**See something, say something, do something!**

If it happens to you or someone you know take action

**Don’t Ignore It.**
Pay attention to cues, comments, instincts, and experiences. Address unwanted contact immediately.

**Say no.**
Tell the person that the conduct is unwanted. Tell them to stop.

**Tell someone.**
Tell a counselor, Mercer Police, a staff member, a faculty member, Dean of Students, or the Title IX Coordinator.

**it’s real**
Title IX of the Education Amendments of 1972 is a Federal civil rights law that prohibits discrimination on the basis of sex in educational programs and activities. Sexual discrimination encompasses all forms of sexual violence and sexual harassment by employees, students, or third parties against students, employees, or third parties.

We take every complaint seriously

Mercer takes any complaint about sexual misconduct or relationship violence very seriously. The University follows the guidelines published by the U.S. Department of Education and Office for Civil Rights, and has an official grievance procedure published online in the Sexual Misconduct and Relationship Violence Policy.

Each complaint is immediately assessed to determine imminent danger and duty to warn others. A preliminary investigation is conducted to determine reasonable cause that a violation has occurred, and if so, a full and thorough investigation is performed. Once an outcome has been determined based on the preponderance of evidence, the complainant and respondent are informed and appropriate actions are taken based on that outcome.

**Mercer’s policy**
Mercer University provides equal educational opportunity on the basis of merit without discrimination due to age, race, ethnicity, color, sex, religion, national origin, sexual orientation, veterans’ status, or disability.

http://policies.mercer.edu/

**sexual misconduct and relationship violence**
Unwelcome, gender-based verbal or physical conduct which is sufficiently serious that it unreasonably interferes with, limits or deprives someone of the ability to participate in or benefit from the institution’s educational program. The unwelcome behavior may be based on power differentials (quid pro quo), the creation of a hostile environment, or retaliation.

**for example**

- Sexual violence or intimate partner violence.
- Attempting to coerce an unwilling person into a sexual relationship.
- Engaging in sexual interactions without freely given consent.
- Gender-based stalking or bullying.
- Touching of a sexual nature.
- Sexually suggestive phone calls, texts, emails, or gestures; jokes or innuendos, derogatory, degrading, or sexist remarks about a person’s body, clothing or sexual activities.
- Non-consensual observation, either by direct observation or video or audio-taping of sexual activity.
- Knowingly transmitting an sexually transmitted infection (STI) or Human Immunodeficiency Virus (HIV) to another.
- Displaying or distributing sexually explicit drawings, pictures, or written materials.
- Repeatedly subjecting a person to egregious, unwanted sexual attention.

Handout created by Melissa M. Nunn
we do not tolerate retaliation

Mercer prohibits any form of retaliation against a complainant. Any allegations of retaliation will result in an immediate investigation and appropriate action consistent with the due process procedures. Examples include:

• Pressuring a complainant to withdraw a complaint.
• Sending unwelcomed messages directly, through acquaintances, or electronically.
• Stalking or threatening a complainant.

this is consent

• Consent is clear, knowing, and voluntary.
• Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent.
• Consent can be given by words or actions, as long as those words or actions create mutually understandable, clear permission regarding willingness to engage in sexual activity.
• Consent to any one form or condition or sexual activity cannot automatically imply consent to any other forms or conditions of sexual activity.
• Current and/or previous relationships or prior consent cannot imply consent to future sexual acts.
• Consent can be withdrawn at any time.
• Someone who is incapacitated cannot give consent.
• Sexual activity with someone known to be— or based on the circumstances, should reasonably have known to be—mentally or physically incapacitated (by alcohol, drugs, unconsciousness or blackout) constitutes a policy violation.
• Coercion, force, or threat of either, invalidates consent.

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent.

An individual must understand the “who, what, when, where, why, and how” of their sexual interaction. If they are unable to answer any one of these, they are not able to give effective consent.

this is incapacitation

Coercion is a tactic used by perpetrators to intimidate, trick or force someone to have sex with him/her without physical force. It is making someone do something they do not want to do.

Perpetrators use many forms of coercion, threats, and manipulation to facilitate assault, including drugs and alcohol.

Examples: Saying “If you loved me, you would”, threatening self-harm, or making someone feel as though they owe someone sex for buying them dinner, giving them gifts, etc.

don’t be afraid to report

Sometimes people are afraid to report sexual violence because drugs or alcohol are involved. Mercer’s highest priority is the safety of everyone on campus. Any other policy violations will be handled separately from sexual violence. The use of alcohol or drugs never makes the person who was victimized at fault for sexual violence.

who to tell

Confidential Reporting
Counseling and Psychological Services, 478.301.2862 (M-F 8:30am-5pm)

Mandatory Reporters
Brittany Raygoza Title IX Coordinator 478.301.2788, TitleIX@mercer.edu
Dr. Pearson, Dean of Students 478.301.2685, Pearson_Dr@mercer.edu
Mercer Police, 478.301.2970, mercerpolice@mercer.edu
Faculty and/or Staff Members

be a part of the solution

If he/she doesn’t consent, or is unable to consent, it is rape, it is assault, it is a crime.

If you see it happening, speak up. Do something. Be a part of the solution, not part of the problem.

Whitehouse.gov/1is2many