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SEXUAL HARASSMENT AND MISCONDUCT POLICY

Sexual harassment, sexual assault, domestic and dating violence, stalking and retaliation in any form are an affront to human dignity and fundamentally at odds with the mission and core values of Saint Xavier University. The University, in relation to its ongoing responsibility to maintain an environment free from harassment and sexual misconduct, is committed to taking all appropriate steps to eliminate prohibited conduct, prevent its recurrence and address its effects. The University is committed to taking those steps designed to foster a climate free from sexual misconduct, including through the development and implementation of clear, effective and consistently applied policies, a coordinated education and prevention program, and prompt and equitable procedures for resolution of complaints that are accessible to all. The University encourages all members of the SXU community to participate in creating a safe, welcoming and respectful environment on campus and in all University-sponsored program and activities. Each member of the community is expected to assume responsibility for his or her own conduct, to report behaviors that may violate this policy, and to take reasonable and appropriate actions to prevent or stop acts of sexual misconduct.

This policy prohibits a broad continuum of behaviors, all of which constitute a form of sexual and/or gender-based harassment or discrimination, sexual assault or relationship violence. In general, sexual assault means unwanted touching and physical, sexual acts perpetrated without effective consent. Relationship violence means any act of violence or threatened act of violence against a person who is, or has been, involved in a sexual, dating, domestic or other intimate relationship with that person. Prohibited conduct that may violate this policy includes sexual harassment, sexual assault, sexual exploitation, domestic and dating violence, retaliation and stalking. Please Note: This document may use the term sexual misconduct to refer to any or all of those prohibited behaviors.

The University will immediately respond to all complaints of sexual misconduct, assessing the severity or pervasiveness of the offense and the threat it poses to the SXU community. Individuals who are found responsible will face disciplinary sanctions up to and including dismissal from the University and/or termination of employment with the University.

The University will not tolerate retaliation, in any form or at any time, by anyone, against an individual who makes a report, participates in a resolution process, or assists as a bystander to stop sexual misconduct. Retaliation, whether actual or threatened, has the effect of destroying the sense of community and trust that is central to sustaining a quality environment at the University. Accordingly, any employee who engages in retaliation will be subject to disciplinary action, up to and including dismissal from the University and/or termination of employment with the University, no matter whether such acts are implicit or explicit or are committed directly or indirectly.

The University will make every reasonable effort to immediately stop any form of retaliation, to conduct a complete and thorough investigation of alleged acts of retaliation in a timely manner, to provide remedies to victims of retaliation, and to sanction the perpetrators of retaliation as appropriate.
SCOPE OF POLICY

This policy applies to all members of the SXU community, including students, faculty, staff, consultants, volunteers, vendors and others engaged in business with the University. Visitors and guests of the University are not only protected by this policy but are also subject to its restrictions. Visitors and guests may initiate grievances for violations of this policy committed against them by members of the University community. Visitors and guests also may be permanently forbidden from entering any part of the campus or having contact with University members as a result of a violation of this policy.

All SXU community members have an ongoing responsibility to adhere to University policies, as well as to local, state and federal law. This policy applies to behaviors that take place on the campus, at University-sponsored events, during University-related travel and off-campus programs, including but not limited to domestic academic programs, domestic field trips, domestic spring-term coursework, study-abroad programs, internship programs and work-related conferences. This policy also applies to other off-campus conduct when such conduct is likely to have a substantial adverse effect on or poses a threat of danger to any member of the University community or the University itself.

This policy will apply to conduct that takes place from the time a person accepts enrollment as a student, accepts employment or volunteer duties, including the breaks between academic terms; and continues until the student withdraws or graduates or until the employee ceases employment or a volunteer ceases to act on behalf of the University. The University maintains the right to review, delay the awarding of or not award a degree to any student found in violation of this policy.

This policy also applies to behavior conducted online, including via e-mail. Blogs, web page entries, social media sites, and other similar online postings are in the public sphere and are not private. These postings can subject a community member to allegations of conduct violations. The University does not regularly search for this information but may take action if and when such information is brought to the attention of University officials.
NOTICE OF NON-DISCRIMINATION AND STATEMENT OF COMPLIANCE WITH TITLE IX

The University is fully committed to the establishment and maintenance of a safe and nondiscriminatory educational and work environment in which all individuals are treated with respect and dignity. Such a commitment is conversant with the University’s mission, vision and core values. Accordingly, the University will take all necessary steps to ensure full compliance with Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Violence Against Women Act of 1994 (VAWA) and all other applicable laws and regulations that preclude discrimination on the basis of race, color, religion, national or ethnic origin, gender, sex, sexual orientation, age, disability, veteran status or genetic information in its educational programs and activities, admission and employment.

This policy addresses all forms of sexual discrimination, including sexual harassment, sexual assault, stalking and relationship violence. It prohibits such behaviors against members of the SXU community of any gender, gender identity, gender expression, or sexual orientation. This policy also prohibits failure to provide equal opportunity in admissions, employment or athletics; reports of these types of discrimination should also be brought to the attention of a Title IX officer and will be addressed as appropriate.

Sex discrimination, as prohibited by Title IX of the Education Amendments of 1972, provides that: No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Sexual harassment also is prohibited under Title VII of the Civil Rights Act of 1964, Illinois State law and other applicable statutes.

The University, as an educational community, will promptly and equitably respond to reports of sexual harassment, sexual assault, domestic and dating violence, stalking and retaliation in order to eliminate the misconduct, prevent its recurrence and address its effects on any individual or the community.
THE ROLE OF THE TITLE IX COORDINATOR

The president has appointed Maureen Wogan, vice president for Enrollment Management, Student Development and Student Success, to serve as the University’s Title IX coordinator. She will be informed of all reports of sexual misconduct and will oversee the University’s review, investigation and resolution of those reports to ensure the University’s compliance with Title IX and other applicable laws and the effective implementation of this policy.

The Title IX coordinator is responsible to:

• Oversee the development of all reports of sexual misconduct involving students, staff and faculty, as well as volunteers and third parties.
• Ensure that he and assistant Title IX coordinators are knowledgeable and trained in University policies and procedures and relevant state and federal laws.
• Advise any individual, including a reporting party, a responding party or a third party, about the courses of action available at the University, both informally and formally, and in the community.
• Provide assistance to any University employee regarding how to respond appropriately to a report of sexual misconduct.
• Monitor compliance with all procedural requirements, record keeping and time frames outlined in this policy.
• Oversee training, prevention and education efforts, and reviews of climate and culture.
• Conduct and/or oversee investigations of complaints against students.

The Title IX coordinator is supported by three deputy coordinators. The deputy Title IX coordinator for employment is the director of Human Resources, and the deputy Title IX coordinator for students are the Dean of Students and associate Dean of Students. Inquiries or complaints concerning the application of Title IX may be referred to the University’s Title IX coordinator, the deputy Title IX coordinators and/or the United States Department of Education:

U.S. Department of Education
Office for Civil Rights
Email or call 800-421-3481
LINKS TO RELEVANT FEDERAL LAWS

Additional information about the federal laws referenced in this policy—Title IX, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Campus Sexual Violence Elimination Act (Campus SaVE Act) and the Family Educational Rights and Privacy Act (FERPA)—can be found at the following links:

**TITLE IX**
- [http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html](http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)

**CLERY ACT**
- [https://clerycenter.org/policy-resources/the-clery-act/](https://clerycenter.org/policy-resources/the-clery-act/)

**FERPA**

**VIOLENCE AGAINST WOMEN ACT**
- [https://www.justice.gov/ovw](https://www.justice.gov/ovw)
The University is committed to protecting the privacy of all individuals involved in a report of sexual misconduct. Accordingly, the University will make every effort to protect the privacy of all individuals involved in a manner consistent with the need for a careful assessment of the allegation and any necessary steps to eliminate the harassment, prevent its recurrence and address its effects.

Privacy and confidentiality have distinct meanings under this policy.

**PRIVACY**
Privacy refers to information that is related to a report of misconduct and that will be shared only with a limited circle of individuals, such as those University employees who have a need to know in order to assist in the active review, investigation or resolution of the report. While not bound by confidentiality, these individuals will be expected to exercise discretion and respect for the privacy of all individuals involved in the process. University employees who have a legitimate need to know about individual conduct complaints, pursuant to the Family Educational Rights and Privacy Act (FERPA), will be involved in the process and will share information accordingly.

**CONFIDENTIALITY**
Confidentiality refers to information that is shared by an individual with designated campus or community professionals and cannot be revealed to any other person without the expressed permission of the individual. Professionals; including but not limited to medical providers, mental health providers, acting ordained clergy and acting off-campus rape crisis counselors; will be expected to maintain the level of confidentiality required under law and the ethics of their profession. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others or unless the conduct involves suspected abuse of a minor under the age of 18.

Community members wishing to seek completely confidential assistance may speak with counselors in the Counseling Center, health service providers in the SXU Health Center, local health providers, off-campus rape crisis resources, counseling resources available to employees through the Employee Assistance Program, or acting members of the clergy. All of whom will maintain confidentiality in accordance with the roles they occupy and the duties assumed in those roles.
REPORTING ON CAMPUS

Please Note: According to guidance from the Office for Civil Rights, a “responsible employee” on campus is any employee who has the authority to take action to redress sexual violence, who has been given the duty of reporting incidents of sexual violence or any other misconduct by students to the Title IX coordinator or other appropriate University designee, or who a student could reasonable believe has this authority or duty.

The University will make clear to all employees and students which members of the staff are responsible employees so that students can make informed decisions about disclosing information to any one of them. Before a student reveals information that he/she may wish to keep confidential, a responsible employee must make every effort to ensure the student understands that it is: (a) the employee’s obligation to report the names of the alleged perpetrator and student involved in the alleged sexual violence, as well as relevant facts regarding the alleged incident to the Title IX coordinator or other appropriate officials, (b) the student’s option to request that the University maintain the student’s confidentiality, which the University will consider, and (c) the student’s ability to share the information confidentially with counseling, advocacy, health, mental health or sexual assault related services.

It is critical to understand that any University employee who is not designated as a confidential resource cannot maintain the confidentiality of a report or information concerning an alleged violation. All employees are instructed to share a report of sexual misconduct with a Title IX coordinator.
PROHIBITED CONDUCT

The University prohibits and does not tolerate sexual misconduct in any form. Such violations will be subject to severe sanctions including suspension, dismissal or termination of employment. The following behaviors fall under the broad definition of sexual misconduct and are strictly prohibited:

- Sexual harassment
- Non-consensual sexual intercourse
- Non-consensual sexual contact
- Sexual exploitation
- Relationship violence
- Domestic violence
- Dating violence
- Stalking
- Retaliation
SEXUAL HARASSMENT

Sexual harassment is any unwelcome conduct of a sexual nature (sexual advances, request for sexual favors or other unwanted verbal or physical conduct of a sexual nature) or unwelcome conduct based on sex, sexual orientation, gender identity or gender expression when one or more of the following conditions are present:

• Submission to the unwelcome conduct is an expressed or implied condition of an individual’s employment, evaluation of academic work or any aspect of a University program or activity.
• Refusal to submit to unwelcome conduct resulted in a tangible academic or employment detriment.
• The unwelcome conduct unreasonably interferes with an individual’s work or academic performance or creates an intimidating or hostile academic or work environment under both an objective (a reasonable person’s view) and subjective (the reporting party’s view) standard.

Sexually harassing behaviors differ in type and severity and can range from verbal harassment to unwelcome physical contact. A wide range of behaviors falls within the general definition of sexual harassment. The key determining factors are: (a) the behavior is unwelcome; (b) the behavior is gender-based or of a sexual nature; and (c) the behavior is reasonably perceived as offensive and objectionable under both a subjective and objective assessment of the conduct.

A single, isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need to show a repetitive series of incidents to create a hostile environment, particularly if the harassment is physical. The determination of whether an environment is hostile must be based on circumstances that include but are not limited to:

• Frequency of the conduct
• Nature and severity of the conduct
• The conduct was physically threatening
• The conduct was directed at more than one person
• The conduct arose in the context of other discriminatory conduct
• Whether a statement was a mere utterance of an epithet that engendered offense in an employee or student or constituted discourtesy or rudeness
• If the conduct deserves the protections of academic freedom
HARASSMENT

- May be blatant and intentional and involve an overt action, threat or reprisal, or it may be subtle and indirect, with a coercive aspect that is unstated.
- Need not include intent to harm, be directed at a specific target or involve repeated incidents.
- Can occur in any context and may be committed by anyone, regardless of gender, age, position or authority.
- May be committed by a stranger, an acquaintance or someone with whom the reporting party has an intimate or sexual relationship.
- May be committed by or against an individual or may be a result of actions by an organization or group.
- May occur by or against an individual of any sex, gender identity, gender expression or sexual orientation.
- May occur in the classroom, in the workplace, in residential settings, over electronic or social media (including the Internet, telephone and text) or in any other setting.
- May be a one-time event or a pattern of behavior.
- May be committed in the presence of others or when the parties are alone.

Examples of conduct that may constitute sexual harassment as defined above may include a severe, persistent, or pervasive pattern of unwelcome conduct that include, but not limited to, one or more of the following:

PHYSICAL CONDUCT:
- Unwelcome touch, sexual/physical assault, impeding, restraining or blocking movements
- Unwanted sexual advances

VERBAL CONDUCT:
- Making or using derogatory comments, epithets, slurs or humor
- Verbal abuse of a sexual nature; graphic verbal commentaries about an individual's body; sexually degrading words used to describe an individual; suggestive or obscene letters, notes or invitations
- Offensive comments of a sexual nature, including persistent or pervasive sexually explicit statements, questions, jokes or anecdotes

VISUAL CONDUCT:
- Leering; making sexual gestures; displaying suggestive objects or pictures, cartoons or posters in a public space or forum
- Severe, persistent or pervasive visual displays of suggestive, erotic or degrading, sexually oriented images that are not pedagogically appropriate
- Written conduct: letters, notes or electronic communications, including social media, containing comments, words or images described above

QUID PRO QUO CONDUCT:
- Direct propositions of a sexual nature between those for whom a power imbalance or supervisory or other authority relationship exists
- Offering employment benefits in exchange for sexual favors
- Making submission to sexual advances an actual or implied condition of employment, work status, promotion, grades or letters of recommendation, including subtle pressure for sexual activity, an element of which may be repeated requests for private meetings with no academic or work purpose
- Making or threatening reprisals after a negative response to sexual advances

SEXUAL ASSAULT
Sexual assault occurs when an unwelcome physical contact of a sexual nature is committed by (a) physical force, violence, threat or intimidation; (b) ignoring the objections of another person; (c) causing another’s intoxication or impairment through use of drugs or alcohol; or (d) taking advantage of another person's incapacitation, state of intimidation, helplessness or other inability to provide consent. For purposes of the University's annual security report, a sexual assault is an offense that meets the definition of rape, fondling, incest or statutory rape as used in the FBI's Uniform Crime Reporting program.
NON-CONSENSUAL SEXUAL INTERCOURSE

Having sexual intercourse with another individual without effective consent.

Sexual intercourse includes vaginal or anal penetration, however slight, with a body part (e.g., penis, tongue, finger, hand) or object or oral penetration involving mouth-to-genital contact.

NON-CONSENSUAL SEXUAL CONTACT

Having sexual contact with another individual without effective consent.

Sexual contact includes any non-consensual touching of the intimate parts of another, causing another to touch one’s intimate parts, or disrobing or exposure of another without permission. Intimate parts may include the breasts, genitals, buttocks, groin, mouth or any other part of the body that is touched in a sexual manner.

SEXUAL EXPLOITATION

Sexual Exploitation is taking advantage of the sexuality of another person without effective consent or in a manner that extends the bounds of effective consensual sexual activity without the knowledge of the other individual for any purpose, including sexual gratification, financial gain, personal benefit or any other non-legitimate purpose. Examples of sexual exploitation include:

- Observing another individual’s nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved.
- Non-consensual streaming of images, photography, video or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved.
- Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

RELATIONSHIP VIOLENCE: PHYSICAL HARM AND INTIMIDATION

Relationship violence is often referred to as dating violence, domestic violence or intimate partner violence.

DOMESTIC VIOLENCE MEANS A FELONY OR MISDEMEANOR CRIME OF VIOLENCE AGAINST A PERSON COMMITTED BY:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse, intimate partner or roommate
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of Illinois
- Any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of Illinois

DATING VIOLENCE MEANS VIOLENCE COMMITTED BY A PERSON:

- Who is or has been in a social relationship of a romantic or intimate nature with the victim
- Where the existence of such a relationship is determined by (a) the length of the relationship, (b) the type of relationship, or (c) the frequency of interaction between the persons involved in the relationship

Relationship violence may involve one act or an ongoing pattern of behavior. Relationship violence affects individuals of all genders, gender identities, gender expressions, and sexual orientation, and does not discriminate by racial, social, or economic background.

The University will not tolerate relationship violence of any form and recognizes that sexual harassment, sexual assault, stalking and retaliation are forms of relationship violence when they are committed by a person who is or has been involved in a sexual, dating or other social relationship of a romantic or intimate nature with the reporting party.
STALKING

Stalking means engaging in a course of physical conduct directed at a specific person that would cause a reasonable person to:
• Fear for his or her safety or the safety of others
• Suffer substantial emotional distress

Stalking also includes the concept of cyber-stalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts or other similar devices or forms of contact are used to pursue, harass or make unwelcome and unsolicited contact with another person. Examples of stalking may include:
• Unwelcome and repeated visual or physical proximity to a person
• Repeated oral or written threats
• Unwelcome and/or unsolicited written communications, including letters, cards, e-mails, instant messages and any other online messages
• Unwelcome and/or unsolicited communications about a person, their family, friends or co-workers
• Implicitly threatening physical conduct or any combination of these behaviors directed toward an individual person

CYBER-HARASSMENT

Cyber-harassment is the willful use of computers, cell phones or other electronic communications to engage in conduct that (a) may reasonably be expected to threaten, intimidate, harass or discriminate against an individual or a class of individuals, (b) substantially disrupts the orderly operation of the University, or (c) substantially interferes with an individual's work or education experience.

Conduct that may rise to the level of cyber-harassment includes, but is not limited to, the following:
• Using any form of electronic communication (including the Internet, email, text messages, instant messages, photo messages, discussion boards, digital images/video/audio, blogs or social networking sites) to threaten, humiliate, harass, intimidate or discriminate against an individual or a class of individuals;
• Sending threatening, harassing, intimidating or discriminating messages to anyone, including using the University email server to send such messages to individuals outside of the University;
• Breaking into or using without an individual’s authorization an online account and sending messages without that individual’s consent;
• Creating a fictitious or anonymous online account and posting threatening, harassing or discriminatory information or posting an individual’s personal identifying information;
• Taking or downloading pictures of someone and posting those pictures without that person’s consent when such pictures may reasonably be expected to threaten, humiliate, harass, intimidate or discriminate against an individual or a class of individuals;
• Engaging in online fighting or trash-talking.
SUPPLEMENTAL DEFINITIONS

ADVISOR

- Advisor is a person chosen by each of the reporting party and responding party who is permitted to accompany the reporting party and responding party respectively to any meeting or disciplinary proceeding (including, but not limited to, fact finding investigations, formal or informal meetings, hearings and/or mediation sessions). An advisor is an individual (friend, parent, professor, attorney or anyone else) who provides the reporting party and responding party respectively with support, guidance or advice. The advisor is not permitted to be an active participant in meetings, investigations or disciplinary proceedings. The reporting party and responding party are responsible for providing notice of meetings or disciplinary proceedings to their respective advisor. Meetings, investigations and/or disciplinary proceedings generally will not be canceled or delayed because an advisor could not be present. However, reasonable requests to reschedule based on compelling circumstances may be considered.

REPORTING PARTY

- Reporting Party is anyone who submits a charge alleging that an individual violated the policy and/or anyone who is alleged to have been the subject of a violation of the policy. Oftentimes the individual submitting the charge and the individual who is the subject of the violation are the same. In instances where the subject of the violation is different from the individual submitting the charge, both individuals will have the same rights afforded to the reporting party under the policy. The University may act as a reporting party in cases where a reporting party chooses not to move forward or participate in the process but the University decides to move forward with an investigation and/or disciplinary action because it has information that raises concerns regarding the safety and welfare of the reporting party and/or campus communities. Factors that may be considered when the University acts as a reporting party include, but are not limited to, the following: the increased risk that the responding party will commit additional acts of sexual or other violence, if a weapon is involved, if the responding party is a minor, and/or if the reporting party’s report reveals a pattern of perpetration by the responding party. Both the reporting party and the responding party will be notified of such a decision by the University.

RESPONDING PARTY

- Responding Party is anyone who is alleged to have violated the policy.

THIRD PARTY

- Third Party is anyone who is not a student or employee of the University.
RETALIATION PROHIBITION

RETALIATION
Retaliation involves conduct designed to seek retribution from any individual or group of individuals involved in the investigation or resolution of a report or who engaged in bystander intervention of sexual misconduct. Forms of retaliation include, but are not limited to, physical/verbal abuse or violence, threats and intimidation that occur in person, in some tangible medium or electronically. Any individual or group of individuals, including a reporting party or responding party, who engage in any form of retaliation will be held fully accountable under applicable University policies and procedures.

ACTIONS ARE CONSIDERED RETALIATORY IF THEY:
- Occur in response to a good-faith disclosure of real or perceived University-related misconduct or participation in an investigation of University-related misconduct, engaging in bystander intervention of sexual misconduct.
- Have a materially adverse effect on the work, volunteer, academic or University-controlled living environment of an employee, volunteer or student; or if the faculty member, employee, volunteer or student can no longer effectively carry out his/her University responsibilities.

Retaliation against anyone who makes or corroborates a complaint of sexual violence or harassment is strictly prohibited. Actions by a student intended as retaliation, reprisal or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action. Reporting sexual violence or harassment or participating in an investigation will not reflect adversely upon an individual's employment or academic status.
UNDERSTANDING CONSENT: FORCE, COERCION, INCAPACITATION, AND ALCOHOL CONSENT

Individuals who choose to engage in sexual activity of any type with each other must first obtain consent. Consent is an understandable exchange of affirmative words or actions that indicate a willingness to participate in mutually agreed upon sexually explicit touching or sexual penetration. Consent is active, not passive, and must be informed and freely and actively given. Coercion, force or threat of coercion or force invalidates consent. It is incumbent upon each individual involved in the activity to either obtain or give consent prior to any sexual activity, and again, prior to sexual penetration. If at any time during the sexual interaction any confusion or ambiguity should arise on the issue of consent, it is incumbent upon each individual involved in the activity to stop and clarify, verbally, the other’s willingness to continue.

ADDITIONAL CONSIDERATIONS REGARDING CONSENT

- Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.
- Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Consent may not be inferred from silence, passivity, lack of resistance or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity cannot be presumed to be giving consent.
- A verbal “no” is a clear demonstration of the lack of consent.
- When consent is requested verbally, absence of any explicit verbal response constitutes lack of consent.
- Either party may withdraw consent at any time. Withdrawal of consent should be outwardly demonstrated by words or actions that clearly indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.
- Individuals with a previous or current intimate relationship do not automatically give either initial or continued consent to sexual activity. Even in the context of an ongoing relationship, there must be a mutual understanding, which is actually communicated, that clearly indicates a willingness to engage in sexual activity.
- The responsibility of obtaining consent rests with the individual who initiates sexual activity. Prior to engaging in sexual activity, each participant should ask himself or herself the question, “Has the other person consented?” If the answer is “No” or “I’m not sure,” then consent has not been demonstrated and does not exist. An individual who initiates sexual activity should be able to explain the basis for his/her belief that consent existed.
- Consent is not effective if it results from the use or threat of physical force, intimidation, coercion or any other factor that would eliminate an individual's ability to exercise his or her own free will to choose whether or not to have sexual contact.
- An individual who is physically incapacitated from alcohol or other drug consumption (voluntarily or involuntarily) or is asleep, unconscious, unaware or otherwise physically helpless is considered unable to give consent. See “Incapacitation” for further discussion.
- A person who is asleep or mentally or physically incapacitated or impaired, so that the reporting party cannot understand the fact, nature or extent of the sexual situation, whether due to the effect of drugs or alcohol, or for any other reason, is not capable of giving valid consent. Consent is not valid if a reasonable person would understand that such a person is incapable of giving consent.
- A person’s use of alcohol, other drugs and/or other intoxicants does not diminish their responsibility to obtain informed and freely given consent.
FORCE

Force is the use or threat of physical violence or intimidation to overcome an individual’s freedom of will to choose whether or not to participate in sexual activity.

COERCION

Coercion is the use of unreasonable and persistent pressure to compel another individual to initiate or continue sexual activity against an individual’s will. Coercion may be emotional, intellectual, psychological or moral. A person’s words or conduct are sufficient to constitute coercion if they wrongfully impair another individual’s freedom of will and ability to choose whether or not to engage in sexual activity.

Examples of coercion include threatening to disclose another individuals’ private sexual information related to sexual orientation, gender identity or gender expression and threatening to harm one’s self if the other party does not engage in the sexual activity. Coercing an individual into engaging in sexual activity violates this policy in the same way as physically forcing someone into engaging in sexual activity.

INCAPACITATION

An individual who is incapacitated lacks the ability to make informed, rational judgments and cannot consent to sexual activity. Incapacitation is defined as the inability, temporarily or permanently, to give consent because an individual is mentally and/or physically helpless, asleep, unconscious or unaware that sexual activity is occurring.

Incapacitation also occurs when alcohol or other drugs are involved to a state beyond drunkenness or intoxication. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be incapacitated include slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness or emotional volatility.

An individual who engages in sexual activity with someone the individual knows or reasonably should know is incapable of giving knowing consent is in violation of this policy.

ALCOHOL OR OTHER DRUGS

Sexual contact while under the influence of alcohol or other drugs is risky behavior, since alcohol and drugs impair a person’s decision-making capacity, awareness of consequences and ability to make informed judgments. Therefore, it is especially important that anyone seeking to engage in sexual activity be aware of the other person’s level of intoxication. If there is any doubt as to the level or extent of the other individual’s intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual misconduct and does not diminish one’s responsibility to obtain informed and freely given consent.

Any individual may file a complaint alleging harassment or bias, including an aggrieved party outside the relationship affected by the perceived harassment or bias. Retaliation against persons who report concerns about consensual relationships is prohibited and constitutes a violation of this policy. An individual who reports sexual misconduct, either as a reporting party or a third-party witness, will not be subject to disciplinary action by the University for his or her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk.
RESOURCES FOR REPORTING AND RESPONDING PARTIES

Though the University recognizes that taking action to make a report and choosing how to proceed can be difficult following an incident of sexual misconduct, individual victims of such misconduct are strongly encouraged to pursue the use of any and all medical, local law enforcement and University reporting resources available. Campus and community resource professionals can provide important information about available resources and procedural options, as well as necessary assistance, regardless of when or where the incident occurred.

EMERGENCY AND COMMUNITY RESOURCES
The priority for any individual should be personal safety and well-being. The University encourages all individuals who have experienced sexual misconduct to seek assistance by contacting the University’s Office of Public Safety, calling 911, contacting local law enforcement and/or visiting a medical facility immediately after an incident of sexual misconduct.

All individuals are encouraged to make a report to law enforcement and/or to seek immediate medical treatment as soon as possible following an incident to provide professionals the opportunity to address immediate safety concerns and allow for the preservation of evidence for use in an investigative response. The University will assist in these reporting options by arranging for or providing transportation to the hospital, coordinating with local law enforcement (including assisting with filing a police report and obtaining a protective order), and informing a reporting party about the University’s resources and complaint processes.

In the event of an emergency, individuals may obtain 24-Hours support from any of the following:
- Chicago Police Department: (312) 745-0570 (22nd District)
- Oak Lawn Police Department: (708) 422-8292
- Cook County Sheriff’s Office: (773) 674-2276
- Evergreen Park Police Department: (708) 422-2142
- SXU Public Safety: (773) 298-3541
- Campus Health Center: (773) 298-3712
- Christ Advocate Hospital: (708) 684-8000
- Little Company of Mary Hospital: (708) 422-6200

CONFIDENTIAL RESOURCES AND SUPPORT
For individuals who are seeking confidential consultation, several resources provide confidential support, both on campus and in the local community. The trained professionals designated below can provide counseling, information and support under legally protected confidentiality. Because these relationships involve privileged conversations, these confidential resources will not share information about a patient/client (including if that individual has received services) with the Title IX coordinator or any other employee of the University without the individual's express written permission. They may, however, submit non-identifying information about the incident for purposes of making a statistical report under the Clery Act.

Students wishing to obtain confidential support or resources on campus are encouraged to contact the University Counseling Center or the Office of Student Life. The Counseling Center is staffed by psychological professionals who are bound by separate laws of confidentiality and will not share the report with other members of the University under most circumstances (excluding, for example, circumstances that give rise to an imminent safety concern). Additional support resources are available through local community agencies or other established programs detailed in the resources section on pages 42-44. University staff can assist with outreach or individuals may connect to agencies on an individual basis.
As stated earlier, the University strongly encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual violence or relationship violence, if the individual plans to pursue criminal action. By doing so, law enforcement and/or the University is better able to ensure preservation of evidence and to begin a timely investigative response.

Making a report means telling a responsible party (e.g., faculty, staff, coach, resident assistant) what happened, no matter whether that is in person, by telephone, in writing or by e-mail. At the time a report is made, a reporting party does not have to decide to request any particular course of action, nor does a reporting party need to know how to label what happened. Those decisions can be made over time with the support of the University and to the extent that is legally possible and appropriate. The University will respect an individual's autonomy in deciding how to proceed and will balance the individual's interests in relation to its ongoing obligation to provide a reasonably safe and non-discriminatory environment for all members of the University community.

Please Note: Any individual who reports sexual misconduct should be assured that the University will investigate all reports and resolve them in a timely, fair and impartial manner. All individuals involved can expect to be treated with dignity and respect. In every report, the University will make an immediate assessment of any risk of harm to the University or to the broader campus community and will address those risks, including taking interim measures to provide for the safety of the individual and the campus community.

Students can report incidents directly to the vice president for Enrollment Management, Student Development and Student Success or to any member of the faculty or staff. The Office of Student Life can assist with informal resolution of complaints, where appropriate, as well as assisting with academic concerns, changes in housing or other interim measures. The Office of Student Life will be able to connect students to on- and off-campus resources.

Students may also submit reports of sexual violence incidents in writing electronically, confidentially or anonymously through the Student Life Incident Report. Please Note: Written reports may not be read until the next business day. After reporting, the staff member will advise the student of her/his rights and options as a reporting party, these include:

- Where and how to obtain medical assistance
- Where and how to report incidents of sexual violence to SXU Public Safety, Chicago Police Department or other appropriate law enforcement agency
- Resources for confidential on- and off-campus counseling and other support services
- The right to file criminal charges
- The right to a prompt and fair response from University officials
- The right to pursue and participate in a formal disciplinary process at the University
- The right to know who will resolve your complaint and to request a substitution if an individual poses a conflict of interest
- The right to have an advisor of your choice; such as a parent, professor or attorney; present at meetings or hearings
- The right to request that the University take interim protection measures to prevent unwanted contact with the alleged assailant, including but not limited to transfer of the reporting party and/or the responding party to alternative classes or to alternative University-owned housing, if such alternatives are available and feasible.
- The right to provide or present information, materials and/or witnesses on your behalf during the complaint resolution procedure outside the presence of the other student
- The right to receive written notification of the outcome of the hearing within seven days after a decision has been reached
- The right to be advised of the appropriate appeal process

The University reserves the discretion to place a student or staff member on administrative leave or take other temporary measures to investigate complaints of sexual violence in an appropriate and timely manner.
STUDENTS MAY REPORT VIA THE FOLLOWING OFFICES:
Public Safety: Campus Services Center or Rubloff Hall (after hours), (773) 298-3911 (24 hours)
Dean of Students/Student Life, Warde Academic Center, L-103, (773) 298-3123, deanofstudents@sxu.edu
or any member of the staff
Residence Life: Rubloff Hall, (773) 298-3977 or any member of the staff

CONFIDENTIAL REPORTING
Counseling Center: 3911 W. 103rd St., Driehaus Center, (773) 298-4045
Health Center: 3925 W. 103rd St., Driehaus Center, (773) 298-3712

Please Note: The Counseling Center and the Health Center are designated as confidential reporting personnel. They are not required to inform other personnel at the University of a sexual violence report, unless there is deemed an imminent threat of harm to self or others.
CAMPUS REPORTING RESOURCES

SXU community members should report all incidents of sexual misconduct or retaliation directly to the Title IX coordinator or the Deputy Title IX coordinators identified in this policy.

The University recognizes that a student or employee may choose to report to any employee of the University. For example, a student may choose to confide in an associate dean, a resident assistant, a faculty member, a director or a coach. Similarly, an employee may choose to confide in a supervisor or a colleague. No SXU employee may promise confidentiality (except in Counseling Services and the Health Center), and all SXU employees are expected to share such information with the Title IX coordinator or the Deputy Title IX coordinators.

Please Note: The Office of Public Safety is available to receive reports of incidents of sexual misconduct 24 hours a day, 7 days a week and 365 days a year. A member of the Office of Public Safety will be able to arrange transportation to the local hospital, to meet with local law enforcement and to meet a member of the Office of Student Life.

REPORTING TO LAW ENFORCEMENT

The University encourages reporting parties to pursue criminal action for incidents of sexual misconduct that may also be crimes under Illinois criminal statutes. Upon request from the reporting party, the University will assist with contacting local law enforcement, filing a report, obtaining a protective order and cooperating with law enforcement agencies if a reporting party decides to pursue the criminal process.

Please Note: A reporting party may seek resolution through the University’s complaint process, may pursue criminal action or may choose both. Law enforcement’s determination regarding prosecution an alleged perpetrator will not determine whether the University investigates the matter and/or determines that sexual misconduct has occurred under this policy.

Students may report via the following law enforcement agencies:

- Chicago Police Department: (312) 745-0570 (22nd District)
- Oak Lawn Police Department: (708) 422-8292
- Cook County Sheriff’s Office: (773) 674-2276
- Evergreen Park Police Department: (708) 422-2142

ANONYMOUS REPORTING

An individual may make an anonymous report concerning incidents of sexual misconduct to any of the individuals identified in this policy. Depending on the extent of information available about the incident or the individuals involved, however, the University’s ability to respond to an anonymous report may be limited. The Title IX coordinator or one of the Deputy Title IX coordinators will review the anonymous report and determine appropriate steps, including individual or community remedies, as appropriate and in compliance with all Clery Act obligations.

Bystanders

All members of the SXU community are encouraged to take reasonable and timely actions to prevent or stop an act of sexual misconduct. Action may include (a) direct intervention when safe to do so, (b) enlisting the assistance of friends, (c) contacting law enforcement, and/or (d) seeking assistance from a person in authority. Community members who choose to assist under these circumstances will be supported by the University and will be protected from retaliation.
REPORTING CONSIDERATIONS: TIMELINESS OF REPORT, LOCATION OF INCIDENT

Reporting party and third-party witnesses are encouraged to report sexual misconduct as soon as possible in order to maximize the University’s ability to respond promptly and effectively. However, there is no time limit on reporting violations of this policy. If the responding party is no longer a student or employee, the University may not be able to take disciplinary action against the responding party; however, the University will still seek to meet its Title IX obligation by providing support for a reporting party and taking steps to end the harassment, prevent its recurrence and address its effects.

An incident need not occur on campus to be reported to the University. Off-campus conduct that occurs in connection with University programs or events also may be covered, including off-campus conduct that may (a) have a substantial effect on the reporting party’s on-campus life and activities, (b) pose a threat or danger to the members of the SXU community, or (c) adversely impact University interests.

AMNESTY FOR PERSONAL USE OF ALCOHOL OR OTHER DRUGS

It is in the best interest of this community that all individuals who have been the subject of sexual misconduct report that behavior as soon as possible to identified University officials and that witnesses share what they know. To encourage timely reporting, the University desires to remove any/all perceived barriers. Accordingly, an individual who reports sexual misconduct, either as a reporting party or a third-party witness, will not be subject to disciplinary action by the University for his/her consumption of alcohol or drugs at or near the time of the incident, provided any such violations did not and do not place the health or safety of any other person at risk.

FALSE REPORTING

The University takes the validity of information it receives and upon which it can act very seriously, especially because a subsequent charge of sexual misconduct has severe consequences. This provision does not apply to reports made in good faith, even if the facts alleged in the report are not substantiated by an investigation. However, a reporting party who makes a report that is later found to have been intentionally false or made maliciously without regard for truth will be subject to disciplinary action under the appropriate University policy. The filing of a false report also may violate Illinois criminal statutes and civil defamation laws. Anyone who is later proven to have intentionally given false information during an investigation or disciplinary hearing will be subject to disciplinary action.

All Saint Xavier University faculty and staff who have not otherwise been designated as confidential reporting resources are “Responsible Employees.”

Please Note: The positions noted below are considered to be “responsible employees” positions for reporting purposes because students may reasonably believe them to have authority to redress or a duty to report complaints of sexual misconduct:

- Athletics director, associate and assistant Athletics directors
- Athletics team coaches, assistant coaches, and Athletics trainers
- Faculty and staff accompanying students on off-campus programs or other University-related trips, within and outside the United States
- Faculty, department chairs and program chairs
- Resident assistants/advisors
- Peer ministry advisors

Each of these employees has the authority to receive complaints of sexual misconduct and ensure that timely follow-up, including investigations, occurs:

- Title IX coordinator and the deputy Title IX coordinator(s)
- Director and officers of Public Safety
SURVIVOR ASSISTANCE AND SUPPORT

If you are a victim of sexual, dating or domestic violence or stalking, get help as soon as possible.

- Get to a safe place.
- Call someone you trust. No matter how late it is, you should not be alone. Call a friend, a family member or someone else you trust and ask them to stay with you.
- Get immediate medical attention for possible injuries, sexually transmitted diseases and pregnancy. Even if you think that you do not have any physical injuries, you should still have a medical examination and discuss the possibility of sexually transmitted infections with a medical provider. If you are female, you can prevent pregnancy by taking emergency contraceptive pills within 72 hours of the assault. You can visit Saint Xavier’s Health Center Monday through Friday from 8:30 a.m. to 4:30 p.m.
- Contact Public Safety (773-298-4400) if you would like to be transported to a hospital for examination.
- Do not clean up. It may be difficult to keep from cleaning yourself up, but if you do, you may destroy evidence that could be useful should you decide to report the assault to the police.
- Preserve all physical evidence. Do not bathe, shower, douche, eat, drink, smoke or urinate, if possible. Save all the clothing you were wearing at the time of the assault. Place each item of clothing in a separate paper bag. Do not use plastic bags. Do not disturb anything in the area where the assault occurred. Evidence can be collected at an emergency room, and you can decide later if you want to report the incident to the police. If the crime happened in your room or apartment, do not clean or straighten up until all evidence has been collected. Even if you are not sure about reporting the assault, preserve the option of reporting until you make a final decision.
- Write down all you can remember about the circumstances of the assault, including a description of the assailant, the assailant’s identity if you know it, and the use of threats or force.
- Consider reporting the assault to the University and/or law enforcement authorities. Reporting a sexual assault may be an important step in the recovery process and may help to prevent another assault. Reporting an incident to a University official does not mean you must also report the incident to law enforcement authorities.
- See reporting information to the University and/or law enforcement. There, you will also find important information regarding who best to speak to at the University, confidentiality requests and protective measures and accommodations.
- If you consider reporting the incident to law enforcement authorities, a uniformed officer would meet with you to file a police report. At that time a determination would be made if additional resources are needed (i.e. detectives, evidence collection, etc.). You could be transported to a medical facility for a forensic examination, at no cost to you, and asked to provide a typed written statement at the local police department.
INTERIM MEASURES FOLLOWING A REPORT OF SEXUAL MISCONDUCT

Upon receipt of a report of sexual misconduct, the University will impose reasonable and appropriate interim measures designed to eliminate the reported hostile environment, prevent its recurrence and remedy its effects. The University will maintain ongoing contact with the parties to ensure that all concerns of safety and emotional and physical wellbeing are being addressed. Interim measures may be imposed, regardless if formal disciplinary action is sought by the reporting party or the University, to ensure the preservation of the reporting party’s educational, work or volunteer experience and the overall University environment.

A reporting party or responding party may request separation or other protection, or the University may choose to impose interim measures at its discretion to ensure the safety of all parties, the broader University community and/or the integrity of the investigative and/or resolution process. Potential interim measures, which may be applied to the reporting party and/or the responding party to the extent reasonably available and warranted by the circumstances, include:

- Access to counseling services and assistance in setting up initial appointment, both on and off campus
- Imposition of an on-campus no-contact directive
- Rescheduling of exams and assignments
- Providing alternative course-completion options
- Change in class schedule, including the ability to transfer course sections or withdraw from a course without penalty
- Change in work schedule or job assignment
- Change in student's University-controlled housing
- Assistance from University support staff in completing housing relocation
- Limitation on an individual's or organization's access to certain University facilities or activities pending resolution of the matter
- Voluntary leave of absence
- Providing an escort to ensure safe movement between classes and activities
- Providing medical services
- Providing academic support services, such as tutoring
- Interim administrative leave of absence
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

If the Title IX coordinator determines it is advisable, an interim administrative leave of absence may be imposed on a student who is suspected of violating this policy. In addition, this type of interim administrative leave of absence may be used to preserve University property, pursue an investigation and/or hearing, and prevent disruption of or interference with the standard operations of the University. Interim administrative leave of absence will be used for short periods of time pending resolution of a report.

At the discretion of the Title IX coordinator and following consultation with other appropriate University officials, alternative coursework options may be pursued to ensure as minimal an academic impact as possible on the responding party.

Similarly, to protect the health and safety of the community, the University may impose a similar interim administrative leave with pay for any employee that is under investigation for a violation of this policy.
NO-CONTACT ORDERS

The vice president for Enrollment Management, Student Development and Student Success (or designee) may issue an administrative directive in the form of a no-contact order if deemed appropriate. The no-contact order may include a directive that the reporting party and responding party refrain from contacting each other through direct, indirect, electronic or other means or engage in any disruptive conduct pending resolution of the complaint. The vice president for Enrollment Management, Student Development and Student Success (or designee) may also take any further protective action deemed appropriate, in their sole discretion, concerning the interaction of the reporting party and responding party – pending resolution of the complaint.

INTERIM SUSPENSION

The vice president for Enrollment Management, Student Development and Student Success (or designee) may issue the responding party an interim suspension from the University if immediate action is necessary to protect the health or safety of any community member or to prevent disruption to the University’s learning environment. The responding party will be notified in writing of the interim suspension. A hearing will be held within five (5) academic days of the invocation of the suspension to determine whether grounds still exist to warrant its continuation by a board of three (3) impartial and trained professional staff members of the University community appointed by the Title IX coordinator (or designee). Their training is provided at least annually on issues including, but not limited to, dating violence, domestic violence, sexual assault, and stalking; how to conduct investigations; protecting victim safety and promoting accountability. The existence of criminal charges levied by public authorities would, in itself, provide a reasonable basis for continuation. In addition, the hearing authority may review disciplinary history or other relevant information. The suspension hearing before the panel does not constitute the original hearing on the merits of the incident in question. This process may be altered when medical factors are claimed to be associated with the behavior in question. Administrative removal from residence does not require a hearing. While under an interim suspension, students are not permitted on either campus for any reason without the express permission of the vice president for Enrollment Management, Student Development and Student Success (or designee).

Interim-suspended students may not participate in co-curricular activities either on or off campus. For purposes of this provision, co-curricular activities include, but are not limited to, performances, rehearsals, practices, competitions and club/organization meetings. Violation(s) of the orders, directives and/or other protective actions of the vice president for Enrollment Management, Student Development and Student Success (or designee) shall constitute related offenses as outlined in the Student Code of Conduct.
TITLE IX REVIEW, INVESTIGATION AND RESOLUTION FOR COMPLAINTS AGAINST STUDENTS

The University offers both informal (mediation) and formal (formal adjudication) procedures for promptly investigating and resolving complaints of student violations of the policy in a fair, unbiased and impartial manner. Mediation is not appropriate for certain cases, such as alleged sexual assaults, even on a voluntary basis.

INVESTIGATION OF SEXUAL MISCONDUCT

All investigations, whether resolved by informal or formal means, will be conducted as expeditiously as possible and normally will be completed within 60 calendar days after receipt of the complaint, except where the reporting party agrees that a longer period of time would be appropriate or circumstances require it. When an extension of the timeframe is required for good cause, written notice will be provided to the reporting and responding parties of the delay and the reason for the delay. If a reporting and/or responding party withdraws from the University at any stage of the formal investigation, the University will continue its process as outlined in this policy.

Upon receipt of a report, the University will conduct an initial Title IX Assessment. The goal of this assessment is to provide an integrated and coordinated response to reports of sexual misconduct. The assessment will consider the nature of the report, the safety of the alleged victim of the sexual misconduct and of the campus community, the reporting party’s expressed preference for resolution, and the necessity for any interim remedies or measures to protect the safety of the reporting party or the community.

Following this assessment, the University may (a) seek a resolution that does not involve disciplinary action against a responding party; or, (b) initiate the formal adjudication process, beginning with an investigation, to determine if a hearing is warranted. The goal of the investigation is to gather all relevant facts and determine if there is sufficient information to support a charge against a responding party.
REVIEW OF INVESTIGATION REPORT

As part of the initial assessment of the facts, the University will:

- Assess the nature and circumstances of the allegation
- Address immediate physical safety and emotional well-being of the reporting party
- Notify the reporting party of the right to contact law enforcement and seek medical treatment
- Notify the reporting party of the importance of preservation of evidence
- If applicable, enter the report into the University’s daily crime log
- Assess the reported conduct for the need for a timely warning under the Clery Act
- Provide the reporting party with information about on- and off-campus resources
- Notify the reporting party of the range of interim measures and remedies
- Provide the reporting party with an explanation of the procedural options, including remedies-based resolution and disciplinary resolution
- Assess for pattern evidence or other similar conduct by responding party
- Discuss the reporting party’s expressed preference for manner of resolution and any barriers to proceeding
- Explain the University’s policy prohibiting retaliation.

The initial review will proceed to where a reasonable assessment of the safety of the individual and of the campus community can be made and where the University has sufficient information to determine the best course of action.

After the Title IX Assessment, the Title IX coordinator, in coordination with others as necessary, will determine the appropriate manner of resolution.

The determination regarding how to proceed will be communicated to the reporting party in writing. Depending on the circumstances and requested resolution, the responding party may or may not be notified of the report or manner of resolution. A responding party will be notified when the University seeks action that would impact a responding party, such as protective measures that restrict the responding party’s movement on campus or the decision to involve the responding party in remedies-based resolution.

Please Note: Where appropriate and possible, the University will seek action consistent with the reporting party’s request(s). For example, when a reporting party makes a report, but requests that a name or other identifiable information not be shared with the responding party or that no formal action be taken, the University will inform the reporting party of its obligation to balance this request against its obligation to provide a reasonably safe and non-discriminatory environment for all in the SXU community. Further, when a reporting party does not wish to proceed with an investigation, the Title IX coordinator will determine, based on the available information, if the investigation and/or subsequent hearing should go forward.
In making this determination, the University will consider a range of factors, including:

- If the reporting party has requested confidentiality
- If the reporting party wants to participate in an investigation or related hearing
- The severity and impact of the conduct, including possible weapon use
- If the reporting party is a minor under the age of 18
- If the responding party has a pattern of similar conduct
- If the responding party threatened further violence or other violence against the victim or others
- The existence of independent evidence
- The extent of prior remedial methods taken with the responding party

The University also will assess any barriers to proceeding that may exist or have arisen (including retaliation) and will inform the reporting party that it will, in compliance with Title IX, take strong responsive action to protect the reporting party. Where the University is unable to take action consistent with the request of the reporting party, the Title IX coordinator or designee will tell the reporting party about the University’s chosen course of action, which may include the University choosing to pursue action against a responding party on its own behalf. The University will not require a reporting party to participate in any investigation or disciplinary proceeding. The course of action also may include steps to limit the effects of the alleged misconduct and prevent its recurrence that do not involve formal disciplinary action against a responding party or revealing the identity of the reporting party.

In addition to the measures noted above, the University may initiate remedies-based resolutions that are designed to maximize the reporting party’s access to the educational, extracurricular, employment or volunteer activities at the University and to eliminate a hostile environment. Such remedies include, but are not limited to targeted or broad-based educational programming or training, supported direct confrontation of the responding party and/or indirect action by the Title IX coordinator or the University. Depending on the form of remedies-based resolution used, it may be possible to maintain anonymity.

The University also will offer mediation for appropriate cases, though no reporting party will be compelled to engage in mediation or to confront the responding party directly.
MEDIATION

(In Informal Procedures for Investigating and Resolving Complaints of Student Violations of the Policy)

Mediation is an informal, voluntary process that allows the reporting and responding parties involved in an alleged complaint of discrimination or harassment to discuss their respective understandings of the incident with each other through the assistance of a trained mediator. Mediation is designed to encourage each person to be honest and direct with the other and to accept personal responsibility where appropriate. Mediation is only offered as an option if both parties are students at SXU. If either student is less than 18 years of age, the University may require that the minor student’s parent consent in writing to the student’s participation in the mediation. Mediation is not appropriate for certain cases, such as alleged sexual assaults, even on a voluntary basis.

CONFIDENTIALITY OF THE MEDIATION PROCESS

To promote honest, direct communication and a resolution through mediation, information disclosed in mediation must remain confidential, except where disclosure may be required as set forth in this policy, under law or as authorized by the Title IX coordinator (or designee) in connection with responsibilities of the University.

MEDIATION PROCESS AND PROCEDURES

The mediation process will proceed as follows:

INITIATING MEDIATION

In cases where mediation is appropriate, the Title IX coordinator (or designee) will discuss with the reporting party and responding party if they are willing to participate in mediation. In addition, the mediation process can be initiated any time prior to the formal adjudication of the case. Both reporting and responding parties must agree to the mediation in writing.

ASSIGNMENT OF A MEDIATOR

Once the reporting party and responding party have agreed to mediation in writing, the Title IX coordinator (or designee) will appoint a trained and impartial mediator who will mediate the case. The mediator will be appointed within 14 calendar days of the agreement of the reporting party and responding party to participate in mediation. The mediator will contact the reporting and responding parties to set the date, time and location of the mediation session(s).

PERSONS PARTICIPATING

Typically, only the mediator and the reporting and responding parties will be participants in the mediation session(s); however, others may be included as necessary at the discretion of the mediator. The reporting party and responding party may each have an advisor of their choice be present at the mediation session(s) and any related meetings. The advisors may not be active participants in the mediation session(s). The University may remove or dismiss advisors who become disruptive or who do not abide by the restrictions on their participation.

MEDIATION PROCESS

During the mediation process, the mediator normally will:
(1) ask the reporting party and responding party to give their versions of the incident, including both factual, objective information and their emotional response, (2) identify key issues, (3) seek the agreement of both the reporting party and responding party on the issues, (4) facilitate discussion and (5) work with both the reporting and responding parties to develop a written document that will include a statement of agreement. The mediator will not draft the document. The agreement information will be provided to the Title IX officer who will prepare the final agreement for signature by both parties. No offers of apology or concessions are required to be made during the mediation.
MEDIATION OUTCOMES

MEDIATION RESOLUTION
Any statement of resolution by mediation will be incorporated into an agreement (the “Mediation Agreement”) to be signed by both the reporting party and responding party and will be approved by the Title IX coordinator (or designee) before it takes effect. Any activity or behavior, or prohibition thereof, to which either party has agreed in the mediation will be included in the Mediation Agreement. Since an individual's entry into a Mediation Agreement is voluntary, there is no right to appeal by either party from the terms of the Mediation Agreement once it has been signed by the reporting party and responding party and approved by the Title IX coordinator (or designee). The approval of the Mediation Agreement by the Title IX coordinator (or designee) constitutes a directive of the Title IX coordinator requiring both the reporting party and responding party to fully comply with all the terms of the Mediation Agreement. The Mediation Agreement will be kept on record with the corresponding case file in Maxient, the student conduct database. If either party believes the terms of the Mediation Agreement have not been met by the other individual, they may contact the Title IX coordinator, who will ask the mediator or other designated person to investigate the allegation of noncompliance. The Title IX coordinator (or designee) may take such action as deemed appropriate in response to the investigation of noncompliance with the Mediation Agreement, or at their sole discretion, the matter may be referred to an investigator, followed by a hearing before the board if such further investigation and/or sanctions are warranted.

NON-RESOLUTION AND REFERRAL TO FORMAL ADJUDICATION
If either party is dissatisfied with the mediation process at any time prior to the signing of the Mediation Agreement, that party may request that the mediation process cease. In such a case, absent an express determination to the contrary by the Title IX coordinator (whose discretion in such determination is exclusive and final), formal adjudication may only be pursued if the request is initiated within one (1) calendar year of the termination of the mediation process – provided that good cause is shown as determined in the sole discretion of the Title IX coordinator, this period of time may be extended. In the event that formal adjudication occurs after some part of the mediation process has taken place but prior to any resolution at mediation, only the complaint form will be forwarded by the Title IX coordinator (or designee) to the assigned investigator.
FORMAL ADJUDICATION

(Formal Procedures for Investigating and Resolving Complaints of Student Violations of the Policy)

Formal adjudication is the formal process for investigating complaints of student violations of the policy. A complaint is formally adjudicated when it involves sexual assault, when the discrimination or harassment complaint has not been addressed as a result of mediation, or if either the reporting party or responding party requests referral to formal adjudication as described below. Formal adjudication involves a fact-finding investigation along with a hearing or other related decision-making process to determine if the alleged incident occurred and what actions the University must take in response. A formal investigation is initiated by the Title IX coordinator (or designee) as the first step in the process.

TIMEFRAME FOR FORMAL ADJUDICATION PROCESS

The formal adjudication process for investigating and resolving complaints of student violations of the policy will be conducted as expeditiously as possible and normally will be completed within 60 calendar days after receipt of the complaint, except where the reporting party or responding party agrees that a longer period of time would be appropriate or circumstances require it. For the purposes of this policy, the formal adjudication process includes the fact-finding investigation along with a hearing or other related decision-making process to determine if the alleged incident occurred and what actions the University must take in response. If an extension of the timeframe is required for good cause, written notice will be provided to the reporting party and responding party of the delay and the reason for the delay. If a reporting party and/or responding party withdraws from the University at any stage of the formal investigation, the University will continue its process as outlined in this policy.

The University may need to delay temporarily the fact-finding portion of the investigation if and when law enforcement authorities are gathering evidence. The length of time for evidence gathering by law enforcement authorities will vary depending on the specific circumstances of each case. Protective measures can be pursued during this time. Both the reporting party and responding party will be updated on the status of the investigation, including when it is resumed.

ADVISORS

The reporting party and responding party are each permitted to be accompanied by an advisor of their choice to any meeting or disciplinary proceeding (including, but not limited to, fact finding investigations, formal or informal meetings, hearings and/or mediations sessions). An advisor is an individual (friend, parent, professor, attorney or anyone else) who provides the reporting party and responding party respectively with support, guidance or advice. The advisor is not permitted to be an active participant in meetings or disciplinary proceedings. The University may remove or dismiss advisors who become disruptive or who do not abide by the restrictions on their participation. It is the responsibility of the reporting party and responding party to provide notice of meetings or disciplinary proceedings to their respective advisor. Meetings and/or disciplinary proceedings generally will not be canceled or delayed because an advisor could not be present. However, reasonable requests to reschedule based on compelling circumstances may be considered.
STUDENT RIGHTS AND RESPONSIBILITIES

STUDENT RESPONSIBILITIES IN THE CONDUCT PROCESS
The University expects students to assume responsibility for their role in the conduct process. Students are expected to appear for hearings; if students fail to appear, the hearing may proceed in their absence. Sanctions may be imposed upon students for refusing to appear or cooperate. Students have the responsibility to present truthful information; students found to have willfully presented false or misleading information will be subject to sanction. Students are expected to complete the sanctions issued at any level in the conduct process in the specified timeframe; failure to do so may result in further disciplinary action.

STUDENT RIGHTS IN THE CONDUCT PROCESS
Students may expect the following:

• To be treated with respect and dignity throughout the hearing process.
• To have prior knowledge of the charges and have the charges explained clearly and fully at every level of the conduct process.
• To have an advisor of your choice present at any meetings or hearings such as a parent or faculty member.
• To be present throughout the hearing but not during the deliberation process of the hearing officers or the University Conduct Board.
• To know who the hearing officers or members of the University Conduct Board will be and to request a substitution if an individual poses a conflict of interest.
• To hear testimony and/or see all written statements concerning the charges.
• To refute oral and/or written statements made by witnesses.
• To provide or present information, materials and/or witnesses on your behalf during the complaint resolution procedure outside the presence of the other student.
• To remain silent and not testify against themselves, understanding that if silence is maintained, the case will be determined on the evidence presented.
• To receive written notification of the outcome of the hearing within seven days after a decision has been reached.
• To be advised of the appropriate appeal process.
INVESTIGATION

When the Title IX assessment finds that disciplinary action may be appropriate, the University will initiate an investigation. The University will designate an investigation comprised of members who have received specific training in the investigation of allegations of sexual misconduct. All investigators assigned to a matter must be impartial and free of any conflict of interest.

Investigations will be conducted in an appropriate manner, given the circumstances of the case. More specifically, the investigator or investigative team will: (a) coordinate the gathering of information from the reporting party, the responding party and any other individuals who may have information relevant to the determination; (b) gather any available physical evidence, including documents, communications between the parties and other electronic records as appropriate; (c) provide the reporting party and responding party with an equal opportunity to be heard, to submit information and to identify witnesses who may have relevant information. The witnesses identified by the reporting party and/or responding party must have observed the acts in question or have information relevant to the incident.

The investigation is designed to provide a fair and reliable gathering of the facts. It will be conducted in a thorough, impartial and fair manner to ensure that all individuals are treated with appropriate sensitivity and with respect for individual privacy concerns.

The University will make every effort to complete the investigation within 60 business days of receiving the complaint. This timeframe may be extended, however, depending on the complexity of the circumstances of the particular case. At the request of law enforcement, the University may agree to defer its Title IX fact gathering until after the initial stages of a criminal investigation. During this period, the University will continue to communicate with the reporting party regarding Title IX rights, procedural options and the implementation of necessary interim measures to assure the safety and well-being of all affected individuals. The University will promptly resume its Title IX fact gathering as soon as law enforcement has released the case for review following the initial criminal investigation.

Please Note: Law enforcement investigations and University investigations are two separate processes. Should law enforcement drop charges, it does not mean that the University will drop its allegations.

Please Note: After formal notice that one’s conduct may have violated this policy, the reporting party and responding party have the right to be assisted by an advisor. In cases of sexual assault, domestic/dating violence, or stalking, a reporting party or responding party may seek the advice and assistance of an advisor of their choice, which can be an attorney, at their own expense. The investigation process is not a legal proceeding. Accordingly, the role of an advisor is to provide guidance to the reporting party or responding party regarding applicable University procedures and to advise the reporting party or responding party on the specifics of a written appeal, if applicable. Advisors are also available to offer support and to provide information on additional resources that may be available. While advisors may accompany the reporting party and responding party at meetings, they may not present evidence, question witnesses or otherwise participate.

Information the University gathers during the review or investigation will be used to evaluate the responsibility of the responding party, to provide for the safety of the reporting party and the University campus community, and to take appropriate measures to end the misconduct, prevent its recurrence and address its effects.

The Title IX coordinator will retain copies of all reports generated as a result of investigations. The University will keep these records confidential to the extent permitted by law.
CONFIDENTIALITY OF THE INVESTIGATION

To comply with laws and regulations protecting education records of students and to provide an orderly process for the determination and consideration of relevant evidence without undue intimidation or pressure, the investigation findings are confidential. Investigation findings may not be disclosed except as described below or as required, as authorized by law or as may be authorized by the Title IX coordinator (or designee) in connection with responsibilities of the University.

INVESTIGATION PROCESS

The investigation process will proceed as follows:

1. Assignment of Investigator: The Title IX coordinator (or designee) will assign the matter to a trained investigator or investigators to promptly, fairly and impartially investigate the complaint. Investigator training is provided at least annually on issues including, but not limited to, dating violence, domestic violence, sexual assault and stalking; how to conduct investigations; protecting victim safety; and promoting accountability.

2. Conduct of the Investigator(s): The investigator(s) will promptly, fairly and impartially investigate the complaint. The investigator may not privately discuss the facts or merits of the case with the reporting or responding parties or with anyone acting on behalf of the parties. The Title IX coordinator (or designee) will provide the investigator(s) with a written copy of the complaint and any other supporting material.

INVESTIGATION PROCEDURES

1. Initiation of the Investigation: The Title IX coordinator (or designee) will initiate an investigation by notifying the responding party that a complaint has been filed, informing the responding party of the nature of the complaint, and providing the responding party with a written copy of the complaint. The Title IX coordinator (or designee) will explain the process and the relevant avenues of redress to the reporting party and responding party and provide them a written summary of the process. The responding party will be afforded seven (7) calendar days in which to provide a written response to the complaint, a copy of which will be provided to the reporting party. During this seven (7) day period, the investigation may proceed forward.

2. Interviews: The investigation will include, where permissible, separate interviews of the reporting party, the responding party and any witnesses and other persons who are identified as possibly having relevant information related to the allegation, who agree to be interviewed. The investigation also will include a review of relevant documentation (including social media documentation) and other information the investigator deems relevant.

3. Review of Investigation Report: At the conclusion of the investigation, the investigator(s) or investigative team will (a) prepare a written report that summarizes the information gathered, synthesizing the areas of agreement and disagreement between the parties, as well as any supporting information or accounts; (b) review all facts gathered to determine whether the information is relevant and material to the determination of responsibility given the nature of the allegation; (c) assess the credibility of the witnesses and evidence; (d) redact information that is irrelevant, more prejudicial than probative, immaterial or based solely on opinion rather than direct observation. Before the report is finalized, the investigator or investigative team will give the reporting party and responding party the opportunity to review their own statements and, as permitted by FERPA, a summary of other information collected during the investigation, including the statements of the other party and any witnesses. The reporting party and responding party then may submit any additional comments or request further investigation from the investigative team. The report then will be submitted to the Title IX coordinator for the administration of an appropriate action and follow-up with the reporting party.
INVESTIGATION OUTCOMES

Investigation Report: The investigator(s) will prepare a written report (the “Investigation Report”) concerning the results of the investigation. The Investigation Report will be distributed to the reporting party, the responding party, and the Title IX coordinator (or a designee). If a board hearing is held, the board will also be provided with a copy of the Investigation Report. The responding party may respond in writing to the Investigation Report within seven (7) calendar days of the delivery date of the Investigation Report. Any response will be delivered to the Title IX coordinator (or designee) for review.

1. Determination of Charges: The Title IX coordinator (or designee) reviews the Investigation Report and any response, consults with the investigator, and determines if sufficient facts exist to warrant a formal hearing. The Title IX coordinator (or designee) also will determine what charges of a possible violation of this policy and/or the Student Code of Conduct exist and if charged will be referred for a University Conduct Board hearing. That determination will be communicated in writing to the reporting party and responding party in the form of the Notice of Charges or other written communication as appropriate.

2. A reporting party whose request for formal adjudication is denied may appeal that denial to the Title IX coordinator (or designee) within five (5) calendar days. The Title IX coordinator (or designee) will then review the complaint and the investigator’s report and all other available case material. The decision of the Title IX coordinator (or designee) on the appeal is final and not the subject of further appeal.

3. Notice of Possible Policy Violation: If a University Conduct Board hearing is deemed necessary, the vice president of Enrollment Management, Student Development and Student Success (or designee) will commence the hearing process by providing written notice to the responding party (“Letter of Allegation”) stating: (1) the nature of the complaint; (2) the offense alleged (including references, as applicable, to the Student Code of Conduct allegedly violated); (3) the name of the reporting party; (4) the date, time and place of the University Conduct Board hearing; (5) the date, time and place of the pre-hearing meeting at which preliminary matters will be discussed as outlined in the “University Conduct Board Pre-Hearing” section that follows; and (6) the names of the board members (the “board”), including the board convener. The Letter of Allegation is sent through the student’s SXU email account, using third-party software, Maxient, which is the primary avenue of communication for all conduct information and is considered effective three (3) calendar days after such mailing or when otherwise received by the responding party, whichever occurs first. The Letter of Allegation is simultaneously sent to the reporting party through Maxient along with the Board Meeting Invitation including date, time and place of a separate pre-hearing meeting at which preliminary matters will be discussed.

4. Request to Terminate the Investigation: Upon mutual consent, the reporting party and responding party may seek to terminate a formal investigation, but the Title IX coordinator (or designee), in consultation with the investigator, may nevertheless determine, in his/her judgment and discretion, that the interests of the University community require the continuation of the formal investigation.
UNIVERSITY CONDUCT BOARD HEARING

A University Conduct Board hearing results when possible policy violation(s) are determined by the Title IX coordinator (or designee) as a result of the investigation.

The University Conduct Board hearing must take place no more than 14 calendar days after delivery of the Notice of Possible Policy Violation to the responding party, unless the board convener, in their sole discretion, allows for a longer period of time.

If a complaint is filed within 60 calendar days of the responding party’s intended graduation, during a University recess or summer session or in other circumstances where the Title IX coordinator (or designee) determines that the complaint cannot otherwise be resolved in a timely manner, procedural options may be limited. In particular, a University Conduct Board hearing under these circumstances may instead take the form of an administrative hearing by a designated Student Life employee appointed by the Title IX coordinator (or designee).

CONFIDENTIALITY OF THE UNIVERSITY CONDUCT BOARD HEARING PROCESS

To comply with laws and regulations protecting education records of students and to provide an orderly process for the presentation and consideration of relevant evidence without undue intimidation or pressure, the hearing process before the board is confidential and is closed to the public. Documents prepared in anticipation of the hearing (such as the investigator’s report; the Notice of Possible Policy Violation; any written pre-hearing submissions, documents or other materials introduced at the hearing; or any transcript of the hearing itself) may not be disclosed except as required or authorized by law or as may be authorized by the Title IX coordinator (or designee) in connection with responsibilities of the University.

HEARING PROCESS

The hearing process shall proceed as follows:
COMPOSITION AND PURPOSE OF THE BOARD

COMPOSITION OF THE BOARD
The board will be composed of three (3) impartial and trained, professional staff and faculty members of the University community appointed by the Title IX coordinator (or designee). The Title IX coordinator (or designee) designates one board member to serve as the board convener. Board member training is provided at least annually on issues including, but not limited to, dating violence, domestic violence, sexual assault and stalking; how to conduct investigations and hearings; protecting victim safety and promoting accountability.

CHALLENGE OF BOARD MEMBER
A reporting party or responding party wishing to challenge the participation of any board member must notify the board convener and the Title IX coordinator (or designee) in writing, stating the reason(s) for the party's objection. Such a challenge must be made in writing and delivered to the board convener and the Title IX coordinator within seven (7) calendar days of the mailing of the Board Meeting Invitation/Letter of Allegation to the responding party and reporting party. Except with respect to challenges to the participation of the board convener, the board convener determines whether the challenge has merit and reserves sole discretion to make changes in the board's composition at all times. In the event of a challenge to the participation of the board convener, the Title IX coordinator (or designee) determines whether the challenge has merit and reserves sole discretion to appoint another board member or other person as the board convener for a given hearing.

CONDUCT OF THE BOARD
The board will seek to encourage an open exchange of information within the rules of confidentiality articulated in these procedures. While the board's procedures are designed to ensure appropriate process for the reporting party and responding party, the board is not bound by the rules of criminal or civil procedures that govern judicial proceedings in court. Board members will serve as impartial fact finders and not as advocates for either the reporting party or responding party. Once an individual has been named to the board, they may not privately discuss the facts or merits of the case with the reporting party or responding party or with anyone acting on behalf of either the reporting party or responding party. The hearing coordinator will provide board members with a copy of the Letter of Allegation, the Investigation Report, the incident report, written statements and list of witnesses and documents or other relevant materials submitted by the reporting party and responding party in advance of the hearing date.
HEARING PROCEDURES

Hearing Coordinator: The Title IX coordinator (or designee) will designate an administrator to act as a hearing coordinator to be present at a hearing to control the hearing and ensure the hearing follows procedural guidelines. The coordinator will be impartial and has no interest or input in the outcome of the hearing.

PRE-HEARING PROCEDURES

1. Pre-Hearing Submissions: No less than seven (7) calendar days prior to the hearing date, the reporting party and responding party must provide the hearing coordinator with brief written statements describing their positions, a list of witnesses they propose to call, copies of documents and a description of any other materials they propose to present at the hearing. The hearing coordinator provides a copy of such written statements and documents to the other party as set forth below. In the absence of good cause as determined by the board convener in their sole discretion, the reporting party and responding party may not introduce witnesses, documents or other evidence at the hearing that were not timely provided to the hearing coordinator as set forth above. The reporting and responding parties are also responsible for securing the attendance of their proposed witnesses at the hearing.

2. Pre-Hearing Meeting(s): The hearing coordinator will seek to schedule one or more pre-hearing meeting(s) with the reporting party and responding party, no less than three (3) calendar days prior to the hearing date. Advisors are permitted at the pre-hearing. Witnesses are not permitted at the pre-hearing. The pre-hearing provides an opportunity for the reporting and responding parties to review all written reports about the allegations and make an initial response to them. The hearing coordinator will compile a summary of the student’s response for presentation at the University Conduct Board. The hearing coordinator will also review the list of proposed witnesses to assist the reporting party and responding party in eliminating redundancy. During the pre-hearing, there will be a full explanation of: the hearing coordinator’s role, the student rights in the conduct process, a review of the charges, a copy of the written statement, list of witnesses, identification or copies of documents or other evidence submitted by the other individuals, and the University Conduct Board procedures.

PERSONS PARTICIPATING

Typically, the reporting and responding parties, their respective advisors, the University’s counsel (only if students have outside advisory counsel), the board members and the hearing coordinator are the only individuals present at the hearing. The reporting party and responding party may have an advisor of their choice present at the hearing and any related meetings. Advisors are not permitted to address the board, examine witnesses or otherwise directly participate in the hearing on behalf of either party. The University may remove or dismiss advisors who become disruptive or who do not abide by the restrictions on their participation.

Should either the reporting party or responding party fail to appear at the scheduled hearing, the board convener, at his/her sole discretion, may postpone the proceedings, or the board may proceed and determine the complaint on the basis of the evidence presented – provided the absent party was duly notified in advance of the scheduled hearing date as outlined above. The reporting party and responding party are not required to be present at the hearing. However, the exercise of that right does not preclude the board from proceeding and determining responsibility on the basis of the facts and circumstances presented. If requested, the University will make arrangements such that the reporting party and responding party are not present in the same room at the same time as part of the hearing.
RECORDING

The hearing coordinator will arrange for the hearing to be audio-recorded.

CONDUCT OF THE HEARING

The hearing before the board will not follow a courtroom model. The board convener will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. Absent extraordinary circumstances, the investigator will not participate at the hearing unless approved by the board convener upon finding that the investigator may have material information that cannot otherwise be provided to the board. The reporting party and responding party will not be expected to repeat undisputed details or non-material circumstances that would merely duplicate the written materials. The board, in its discretion, may seek to have other persons speak at the hearing. Only the board convener and the board may question the reporting party, responding party and any witnesses. However, the reporting party and responding party may ask the board convener to pose additional questions or inquire further into specific matters. If necessary, a brief recess may be granted to allow the reporting party and responding party an opportunity to prepare and submit such requests. The board convener is empowered to disallow any questions that are irrelevant or redundant. After all witnesses have been questioned, the reporting party and responding party may make a closing statement and request a short recess to prepare their statement(s). If the board determines that unresolved issues exist that would be clarified by the presentation of additional materials or information, the board convener may recess the board hearing and reconvene it for the presentation of additional evidence in a timely manner. A recess may not be based on the failure of witnesses to appear without good cause or on the proposed introduction of documents or other materials or information that should have been presented at the pre-hearing meeting(s).

Impact Statement: During the hearing, the reporting party may present the board with a statement recommending a sanction (“Impact Statement”). The responding party will be provided an opportunity to respond to the Impact Statement. The board is not bound by these statements in determining responsibility or the sanction. Witnesses other than the parties normally are not permitted at the Impact Statement phase of the hearing; however, the board convener reserves the sole discretion to authorize the presence of other persons.
HEARING OUTCOMES

STANDARD FOR RESPONSIBILITY FINDING
All decisions by the board will be made by majority vote. The board first determines whether the responding party is responsible for violating University policy, and then, if appropriate, determine by majority vote the sanction to be imposed on the responding party. A finding of responsibility must be supported by a “preponderance of the evidence,” which means that the University establishes that it is more than likely that the responding party is responsible for violating policy. If the board does not find that there is a preponderance of the evidence to support a finding of a violation of our policy, the board will then consider whether other violations of this policy occurred.

SANCTION FINDINGS
After the board has made a determination, the board may impose any sanction that it finds to be fair and proportionate to the violation and in the interests of the University community, including the responding party and reporting party, and that is authorized for violations of the Student Code of Conduct, including disciplinary probation, suspension and expulsion. In determining an appropriate sanction, the board may consider any record on the part of the responding party of past violations of the Student Code of Conduct, as well as the nature and severity of the violation(s) and any mitigating circumstances. The board will consider as part of its deliberations if the responding party poses a continuing risk to the reporting party and/or University community. The University expects all cases involving a finding of sexual assault to involve consideration of the sanctions of suspension or expulsion. Any sanction imposed is based on a majority vote of the board.

A public notice will be posted that includes the nature of the conduct and each charge for which the party was found responsible or not responsible. If there is a finding of responsibility, the public notice will include the sanction imposed for the charge. The office of the vice president for Enrollment Management, Student Development and Student Success will maintain copies of all public notices for 10 years. During that period, the notices will be available upon request.

SANCTION LEVELS
In instances involving student violations of the policy, the charge(s) will correspond with the following sanction ranges, based on the severity of the alleged violation(s):

- Harassment/discrimination (of a non-sexual nature) (Level 2 to Level 4)
- Sexual assault (Level 1 to Level 2)
- Sexual misconduct (Level 1 to Level 3)
- Sexual harassment (Level 1 to Level 3)
- Sexual discrimination (Level 1 to Level 3)
- Dating violence (Level 1 to Level 3)
- Domestic violence (Level 1 to Level 3)
- Stalking (Level 1 to Level 3)
HEARING OUTCOMES (continued)

NOTIFICATION LETTER
Within 10 calendar days following the hearing or an extended time as the board chair may determine for good cause, the board will issue its decision in writing (the “Notification Letter”). The Notification Letter will be simultaneously sent to the reporting party’s and the responding party’s SXU email accounts through Maxient, with a copy provided to the Title IX coordinator. Should there be any change to the hearing result prior to the time it becomes final, the reporting party and responding party will also be notified simultaneously in writing. The Notification Letter will contain the following information: (1) the name of the responding party; (2) whether the responding party has been found responsible or not responsible of the charges; (3) the sanction imposed, if any; (4) the rationale for the board’s finding as to responsibility and, if appropriate, the rationale for the sanction imposed; and (5) procedures for filing an appeal. University policy neither encourages nor discourages further disclosure of the Notification Letter by either the reporting party or responding party. The University encourages a student who wishes to disclose the Notification Letter to any other person to consult with legal counsel before doing so.

EFFECTIVE DATE OF SANCTION
Sanctions imposed by a board are not effective until any timely administrative appeal of the decision by the responding party is completed. However, if advisable to protect the welfare of the reporting party or the University community, the board may include in its Notification Letter that any probation, suspension or expulsion is effective immediately and will continue in effect until the Title IX coordinator (or designee) may otherwise determine in their sole discretion. The Title IX coordinator (or designee) may suspend the board’s determination, pending exhaustion of an appeal, or allow the responding party to attend classes or participate in other University activity(ies) on a supervised or monitored basis. The decision(s) of the Title IX coordinator (or designee) in this regard is in their sole discretion and is not appealable.

EARLY RESOLUTION
The hearing coordinator and/or board convener may propose a resolution of a complaint and request for formal hearing, with the consent of the reporting party, at any time in cases where the responding party wishes to acknowledge responsibility violating the policy and agrees to be subjected to a sanction.
APPEAL

The reporting party and responding party each may appeal the board’s decision by notifying the Title IX coordinator (or designee) in writing of the specific grounds for the appeal within seven (7) calendar days of the date of the board’s decision. The non-appealing party has seven (7) calendar days to respond to any written appeal but is under no obligation to respond to an appeal.

All appeals are reviewed by an appellate panel (the “Appeals Board”) consisting of three (3) impartial and trained University officials designated by the Title IX coordinator (or designee). The Appeals Board reviews the record presented to the board with respect to the grounds for the appeal. The board will overturn a board’s decision if it finds that the board exceeded the bounds of the rationally available choices given the facts and standards set forth in the policy. The decision of the board is based on a majority vote, and that decision is final. The panel's decision will be issued in writing and simultaneously mailed to the each party’s SXU email account through Maxient with a copy provided to the Title IX coordinator.

VIOLATION LEVELS AND CONSEQUENCES FOR STUDENTS

Any SXU student who engages in any act or conduct proscribed in this policy may, upon finding of responsibility by the appropriate hearing authority, be subject to one or more of the following consequences.
VIOLATION LEVELS

For every finding of a violation of the Title IX policy, the Title IX coordinator assigns a corresponding level of violation. Levels, ranging from 1 (most serious) to 5 (least serious), indicate the alleged seriousness of a violation. Levels also dictate consequences that may be imposed if a student is found responsible for a violation. The hearing authority ultimately determines a level of responsibility.

LEVEL 1:
   a) The student may be expelled from the University and permanently separated from the University. Expulsion may be immediate if warranted.
   b) The student must be dismissed for a minimum of one year. Dismissal may be immediate if warranted.
   c) As with any other separation from the University, students wishing to return to the University must re-apply for admission to the Dean of Students. Students found responsible at this level are not entitled to a refund of tuition or housing costs.

LEVEL 2:
   a) The student may be dismissed from the University for a period not to exceed one year.
   b) If the option in “a” is not warranted, then the hearing authority must remove the student from residency on campus and impose restrictions on that student’s access to campus areas. In the case of a commuter, the student shall be restricted from entry into non-academic buildings.
   c) As with any other separation from the University, suspended students wishing to return to the University must re-apply for admission to the Dean of Students. In the case of removal from residency, students must apply for housing through the director of residence life. Students found responsible at this level are not entitled to a refund of tuition or housing costs.
   d) The student may be put on disciplinary probation for a specific time period. The hearing authority may impose any other consequence(s), other than dismissal, which it considers applicable including but not limited to, delay of diploma, non-attendance at commencement ceremonies, prohibiting entry to campus buildings or areas, loss of group recognition, personal counseling, community restitution, financial restitution, assigned tasks, etc.

LEVEL 3:
   a) The student’s residency status may be terminated or altered, and he/she may be restricted from areas on campus. A commuter student may be restricted from some campus buildings or areas. In the case of removal from residency, the student(s) must apply for housing to the director of Residence Life. In the case of a commuter student, he/she shall be restricted from non-academic areas and unable to attend campus-wide events. The student may be put on disciplinary probation for a period of time.
   b) Students found responsible at this level are not entitled to a refund of housing costs.
   c) If the options in “a” and “b” above are not warranted, then the hearing authority shall impose a consequence of community restitution hours or social restrictions for a specified time, during which certain privileges may be revoked including, but not limited to, attendance at commencements or extracurricular activities, attend or sponsor events such as intramurals and student activities events, use campus facilities, etc. It may also impose any other consequence(s) that it considers applicable including, but not limited to, non-attendance at commencements ceremonies, assigned tasks, participation in counseling, etc.

LEVEL 4:
   a) The student may have social restrictions imposed for a specified period during which certain privileges may be revoked which include, but are not limited to, participation in intramurals or other social events, visits to other buildings or use certain facilities, etc.
   b) If the options in “a” above are not warranted, then the hearing authority must include a warning to the student regarding future violations. It may also impose any other consequence(s), excluding those in “a” above, which it considers applicable including, but not limited to, restitution, assigned tasks, community restitution hours and participation in counseling.

LEVEL 5:
   a) The hearing authority must impose a consequence of a general warning in the student's file. It may also impose any other consequence(s) which it considers applicable, including but not limited to, community or financial restitution, assigned tasks and participation in educational activities.
SANCTIONS

a) Expulsion from the University - Expulsion is the most serious University disciplinary action and involves the permanent exclusion of the student from the University. Expulsion involves the following: forfeiture of all rights and degrees not actually conferred at the time of the expulsion; notification of the expulsion provided to the student, the academic deans and his/her parents or guardian if the student is a dependent; permanent notation of the expulsion on the student’s academic and disciplinary records; withdrawal from all courses; and forfeiture of tuition and fees. Any student expelled from the University must refrain from visiting the University premises except when engaged in official business with prior written approval from the Office of Student Life.

b) Suspension from the University - Suspension from the University involves the temporary removal of the student from the University for a specified period of time. Suspension from the University further involves the following: the suspension will be documented on the student’s disciplinary record; the student will be withdrawn from all enrolled courses; the student shall forfeit fees; the student must refrain from visiting the University premises except when engaged in official business approved in writing by the Office of Student Life. Persons notified of the suspension may include parents, academic deans, Public Safety or other appropriate personnel at the discretion of the Office of Student Life.

c) Reinstatement from Suspension: When a student has concluded the suspension period and completed the conditions accompanying the suspension, the student must submit a letter to the Office of Student Life requesting reinstatement and providing evidence that the terms of the suspension have been met. The student may return to the University only after an affirmative decision has been made by the Office of Student Life.

d) Postponement of Activity Participation and Conferring of Honors and Degrees - The University reserves the right to delay or postpone the involvement of a student in any University-related activity or delay or postpone the conferring of any honor or degree – pending the outcome of any of the student conduct procedures or actions.

e) Termination of Housing Contract - Termination of the housing contract will result in the immediate removal of the student from University housing, forfeiture of fees and loss of visitation privileges. In addition, this action could affect a student’s future housing contract status with Residence Life. A signed contract for future terms could be rescinded, or a refusal to accept any future housing contract for a designated time period could be imposed.

f) Disciplinary Probation - Disciplinary probation is a formal notice that the student's behavior is unacceptable, affecting the non-academic status of the student. Disciplinary probation requires that during the probation period the student behaves in a manner that does not violate the University’s Code of Student Conduct. Disciplinary probation lasts for a designated period of time, typically not less than one semester. This action could make the student ineligible to hold office in any organization or represent the University in any official capacity. In some cases, co-curricular activities and/or access to campus grounds and facilities may be restricted. Students on disciplinary probation are subject to a loss of priority for housing renewal and may not be permitted to request housing during the University breaks. It is further understood that any further violation, even of a minor nature, could warrant immediate suspension or expulsion from the University. Notification of disciplinary probation may include parents, academic deans, Public Safety or other appropriate personnel at the discretion of the Office of Student Life or the Conduct Board.

g) Administrative Move - The student will be required to move to another room assignment within University housing. Billing may be adjusted at the discretion of the hearing officer(s) or the Office of Student Life.

h) Suspension from University Housing - The student will be required to vacate University housing for a given time, with the understanding the student may return at a designated day/time. During this time, the student may not enter any University housing. The student must surrender his/her key and key card access for the time of suspension of residency. Financial credit is not granted during the suspension.
i) Limitations on University Activities and Access - Limitations on University activities and/or access are imposed to restrict or suspend a student's use of University facilities and services, participation in University programs, and access to members of the University community when it has been determined to be in the best interest of the student and/or the University. These limitations are imposed for a specified period of time and may include, but are not limited to: ineligibility for service as an officer or member of any University organization or committee, restricted participation in any co-curricular or intercollegiate activity, ineligibility to receive or maintain any award from the University, prohibition from attendance at social events, restricted access to designated University building(s) and restricted contact or total disassociation from a member or members of the University community.

j) Community Restitution - Activities or actions designed to return to the community a portion of the good will that was taken away by the commission of the violation. Service to the community should be designed to better the social and/or physical environment of the University and its surrounding community.

k) Restitution and Fines - Restitution is compensation required of students who engage in the theft, misuse, damage or destruction of institutional, group or private property. For some violations, fines may be imposed. The amount, form and method of payment for restitution and fines will be determined by the hearing officer(s).

l) Psychological and/or Alcohol and Drug Assessment - A required psychological or alcohol/drug assessment conducted by a licensed counselor at the University for the purposes of counseling only. The University reserves the right to request a formal diagnosis from a physician or other external provider, at the student's expense, and the ability to consult with external providers.

m) Administrative Directive - The administrative directive is a statement, written, oral or as part of a University policy, from an administrator of the University to be complied with by student(s) that may require refraining from conduct or completing an act.

n) University Housing Probation - University housing probation is a formal notice that the student's behavior is unacceptable in University housing, and that continued misconduct could result in further disciplinary action. University housing probation is for a specified time period, typically not less than one semester. During the probationary period, the student must demonstrate willingness and ability to act in accordance with acceptable standards of community living. The student may be required to resign any residence hall office or committee appointment, and/or may be subject to restricted participation in Residence Life programs.

o) Educational Activities - Educational activities are required activities intended to involve the student in a positive learning experience related to the student's unacceptable behavior. Educational activities allow students to reflect upon their inappropriate behavior, to understand why their behavior was inappropriate and to educate other students so they do not find themselves in similar circumstances. This type of disciplinary action may include, but is not limited to, engaging in a campus or community service project, attending or presenting a program related to the implications of the student's conduct, writing a paper, interviewing someone or engaging in some type of personal assessment, mediation or counseling.

p) University Warning - A University warning is an official warning that the student's behavior is inappropriate and violates the Code of Student Conduct of Saint Xavier University. A copy of the letter of warning is placed in the student's file and serves as notification that further misconduct could result in additional disciplinary action.

q) Other consequences as warranted.

**RECORDS**

The Title IX coordinator will retain records of all reports, allegations and complaints, regardless of whether the matter is resolved by Title IX assessment, disciplinary proceedings or another means.

Affirmative findings of responsibility in matters resolved through the processes described herein are part of a student's conduct record. Such records will be used in the review of any further conduct matters. The University will maintain these records for the duration of the responding party's relationship with the University and may retain them for no less than seven years following the responding party's departure from the University. In allegations involving child abuse, the University may keep the records indefinitely.
TITLE IX REVIEW, INVESTIGATION AND RESOLUTION FOR COMPLAINTS AGAINST FACULTY, STAFF AND OTHER NON-STUDENTS

Because the relationship of students, staff and faculty with the University differ in nature, the procedures that apply when seeking disciplinary action also differ in several respects. The University offers both informal and formal procedures for promptly, fairly and impartially investigating and resolving complaints of employee violations of the policy. Informal and formal procedures will be initiated as soon as possible and within five (5) calendar days of the filing of the complaint, absent any unusual circumstances.

Depending on the nature of the complaint, the Title IX coordinator (or designee) will either assign a mediator or investigator as described below. The Title IX coordinator (or designee) will notify the responding party that a complaint has been filed against them and provide that party a copy of the complaint. The Title IX coordinator (or designee) will explain to both the reporting party and responding party the avenues for informal and formal action as appropriate, including a description of the process and the relevant avenues of redress to the reporting party and responding party and provide them a written summary of the process. The Title IX coordinator (or designee) will notify the relevant vice-president/division head, general counsel and the president of the faculty union (if the responding party is a bargaining unit member) as soon as possible after receiving the complaint and provide the responding party, reporting party, the relevant vice-president/division head and the union president (when appropriate) with a copy of the complaint.

All investigations, whether resolved by informal or formal means, will be conducted as expeditiously as possible and normally will be completed within 60 calendar days after receipt of the complaint, except where other circumstances require it. When an extension of the timeframe is required for good cause, written notice will be provided to the reporting party and responding party of the delay and the reason for the delay. If a reporting party and/or responding party withdraws from the University at any stage of the formal investigation, the University will continue its process as per this policy.

INFORMAL PROCEDURES FOR EMPLOYEE VIOLATIONS OF THE POLICY

Mediation is an informal, voluntary process that allows the reporting party and responding party involved in an alleged complaint of discrimination or harassment to discuss their respective understandings of the incident with each other through the assistance of a trained mediator. Mediation is designed to encourage each person to be honest and direct with the other and to accept personal responsibility where appropriate. Mediation is only offered as an option if both parties are employees of the University. Mediation is not appropriate for certain cases, such as alleged sexual assaults, even on a voluntary basis.

Upon the consent of all parties to the complaint, the Title IX coordinator (or designee), with relevant supervisors when appropriate, will seek an outcome through mediation to be conducted by University staff or an external professional engaged by the University. Any resolution through mediation also must be mutually agreed upon by all parties. Both parties have the right to bypass or end the informal complaint process at any time to begin the formal stage of the complaint process.

Records arising from informal procedures will not be used for any purpose other than those described above unless a complaint subsequently results in a formal hearing or otherwise becomes part of a legal action. Since informal level records represent allegations not supported by formal findings of fact, they will be maintained in a confidential manner separate from any other records for four (4) years. They will be destroyed after that period if no further allegations or formal complaints have been received concerning the same individual. Such records shall not be used as a basis for determination of a violation of the University’s Title IX Policy in any investigation or hearing involving a future complaint involving the same responding party. The responding party is entitled to include a response to documents contained in the confidential personnel file(s).
FORMAL PROCEDURES FOR EMPLOYEE VIOLATIONS OF THE POLICY

If the allegation of harassment has not been resolved after the informal procedures, is not, in the Title IX coordinator’s (or designee) opinion, suitable to informal resolution, or if either the reporting party or responding party request to begin the formal complaint process, a formal investigation will be initiated.

The responding party will be afforded 14 calendar days from the date that the formal investigation was initiated to provide a written response to the allegations. A copy of any response will be provided to the reporting party.

The Title IX coordinator (or designee) will either investigate the complaint or assign the matter to an investigator to promptly, fairly and impartially investigate the complaint. Investigators are impartial and trained professional staff. Their training is provided at least annually on issues including, but not limited to, dating violence, domestic violence, sexual assault and stalking; how to conduct investigations; protecting victim safety; and promoting accountability.

The investigation of all formal complaints will include, when appropriate, separate interviews of the reporting party, the responding party and any witnesses and other persons who are identified as having relevant information and who agree to be interviewed. The reporting and responding parties will have the opportunity to identify witnesses and other evidence for consideration. If the responding party is represented by a bargaining agent, the responding party may have that agent present at any interview with the investigator.

The investigator will investigate the complaint and report the results, conclusions and recommended actions, if any, to the Title IX coordinator (or designee) the appropriate vice-president/division head and general counsel. A summary of the report will also be provided to the reporting party and responding party. Upon the recommendation of the Title IX coordinator (or designee), the appropriate vice-president/division head will initiate disciplinary action as soon as reasonably practicable, when in their judgment it is appropriate, and will attempt to take whatever steps are necessary to prevent recurrence of the offending behavior and to correct its discriminatory effects on the reporting party and others, if appropriate. The reporting party, responding party and the faculty president (when appropriate) will be informed of the final decision and any actions to be taken. Disciplinary action may include, but is not limited to, additional mandatory training, documented warning, suspension with or without pay and termination.

The responding party is entitled to include a response to allegations, investigative findings and documents included in the confidential personnel or student file(s), as the case may be. Implementation of and challenge to any disciplinary action will be handled according to applicable procedures, as provided by the relevant collective bargaining agreement.

APPEALS OF RESOLUTION OF EMPLOYEE VIOLATIONS

In instances where the reporting party and responding party are members of the collective bargaining agreement, any appeal of a final decision will be governed by the relevant appeal process outlined in the collective bargaining agreement. In instances where the reporting party is a student and the responding party is an employee, the student appeal shall be handled by the Title IX coordinator (or designee). A student seeking to appeal a final decision shall notify the Title IX coordinator (or designee) in writing of the specific grounds for the appeal with seven (7) calendar days of the date of the final decision. The non-appealing party has seven (7) calendar days to respond to any written appeal. A non-appealing party is under no obligation to respond to any appeal. The Title IX coordinator (or designee) shall review the record to determine if the final decision was within the bounds of the rationally available choices given the facts and standards set forth in the policy. The Title IX coordinator’s decision on the appeal shall be final.
EDUCATION AND PREVENTION PROGRAMS

Saint Xavier University takes its compliance obligations very seriously. Throughout the year therefore, the University is committed to offering a number of educational programs designed to promote awareness of sexual harassment, sexual assault, dating and domestic violence, stalking and retaliation. Prevention programs will include an overview of the University’s policies and procedures; relevant definitions, including prohibited conduct; discussion of the impact of alcohol and illegal drug use; effective consent; effective options for bystander intervention; and other information about risk reduction. Provision of the University’s primary and ongoing prevention and awareness programs for students and employees is the joint responsibility of the Title IX coordinator, director of Public Safety, Human Resources and Sexual Assault Prevention Education staff. This group will provide a calendar of compliance update programs for each academic year. Please consult the Human Resources web page for additional information.

The University’s primary prevention programs and ongoing prevention and awareness campaigns cover the following:

- The University’s prohibition of all forms of discrimination, harassment, sexual assault, sexual misconduct, sexual harassment, domestic violence, dating violence and stalking.
- The University’s Sexual Misconduct Policy, including a discussion on what it covers, how it works, the definitions of consent and policy violations, and the University’s obligation to promptly report and fairly and impartially investigate and resolve all complaints of that policy.
- Bystander intervention strategies, safe and positive options, that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking.
- Risk reduction information, which includes options designed to decrease perpetration and bystander inaction and increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence.

Notifications, training, workshops and events include, but are not limited to:

STUDENTS

- Annual notification of the policy and available resources during new student orientation during the summer and fall prior to the start of the academic year. Additionally, all new first year and transfer undergraduate students complete an online bystander intervention education program, called EveryChoice.
- Annual bystander intervention campaigns and workshops provided to incoming students each fall semester hosted by Cartharsis Programs such as Sex Signals, The Hook Up and Beat the Blame Game.
- Campus-wide events such as It’s on Us campaign, the Red Flag campaign, The Clothesline Project, Denim Day, Sexual Assault Awareness Month (April), Domestic Violence Awareness Month (October), One Love, Walk a Mile in Her Shoes, Polished Man and Take Back the Night.

FACULTY & STAFF

- Annual notification of the policy and available resources.
- Annual training for all Student Life staff and Behavior Intervention Team (Care Team) members.
- Annual training for University faculty and staff who serve as investigators, mediators and conduct board members for addressing allegations of violations of the University’s Sexual Misconduct policy. This training includes, but is not limited to, dating violence, domestic violence, sexual assault and stalking; how to conduct investigations and hearings; protecting victim safety and promoting accountability.
- Annual training for advisors of registered student organizations.
- Faculty and staff completion of the online course, “Preventing Workplace Harassment, Ongoing Prevention and Awareness Campaigns.”
COMPREHENSIVE RESOURCE LIST
UNIVERSITY RESOURCES

Title IX Coordinator/Maureen Wogan
Vice President for Enrollment Management, Student Development and Student Success
Office: WAC L-103
Phone: (773) 298-3010
Email: wogan@sxu.edu

Deputy Title IX Coordinator-
Staff/Gerry Horan
Director of Human Resources
Office: Human Resources Building
Phone: (773) 298-3450
Email: ghoran@sxu.edu

Deputy Title IX Coordinator -
Students/Katy Thompson
Dean of Students and Director of Residence Life
Office: WAC L-103
Phone: (773) 298-3123
Email: thompson@sxu.edu

Deputy Title IX Coordinator -
Students/Samantha Maher Sheahan
Associate Dean of Students
Office: WAC L-103
Phone: (773) 298-3122
Email: mahersheahan@sxu.edu

Counseling Center
(confidential reporting and services)
The SXU Counseling Center is a free, confidential resource for SXU students. The Counseling Center can provide support, help students make decisions about proceeding with a complaint, and assist students with accessing additional health or mental health resources.
Office: 3911 W. 103rd St., Driehaus Center
Phone: (773) 298-4045
http://www.sxu.edu/student-life/counseling/index.asp

Dean of Students Office
The Dean of Students Office can assist students in knowing their full range of options for response to an incident, assist with interim measures such as a housing or course change, provide no contact directives, and protect against retaliation. This office manages all formal investigations of student misconduct under Title IX.
Office: L-103, Warde Academic Center
Phone: (773) 298-3123
Email: deanofstudents@sxu.edu
https://www.sxu.edu/dean-students/index.asp

Health Center
(confidential reporting and services)
The Health Center is a confidential resource that can provide primary health care and test for STDs and can provide referrals to other providers. The Health Center cannot collect evidence.
Office: 3925 W. 103rd St., Driehaus Center
Phone: (773) 298-3712
Email: healthcenter@sxu.edu

Public Safety
SXU Public Safety can assist in keeping students safe on campus and help students file complaints with local law enforcement agencies.
Office: Campus Service Center
Non-Emergency Phone: (773) 298-4400
Emergency Phone: (773) 298-3911
Email: publicsafety@sxu.edu
https://www.sxu.edu/public-safety/index.asp
COMMUNITY RESOURCES

Pillars Community Health
(confidential advisor)
Trained and sensitive counselors and advocates are available on the phone and in person to help the victim through the process and, at the victim’s request, will accompany them to the hospital, police station, or Public Safety office. All contact with Pillars is confidential.
Main Line: (708) PILLARS (745-5277)
Domestic Violence Hotline: (708) 485-5254
24-hour Sexual Violence Hotline: (708) 482-9600

Arab American Family Services
Address: 9044 S. Octavia Ave. Bridgeview, IL 60455
Phone: (708) 599-2237
AAFS is a non-profit organization that provides services and resources to sexual assault victims in the Arab/Muslim Community.

Local Law Enforcement Agencies
Chicago Police Department - 22nd District
Address: 1900 W Monterey Ave, Chicago, IL 60643
Phone: (312) 745-0570

Evergreen Park Police Department
Address: 9420 S Kedzie Avenue, Evergreen Park IL
Phone: (708) 422-2144

Oak Lawn Police Department
Address: 9446 Raymond Avenue, Oak Lawn IL
Phone: (708) 422-8292

Local Hospitals
Advocate Christ Hospital
Address: 4440 95th St, Oak Lawn, IL 60453
Phone: (708) 684-8000

Little Company of Mary
Address: 2800 95th St, Evergreen Park, IL 60805
Phone: (708) 422-6200

MetroSouth Medical Center
Address: 12935 Gregory St, Blue Island, IL 60406
Phone: (708) 597-2000

Palos Community Hospital
Address: 12251 S 80th Ave, Palos Heights, IL 60463
Phone: (708) 923-4000
OTHER RESOURCES

Employee Assistance Program at SXU
Employee Assistance Program at Saint Xavier University provided by Metropolitan Family Services
Free, confidential 24/7 telephone and face-to-face support for Saint Xavier University employees regarding
relationships, life changes, challenges and other issues.
Phone: 1 (800) 905-0994

FORGE
FORGE – Improving the lives of transgender and SOFFA individuals since 1994, building strong
connections, providing resources, and empowering personal growth for Transgender and gender
non-conforming individuals.
wwwforge-forward.org; AskFORGE@forge-forward.org; (414) 559-2123

LIFEWIRE
LifeWire is on a mission to end domestic violence and create a world where every person lives in a safe
environment, free from oppression and with the opportunity to thrive.
www.lifewire.org; 1 (800) 827-8840 or (425) 746-1940 (24/7 crisis lines)

Sexual Assault Support and Help for Americans Abroad
www.sashaa.org

National Dating Abuse Hotline
www.loveisrespect.org; 1 (866) 331-9474; 1 (866) 331-8453 (TTY)

National Domestic Violence Hotline (NDVH)
The National Domestic Violence Hotline can provide advocacy, resources, referral, and legal assistance to
victims of relationship violence. The hotline is under no obligation to notify the University when providing
services to students. NDVH provides support as well to the LGBTQ community at
www.thehotline.org/is-this-abuse/lgbt-abuse.
http://www.thehotline.org; 1 (800) 799-SAFE (7233); 1 (800) 787-3224 (TTY)

Rape, Abuse & Incest National Network (RAINN)
www.rainn.org; 1 (800) 656-HOPE (4673)
RAINN offers confidential, anonymous assistance 24 hours a day, 7 days/week. RAINN also aids men at

1 in 6.org provides support to men who have had unwanted or abusive sexual experiences in childhood.
https://1in6.org/

Crisis Text Line
The Crisis Text Line is a free 24/7 support for those in crisis. Text 741741 from anywhere in the USA to text
with a trained Crisis Counselor.
http://www.crisistextline.org/how-it-works

State of Illinois Domestic & Sexual Violence
Hotline: (877) 863-6338

Updated January 16, 2020

Saint Xavier University does not discriminate on the basis of race, religion, age, sex,
color, national or ethnic origin, sexual orientation, gender identity, veteran status or disability.