**Complainant Rights and Options**

**McPherson College Sexual Harassment Policy and Title IX Grievance Procedures**

The following information provides a summary of your rights and options as a complainant under the College’s Sexual Harassment Policy and Title IX Grievance Procedures (the “Policy”). Please contact the Title IX Coordinator or the Deputy Title IX Coordinator if you have any questions about this information.

1. **General Information**
* *Options.* You have several options, including, but not limited to:
* Contacting parents or a relative
* Seeking legal advice
* Seeking personal counseling
* Obtaining Supportive Measures
* Filing a formal complaint
* Pursuing legal action against the perpetrator
* Requesting that no further action be taken
* Requesting further information about the investigation and resolution process
* *Notifying Authorities.* If requested, the Title IX Coordinator or Deputy Title IX Coordinator will assist you in contacting local law enforcement regarding the incident. You may decline to notify such authorities.
* *Restraining Orders.* If you have obtained or obtain a temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court, you may provide such information to the Title IX Coordinator or Deputy Title IX Coordinator. If provided, the College will take all reasonable and legal action to implement the order.
* *Requesting Changes to Your Current Situation or Other Supportive Measures.* The Title IX Coordinator will contact you to discuss the availability of Supportive Measures, such as changes to your academic, living, transportation, or working situation. The College will make Supportive Measures available to you if they are reasonably available, regardless of whether you choose to file a formal complaint or report the incident to local law enforcement. Please contact the Title IX Coordinator or Deputy Title IX Coordinator if you want information about taking a leave of absence and related financial aid information.
* *Preservation of Evidence.* It is extremely important that you preserve evidence as it may be necessary to prove the complaint you are making or needed to obtain a protection order. In the case of physical violence, including sexual assault, domestic violence, and dating violence, you should go directly to the emergency room and should not bathe, urinate, douche, brush teeth, drink liquids, or change clothes until after you are examined and, if necessary and you so choose, a rape examination is completed by a trained forensic professional at the hospital. Having a forensic examination does not obligate you to file criminal charges. Evidence in electronic formats should also be retained (e.g., text messages, emails, photos, social media posts, screenshots, etc.). This type of evidence is important and may be the only available evidence in cases of sexual harassment or stalking.
1. **Institutional Procedures**
* The Policy (available at: http://wwwi.mcpherson.edu/admin-policies) governs complaints of quid pro quo sexual harassment, hostile environment sexual harassment, sexual assault, domestic violence, dating violence, or stalking. The procedures:
* Provide a prompt, fair, and impartial resolution of your formal complaint, under the evidentiary standard of preponderance of the evidence, i.e., more likely than not that the alleged conduct occurred.
* Are carried out by College officials who have received training on these issues and how to conduct an investigation that promotes safety and accountability.
* Provide you and the respondent the right to have a support person/advisor accompany you to all aspects of the investigation and adjudication process. Except as explained in the Policy, a support person/advisor may not advocate for a party like an attorney would in court.
* Ensure that both you and the respondent will be notified simultaneously in writing of the outcome of all stages of the process, including any appeals.
* Prohibit retaliation by the respondent or anyone else against you for the purpose of interfering with any right or privilege secured by Title IX and its implementing regulations or because you have made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this policy.
* If you desire to have an advisor but cannot find someone that you are comfortable with, please contact the Title IX Coordinator or Deputy Title IX Coordinator for assistance.
* You are prohibited from retaliating against the respondent or against anyone else who participates in the investigation.
1. **Possible Interim Measures, Sanctions, and Remedies**
* *Interim Measures*. At any time during the investigation and adjudication process, the College may implement interim measures for the parties or witnesses for the protection of those involved and to ensure equal access to the College’s educational programs and activities. These may include separating the parties, placing limitations on contact between the parties, emergency suspension, or making alternative living, class-placement, or workplace arrangements. Such measures are not considered disciplinary in nature. The College will also take reasonable and legal action to implement any court restraining or no-contact order. Both parties must honor any interim measures; violating them is a violation of McPherson’s policy separate from the allegations of the complaint.
* *Sanctions*. If there is a finding that a violation of the Policy has occurred, sanctions may include counseling or training, separation of the parties, and/or discipline of the respondent, including written reprimand, probation, suspension, demotion, termination, or expulsion.
* *Remedies.* The College will provide persons who have experienced Sexual Harassment ongoing remedies as reasonably necessary to restore or preserve access to the College’s education programs or activities.
1. **Confidentiality**
* If you decline to file a formal complaint of Sexual Harassment, the College will not take any further action to investigate or adjudicate the matter unless the College determines that closing the matter would be clearly unreasonable. For example, the Title IX Coordinator may file a formal complaint on behalf of the College where the respondent may pose a continuing threat to the College community.
* Throughout the investigation and adjudication of your complaint, the College will maintain as confidential any Supportive Measures provided to you, to the extent maintaining such confidentiality does not impair the College’s ability to provide such measures.
* McPherson is required by law to make certain statistical disclosures of crimes reported to it. If you report an incident that is a crime, the College will make the statistical disclosure without disclosing personally identifying information about you.
1. **Resources Available**
* McPherson’s Title IX Coordinator:

Dr. Bruce Clary
1600 East Euclid
Office of Academic Affairs
McPherson College
McPherson KS 67460
(620) 242-0506
claryb@mcpherson.edu

* McPherson’s Deputy Title IX Coordinator

Brenda Jill Stocklin-Smith, PHR, SHRM-CP, M.Ed.

 1600 East Euclid

 Human Resources

 McPherson College

 McPherson KS 67460

 (620) 242-0454 or 2454 from campus extension

 stocklib@mcpherson.edu

* On-Campus Counseling (confidential resource)

Spiritual Life

c/o Student Life

1600 East Euclid

McPherson College

McPherson, KS 67460

* On-Campus Medical Services (confidential resource)

Partners in Family Care

1800 East Gordon

McPherson College

McPherson, KS 67460

(620) 242-0404 or 2404 from campus extension

* On-Campus Mental Health Services (confidential resource)
* Mental health services available through Linda Helmer

(620) 242-242-0404 or 2404 from campus extension

* Student Financial Aid
* Sara Brubaker

Director of Financial Aid/Admissions Operations

1600 East Euclid

McPherson College

McPherson, KS 67460

(620) 242-0413 or 2413 from campus extension

brubakes@mcpherson.edu

* McPherson Kansas Police Department:

Call 911 in case of an emergency

Call (620) 245-1200 for non-emergencies

Police Department Administrative Office:

1177 W Woodside Street

McPherson, KS 67460

* Local Hospital

 McPherson Hospital

 1000 Hospital Drive

 McPherson, KS 67460

 (620) 241-2250

* Support Agencies/Hotlines
	+ McPherson County Sexual Assault/Domestic Violence Center:

1-800-701-3630 (confidential resource)

* SafeHope – McPherson, Harvey and Marion Counties – 1-800-487-0510 or 316-283-0350
	+ Kansas Coalition Against Domestic and Sexual Violence

<http://www.kcsdv.org/find-help/in-kansas/dv-sa-services.html>

* + National Domestic Violence Hotline: 1-800-799-7233
	+ National Sexual Assault Hotline: 1-800-656-4673

Please contact the Title IX Coordinator if you want to discuss other resources that may be available in the community

* Legal Assistance, Visa and Immigration Assistance
	+ Kansas Legal Services: 1-800-723-6953

<http://www.kansaslegalservices.org/>

* + Immigration Advocates Network: <http://www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=KS>
	+ U.S. Citizenship and Immigration Services:

<http://www.uscis.gov/about-us/find-uscis-office/field-offices/kansas>