

Assurance of Compliance with Federal Regulation Statement

Newberry College has filed with the Federal Government an *Assurance of Compliance* with all requirements of Title VI and Title VII of the *Civil Rights Act* of 1964. Newberry College is in compliance with Title IX of the *Higher Education Act* of 1972, Section 504 of the *Rehabilitation Act* of 1973, the *Americans with Disabilities Act*, the *Students Right-to-Know and Campus Security Act of 1990*, and the *Higher Education Technical Amendment of 1991*. Newberry College is authorized under Federal law to enroll non-immigrant alien students.

Newberry College practices strict confidentiality of all student records. Records are maintained for the benefit of students and the institution, but held in strict confidence in compliance with the *Family Education and Privacy Act of 1974* (FERPA) and the *Family Personal Privacy Act* of 2002.

Newberry College does not engage in unlawful discrimination based on gender/gender identity, sexual orientation, race, color, national origin, religion, age, marital status or disability, in the execution of its educational programs, activities, employment, daily operations or admission policies, in accordance with all applicable federal, state, and local laws.

Discrimination and harassment includes many forms of conduct and behavior. Any form of discrimination or harassment contradicts the policies of Newberry College and will not be condoned or tolerated.

Discrimination and/or harassment on the basis of any protected characteristic is strictly prohibited. Under the Newberry College Discrimination and Harassment policy, discrimination and/or harassment is any conduct (verbal, non-verbal, or physical) that is hostile or adverse toward any individual because of his or her gender/gender identity, sexual orientation, race, color, national origin, religion, age, marital status or disability or any other characteristic protected by law, or that of his/her relatives, friends or associates and that: (A) creates an intimidating, hostile or offensive work or learning environment; or, (B) unreasonably interferes with an individual's work or academic performance; or, (C) otherwise adversely affects an individual's employment or academic opportunities.

Newberry College is committed to providing a campus environment free from sexual harassment. Sexual harassment is defined by Newberry College to be any unwanted or unwelcome sexual conduct, including but not limited to comments, suggestions, physical contact or propositions.

Sexual harassment is not limited to the workplace or educational environment. It can occur off-site such as at conferences, athletic events, study abroad, field placements, internships, or housing. It can occur out of the state and country. Newberry College will consider the effects of off-campus behavior as a part of the evaluation of whether a hostile environment exists on campus.

Some examples of unwanted conduct that could constitute sexual harassment include (but are not limited to): sexual propositions or advances, sexual jokes, comments about an individual's body, comments about sexual activity including deficiencies or prowess, displaying sexual images including cartoons, sexual gestures, innuendos of a sexual nature, unwanted contact, sexist statements, intimidating conduct, taunting slurs, hostility for failing to conform to expected notions of sex and gender, persistent requests for sexual activity, inappropriate gifts or communications, and the use of sexist terms of endearment.

Sexual misconduct is a form of sexual harassment which includes, but is not limited to, sexual assault, sexual exploitation, stalking, and relationship violence. Any sexual activity that occurs without consent of all parties is a violation of this policy.

Sexual harassment can occur in any sex or gender and regardless of actual sex, gender, gender identity, gender expression and/or sexual orientation.

The taking and/or sharing of sexual images (digital or otherwise) without permission is a form of sexual harassment. The taking or sharing of sexual images of a person under 18 years of age may violate child pornography laws, is strictly prohibited, and will be reported to local authorities.

Retaliation against anyone who makes a good faith report or complaint of sexual harassment or anyone who participates in an inquiry or investigation is strictly prohibited.

Sexual harassment and misconduct are considered a form of sex discrimination and is prohibited by federal and state law, including Title VII of the 1964 Civil Rights Acts as amended and Title IX of the 1972 Amendment to the Higher Education Act.

For further information regarding Title IX and your rights under the law, please visit the following website:

<http://www2.ed.gov/policy/rights/reg/ocr/edlite-34cfr106.html>).

Newberry College has designated a Title IX Coordinator to investigate all claims of violations of Newberry College's policy of non-discrimination and prohibition of sexual harassment and assault. Reports of or inquiries about policy violations involving employees, students, including student athletes, should be directed to:

Nikki Brooks, Director of Human Resources; Title IX Coordinator

Work: 803-947-2114

nikki.brooks@newberry.edu

Quintavis Cureton, Assistant Dean of Student Affairs; Deputy Title IX Coordinator

Work: 803-321-5205

quintavis.cureton@newberry.edu

Reports or inquiries of incidents involving students may also be directed to:

Mr. Barry McClanahan, Vice President for Student Affairs

Work: 803-321-5206

barry.mcclanahan@newberry.edu

Reports or inquiries of incidents involving student athletes may also be directed to:

Ms. Hunter Perry, Senior Woman Administrator

hunter.perry@newberry.edu

-OR-

Dr. David Rachels, Faculty Athletic Representative

Work: 803-321-5189

david.rachels@newberry.edu

A copy of Newberry College's discrimination and harassment policy, including a more detailed policy statement and procedures for filing formal complaints, can be obtained at the following Wolf Den link:

https://my.newberry.edu/ICS/Newberry_College_Title_IX_Policies_Procedures.jnz

Formal complaints may also be filed with:

Office for Civil Rights

U.S. Department of Health and Human Services

Region IV (AL, FL, GA, KY, MS, NC, SC & TN)

Atlanta Federal Center, Suite 3B70

61 Forsyth Street, S.W.

Atlanta, GA 30303-8909

404-562-7886

OCR.Mail@hhs.gov

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