

MILLIGAN SEXUAL HARASSMENT POLICY: RIGHTS AND OPTIONS

Milligan University is committed to providing students, faculty, staff, visitors and the University community with a positive, healthy environment conducive to the promotion of the University's core values of scholarship, community, and faith. Incidents of any type of sexual harassment, including sexual assault, dating and domestic violence, and stalking are strictly prohibited.

What is Sexual Misconduct?

Sexual misconduct offenses generally involve unwelcome conduct of a sexual nature and can include, but are not limited to:

1. **Hostile Environment Sexual Harassment** (unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education program or activity)
2. **Quid Pro Quo Sexual Harassment** (an employee of the University conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct)
3. **Sexual Assault**, including forcible and nonforcible sex offenses
4. **Dating and Domestic Violence**
5. **Stalking**

Reporting Options

1. Report to Law Enforcement:

- Elizabethton Police Department (911 or 423-542-4141)

The complainant has the option, but is not required, to file a report with the. If the complainant so chooses, campus authorities will provide assistance in notifying the EPD. If the complainant chooses to report the incident to the police, the University will cooperate fully in any investigation and prosecution of offenders who will be subject to all applicable legal sanctions under local, state, or federal laws.

2. Report to Campus Officials:

- Title IX Coordinator: Brent Nipper (423-461-8740; wbnipper@milligan.edu)
- Dean of Students: Tony Jones (423-461-8760; tpjones@milligan.edu)
- Vice President for Business and Finance: Jacqui Steadman (423-461-8686; jrsteadman@milligan.edu)
- Residence Life Staff
- Area Vice President for incidents involving employees

In addition to directly reporting to these campus officials, all university employee other than the campus minister and counselors in the Milligan counseling center when acting in a counseling capacity are required to report disclosures of incidents of sexual misconduct made to them during the course of their employment to the Title IX Coordinator or their supervisor. Reports received from these mandatory reporters do not automatically cause a formal complaint or disciplinary process to be conducted.

Medical Care/Preserving Evidence

Victims of sexual assault are encouraged to seek **medical attention** as early as possible after an assault occurs. By seeking medical attention, victims can receive medical care as needed and **preserve evidence** by undergoing a medical exam. Preserving evidence is important in cases of sexual assault and may prove that a criminal offense occurred and may be helpful in preserving orders of protection, if the victim chooses to pursue further action after the assault. Victims are encouraged to seek medical care at the Johnson City Medical Center, 400 N State of Franklin Rd, Johnson City, TN 37604.

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Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services which are designed to restore or preserve equal access to the University's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the University's educational environment, or deter sexual harassment.

Supportive measures are offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed.

Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures when such measures are reasonably available.

Supportive measures are maintained as confidential by the University to the extent that maintaining such confidentiality would not impair the ability of the University to provide the supportive measures.

The Title IX Coordinator (423-461-8740; wbnipper@milligan.edu) or individuals designated by the Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Reporting/Disciplinary Process

1. When a report is received from a mandatory reporter, the **Title IX Coordinator contacts the victim**. Contact is usually made by email requesting a meeting. Responding to this initial contact is not required and meeting with the Coordinator does not mean further action has to be taken. In this **initial assessment** meeting, the Title IX Coordinator will explain rights, reporting options and resources, including information about supportive measures, counseling services, local advocacy organizations and how and to whom to make a report, if a reported is wanted.
2. After the initial assessment meeting, a **formal complaint** will be made by either the victim or the Title IX Coordinator in cases in which an ongoing threat to campus is identified.
3. Formal complaints meeting the parameters of the Title IX Sexual Harassment Policy will be addressed through the **Title IX Grievance Process** below. All other complaints will be addressed through the appropriate student or employee conduct processes.
4. A **notice of allegations** is made to the respondent (reported perpetrator)
5. An **investigation** is conducted, including evidence gathering, evidence review by parties, investigation report and second review by parties
6. A **hearing** will be conducted by a decision maker(s), including cross examination of the complainant, respondent, and witnesses conducted by each parties' advisors
7. A **determination of responsibility** will be made by the decision maker, including a finding of responsible or not responsible of a policy violation and sanctions imposed on the respondent and remedies available to the complainant when a determination of a policy violation is made
8. An **appeal** of the determination of responsibility may be made by either party if the reason for appeal meets policy parameters for appeal

In addition to the formal grievance process, the option to pursue an **informal resolution** is possible if both parties and the Title IX Coordinator agree to pursue informal resolution. Both parties will have the same opportunities to have and **advisor of their choice** present at all times during the reporting and/or grievance processes.

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On and Off Campus Services for Victims

Counseling Services:

- Milligan Counseling Center (423-461-8500) or Campus Minister (423-461-8760) on campus

Victim Advocacy Services:

- Family Justice Center of Washington County (423-722-3720)
- Frontier Health Safe House Sexual Assault Hotline (423-306-5169)
- Frontier Health Safe House Domestic Violence Hotline (423-926-7233)

Legal Assistance

- Legal Aid of East Tennessee (423-928-8311)
- TN Coalition to End Domestic & Sexual Violence Legal Clinic (615-386-9406)

Visa and Immigration Assistance

- TN Coalition to End Domestic & Sexual Violence Immigrant Legal Clinic (615-386-9406)

Student Financial Aid Assistance

- Milligan University Financial Aid Office (423-461-8968)

Orders of Protection

- Carter County Clerk's Office (423-542-1825) during business hours
- Carter County Sheriff's Office-Judicial Commissioner (423-542-1850) after business hours
- Local law enforcement officers and campus officials can assist victims with orders of protection upon request

To Learn More

For more information on University safety and security policies and procedures and crime reporting, including the full sexual misconduct policy, please see the links below or the Title IX Coordinator. The Title IX Coordinator for Milligan University is: Brent Nipper, (423) 461-8740, wbnipper@milligan.edu. The Title IX Coordinator's office is located upstairs in the Little Hartland Welcome Center.

Milligan University Title IX Sexual Harassment Policy: <https://www.milligan.edu/wp-content/uploads/2021/08/Sexual-Harassment-Policy-2020-2021.pdf>

Definitions of sexual assault, domestic violence, dating violence and stalking in Tennessee state law: <https://www.milligan.edu/wp-content/uploads/2014/07/TCA-Definitions.pdf>

Milligan University Title IX and Nondiscrimination Information: <https://www.milligan.edu/life/health-safety/>