

TITLE IX FREQUENTLY ASKED QUESTIONS

1. *What actions are prohibited by Title IX?*

Title IX prohibits sex discrimination in all programs and activities, including academic programs, extracurricular programs, and intercollegiate activities.

2. *Who is protected by Title IX?*

Title IX protects all persons, including students, faculty, staff, and non-employee third parties, regardless of gender or gender identity.

3. *What is Sex Discrimination?*

Sex Discrimination is discrimination on the basis of gender. It includes sexual harassment, sexual violence (including rape and sexual assault), stalking, domestic violence, dating violence, and any other gender-based discrimination.

4. *Who is MMC's Title IX Coordinator?*

Sarah Carda, MMC's Vice President and Dean for Student Affairs, is MMC's Title IX Coordinator. She can be reached at 605-668-1491. Her office is in Roncalli Center, Room 210B. Her email is scarda@mtmc.edu.

5. *How do I report Sex Discrimination involving either myself or another person?*

You should report any sexual misconduct or discrimination to Sarah Carda, Mount Marty's Title IX Coordinator. Mount Marty's Title IX Coordinator will immediately investigate the allegations, including, in most cases, interviewing the accused party. The Title IX Coordinator will also assist the complaining party with appropriate interim measures or other accommodations that are reasonably available to protect the safety and well-being of the complaining party, potential witnesses to the misconduct, and the campus community. The Title IX Coordinator can also make counseling available to the complaining party and can assist the complaining party in filing a criminal complaint if the complaining party elects to do so.

6. *Can I make a confidential report of sex discrimination?*

No, unless the report is made to a religious or professional counselor. If you wish to confidentially discuss an incident involving yourself or a third party, you should contact MMC Campus Chaplain Father Thomas Wordekemper, (phone 605-668-1547; Office - "The Raven" in Roncalli; thomas.wordekemper@mtmc.edu), MMC counselor Tracy Taylor (phone (605) 668-1518; Office - Scholastica Learning Center #105; Tracy.Taylor@mtmc.edu), the River City Domestic Violence Crisis Line (605-665-1488), or another professional counselor. All other Mount Marty faculty and staff are required to report any allegations of sex discrimination to the Title IX Coordinator who is then required to investigate those allegations. During the investigation, MMC will protect the privacy of all individuals involved in a report of sex discrimination in a manner consistent with its need to investigate the allegations. For more information, please refer to MMC's Title IX Policy on "Privacy and Confidentiality."

7. *Am I protected if I make a report of sex discrimination?*

Yes. Any individual who brings a claim involving sex discrimination in good faith, even if it is later determined to be erroneous, will not be subject to discipline. Additionally, MMC strictly prohibits retaliation against any person reporting sex discrimination as well as any person participating in the investigation process. Any member of the MMC community who attempts to interfere with, restrain,

coerce, discriminate against, or harass any individual responsibly pursuing a complaint or participating in a complaint investigation will be subject to prompt and appropriate disciplinary action. Any retaliatory conduct should be reported immediately to the Title IX Coordinator.

8. *Does MMC have to investigate a complaint even if the person allegedly injured refuses to cooperate with the investigation?*

Yes, MMC must still investigate a complaint even if the party who suffered the discrimination refuses to cooperate with the investigation. If the person who is alleged to have suffered discrimination requests that MMC keep his or her name confidential, refuses to cooperate with the investigation, or asks that MMC not investigate the matter, the Title IX Coordinator will balance that request against the college's obligation to provide a safe and non-discriminatory environment for all students, faculty, and staff. If the party who is alleged to have suffered discrimination refuses to cooperate, that may limit MMC's ability to sanction the accused party or take other measures.

9. *What rights does the accused party have?*

The accused party is entitled to be notified of the allegations and to have a full and fair opportunity to defend those allegations. The accused party is entitled to equal and fair treatment from MMC during the investigation and adjudication process.

10. *Can a complaining party or accused party have a support person participate in the investigation process?*

Both the complaining party and the accused party may have a support person -- i.e., a family member, trusted adult, friend, or attorney -- available during the investigation and adjudication process. The role of the support person is not to directly participate in the investigation or adjudication process, but instead to provide support for the parties involved.

11. *What are the potential consequences for individuals who violate Title IX?*

MMC takes its obligations under Title IX seriously. Students found to violate Title IX will be subject to disciplinary action, including potential expulsion. Faculty and staff found to violate Title IX will also be subject to disciplinary action, including possible employment termination. Guests and other third parties who are found to violate Title IX are subject to corrective action, which may include removal from campus and termination of contractual obligations.

12. *What resources are available to victims of sex discrimination, including sexual violence?*

There are many community resources available to victims of sexual violence, stalking, dating violence, and other conduct that may violate Title IX. Victims are encouraged to report crimes to the Yankton Police Department by dialing 911 or 605-668-5210. MMC campus safety may be reached by dialing 661-9883. Victims may also seek assistance from any of the following agencies: Avera Sacred Heart Emergency Room (605-668-8100); Lewis and Clark Behavioral Health Service Crisis Line (605-665-4606); Yankton 24 Hour Domestic Violence Crisis Line (605-665-1488); or the MMC Counseling Office (605-668-1518). The Title IX Coordinator will assist victims of sex discrimination in contacting any of the above agencies.