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Important Information

Wofford faculty and staff are devoted to creating a welcoming and inclusive college community where everyone can pursue their academic and professional ambitions. Wofford recognizes diversity as a vital component of a high-quality education. It is our commitment to provide students, faculty and staff with the opportunity to embrace differences and learn to appreciate and practice civil discourse that can occur between individuals willing to share experiences and beliefs.

The Discrimination and Harassment Policy addresses incidents of bias. Bias incidents are any action(s) or statement(s) that intimidates, demeans, mocks, degrades, marginalizes or threatens individuals or groups based on that individual’s or group’s actual or perceived identities. A bias incident can occur whether the act is intentional or unintentional and may or may not be a legal act.¹ The Bias Incident Response Team (BIRT) oversees the process and resolution of all complaints and includes members of the faculty and staff who serve as case coordinators and/or investigators.

If you or someone you know may have been a victim of discrimination and/or harassment prohibited under this policy, you are strongly encouraged to seek immediate assistance. Assistance can be obtained 24 hours a day, seven days a week from the Wofford College Office of Campus Safety at 864-597-4911 or from a student affairs staff member on call.

During business hours (8:30 a.m. to 5 p.m. Monday through Friday), you also are encouraged strongly to contact:

Bias Incident Response Team (BIRT) Coordinator:

Demario Watts, M.Ed., MHRD
He, Him, His
Assistant Dean of Students for Diversity and Leadership Development
Campus Life Building, Second Floor
Wofford College
429 N. Church Street
Spartanburg, SC 29303
Office: 864-597-4066
Email: wattsdl@wofford.edu

Notice of Nondiscrimination

Wofford College does not discriminate on the basis of race, color, creed, religion, sex, age, national origin, disability, veteran status, sexual orientation or any legally protected status. (Wofford Board of Trustees, adopted October 2012). The following persons have been designated to handle inquiries regarding the nondiscrimination policies: Director of Human Resources, 864-597-4230, and Assistant Dean of Students for Diversity and Leadership Development, 864-597-4066.

Reporting Discrimination and Harassment

Below are the reporting options for individuals who wish to report an incident involving discrimination and/or harassment. Individuals who wish to report anonymously can do so through the online reporting

¹ Definition adapted from Virginia Tech and the American College Personnel Association-College Student Educators International.
form. All complaints are private and are shared only with those who are directly involved in the process. Individuals have the option to request the report be used for informational purposes only; however, such requests limit the college’s response. Requests that the report be used for informational purposes only will be evaluated by the BIRT coordinator or their designee to determine whether similar incidents have been reported and/or whether the incident impacts to the greater campus community. In those instances, the BIRT coordinator or their designee may determine further steps will need to be taken.

If the BIRT coordinator is listed as a witness, the reporting or the responding party, another member of the BIRT will oversee the case through its resolution.

<table>
<thead>
<tr>
<th>Reporting Options:</th>
<th>Directions:</th>
<th>Hours:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Online</td>
<td>To report a bias incident online, complete the Bias Incident Reporting Form. The form will be submitted to the BIRT coordinator.</td>
<td>24 hours for submission</td>
</tr>
<tr>
<td>By Phone</td>
<td>To report a bias incident by phone to the BIRT coordinator at 864-597-4066.</td>
<td>Business hours: 8:30 a.m. - 5 p.m. (M-F) Outside of normal business hours, please leave a message. Your call will be returned at the earliest convenience.</td>
</tr>
<tr>
<td>In Person</td>
<td>To report a bias incident report in person: Office of Diversity and Inclusion in the Campus Life Building. Second Floor, Office #18.</td>
<td>Business hours: 8:30 a.m. - 5 p.m. (M-F)</td>
</tr>
</tbody>
</table>

*In case of an emergency, individuals should call 911 or the Office of Campus Safety at 864-597-4911 for immediate assistance. Campus Safety officers on duty will provide appropriate protection and resources, document the incident, secure the scene (if on campus) and begin an investigation.

**Amnesty**

The college considers the reporting and adjudication of discrimination and harassment cases on campus to be of paramount importance. The college does not condone underage drinking or use of illegal drugs. However, the college will extend amnesty to complainants, third-party reporters and those assisting victims of discrimination and harassment from punitive sanctioning for illegal use of drugs and/or alcohol.

**Resources**

Below are on-campus resources that will report discrimination or harassment to the BIRT coordinator:

<table>
<thead>
<tr>
<th>Office</th>
<th>Contact Information</th>
<th>Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Campus Safety</td>
<td>864-597-4911 or 864-597-4350</td>
<td>Andrews Field House</td>
</tr>
<tr>
<td>Office of Diversity and Inclusion</td>
<td>864-597-4066 or <a href="mailto:odi@wofford.edu">odi@wofford.edu</a></td>
<td>Campus Life Building, 2nd Floor</td>
</tr>
<tr>
<td>Office of Human Resources</td>
<td>864-597-4230 or <a href="mailto:hr@wofford.edu">hr@wofford.edu</a></td>
<td>Snyder House</td>
</tr>
<tr>
<td>Office of Residence Life (including RAs)</td>
<td>864-597-5100</td>
<td>Campus Life Building, 2nd Floor</td>
</tr>
<tr>
<td>Office of Title IX</td>
<td>864-597-4047</td>
<td>Campus Life Building, 2nd Floor</td>
</tr>
<tr>
<td>Dean of Diversity and Inclusion</td>
<td>864-597-4901</td>
<td>Franklin W. Olin Building</td>
</tr>
<tr>
<td>Office of Student Affairs</td>
<td>864-597-4040</td>
<td>Campus Life Building, 2nd Floor</td>
</tr>
</tbody>
</table>
Confidential Resources

Anyone who desires anonymity in discussing and seeking assistance about discrimination and/or harassment should contact or be referred to one of the resources below:

<table>
<thead>
<tr>
<th>Office</th>
<th>Contact Information</th>
<th>Locations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Counseling Services</td>
<td>864-597-4370 (Or) by appointment on visiting: <a href="http://www.wofford.edu/wellnessCenter">www.wofford.edu/wellnessCenter</a></td>
<td>Hugh R. Black Wellness Center</td>
</tr>
<tr>
<td>Chaplin’s Office</td>
<td>864-597-4051 or by email at <a href="mailto:robinsonrr@wofford.edu">robinsonrr@wofford.edu</a></td>
<td>Main Building, 1st Floor</td>
</tr>
</tbody>
</table>

Applicability of this Policy

This policy applies to any allegation of discrimination and/or harassment made by or against a student or an employee of the college or a third party, regardless of the race, color, national origin, ability (physical, psychological, cognitive), age, religion or veteran status or any characteristic or status protected by applicable local, state or federal law and wherever the alleged discrimination and/or harassment occurred, if the conduct giving rise to the complaint is related to or impacts the college’s academic, educational, athletic, study abroad or extracurricular programs or activities. Any allegations regarding ability are only accepted by referral from the director of accessibility services, Perry Henson, or her designee. There is no geographical limitation to invoking this policy.

When discrimination and/or harassment is alleged by or against a college employee or student in a college-affiliated internship or educational program of another entity, the college may, in its sole discretion, conduct its own investigation pursuant to this policy, conduct a joint investigation with the affiliated entity or utilize the investigation of the other entity as a basis for further investigation.

All complaints of discrimination and/or harassment that involve the protected classes of sex, sexual orientation, sexual identity, gender or gender identity and pregnancy will be forwarded to Wofford’s Title IX coordinator. The policy can be found at www.wofford.edu/titleix.

Title IX Coordinator:
**Amanda Estabrook, JD**
*She, Her, Hers*
Campus Life Building, Second Floor
Wofford College
429 N. Church Street
Spartanburg, SC 29303
Office: 864-597-4047
Email: estabrookar@wofford.edu

In the case of allegations of discrimination and/or harassment, unless otherwise stated, this policy supersedes and applies in lieu of all other procedures and policies set forth in other college documents with the exception of the Sexual and Gender-Based Misconduct Policy.
Clery Act Compliance
Pursuant to the Clery Act, the college includes statistics about certain offenses in its annual security report and provides those statistics to the United States Department of Education in a manner that does not include any personally identifying information about individuals involved in an incident. The Clery Act also requires the college to issue timely warnings to the college community about certain crimes that have been reported and may continue to pose a serious or continuing threat to students and employees. Consistent with the Clery Act, the college withholds the names and other personally identifying information of the reporting party when issuing timely warnings to the college community.

When the BIRT coordinator receives a report they may forward any relevant information, but no personally identifiable information, to Campus Safety. Campus Safety will determine whether a timely warning should be issued and will send information to the South Carolina State Law Enforcement Division (SLED), pursuant to the Jessica Horton Act, whenever legally required. For more information regarding the Clery Act compliance, please contact Randy Hall, director of campus safety (halljr@wofford.edu).

Prohibited Conduct Definitions
Prohibited conduct may include, but is not limited to, the terms defined below. All alleged conduct will be reviewed to determine, based on the preponderance of the evidence, whether the alleged conduct constitutes discrimination and/or harassment.

Discrimination
Discrimination under this policy is conduct that denies any individual or group equal privileges or access to a particular activity or opportunity because of the individual’s or group’s race, color, national origin, ability (physical, psychological, cognitive), age, religion or veteran status or any characteristic or status protected by applicable local, state or federal law.²

Harassment
Harassment is the unwelcomed conduct based upon race, color, national origin, ability (physical, psychological, cognitive), age, religion or veteran status or any characteristic or status protected by applicable local, state or federal law.³

Harassment is also conduct that creates or attempts to create an intimidating or hostile environment for another person. Such conduct includes, but is not limited to, action(s) or statement(s) that threaten, harm or intimidate a person or any other form of unwanted contact.

Harassment does not refer to behavior acceptable to or consented to by both parties or to the normal exchange of ideas within the academic environment, nor is it intended to discourage the introduction of unpopular or controversial relevant ideas in the classroom.

² For discrimination involving sex, sexual orientation, gender identity and pregnancy refer to the Sexual and Gender-Based Misconduct Policy.
³ For harassment involving sex, sexual orientation, gender identity and pregnancy refer to the Sexual and Gender-Based Misconduct Policy.
Retaliation
Retaliation is any adverse action threatened or taken against a person because he or she has filed, supported or provided information in connection with a complaint of discrimination and/or harassment including, but not limited to, direct and indirect intimidation, threats and harassment. The prohibition of retaliation does not end with the resolution of the complaint. Retaliation may be present even after a finding of not responsible on allegations of discrimination and/or harassment. Retaliatory behavior is not limited to behavior by the accused individual and covers behaviors by his or her associates as well as third parties. Retaliation does not include good faith actions lawfully pursued in response to a report of prohibited conduct.

Providing False Information or Interfering with an Investigation
Any individual who knowingly files a false complaint and/or false information under this policy or who interferes with an investigation may be subject to disciplinary action. Interference with an investigation may include, but is not limited to:

- Attempting to coerce, compel or prevent an individual from providing testimony or relevant information.
- Removing, destroying or altering documentation relevant to the investigation.
- Providing false or misleading information to college officials who are involved in the investigation and resolution of the complaint or encouraging others to do so.

Additional Applicable Definitions
Hostile Environment
“A hostile environment is defined as an environment on campus that, through harassing conduct (e.g., physical, verbal, graphic or written) based on a person’s protected status (e.g., sexual orientation, age, etc.), becomes sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from a university program or activity.”

Standard of Proof: Preponderance of the Evidence
“The preponderance of evidence standard is defined as the proof need only show the facts are more likely to be than not so.”

Procedures of this policy are available online and/or upon request from the BIRT coordinator.

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4 [https://hr.umich.edu/working-u-m/workplace-improvement/campus-commitment/what-hostile-environment](https://hr.umich.edu/working-u-m/workplace-improvement/campus-commitment/what-hostile-environment)