel College's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the complainant or the accused student may lead to conduct action by Bethel College.

Bethel College must statistically report the occurrence on campus of major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

CAN I MAKE A REPORT ANONYMOUSLY?

Yes. Any individual may make an anonymous report concerning an act of sexual misconduct using the Student Concern Form on the Student Life web page. An individual may report the incident without disclosing his/her name, identifying the respondent or requesting any action. Depending on the level of information available about the incident or the individuals involved, however, Bethel College's ability to respond to an anonymous report may be limited.

DO I HAVE TO NAME MY ASSAILANT?

It depends on what action you want taken. Yes, if you want formal action to be taken against the alleged assailant. No, if you choose to respond informally and do not file a formal complaint. Survivors should be aware that not identifying the assailant may limit Bethel College's ability to respond comprehensively.

WILL THE ACCUSED KNOW MY IDENTITY?

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the accused student has the right to know the identity of the complainant/alleged victim. The answer is only no if no specific name or identity is provided. In this situation, the issue is counted in Bethel College's reporting data, but no formal investigation or confrontation can be conducted.

IF I REPORT MY ASSAILANT, I AM AFRAID THAT I WILL BE SUBJECT TO RETALIATION FROM HIM/HER OR HIS/HER FRIENDS. WHAT KINDS OF PROTECTION CAN BETHEL COLLEGE PROVIDE TO ME?

It is a violation of Bethel College policy and Title IX of the Education Amendment Act to retaliate in any way against an individual or a group because the individual or group has reported an allegation of sexual harassment or misconduct.

Bethel College recognizes that retaliation can take many forms, may be committed by an individual or a group against an individual or a group, and that a respondent can also be the subject of retaliation by the complainant or a third party. Bethel College will take immediate and responsive action to any report of retaliation and may pursue disciplinary action as appropriate. An individual reporting sexual harassment or misconduct is entitled to protection from any form of retaliation following a report that is made in good faith, even if the report is later not proven.

WHAT IF I HAVE A RELATIONSHIP WITH THE PERSON WHO ASSAULTED ME?

It is never okay to force, threaten or coerce someone into having sex against his/her will, even if they are in a relationship. Just because you have been intimate with someone in the past does not mean you give consent for any future sexual activity.

WILL MY PARENTS BE TOLD?

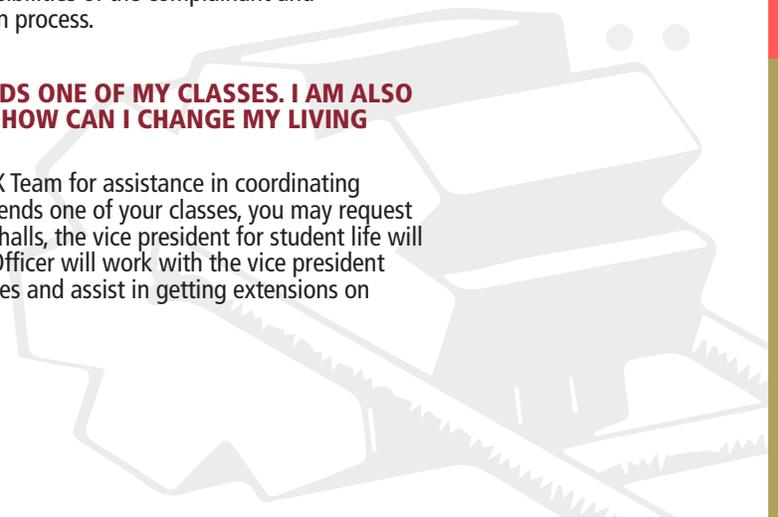
Generally, no. Whether you are the complainant or the accused student, Bethel College's primary relationship is to the student (over age 18) and not the parent. However, in the event of major medical, disciplinary or academic jeopardy, students are strongly encouraged to inform their parents. Bethel College officials will directly inform parents when requested to do so by a student or in certain instances where a health or safety emergency exist.

WHAT DO I DO IF I AM ACCUSED OF SEXUAL MISCONDUCT?

Do not contact the complainant. If a formal complaint has been filed against you, the Title IX Compliance Officer will contact you to set up a meeting. During that meeting, s/he will explain Bethel College's procedures for addressing sexual misconduct complaints, the rights and responsibilities of the complainant and respondent, the prohibition against retaliation, and the investigation process.

MY ASSAILANT LIVES IN MY RESIDENCE HALL AND/OR ATTENDS ONE OF MY CLASSES. I AM ALSO HAVING DIFFICULTY CONCENTRATING ON MY SCHOOLWORK. HOW CAN I CHANGE MY LIVING ARRANGEMENTS AND RECEIVE HELP WITH MY COURSES?

You can contact the Student Life office or any member of the Title IX Team for assistance in coordinating interim measures. If your assailant lives in your residence hall or attends one of your classes, you may request a change in residence halls or classes. In order to change residence halls, the vice president for student life will work to make this change on your behalf. The Title IX Compliance Officer will work with the vice president for student life and/or the registrar's office to help switch your classes and assist in getting extensions on coursework if necessary.



WILL A STUDENT BE PUNISHED WHEN REPORTING A SEXUAL MISCONDUCT POLICY VIOLATION IF HE/SHE HAS ILLEGALLY USED ALCOHOL AND/OR OTHER DRUGS?

No. Bethel College's primary concern is the health and safety of its students. When conducting an investigation of an alleged sexual assault, Bethel College's focus will be on addressing the sexual assault and not the lesser policy violations that may be discovered or disclosed. Bethel College may, however, provide referrals to counseling or require other educational options.

WILL EITHER PARTY'S PRIOR USE OF DRUGS AND/OR ALCOHOL BE A FACTOR WHEN REPORTING SEXUAL MISCONDUCT?

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the present complaint.

WILL THE USE OF ALCOHOL OR OTHER DRUGS AFFECT THE OUTCOME OF A SEXUAL MISCONDUCT COMPLAINT?

No. The use of alcohol and/or drugs by either party will not diminish the responsibility of the accused, nor will it diminish the rights of the complainant.

IF I ENGAGE IN SEXUAL ACTIVITY WITH SOMEONE WHO HAS BEEN DRINKING, CAN I BE ACCUSED OF SEXUAL ASSAULT?

Yes. It is against Bethel College's Sexual Misconduct Policy to engage in any sexual activity with someone who is mentally or physically incapacitated, and therefore incapable of giving consent. Alcohol may cause such a state of incapacitation. However, it varies on a case-by-case basis. For a variety of reasons, it is not advisable to engage in sexual activity while intoxicated.

CAN I FILE A COMPLAINT WITH BETHEL COLLEGE AND ALSO WITH THE POLICE? CAN I DO ONE AND NOT THE OTHER?

Yes. You may take action through both the student conduct process and the criminal justice system. Bethel College encourages complainants to pursue criminal action for incidents of sexual harassment or misconduct that may also be crimes under Kansas law. Bethel College will also assist a complainant in making a criminal report and will cooperate with law enforcement agencies if a complainant decides to pursue the criminal process to the extent permitted by law. However, a complainant may also choose not to pursue criminal action, and under most circumstances, Bethel College will not force a complainant to pursue charges if s/he is not willing to do so.

HOW DO I FILE A COMPLAINT?

A person who has experienced an incident of sexual misconduct, as defined in the Sexual Misconduct Policy, may file a complaint against the Bethel College student, employee or third party responsible for that conduct. "Person" may include any member of Bethel College, including students, faculty, administrators, staff members or visitors. You can file a complaint by contacting the Title IX Compliance Officer or any member of the Title IX Team.

WHAT IS THE TIME FRAME FOR RESOLUTION?

The investigation and resolution (including appeal) of all reports will be completed within 60 days. Extenuating circumstances, including the complexity and severity of a complaint, may arise that require the complaint process to extend beyond 60 days. In general, a complainant and respondent can expect to receive periodic updates as to the status of the review or investigation. In the event that the investigation and resolution exceed this time frame, Bethel College will notify all parties of the need for additional time and best efforts will be made to complete the process in a timely manner.

