

## CONSENT

Involves explicit communication and mutual approval for the act in which the parties are/were involved. A sexual encounter is considered consensual when individuals willingly and knowingly engage in sexual activity. The absence of “no” is not a “yes”. **Please Note:** The use of alcohol or drugs will never function to excuse behavior that violates this policy.

## SEXUAL HARASSMENT

Any unwelcome conduct of a sexual nature that includes unwanted sexual advances, requests for sexual favors, and other visual, verbal, non-verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made a term or condition of employment or the educational relationship; (2) submission to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual; or (3) such conduct has the effect of unreasonably interfering with a student’s or employee’s work performance or creating an intimidating, hostile, or offensive working, educational, or living environment.

## SEXUAL MISCONDUCT

Encompasses any sexual behaviors that violate Ancilla College’s Code of Conduct and/or Title IX Policy. In general, any non-consensual physical contact of a sexual nature may constitute Sexual Misconduct.



## Title IX Coordinator

### Suzette Keen - Residence Life

Ancilla College  
9601 S. Union Road  
Plymouth, IN 46563

Phone: 574 - 936 - 8898 ext 702

## Additional Resources

### Campus Security

Dial “0” from a campus phone, or dial 574-936-9936 from a cell phone to reach the Ministry Center switchboard.

### Lifeplex Urgent Care

Website: [iuhealth.org](http://iuhealth.org)  
2855 Miller Drive #119  
Plymouth, IN  
(574) 941-1000

### Saint Joseph Regional Medical Center

Website: [www.sjmed.com](http://www.sjmed.com)  
1915 Lake Ave  
Plymouth, IN  
(574) 948-4000

### Bowen Center

Website: [www.bowencenter.org](http://www.bowencenter.org)  
990 Illinois Street  
Plymouth, IN 46563  
(574) 936-9646

Further Information on Title IX can be found at:  
[www.justice.gov/crt/about/cor/coord/titleix.php](http://www.justice.gov/crt/about/cor/coord/titleix.php)

# TITLE IX POLICY

## Student Information Pamphlet



**Ancilla College is committed to providing a safe environment for all. As such, sex discrimination and sexual misconduct are not tolerated. This pamphlet includes guidance, resources and assistance regarding these issues.**

*The pamphlet was created in accordance with applicable Title IX regulations.*

Ancilla College is accredited by the Higher Learning Commission and is sponsored by the Poor Handmaids of Jesus Christ and part of The Center at Donaldson.



In accordance with Title IX of the Education Amendment Act of 1972, Ancilla College prohibits discrimination based on sex in its educational and athletic programs, as well as in extracurricular activities sponsored by the College. This includes a prohibition against any type of gender based sexual harassment, discrimination, or violence. To ensure compliance with Title IX and other federal and state civil rights laws, the College has developed policies and procedures that prohibit sex discrimination by any members of its community including students and employees.

### TERMINOLOGY

- **Complainant** -  
*a person who initiates the complaint process*
- **Respondent** -  
*a person against whom a complaint is filed*
- **Witness** -  
*a person that is present during an incident that violates the Title IX Policy*

### NON-RETALIATION POLICY

Ancilla College strictly prohibits retaliation against any person for using this reporting procedure, or for filing, testifying, assisting or participating in any manner in any investigation or proceeding involving allegations of sex discrimination. Any person who violates this policy will be subject to discipline, up to and including expulsion.

- Once a complaint has been filed, an Investigator will be appointed.
- The Investigator will conduct an investigation related to the incident. Individuals involved (complainants, respondents, and witnesses) will be contacted as part of the investigation.
- Parties will meet individually with the Investigator.
- Upon the conclusion of the investigation, if warranted, the case will be forwarded to the Title IX Hearing Board. A Title IX Hearing Board will be convened and a hearing conducted.
- The Title IX Hearing Board will determine:
  - if a violation occurred
  - the nature of the violation
  - the appropriate response
- Both complainant and respondent will be notified of the Board's decision and both have the right to appeal the decision of the Board.
- Confidentiality will be respected to the degree permitted by Title IX regulations
- Students who may not want their case reported have the option to speak with Ancilla's Campus Minister, a counselor from the Bowen Center, or a clergy member

### PLEASE NOTE:

The use of alcohol and other drugs never makes someone at fault for being sexually assaulted. Alcohol and other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and affirmatively given. The use of alcohol and other drugs shall in no way limit the responsibility of students for the consequences of their actions.

The College's primary concern is student safety. Students may be reluctant to report instances of sexual assault because they fear being charged with policy violations, such as underage alcohol consumption. To encourage reporting, any other policy violations may be addressed (if necessary) separately from a sex discrimination allegation.

- Ancilla College aims to have all investigations complete within 60 days from receipt of the complaint.
- Ancilla College may take interim measures to ensure that all involved parties are not interacting with each other. These measures may include, but are not limited to: adjusting class schedules, making alternate housing arrangements, issuing "no contact" orders to all involved parties and possible interim suspension of the respondent.
- Ancilla College ensures an equitable process, where both complainant and respondent will be afforded an opportunity to present relevant witnesses and other evidence.
- The complainant and respondent will be afforded similar access to information used at the hearing.
- No direct cross-examination is permitted during the investigation, hearing or appeal process. At the discretion of the board, advocates may accompany involved individuals but may not participate at the hearing.
- The Title IX Board will use a preponderance of evidence as the standard of proof (i.e. more likely to have occurred than not to have occurred).