This policy provides the philosophy and standard exercised by the University of Northwestern regarding all forms of unlawful sex discrimination in its community. This policy applies to the following forms of unlawful sex discrimination, which are collectively referred to as “sexual misconduct”: sexual harassment, sexual assault, domestic violence, dating violence, stalking, and sexual exploitation. This policy documents the University of Northwestern – St. Paul’s commitment to prevent sexual misconduct, identifies the steps for recourse for those individuals who assert their rights have been violated, and defines the procedures for determining if a policy violation has occurred, including remedies, sanctions, and appeals.

*Nothing contained in this Policy is intended to create a contract between University of Northwestern and any student, employee, independent contractor, or vendor.*
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SEXUAL MISCONDUCT POLICY

I. INTRODUCTION
The University of Northwestern | Northwestern Media (“Northwestern” or the “University”) affirms the Biblical principle that all human beings are created in the image of God. It is out of this truth that our community seeks to provide a campus culture that is free from sexual misconduct.

Northwestern’s students and employees have a right to an academic and employment environment which is free of all forms of sexual misconduct. Northwestern recognizes that such misconduct is inconsistent with biblical teaching and the University’s mission. Northwestern will not tolerate sexual misconduct in any form. As defined in more detail below, sexual misconduct includes sexual harassment, sexual assault, domestic violence, dating violence, stalking, and sexual exploitation. When these actions occur, the boundaries and safety of the individual are violated, and the University community is negatively impacted, and potentially local, state, and federal laws are broken. Such conduct adversely and seriously affects an individual’s suitability as a member of the Northwestern community.

The goal of this policy is to create a community free of sexual misconduct. Additionally, through this policy, Northwestern seeks to aid victims of sexual misconduct and to enable the University to respond to such acts in a sensitive, just, and consistent manner.

Any act of sexual misconduct committed on Northwestern property or by or against a Northwestern community member, including conduct that occurs on or off campus or Northwestern property is prohibited and may result in disciplinary action up to and including termination of employment or expulsion.

The University will take steps to end sexual misconduct, prevent its recurrence, address its effects, and eliminate any hostile environment.

At Northwestern, we believe in honoring the holy sexual union within the context of the covenant of marriage, a covenant between one man and one woman. (Adapted from Declaration of Christian Community-University of Northwestern.) https://unwsp.edu/experience-northwestern/christian-values/declaration-of-christian-community While some portions of this policy may address intimate or sexual activities outside of marriage, such discussions should not be seen as condoning these actions. At the same time, one individual’s engagement in intimate or sexual activities outside of marriage does not excuse sexual misconduct carried out against that individual. Northwestern is committed to protecting the members of its community against sexual misconduct—regardless of the context in which it arises.

Northwestern encourages the prompt reporting of any incident of sexual misconduct to Northwestern and to local law enforcement. Northwestern recognizes that some victims are hesitant to report sexual misconduct to University officials because they fear that they may be accused of other policy violations. It is in the best interests of our community that sexual misconduct is reported. To encourage reporting and promote safety, we will withhold a disciplinary response for any violation of other University policies in which a complainant and those who participate in an investigation might have engaged in connection with the reported incident. The University may still require the individual to participate in educational
or restorative action. In addition, amnesty may not be extended in instances where any individual is harmed by the conduct constituting a violation of other University policies, in which case the University may still pursue disciplinary action for the alleged violation of other University policies.

It is also a violation of Northwestern policy to engage in any conduct or communication in retaliation against anyone who has reported a policy violation, assisted in a complaint, or cooperated in an investigation. Retaliation should be reported promptly to the University.

NOTICE OF NONDISCRIMINATION

In accordance with applicable federal and state laws, such as Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Age Discrimination in Employment Act, and the Americans with Disabilities Act and ADA Amendments, the University of Northwestern – St. Paul does not unlawfully discriminate on the basis of sex, race, color, national origin, age, disability, marital status, genetic information, veteran status, or any other protected status under federal, state, or local law applicable to the University of Northwestern – St. Paul, in its education programs and activities, in employment policies and practices, and all other areas of the University. As a faith-based institution, the University is exempted from certain laws and regulations concerning discrimination. The University maintains the right, with regard to admissions, enrollment, employment, and other matters, to uphold and apply its religious beliefs related to, among other issues, marriage, sex (gender), gender identity, sexual orientation, and sexual activity.

Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that 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.” Sex discrimination is conduct based upon an individual’s sex that excludes an individual from participation, denies the individual the benefits of, or otherwise adversely affects a term or condition of an individual’s employment, education, living environment or participation in a program or activity. Sexual harassment is a form of sex discrimination. In accordance with Title IX, this policy addresses University’s prohibition of the following forms of unlawful sex discrimination: sexual harassment, sexual assault, domestic violence, dating violence, stalking, and sexual exploitation. Allegations of sex discrimination that do not involve sexual misconduct will be handled in accordance with the Non-Discrimination Policy and Harassment: All Unlawful Forms Policy.

Reports of sexual misconduct will be promptly and thoroughly investigated and appropriate action will be taken, including resulting adjudication—together with remedies and sanctions/disciplinary measures. All faculty, staff, and students are responsible for maintaining a safe environment for education and work. This includes taking appropriate action to prevent and eliminate sexual misconduct.

Questions or concerns about Title IX, sex discrimination, sexual harassment, or other forms of sexual misconduct may be referred to Northwestern’s Title IX Coordinator:

Kelly Franck
Human Resources Generalist
Questions or concerns may also be referred to the U.S. Department of Education’s Office of Civil Rights:

The Office of Civil Rights  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481  
Facsimile: 202-453-6012 TDD#: 800-877-8339  
Email: OCR@ed.gov  
http://www.ed.gov/ocr

Questions or concerns regarding the Rehabilitation Act and Title II of the ADA may be referred to:

Pearl Ferrin  
Compensation & Benefits Manager  
Human Resources  
Riley Hall: R1708  
3003 Snelling Avenue North, St. Paul, MN 55113  
651-631-5375  
plferrin@unwsp.edu

II. SCOPE

• This policy covers all Northwestern community members, including students, employees, faculty, administrators, staff, applicants for admission, and other individuals or entities, such as trustees, volunteers, independent contractors, vendors, visitors, and any individuals and entities who are regularly or temporarily employed, studying, living, visiting, conducting business, interacting with a member or members of our community, or having any official capacity with Northwestern or on Northwestern property.

• All Northwestern community members are required to follow Northwestern’s policies and local, state, and federal law.

• This policy applies to sexual misconduct committed by or against a Northwestern community member, including conduct that occurs on campus or Northwestern property.

• This policy applies to off-campus activities sponsored or sanctioned by the University or which otherwise relate to the University or its business. Such activities include, but are not limited to, professional meetings, classes, practicums, seminars, study abroad trips/programs, mission trips, distance education, and all other activities involving or relating to the University.
• This policy applies to off-campus conduct that may cause or threatens to cause an unacceptable disruption at the University or which may interfere with an individual’s right to a non-discriminatory educational or work environment.

• The actions outlined in this policy may be taken regardless of whether a formal complaint is filed.

• This policy and procedures will be used to process complaints of sexual harassment, sexual assault, domestic violence, dating violence, stalking, and sexual exploitation (collectively, “sexual misconduct”). Other complaints of sex discrimination not involving allegations of sexual misconduct will be processed under the Non-Discrimination Policy and Harassment: All Unlawful Forms Policy.

• This policy is subject to Northwestern’s exemption from certain laws and regulations concerning discrimination and its right to uphold and apply its religious beliefs with regard to sexual orientation and gender identity in admissions, enrollment, employment, and other matters. However, Northwestern has no tolerance for any form of sexual harassment or sexual violence committed against any individual, regardless of the individual’s sexual orientation or gender identity.

III. DEFINITIONS

The definitions below explain the conduct prohibited by this policy and other key terms. This policy includes, where applicable, definitions related to sexual misconduct under Minnesota law. For more information on the criminal law definitions in other states in which Northwestern employees or students are located, please see the state-specific information in Appendices D-I at the end of this policy. Northwestern prohibits both conduct prohibited by law and any other conduct prohibited by the terms of this policy.

A. Victim refers to an individual who is alleged to have been subject to conduct that violates this policy.

B. Accused refers to an individual who has been accused of prohibited conduct under this policy.

C. Complainant refers to the person(s) filing a complaint with the University under this policy. In addition, the term “complainant” may also be used to refer generally to a person alleged to have been subjected to conduct that violates this policy, whether or not they have filed a complaint.

D. Respondent refers to the person(s) named as the perpetrator in a complaint who is alleged to have committed an act in violation of this policy.

E. Third Party refers to any other participant in the process, including a witness to the incident or an individual who makes a report on behalf of someone else.

F. Report: an account of the sexual misconduct that has allegedly occurred that could be provided to the University by the complainant, a third party, or an anonymous source.

G. Complaint: an alleged policy violation that begins a complaint resolution process as set forth in the Procedures for Sexual Misconduct Complaint Resolution.
H. Sexual Misconduct: As used in this policy, sexual misconduct means the following forms of sex discrimination and other misconduct:

- Sexual and gender-based harassment
- Sexual assault
- Domestic violence
- Dating violence
- Stalking
- Sexual exploitation
- Aiding acts of sexual misconduct

H.1. Sexual harassment is a form of sex discrimination. Sexual harassment is unwelcome conduct of a sexual or gender-based nature, including sexual advances, requests for sexual favors, offensive comments or other conduct based on sex, sexually motivated physical contact, or other verbal, nonverbal, or physical conduct or communication of a sexual nature, including sexual violence, when:

- submission to that conduct is made, either explicitly or implicitly, a term or condition of an individual’s educational experience or employment, or the individual’s submission or rejection of such conduct is used as the basis for an educational program or activity decision or employment decision affecting such individual (“quid pro quo” harassment); or
- such conduct has the purpose or effect of substantially and unreasonably interfering with an individual's employment or education, or of creating an intimidating, hostile, or offensive employment or educational environment (“hostile environment” harassment).

Hostile environment harassment exists when there is unwelcome conduct that is sufficiently severe, pervasive/persistent, and clearly/objectively offensive that it alters the conditions of education or employment. The circumstances to determine when an environment is “hostile” could include:

- The frequency of the conduct;
- The nature and severity of the conduct;
- Whether the conduct was physically threatening;
- The effect of the conduct on the victim’s mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the victim’s educational or work performance;
- Whether the conduct was merely a discourteous, rude, or insensitive statement;

Some instances of dating violence, domestic violence, and stalking may not be sexual in nature. For purposes of this policy, the term “sexual misconduct” encompasses all instances of dating violence, domestic violence, and stalking (as those terms are defined in this policy), regardless of whether there is a sexual component to the behavior.
Whether the speech or conduct deserves the protections of academic freedom.

Sexual harassment includes any sexual or gender-based verbal, written, or physical conduct that is unwanted and/or unreasonably interferes with or deprives someone of academic, social or work-related access, benefits, or opportunities in the University community or creates an environment that interferes with the wellbeing and/or success of an individual.

Some examples of sexual harassment include, but are not limited to:
- Unwelcome sexual flirtations, advances, propositions, or touching of a sexual nature;
- Sexual violence;
- Requests for sexual favors;
- Punishing or threatening to punish a refusal to comply with a sexual-based request;
- Offering a benefit (such as a grade, promotion, or athletic participation) in exchange for sexual favors or other verbal or physical conduct of a sexual nature;
- Verbal abuse of a sexual nature or obscene language or slurs;
- Gender- or sexually-oriented jokes and comments;
- Verbal commentary about an individual’s body, sexual tone or innuendo, suggestive commentary about a person’s clothing and appearance;
- Displaying derogatory or sexually suggestive pictures or other objects in an office, on the exterior of a residence hall door, or on a computer monitor (e.g., pictures, cartoons, posters, or calendars);
- Visual conduct such as leering or making gestures;
- Unwanted kissing;
- Unwelcome touching of a sexual nature such as patting, pinching, or brushing against another’s body;
- Gossip about sexual relations;
- Videotaping or taking photographs of a sexual nature without consent;
- Cyber harassment, including but not limited to disseminating information, photos, or video of a sexual nature without consent.

H.2. Unwelcome conduct is conduct that the individual did not request or invite and regarded as undesirable or offensive. The fact that an individual may have accepted the conduct does not mean that he or she welcomed it. On the other hand, if an individual actively participates in conduct and gives no indication that he or she objects, then the evidence generally will not support a conclusion that the conduct was unwelcome. That a person welcomes some conduct or sexual contact does not necessarily mean that person welcomes other conduct or sexual contact. Similarly, that a person willingly participates in conduct or sexual contact on one occasion does not necessarily mean that the same conduct or sexual contact is welcome on a subsequent occasion. Whether conduct was unwelcome may be determined based on the context and circumstances of the encounter or incident, including various objective and subjective factors.

H.3. Sexual assault is any actual or attempted sexual contact with another person without that person’s consent. As used in this policy, sexual contact includes intentional contact by the accused with the victim’s genital area, groin, inner thigh, buttocks, or breasts, whether clothed or unclothed, or coerced
touching by the victim of another’s genital area, groin, inner thigh, buttocks, or breasts, whether clothed or unclothed. Sexual assault includes, but is not limited to, an offense that meets any of the following definitions:

- Rape: the penetration, no matter how slight, of the vagina or anus with any body part or object, oral penetration by a sex organ of another person, or oral contact with the sex organ of another person, without the consent of the victim;
- Fondling: the touching of the private body parts (including the genital area, groin, inner thigh, buttocks, or breast) of another person for the purpose of sexual gratification, without the consent of the victim;
- Incest: sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law; or
- Statutory rape: sexual intercourse with a person who is under the statutory age of consent; in Minnesota the age of consent is 16.

Sexual assault is a criminal act under state law. See Minnesota Statutes Section 609.341 et seq. for applicable criminal law definitions of criminal sexual conduct in Minnesota. Links to Minnesota Statutes concerning sexual violence can be found at http://www.mncasa.org/mn-sexual-violence-laws. For more information on the criminal law definitions of sexual assault in other states in which Northwestern employees or students are located, please see the state-specific information in Appendices D-I at the end of this policy.

H.4. Domestic Violence is a felony or misdemeanor crime of violence 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 or intimate partner;
- A person similarly situated to a spouse of the victim under the domestic or family violence laws of Minnesota (or, if the crime occurred outside of Minnesota, the jurisdiction in which the crime of violence occurred); or
- 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 Minnesota (or, if the crime occurred outside of Minnesota, the jurisdiction in which the crime of violence occurred). In addition to the relationships described above, Minnesota law defines domestic violence to include violence committed between parents and children, blood relatives, persons who are presently residing together or who have resided together in the past, persons who have a child together, persons involved in a significant romantic relationship, and a man and a woman, if the woman is pregnant and the man is alleged to be the father.

Domestic violence also may be called domestic abuse or spousal/intimate partner/relationship abuse or violence and is prohibited by state law. See Minnesota Statutes Section 518B.01 for applicable criminal law definitions related to domestic violence in Minnesota. For more information on the criminal law definitions related to domestic violence in other states in which Northwestern employees or students
are located, please see the state-specific information in Appendices D-I at the end of this policy. While not exhaustive, the following are examples of conduct that can constitute domestic violence:

- Physical harm, bodily injury, or assault;
- The infliction of fear of imminent physical harm, bodily injury, or assault;
- Terroristic threats, criminal sexual conduct, or interference with an emergency call.

**H.5. Dating Violence** is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse, such as sexual assault, physical harm, bodily injury, or criminal assault, or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Dating violence is also prohibited by state law. See Minnesota Statutes Section 518B.01 for applicable criminal law definitions related to dating violence in Minnesota. For more information on the criminal law definitions related to dating violence in other states in which Northwestern employees or students are located, please see the state-specific information in Appendices D-I at the end of this policy.

**H.6. Stalking** is engaging in a course of conduct directed at a specific person that would cause a reasonable person (1) to fear for her or his safety or the safety of others, (2) or to suffer substantial emotional distress.

**Course of Conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through another person, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

**Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.

**Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Stalking behavior includes, but is not limited to:

- Repeated, unwanted, and intrusive communications by phone, mail, email, texting, and/or other electronic communications, including social media;
- Repeatedly leaving or sending the victim unwanted items, presents, or flowers;
- Following or lying in wait for the victim at places such as home, school, work, or recreational facilities;
- Making direct or indirect threats to harm the victim, or the victim’s children, relatives, friends, or pets;
• Damaging or threatening to damage the victim’s property;
• Repeatedly posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth, that would cause a person to feel threatened or intimidated.

Stalking is also prohibited by state law. See Minnesota Statutes Section 609.749 for applicable definitions of criminal stalking. For more information on the criminal law definitions of stalking in other states in which Northwestern employees or students are located, please see the state-specific information in Appendices D-I at the end of this policy.

H.7. Sexual exploitation occurs when: a person takes sexual advantage of another for their own advantage or benefit or to benefit or advantage anyone other than the one being exploited without that person’s consent. Examples of sexual exploitation include, but are not limited to:
• Intentional and repeated invasion of sexual privacy (e.g., walking into the other person’s room or private space);
• Prostituting another person;
• Video- or audio-taping of sexual activity or body parts without consent;
• Any distribution of sexually explicit photos or videos without consent, including posting sexually explicit photos or videos in public or on social media sites;
• Intentional removal or attempted removal of clothing that exposes an individual’s bra or underwear or that is otherwise sexual in nature without consent;
• Viewing or permitting someone else to view another’s sexual activity or intimate body parts, in a place where that person would have a reasonable expectation of privacy, without consent;
• Engaging in voyeurism;
• Exposing one’s genitals or breasts or inducing another to expose their genitals in non-consensual circumstances;
• Knowingly transmitting a sexually transmitted disease or sexually transmitted infection to another person;
• Forcing others to view pornography.

I. Consent is words or overt actions by a person clearly communicating a freely-given present agreement to perform a particular sexual act. Words or overt actions clearly communicate consent when a reasonable person in the circumstances would believe those words or actions indicate a willingness to participate in a mutually agreed-upon sexual activity. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and obtaining consent. It is the responsibility of the person initiating the specific sexual activity to obtain consent for that activity.

The conditions of obtaining consent are subject to the following:

• Consent can only be given if one is of legal age. In Minnesota, the legal age of consent is 16 years old.
• Consent to one form of sexual activity cannot, by itself, constitute consent to other forms of sexual activity.
• Consent can be withdrawn at any time. When consent is withdrawn, the sexual activity for which consent was initially provided must stop.
• Consent is active, not passive. Silence or the absence of resistance or saying “no,” in and of themselves, cannot be interpreted as consent.
• Whether an individual actively and willingly participates in conduct may be a factor in determining whether there was consent.
• Previous relationships or previous consent do not, by themselves, constitute consent to future sexual acts. In cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may be factors in determining whether there was consent.
• An existing sexual, romantic, or marital relationship does not, by itself, constitute consent.
• Prior sexual activity with other individuals does not imply consent.
• Consent cannot be obtained, explicitly or implicitly, by use of force, intimidation, threats, or coercion.
• There can be no consent to sexual activity with someone known to be—or who should be known to be—mentally or physically incapacitated.
• Use of alcohol or other drugs will never function to excuse behavior that violates this policy.

I.1. Consent in romantic and/or sexual relationships of unequal status:
A romantic or sexual relationship between a faculty member and a student, a staff member and a student, or a supervisor and employee (including student supervisors and student employees) is considered inappropriate and against University policy. When such a relationship exists where there is a degree of power or authority between the individuals, it is of special concern because of the potential for conflict of interest and/or abuse of power.

The power differential inherent in faculty/student, staff/student, and supervisor/employee relationships compromises the subordinate's ability to freely decide. The respect and trust accorded a professor by a student, as well as the power exercised by the professor in giving praise or blame, grades, recommendations for further study and future employment, greatly diminish the student's actual freedom of choice. The same is true with respect to a staff member and student, and a supervisor and employee.

Faculty and staff members (including student employees) involved in a pre-existing romantic relationship with a student or employee for whom the faculty or staff member has a supervisory or academic responsibility or who is otherwise under the direction of the faculty or staff member must promptly report the relationship to Human Resources. Upon receiving notice, the University will make alternative staffing arrangements and such other additional arrangements as are necessary in the circumstances.

J. Coercion refers to conduct or intimidation that would compel an individual to do something against their will by the use of unreasonable pressure, physical force, or threats of severely damaging consequences, that would reasonably place an individual in fear of immediate harm or future harm. Coercion is more than an effort to persuade or attract another person to engage in sexual
activity. Coercive behavior differs from seductive behavior based on the degree and type of pressure someone used to get consent from another.

**K. Incapacitation** means the physical and/or mental inability to understand the fact, nature, or extent of the sexual situation. Incapacitation may result from mental or physical disability, sleep, unconsciousness, involuntary physical restraint, or from the influence of drugs or alcohol. With respect to incapacitation due to alcohol or other drug ingestion, incapacitation requires more than being under the influence of alcohol or other drugs; a person is not incapacitated just because they have been drinking or using other drugs. Where alcohol or other drugs are involved, incapacitation is determined based on the facts and circumstances of the particular situation, looking at whether the individual was able to understand the fact, nature, or extent of the sexual situation; whether the individual was able to communicate decisions regarding consent, nonconsent, or the withdrawal of consent; and whether such condition was known or reasonably known to the accused or a reasonable sober person in the accused’s position. Use of drugs or alcohol by the accused is not a defense against allegations of sexual misconduct and does not diminish personal accountability or criminal liability.

**L. Retaliation** is adverse action, or threat thereof, taken against a person for making a good faith report or complaint of an alleged violation of this policy, for supporting another person’s report, because of the person’s participation in a complaint or investigation of sexual misconduct, or for opposing in good faith a practice or conduct that the person reasonably believes is in violation of this policy. Retaliation includes, but is not limited to, any form of intimidation, threats, coercion, reprisal, harassment, or discrimination. See the No Retaliation section below for more information.

### IV. THE TITLE IX COORDINATOR
The Title IX Coordinator is a University official who has been appointed to address issues of sexual misconduct within the University community. The Title IX Coordinator is responsible for coordinating and overseeing the University’s efforts to end sexual misconduct, prevent its recurrence, and address its effects within the community. The Title IX Coordinator oversees and monitors the University’s overall compliance with Title IX-related policies and developments; the implementation and oversight of grievance processes and procedures, including review, investigation, and resolution of reports of sexual misconduct; and the provision of educational materials and training for the campus community.

Responsibilities of the Title IX Coordinator include:

- Ensuring University policies and procedures and relevant state and federal laws are followed;
- Advising any individual, including a complainant, a respondent or a third party, about the courses of action available at the University and in the community;
- Assisting any University employee regarding how to respond appropriately to a report of sex discrimination, sexual harassment, sexual assault, stalking, domestic violence, dating violence, or sexual exploitation;
- Monitoring full compliance with all procedural requirements and time frames outlined in this policy;
- Evaluating allegations of bias or conflict of interest relating to procedures outlined in the policy;
• Determining whether grounds for appeal under this policy have been stated in submitted appeals;
• Ensuring that appropriate training, prevention and education efforts, and periodic reviews of climate and culture take place;
• Coordinating the University’s efforts to identify and address any patterns or systemic problems revealed by reports and complaints; and
• Assisting in answering any other questions related to this policy.

If you have any questions or concerns involving sexual misconduct or would like to report a violation of this policy, please contact the Title IX Coordinator, Kelly Franck, Human Resources Generalist, Riley Hall: R1605, 3003 Snelling Avenue North, St. Paul, MN 55113, 651-631-5480, titleIX@unwsp.edu. (See Section VII, Reporting Options, below for more information.)

V. CONFIDENTIALITY
Northwestern is committed to protecting the privacy of all individuals involved in a report of sexual misconduct (including sexual harassment, sexual assault, stalking, domestic violence, dating violence, and sexual exploitation), and it encourages individuals who believe they have experienced sexual misconduct to talk to someone about what happened. Privacy and confidentiality have distinct meanings under this policy, and different people on campus have different legal reporting responsibilities, and different abilities to maintain privacy or confidentiality, depending on their roles at the University.

Confidential communications are those communications which cannot be disclosed to another person, without the reporter’s consent, except under very limited circumstances, such as allegations involving physical or sexual abuse of a minor or vulnerable adult, or allegations involving an imminent threat to the life of any person. In making a decision about whom to contact for support and information, it is important to understand that most University employees are not confidential resources, and are therefore obligated to report to the University any information they receive about sexual misconduct. Persons who have experienced sexual misconduct are encouraged to consider the following information in choosing whom to contact for information and support.

A. Confidential Resources
Northwestern recognizes that sometimes survivors of sexual misconduct want to talk with someone confidentially and are unsure whether they want to file a complaint with the University. Individuals who desire the details of sexual misconduct to be kept confidential should speak with a medical professional, a professional counselor, trained victims’ advocates, or a minister or other pastoral counselor who does not work for the University. Although the University employs ordained ministers and pastors, they are not confidential resources for the purpose of this policy because they are not employed for the purpose of providing pastoral or counseling services to our community.

Here, at Northwestern, Counseling Services and Health Services staff can maintain confidentiality, are not required to report sexual misconduct to the University, and cannot be compelled to disclose the information received, unless the student requests them to do so, the allegations involve physical or
sexual abuse of a minor or vulnerable adult, or the allegations involve an imminent threat to the life of any person.

In addition, the Counseling Services and Health Services staff can assist a complainant with obtaining medical, emotional, and other support and advocacy resources, whether or not a complainant decides to report his or her concerns to the University or law enforcement. See Appendix B: People Who Can Help for contact information for confidential resources on and off campus in Minnesota and Appendices D-I for contact information for confidential resources in other states where Northwestern students or employees are located.

Only Counseling Services and Health Services employees can promise confidentiality. All other Northwestern employees, including Residential Life student staff, are not confidential resources and must report all allegations of sexual misconduct to the Title IX Coordinator, even if the complainant requests confidentiality.

A person who speaks to a confidential resource should understand that, if the person does not report the concern to the University, the University will be unable to provide certain interim actions or protective measures that would require involvement from the University (such as issuing a no-contact directive) or conduct an investigation into the particular incident, or pursue disciplinary action.

B. Non-Confidential Communications
Non-confidential communications are those communications with any Northwestern employee who is not a confidential resource. Only confidential resources can promise confidentiality. All other University employees who become aware of incidents or allegations of sexual misconduct have a responsibility to report the matter to the Title IX Coordinator. Allegations of policy violations will be considered private and will only be shared with other University employees on a need to know basis. The allegations will not be shared with law enforcement without the consent of the individual who has alleged the sexual misconduct, unless the allegations relate to physical abuse, sexual abuse, or neglect of a child under the age of 18 (see the Mandatory Reporting of Child Abuse or Neglect section below for more information) or unless the University is compelled to do so pursuant to a subpoena or court order.

University employees who are not confidential resources will strive to remind an individual of their reporting obligations before the individual has disclosed a situation that requires reporting to the Title IX Coordinator.

C. Requests for Confidentiality or Non-Action
The University recognizes that some individuals may wish to keep their concerns confidential. While the University cannot guarantee confidentiality, it will strive to accommodate the individual’s requests to the extent possible, subject to the University’s need to investigate and respond to such complaints and to report campus crimes in accordance with applicable law. The University will protect a complainant’s confidentiality to the extent possible even if the complainant does not specifically request confidentiality. Making a report to the University does not require an individual to begin or participate in a complaint resolution process or to report to local law enforcement. The University strives to honor
any request that a complainant may make to keep any such report confidential or for the University not to investigate or respond to such report, but complying with any such request will limit the University’s ability to look into and respond to a report. In deciding whether the complainant’s request can be honored, the University will weigh the request against the seriousness of the alleged misconduct, the University’s obligation to maintain a safe and nondiscriminatory learning environment for its students, the respective ages and roles of the individual who has alleged the sexual misconduct and the accused, whether there have been other complaints or reports of sexual misconduct against the accused, whether the accused has history of arrests or records from a prior school indicating a history of violence, whether the accused threatened further sexual misconduct or other violence against the complainant or others, whether the alleged misconduct was committed by multiple individuals, whether the alleged misconduct was perpetrated with a weapon, the ability to conduct an investigation without revealing identifiable information, whether the University possesses other means to obtain relevant evidence of the sexual violence (e.g., security camera or personnel, physical evidence), whether the report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol at a given location or by a particular group), the extent of any threat to the University community, and the University’s commitment to addressing and preventing recurrence of misconduct. The presence of one or more of the factors above could lead the University to move forward with a complaint resolution process (even without the participation of the individual who has alleged the sexual misconduct). This determination will be made by the Title IX Coordinator.

In instances where the University moves forward with a complaint resolution process without the participation of the individual who has alleged the sexual misconduct, the individual who is alleged to have been subject to the misconduct will have the same rights as provided to a complainant under this policy, even if the individual is not named as a complainant.

Should the Title IX Coordinator determine that the individual’s request for confidentiality or no action cannot be honored, the Title IX Coordinator or the Title IX Coordinator’s designee(s) will inform the individual about the chosen course of action, which may include an investigation of the incident(s) reported, and may, at the individual’s request, communicate to the accused that the individual asked the University not to investigate but that the University determined it needed to do so. Alternatively, action could include steps to limit the effects of the alleged misconduct and prevent its recurrence that do not involve an investigation or formal disciplinary action against the accused or revealing the identity of the individual who has alleged the sexual misconduct. In order to protect the rights and safety of this community, the University reserves the right to take whatever measures deemed necessary in response to an allegation of sexual misconduct.

D. Statistical Reporting and Clery Act Timely Warning
As required by state and federal law, the University includes statistics about certain offenses in its annual security reports and provides those statistics to the United States Department of Education and the Minnesota Office of Higher Education in a manner that does not include any personally identifying information about individuals involved in an incident. While the University must provide the University community with general information regarding incidents of sexual assaults and certain other crimes occurring on campus, publicly available recordkeeping, including Clery Act reporting and disclosures such as the annual security report and daily crime log, will not include names or other information that may
personally identify either the complainant or the respondent. To ensure that a complainant’s personally identifying information will not be included in publically available recordkeeping, the Title IX Coordinator describes the alleged incidents by removing the complainant’s and respondent’s names and any other identifiers that would enable the public to identify the complainant or respondent in the context of the incident report.

In addition, the federal law, the Clery Act, requires the University to issue a crime alert (timely warning) to the campus community about certain reported offenses which may represent a serious or continuing threat to students and employees. The timely warning may include that an incident has been reported, general information surrounding the incident, and how incidents of a similar nature might be prevented in the future. The timely warning will not include any identifying information about the individual who has alleged the sexual misconduct.

Minnesota law, Minn. Stat. 135A.15, requires institutions to collect statistics, without inclusion of any personally-identifying information, regarding the number of reports of sexual assault received by an institution and the number of types of resolutions. Data collected for purposes of submitting annual reports containing those statistics to the Minnesota Office of Higher Education under Minn. Stat. 135A.15 shall only be disclosed to the victim, persons whose work assignments reasonably require access, and, at the victim’s request, police conducting a criminal investigation. Nothing in this paragraph is intended to conflict with or limits the authority of the University to comply with other applicable state or federal laws.

**Campus Security Authorities:** Employees (including student employees) designated as Campus Security Authorities (CSA) who receive reports of sexual misconduct are required by the Clery Act to notify Public Safety about such incidents.

**VI. IMMEDIATE ACTION: WHAT TO DO IF YOU ARE SEXUALLY ASSAULTED AND/OR EXPERIENCE SEXUAL MISCONDUCT**

If you or someone you know has been the victim of sexual misconduct, the following are immediate steps you should consider taking:

- Call 911 if in immediate danger, if the victim is injured, or the community is in possible danger.
- Call Public Safety at 651-631-5310 if the community is in possible danger and/or you have called 911.
- Seek a medical evaluation for personal wellness/testing and possible evidence collection, even if the victim is uncertain that they want to press charges or pursue legal action. (See Appendix A: *Emergency Medical Examination/Evidence Collection* for more information and Appendix B: *People Who Can Help* for contact information for medical assistance in Minnesota. For contact information for medical assistance in other states where Northwestern students or employees are located, see Appendices D-I.)
- Take steps to preserve evidence, which may be necessary to the proof of criminal sexual violence or in obtaining a protection order. (See Appendix A: *Emergency Medical Examination/Evidence Collection*. ...
Collection for steps to take to preserve evidence.) The University will provide complete and prompt assistance, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with incidents of sexual violence, including sexual assault.

• Contact confidential on-campus and/or off-campus resources—for emotional support, information, and/or advocacy. (See Appendix B: People Who Can Help for Minnesota and Appendices D-I for other states where Northwestern students or employees are located)

• Report the conduct to the Title IX Coordinator at 651-631-5480. (See Appendix B: People Who Can Help for additional contacts on campus.) The Title IX Coordinator can arrange for Interim Action and Protective Measures, including no contact orders. The institution will also provide assistance in obtaining, securing, and preserving evidence.

VII. REPORTING OPTIONS

A. Reporting to Northwestern

Any student or employee who believes they have experienced sexual misconduct or who has knowledge of any such behaviors being directed against another person is strongly encouraged to report the incident to the University. Behavior(s) which violate this policy should be reported to the Title IX Coordinator.

Title IX Coordinator
Kelly Franck
Human Resources Generalist
Riley Hall: R1605
651-631-5480 | titleIX@unwsp.edu

Reports to the University should include as much information as possible, including the names of the individual alleging they have experienced sexual misconduct and the accused, and the date, time, place, and circumstances of the incidents, to enable the University to respond appropriately. Reports can be made over the phone, via email, using the anonymous and confidential incident report form located on the web at unwsp.edu/titleix and theRock at https://apps.unwsp.edu/form.php?form=TitleIX, or in person. The University may be limited in its ability to investigate any anonymous report unless sufficient information is furnished to enable the University to conduct a meaningful and fair investigation.

You can expect to have reports taken seriously. You may choose to file a report of alleged sexual misconduct at any point in time but you are strongly encouraged to report incidents to appropriate University officials as soon as possible.

University authorities responding to complaints of sexual misconduct will inform individuals of the options of criminal prosecution, medical assistance, the complaint process, and confidential counseling and offer appropriate interim actions and protective measures (listed in Section VIII.D., Interim Actions and Protective Measures) to protect the complainant and facilitate their continued access to the University and its programs and activities. When a student or employee reports to the University that they have been a victim of sexual assault, dating violence, domestic violence, or stalking, whether the offense occurred on or off campus, the University will provide the student or
employee with a written explanation of the student’s or employee’s rights and options, along with the procedures the victims should follow.

Statistics relating to reports to the University of certain criminal offenses will be represented in the annual crime statistics published by the University as required by applicable law.

B. Reporting to the Police
An individual who believes they have been subjected to sexual assault, sexual violence, dating violence, domestic violence, stalking, or other criminal conduct prohibited by this policy is strongly encouraged to make a report to the police. This can be done by calling 911 or the Roseville Police/Ramsey County Sheriff at 651-767-0640 (24 hours/day). For more information on reporting to law enforcement in other states in which Northwestern employees or students are located, please see the state-specific information in Appendices D-I at the end of this policy. A complainant who alleges sexual assault, dating/intimate partner violence, domestic violence, or stalking has the right to the complete and prompt assistance of campus authorities, at the complainant’s request, in notifying the appropriate law enforcement officials and University officials of a sexual assault dating violence, domestic violence, or stalking incident and filing criminal charges with local law enforcement officials in sexual assault dating violence, domestic violence, or stalking cases. If you’d like assistance in notifying law enforcement, please contact the Title IX Coordinator or the Director of Public Safety.

A report to law enforcement is not, however, required for Northwestern to proceed with its response to a report of such conduct. If the University has received such a report, it will proceed with its complaint and resolution process regardless of whether a complainant makes a report to law enforcement.

In reporting to the police, the complainant speaks directly with law enforcement officers regarding the sexual assault and/or violence. The victim may request a same sex police officer to take the report. The victim is also able to have a support person present. Direct reporting allows the victim to keep their options open.

- It is important to realize that contacting the police and informing them of an incident is different from filing a charge.
- Direct reports should be made as soon as possible and are necessary if the victim chooses to seek criminal prosecution.

Minnesota law provides individuals who report crimes to law enforcement with certain rights. For further information, consult Crime Victim Rights, a publication of the Minnesota Department of Safety, or Minnesota Statutes Chapter 611A.

C. Restraining Orders and Orders for Protection, Domestic Abuse No Contact Orders, and No Contact Directives
Individuals who would like to avoid contact with another individual have several options available to them, including seeking a harassment restraining order or protective order from a civil court or requesting a no-contact order from the University.
Harassment restraining orders and orders for protection are legal orders issued by a state court that forbid someone from harassing and/or making contact with another. A harassment restraining order is a civil court order issued against an alleged harasser, regardless of the relationship between the alleged harasser and the alleged victim, which orders the harasser to stop harassing the victim and/or to have no contact with the victim. An order for protection is a civil court order that protects one family or household member from domestic abuse by another family or household member. The University does not issue such orders, however, petition forms to apply for harassment restraining orders or to seek an order for protection are available at the Court Administration Office located at the Ramsey County District Courthouse or online from the Minnesota Judicial Branch website, http://www.mncourts.gov/GetForms.aspx?c=17#subcat39. Assistance with writing and filing a petition for an order for protection is available at the Ramsey County Domestic Abuse/Harassment Office, located at the Juvenile and Family Justice Center, 25 West Seventh Street, Room 122, Saint Paul, MN 55102. Anyone seeking an Order for Protection should contact the Ramsey County Domestic Abuse/Harassment Office to schedule an appointment at 651-266-5130. Domestic abuse no contact orders are legal orders issued by a court against a defendant in a criminal proceeding for domestic abuse, harassment or stalking of a family or household member, violation of an order for protection, or violation of a prior no contact order. A domestic abuse no contact order may be issued before the end of the criminal case or following a conviction. An order of protection, harassment restraining order, and/or a domestic abuse no contact order can be enforced by contacting local law enforcement. The University will fully cooperate with any such order issued by a criminal, civil, or tribal court. For more information and assistance, individuals should contact the Title IX Coordinator.

No-Contact Directives are University-issued directives that prohibit one or both parties from communication or contact with another. No-contact directives may be mutual or one-sided. Generally, no-contact directives issued pending the outcome of an investigation will be mutual and serve as notice to both parties that they must not have verbal, electronic, or written communication with one another, or communication through another on a party’s behalf. To request a no-contact directive from the University, individuals should contact the Title IX Coordinator. A University no-contact directive may be enforced by contacting Campus Safety or the Title IX Coordinator.

The University is responsible for honoring requests for information about available options for orders for protection, restraining orders, and no-contact directives and will comply with and enforce such orders.

For more information on seeking a legal protective order in other states in which Northwestern employees or students are located, please see the state-specific information in Appendices D-I at the end of this policy.

D. Crime Victims Bill of Rights
As required by state law, victims of crime must be informed of their rights under the Crime Victims Bill of Rights. The following is a summary of crime victims’ rights under Minnesota law.

When a crime is reported to law enforcement, victims have the right to:

- Request that their identity be kept private in reports available to the public;
- Be notified of crime victim rights and information on the nearest crime victim assistance program or resource;
- Apply for financial assistance for non-property losses related to a crime;
• Participate in prosecution of the case, including the right to be informed of a prosecutor’s decision to decline prosecution or dismiss their case;
• Protection from harm, including information about seeking a protective or harassment order at no cost;
• Protection against employer retaliation for taking time off to attend protection or harassment restraining order proceedings; and
• Assistance from the Crime Victims Reparations Board and the Commissioner of Public Safety.

Victims of domestic abuse also have the right to terminate a lease without penalty. Victims of sexual assault have the right to undergo a confidential sexual assault examination at no cost, make a confidential request for HIV testing of a convicted felon, and are not required to undergo a polygraph examination in order for an investigation or prosecution to proceed. In cases of domestic abuse and violent crime where an arrest has been made, victims also have the right to be provided notice of the release of the offender, including information on the release conditions and supervising agency.

Complete information about crime victims’ rights can be found at: https://dps.mn.gov/divisions/ojp/help-for-crime-victims/Pages/crime-victims-rights.aspx. Information about victims’ rights also is available from the Title IX Coordinator or from the Minnesota Department of Public Safety, Office of Justice Programs, and in Minnesota Statutes Chapter 611A.

E. Anonymous Reporting
Northwestern will accept anonymous reports of conduct alleged to violate this policy. The anonymous and confidential Incident Report Form is located on the website at unwsp.edu/titleix and on theRock at https://apps.unwsp.edu/form.php?form=TitleIX. The individual making the report is encouraged to provide as much detailed information as possible to allow the University to look into the report and respond as appropriate. Northwestern may be limited in its ability to investigate an anonymous report unless sufficient information is furnished to enable Northwestern to conduct a meaningful and fair investigation.

F. Amnesty and Waiver of Other Policy Violations
The University recognizes that some victims are hesitant to report incidents of sexual misconduct because they fear that they may be accused of policy violations, including, but not limited to, using alcohol or drugs or engaging in sexual activity. It is in the best interests of our community that sexual misconduct is reported. To encourage reporting and promote safety, we will withhold a disciplinary response for any violation of other University policies in which a complainant and those who participate in an investigation might have engaged in connection with the reported incident. The University may still require the individual to participate in educational or restorative action. In addition, amnesty may not be extended in instances where any individual is harmed by the conduct constituting a violation of other University policies, in which case the University may still pursue disciplinary action for the alleged violation of other University policies.

G. Obligation to Act in Good Faith
Reports and complaints of alleged sexual misconduct should be made only in good faith. Complaints that are not made in good faith may be considered retaliation under this policy and/or may violate other University policies.

H. Mandatory Reporting of Child Abuse or Neglect
Any University employee becoming aware of the abuse (physical or sexual) or neglect of a child on campus or in connection with any University event, program, or activity must report it immediately to Public Safety and the Title IX Coordinator. If an employee is a mandatory reporter under applicable state law, such individual must also immediately report the abuse or neglect to the local welfare agency or police/sheriff’s department, as required by law. Under Minnesota law, teachers, paraprofessionals, all administration, and support staff in an educational setting are mandatory reporters. See Minnesota Statutes Section 626.556. For more information on mandatory reporting laws in other states in which Northwestern employees or students are located, please see the state-specific information in Appendices D-I at the end of this policy.

I. Employee Reporting of Sexual Misconduct
In order to enable the University to respond effectively and to prevent future instances of sexual misconduct, all University employees who are not confidential resources, who obtain or receive information regarding a possible violation of this policy must report that information to the Title IX Coordinator. Student employees who receive such information in the course of their work position or duties also must report to the Title IX Coordinator. Reports should be made as soon as possible and should include all relevant details needed to assess the situation. This includes, to the extent known, the names of the accused, the individual alleged to have experienced the sexual misconduct, other individuals involved in the incident, as well as relevant facts, including the date, time, and location. Employees who receive such reports should not attempt to “investigate” the allegation or require the individual reporting the incident to provide all of the details surrounding the alleged misconduct. To the extent the individual reporting the incident provides details, the information should be provided to the Title IX Coordinator. Upon receiving a report of alleged or possible sexual misconduct, the Title IX Coordinator or the Title IX Coordinator’s designee(s) will evaluate the information received and determine what further actions should be taken consistent with the procedures contained in this policy. Failure of a University employee to report sexual misconduct to the Title IX Coordinator may result in disciplinary action.

VIII. THE COMPLAINT RESOLUTION PROCESS
One option available to an individual reporting alleged sexual misconduct is a complaint resolution process. In this process, the individual alleged to have experienced the alleged misconduct is referred to as the complainant, and the individual accused of the alleged misconduct is referred to as the respondent. Complaints of a violation of this policy received by the University will be processed according to the Procedures for Sexual Misconduct Complaint Resolution found in the next section. The principles below are applicable to all complaint resolution processes.

A. Rights of the Complainant and Respondent
In instances where the University moves forward with a complaint resolution process without the

2 Certain student employees (e.g., resident assistants, building managers when on duty, course preceptors, or student mentors) always have a duty to report information they have about reported sexual misconduct to the Title IX Coordinator.
participation of the individual who has alleged the sexual misconduct, the individual who is alleged to have experienced the misconduct will have the same rights as provided to a complainant under this policy even if the individual is not named as a complainant.

The complainant and respondent are entitled to:

- Be treated with respect, sensitivity, and dignity;
- Appropriate support from the University;
- Privacy to the extent possible based on applicable law and University policy;
- Information on the policy and processes;
- The right to participate or decline to participate in the complaint resolution process, with the acknowledgement that not participating, either entirely or in part, may not prevent the process from proceeding with the information available;
- Equitable procedures that provide both parties with a prompt, fair, and impartial investigation and resolution conducted by officials who receive annual training on conduct prohibited by the policy;
- Notice of the allegations and defenses and an opportunity to respond;
- An equal opportunity to identify relevant witnesses and other evidence and to suggest possible topics to be covered with witnesses during the formal process;
- For the complainant, not to be questioned or have evidence considered regarding the complainant’s prior sexual conduct with anyone other than the respondent;
- For the complainant, to never be treated by campus authorities in a manner that suggests they are at fault for the sexual misconduct or that they should have acted in a different manner to avoid the sexual misconduct;
- To be free from retaliation;
- The right to appeal the decision and/or the sanctions in certain circumstances, as discussed in the Appeal of Decision section below;
- The right to notification, in writing, of the resolution, including the outcome of any appeal;
- For the complainant, the right to report the incident to law enforcement at any time or to decline to do so.

B. Additional Rights in Cases Involving Allegations of Sexual Assault, Dating Violence, Domestic Violence, or Stalking

In cases involving allegations of sexual assault, dating violence, domestic violence, or stalking, the following rights will be afforded to the complainant and the respondent in addition to those rights described above.

- The complainant and respondent will be provided timely notice of meetings at which the complainant or respondent may be present.
- The complainant and respondent will be provided timely and equal access to any information that will be used during informal and formal disciplinary meetings during the adjudication phase of the complaint resolution process.
- The complainant and respondent have the right to the assistance of campus personnel (during and after the complaint process), in cooperation with the appropriate law enforcement authorities, in shielding the complainant or respondent, at their request, from unwanted contact with the complainant or respondent, including but not limited to a University issued no-contact directive, transfer to alternative classes or to alternative
University-owned housing (if alternative classes or housing are available and feasible), change in work location or schedule, or reassignment (if available and feasible); and to receive assistance with academic issues.

- The complainant has the right to decide when to repeat a description of an incident of sexual assault, dating violence, domestic violence, or stalking, and the respondent has the right to decide when to repeat a description of a defense to such allegations;
- The complainant and respondent have the right to have an advisor present during the complaint resolution process. The University will not limit the choice of advisor or presence of the advisor for the complainant or respondent in any meeting or disciplinary process. See the “Advisors” section below for additional information and rules regarding the conduct of advisors.
- The complainant and respondent have the right to the complete and prompt assistance of campus authorities, at the direction of law enforcement authorities, in obtaining, securing, and maintaining evidence in connection with a sexual assault incident.
- The complainant and respondent have the right to the assistance of campus authorities in preserving materials relevant to a campus complaint proceeding.
- The complainant and the respondent have the right to be provided access to their description of the incident, as it was reported to the University, including if the individual transfers to another post-secondary institution, subject to compliance with FERPA, the Clery Act, Title IX, and other federal or state law. Requests for an individual’s description of the incident should be made to the Title IX Coordinator.

In addition, a complainant who alleges sexual assault, dating violence, domestic violence, or stalking has the following rights:

- To be informed by the University of options to notify proper law enforcement authorities of a sexual assault, dating/intimate partner violence, domestic violence, or stalking incident, or to decline to notify such authorities;
- To the complete and prompt assistance of campus authorities, at the complainant’s request, in notifying the appropriate law enforcement officials and University officials of a sexual assault dating violence, domestic violence, or stalking incident and filing criminal charges with local law enforcement officials in sexual assault, dating violence, domestic violence, or stalking cases;
- To be offered fair and respectful health care, counseling services, or referrals to such services and notice of the availability of campus or local programs providing sexual assault advocacy, dating violence, domestic violence, or stalking services;
- To be offered assistance from the Crime Victim Reparations Board and the Commissioner of Public Safety.
- For students who choose to transfer to another post-secondary institution, at the student’s request, the right to receive information about resources for victims of sexual assault, dating violence, domestic violence, or stalking at the institution to which the victim is transferring.

C. Advisors in Cases Involving Allegations of Sexual Assault, Dating Violence, Domestic Violence, or Stalking

The complainant and the respondent in complaint resolution processes involving allegations of sexual assault, dating violence, domestic violence, and stalking have the right to be assisted by an advisor of their choice, including an attorney. Generally, the advisor selected by the
complainant or respondent should be free of conflicts of interest in the complaint resolution process and, if a member of the University community, the advisor should be free of conflicts in his or her position in the community. An individual has the right to decline a request to serve as an advisor in the University’s complaint resolution process.

Guidelines related to the use of advisors:

- The purpose of the advisor is to support an individual during the complaint resolution process. An advisor is permitted to accompany the individual to in-person interviews or other meetings during the complaint resolution process. In selecting an advisor, each party should consider the potential advisor’s availability to attend in-person interviews and meetings. As a general matter, the University will not unnecessarily delay its processes to accommodate the schedules of advisors.
- Advisors may confer with their advisee, but they may not actively participate in the complaint resolution process. The advisor may accompany the complainant or respondent to all meetings relating to the complaint resolution proceeding. The advisor may not appear in lieu of the complainant or respondent or speak on their behalf in either in-person or written communications to the University. The advisor may not communicate directly with the investigator, adjudicators, appeal officers, Title IX Coordinator, Deputy Title IX Coordinator, or any other school official involved in the complaint resolution process and may not interrupt or otherwise delay the complaint resolution process.
- Advisors may have access to information concerning a case only when accompanying the party (for in-person access to information) or only when the party has given permission for the advisor to be copied on emails or other correspondence (for access to written communications). An advisor’s access to such information is subject to the same limitations as those placed upon the parties and conditioned upon the advisor’s agreement to maintain the confidentiality of any student education records or other confidential information.
- If a party selects an attorney as an advisor, the advisor’s participation in the complaint process is in the role of an advisor and not as an attorney representing a party. The advisor will have access to highly confidential information and is prohibited from sharing information obtained as an advisor during the complaint process with anyone, including other individuals who may be part of an attorney-client relationship with the party.
- The University will notify a party to a complaint resolution process if another party involved in the complaint resolution process has obtained an advisor. The notice shall indicate if the other party’s advisor is an attorney.
- Advisors will be required to sign an Advisor Agreement acknowledging receipt and understanding of these requirements. Failure to comply with these requirements, including violations of confidentiality, or other forms of interference with the complaint resolution process by the advisor may result in disqualification of an advisor. The University reserves the right to dismiss an advisor.

D. Requests for Reasonable Accommodations

Individuals who need a reasonable accommodation should contact the Title IX Coordinator. The University will consider requests for reasonable accommodations submitted to the Title IX Coordinator on a case-by-case basis. Accommodations the University may provide include:
• Providing reasonable accommodations as required by law to an individual with a disability who requests an accommodation necessary to participate in the complaint resolution process.
• Providing an interpreter for individuals who are limited English-language proficient.

E. Interim Actions and Protective Measures

At any time after a report of a potential violation of this policy has been received by the University, the Title IX Coordinator or the Title IX Coordinator’s designee(s) will consider whether interim actions or protective measures are reasonably necessary or appropriate to protect the parties and the broader Northwestern community, pending completion of the complaint and resolution process. The University is required to comply with a student’s reasonable request for a living and/or academic situation change following an alleged sex offense. The University may take such steps even when an individual asks that the University keep a reported violation of this policy confidential and that it not investigate the matter and regardless of whether an individual chooses to report to law enforcement or campus security. When appropriate, such interim actions and protective measures may be available to complainant, respondent, and others adversely impacted by the complaint resolution process, if requested and reasonably available. The University determines which measures are appropriate for a particular individual on a case-by-case basis.

Examples of interim actions, accommodations, and protective measures include, without limitation:
• Establishing a “no contact” directive prohibiting the parties involved from communicating with each other during the response and resolution process;
• Changing an individual’s on-campus residency, dining, or transportation arrangements;
• Special parking arrangements;
• Assistance in finding alternative housing;
• Changing an individual’s student or employee status or job responsibilities;
• Changing an individual’s work or class schedule;
• Providing academic accommodations or providing assistance with academic issues;
• Providing security escorts;
• Providing a temporary cellphone;
• Access to counseling and medical services;
• Making available to complainant information about orders for protection and harassment restraining orders and providing assistance with respect to obtaining and enforcing such orders;
• Assistance in identifying an advocate to help secure additional resources or assistance, including off-campus and community advocacy, support, and services, legal assistance, visa and immigration assistance, and student financial aid;
• For students who choose to transfer to another institution, at the student’s request, providing information about resources for victims of sexual assault at the institution to which the student is transferring.

Other protective measures that may be available, if safety concerns or other overriding circumstances warrant them, include:
• Prohibiting an individual involved from being on Northwestern property.
• Prohibiting an individual involved from participating in Northwestern-sponsored events.
• Prohibiting an individual from residing in a Northwestern residence.

To request an interim action or protective measures, individuals, including complainants and respondents, should contact the Title IX Coordinator.

Such measures will vary based on the particular facts and circumstances, including, but not limited to, the specific need expressed by the individual, the age of the student[s] involved, the severity or pervasiveness of the allegations, any continuing effects on the individual, whether the complainant and alleged respondent share the same residence hall, dining hall, class, transportation, or job location, and whether other judicial measures have been taken to protect the complainant. The Title IX Coordinator will be responsible for determining what measures will be put in place. Additional services are available on campus and/or in the community, as described in Appendix B: People Who Can Help and on the University’s website. For information about community resources in other states in which Northwestern employees or students are located, see Appendices D-I.

The University will also maintain as confidential any accommodations or protective measures provided to an individual, to the extent that maintaining such confidentiality will not impair the ability of the University to provide the accommodations or protective measures. The University will only disclose information necessary to provide the accommodations or protective measures in a timely manner. The Title IX Coordinator will determine what information about an alleged victim should be disclosed and to whom this information will be disclosed based on the facts and circumstances of the specific situation and the accommodation to be provided. The University will inform alleged victims before sharing personally identifying information that the University believes is necessary to provide an accommodation or protective measure. The University will tell the alleged victim which information will be shared, with whom it will be shared, and why it will be shared.

F. Non-Participation and Silence
Either party may decline, at any time, to provide information or participate further in the complaint resolution process. If, at any time during the complaint resolution process, a party decides not to participate, the University will proceed with the complaint resolution process and make a determination based upon the information available. A respondent’s silence in response to a complainant’s allegation will not necessarily be viewed as an admission of the allegation, but may leave the complainant’s allegations undisputed. Similarly, a complainant’s silence in response to a respondent’s denials or defenses will not necessarily be viewed as an admission of the denials or defenses, but may leave the respondent’s denials or defenses undisputed. Even if a party decides not to participate or chooses to stop participating at a phase of the process, the party will still be given the option to participate during additional phases of the process.

G. Obligation to be Truthful
All parties and witnesses have an obligation to be truthful in this process. Engaging in dishonesty may be considered retaliation under the policy and/or may violate other University policies.
H. Conflicts
If a complainant or respondent has any concern that any individual acting for the University under this policy has a conflict of interest or bias, such concern should immediately be reported in writing to the Title IX Coordinator. Any concern regarding a conflict of interest or bias must be submitted within two (2) calendar days after receiving notice of the person’s involvement in the process. The Title IX Coordinator or the Title IX Coordinator’s designee(s) will review the concerns and take appropriate steps to ensure that no conflicts of interest exist on the part of anyone investigating or resolving a complaint under this policy. If a party feels that the Title IX Coordinator has a conflict of interest, the party should notify Tim Rich, Associate Vice-President for Human Resources in writing of the concern at Riley Hall: R1605, 3003 Snelling Avenue North, St. Paul, MN 55113, tarich@uwsp.edu. If the Title IX Coordinator has a conflict of interest with respect to a complaint, the University’s Associate Vice-President for Human Resources shall appoint an alternate person to oversee adherence to the Sexual Misconduct Policy with respect to the complaint at issue. If the Associate Vice-President for Human Resources is a party to the complaint or has a conflict of interest with respect to a complaint, the Director of Public Safety shall ensure that the University puts in place appropriate safeguards under the circumstances to ensure that the institution promptly and equitably responds to the complaint, including, but not limited to, appointment of alternate individuals to oversee adherence to the Sexual Misconduct Policy.

I. Time Frames for Resolution
Northwestern is committed to the prompt and equitable resolution of allegations of sexual misconduct. Northwestern will strive to conclude the response and resolution process within 90 calendar days of receiving a complaint alleging a policy violation. Specific time frames for each phase of the complaint resolution process are set forth in the “Procedures for Sexual Misconduct Complaint Resolution” below. Each phase of the process will generally be as follows:

- Review of report or complaint and Notice of complaint to the respondent: ten (10) calendar days
- Investigation: forty-five (45) calendar days
- Response and rebuttal: ten (10) calendar days
- Adjudication: twenty-five (25) calendar days

Circumstances may arise that require the extension of time frames based on the complexity of the allegations, the number of witnesses involved, the availability of the parties involved, witnesses being absent from campus, the effect of a concurrent criminal investigation, unsuccessful attempts at informal resolution, any intervening school break, vacation, or other unforeseen circumstance.

In cases where an incident has also been reported to law enforcement, the University will not delay its investigation and resolution processes in order to wait for the conclusion of a criminal investigation or proceeding. The University will, however, comply with valid requests by law enforcement for cooperation in a criminal investigation. As such, the University may need to delay temporarily an investigation under this policy while law enforcement is in the process of gathering evidence. This process typically takes 7-10 days. Once law enforcement has completed its gathering of evidence, the University will promptly resume and complete its
investigation and resolution procedures.

In the event that the investigation and resolution exceed the 90 calendar day timeframe, or to the extent additional time is needed during any of the phases of the process discussed above or further below, the University will notify all parties of the reason for the delay and the expected adjustment in time frames. When a time frame for a specific phase of the process, as set forth below, is less than five (5) calendar days, the University may, in its discretion, use business days to calculate the time frame deadline. Efforts will be made to complete the process in a timely manner balancing principles of thoroughness, fundamental fairness, and promptness.

Complainants are encouraged to begin the complaint resolution process as soon as possible following an alleged incident. If a complaint is brought forward more than five (5) calendar years after an alleged incident, the University, in its discretion, may decline to process a complaint under these procedures, but reserves the right to take other administrative action as appropriate depending on the specific circumstances of the complaint. If at least one party involved in the complaint is still a member of the University community as a student or employee, the complaint generally will be processed under these procedures.

J. Application of the Policy
When the University receives a report or complaint of a violation of this policy, the University will generally apply the complaint resolution procedures from the policy that is in effect at the time that the report or complaint is made and generally will apply the sexual misconduct definitions from the policy that was in effect at the time of the alleged misconduct occurred.

K. Reservation of Flexibility
The procedures set forth in this policy reflect the University’s desire to respond to complaints in good faith and in a manner that promotes fairness to all parties. The University recognizes that each case is unique and that circumstances may arise which require that it reserve some flexibility in responding to the particular circumstances of the matter. Where it is not possible or practical to follow this procedure, the University reserves the right to modify the procedure or to take other administrative action as appropriate under the circumstances.

In instances where a complaint is made against an individual who is not a student or employee of the University, the University reserves discretion to use a process or procedures other than those outlined below, as appropriate under the circumstances.

IX. PROCEDURES FOR SEXUAL MISCONDUCT COMPLAINT RESOLUTION
Each sexual misconduct complaint resolution process will provide a prompt, fair, and impartial investigation and resolution. Each sexual misconduct complaint resolution process will be conducted by individuals who receive annual training on the issues related to sexual harassment, sexual assault, domestic violence, dating/intimate partner violence, stalking, and how to conduct an investigation and decision-making process that protects the safety of all and promotes accountability. The training is free of bias such as sex stereotypes or generalizations and includes the following topics: relevant evidence and how it should be used, proper techniques for questioning witnesses, basic rules for conducting proceedings, avoiding actual or perceived conflicts of interest, preventing sexual assault, responding to incidents of sexual
assault, the dynamics of sexual assault, neurobiological responses to trauma, and compliance with state and federal laws on sexual assault. In addition, each complaint resolution process will be conducted by individuals who do not have a conflict of interest or bias for or against the complainant or respondent. All University officials will treat the parties with dignity and will never treat the complainant in a manner that suggests they are at fault for the sexual misconduct or that they should have acted in a different manner to avoid the sexual misconduct.

A. Sexual Misconduct Complaint
The filing of a complaint begins the complaint resolution process. In most cases, complaints are made by the complainant. However, the University reserves the right to move forward with a complaint resolution process to protect the safety and welfare of the community, even if the alleged victim chooses not to make or move forward with a complaint. Generally, the Title IX Coordinator will make a determination of whether the University will move forward with a complaint resolution process in the absence of a complaint filed by the alleged victim. If the University decides that it has an obligation to move forward with a complaint resolution process, it will notify the victim before proceeding. See Requests for Confidentiality or Non-Action section above for more information.

Complaints of sexual misconduct should be made to the Title IX Coordinator:

Kelly Franck
Title IX Coordinator and Human Resources Generalist
Riley Hall: R1605
651-631-5480
titleIX@unwsp.edu

B. Initial Title IX Report Review and Assessment and Notice to the Respondent
In most cases, the first step of the complaint resolution process is a preliminary meeting between the complainant and the Title IX Coordinator or the Title IX Coordinator’s designee(s). The purpose of the preliminary meeting is to allow the Title IX Coordinator to gain a basic understanding of the nature and circumstances of the report or complaint; it is not intended to be a full investigation interview.

As part of the initial meeting with the complainant, the Title IX Coordinator or the Title IX Coordinator’s designee(s) will:
• Assess the nature and circumstances of the allegation;
• Address immediate physical safety and emotional well-being of the complainant;
• Notify the complainant of the right to contact law enforcement and seek medical treatment;
• Notify the complainant of the importance of preservation of evidence;
• Provide the complainant with information about on- and off-campus resources;
• Notify the complainant of the range of interim accommodations and remedies;
• Provide the complainant with an explanation of the procedural options, including how to file a complaint and the complaint process;
• In cases involving allegations of sexual assault, dating violence, domestic violence, or stalking, advise the complainant of the right to have an advisor of choice;
• Discuss the complainant’s expressed preference for the manner of resolution and any barriers to proceeding; and
• Explain the University’s policy prohibiting retaliation.

All reports and complaints of sexual misconduct will be reviewed by the Title IX Coordinator and/or the Title IX Coordinator’s designee(s) to determine the risk of harm to individuals or to the campus community. Steps will be taken to address these risks in consultation with the Director of Public Safety and/or members of the Title IX Team. The Title IX Coordinator and/or the Title IX Coordinator’s designee(s) will also assess the reported conduct for the need for a timely warning under the Clery Act and assess for pattern evidence or other similar conduct by respondent.

The Title IX Coordinator or the Title IX Coordinator’s designee(s) has discretion to refer the matter to other University disciplinary procedures. This referral option will generally be used when the alleged behavior does not fall within the policy or the alleged behavior applies to another disciplinary procedure. If the Title IX Coordinator or the Title IX Coordinator’s designee(s) determines that the report or complaint, even if substantiated, would not be a violation of this policy, they may dismiss the matter or refer it to another applicable disciplinary procedure. The parties will be notified of that determination and the complainant will be informed of other procedures for resolving the complaint and of other resources that may be available to the complainant.

When the Title IX Coordinator has received a complaint of sexual misconduct, the Title IX Coordinator or the Title IX Coordinator’s designee(s) will meet with the respondent and will:

• Notify the respondent of the complaint and alleged policy violations that are being investigated;
• Provide the respondent an explanation of the complaint process;
• Notify the respondent of the importance of preservation of evidence;
• Notify the respondent of any interim accommodations or protective measures that have been put in place that directly relate to the respondent (e.g., no contact directive);
• Provide the respondent with information about on- and off-campus resources;
• Notify the respondent of any available interim accommodations and protective measures;
• In cases involving allegations of sexual assault, dating violence, domestic violence, or stalking, advise the respondent of the right to have an advisor of choice; and
• Explain the University’s policy prohibiting retaliation.

This stage of initial review of the report or complaint by the Title IX Coordinator and initial notice of complaint to the respondent generally will take no more than ten (10) calendar days.

C. Investigation of Other College Policy Violations
If a complaint of sexual misconduct also implicates alleged violations of other University policies, the Title IX Coordinator or the Title IX Coordinator’s designee(s), in coordination with other appropriate school officials, will evaluate the allegations to determine whether the investigation of the alleged sexual misconduct and the other alleged policy violations may be appropriately investigated together without unduly delaying the resolution of the sexual misconduct complaint. Where the Title IX Coordinator or the Title IX Coordinator’s designee(s), in coordination with other appropriate school officials, determines that a single investigation is
appropriate, the determination of responsibility for each of the alleged policy violation will be evaluated under the applicable policy, but the investigation and adjudication will be conducted in accordance with this Policy.

D. Informal Resolution
When the complainant chooses to move forward with the complaint resolution process, the complainant has the option to proceed informally, when permissible. In cases involving allegations of sexual assault or more serious sexual misconduct, informal resolutions are generally not appropriate.

If the complainant, the respondent, and the University all agree to pursue an informal resolution, the Title IX Coordinator or the Title IX Coordinator’s designee will attempt to facilitate a resolution that is agreeable to all parties. The Title IX Coordinator or the Title IX Coordinator’s designee will not be an advocate for either the complainant or the respondent in the informal resolution process, but rather will aid in the resolution of problems in a non-adversarial manner. Under the informal process, the University will only conduct such fact-finding as is useful to resolve the conflict and as is necessary to protect the interests of the parties, the University, and the University community. Informal resolution may involve the imposition of individual and community remedies designed to maximize the complainant’s access to the educational and extracurricular activities of the University. Examples of potential remedies are provided in the “Interim Actions and Protective Measures” section of this policy. The recommended resolution may also include other institutional responses, requirements, or sanctions imposed on the respondent. Any informal resolution must adequately address the concerns of the complainant, as well as the rights of the respondent and the overall intent of the University to stop, remedy, and prevent policy violations.

The University will not compel a complainant or respondent to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution. Participation in informal resolution is voluntary, and the complainant and respondent have the option to discontinue the informal process at any time and request a formal investigation. The University also always has the discretion to discontinue the informal process and move forward with a formal investigation. If at any point during the informal resolution process, the complainant or respondent or the University wishes to cease the informal resolution process and to proceed through the formal resolution process, the informal resolution process will stop and the formal resolution process outlined below will be invoked.

If the parties to the complaint agree in writing to the terms and conditions of a recommended resolution within five (5) calendar days of the Title IX Coordinator presenting the recommended resolution to the parties, the case will be resolved without further process under this procedure. If all parties to the complaint do not agree in writing to the terms and conditions of the recommended resolution within five (5) calendar days of the Title IX Coordinator presenting the recommended resolution to the parties, the complaint will be referred to the Formal Resolution process. If the complaint is referred to the Formal Resolution process, the time spent attempting to reach an informal resolution generally will not be counted as part of the 90-day time frame discussed in the “Time Frames for Resolution” section above.
Appeals are not allowed in cases where the parties have agreed to a voluntary alternative resolution of the matter.

E. Formal Resolution
If the complaint is not processed or resolved through the Informal Resolution process discussed above, the complaint shall be processed according to the formal procedure outlined below.

E.1. Investigation
The Title IX Coordinator or the Title IX Coordinator’s designee(s) will designate one or more investigators. The University will ensure that the investigator(s) has received the appropriate training, and is impartial and free of any conflict of interest. The parties shall receive written notice of the investigator(s) appointed. If any party has a concern that the investigator(s) has a conflict of interest, the party should report the concern in writing as indicated in the “Conflicts” section above.

The investigator(s) will conduct the investigation in a manner appropriate to the circumstances of the case, which will typically include interviews with the complainant, the respondent, and any witnesses; these interviews may be audio-recorded. As part of the investigation, the University will provide an opportunity for both the complainant and respondent to advise the investigator(s) of any witnesses they believe should be interviewed, and other evidence they believe should be reviewed by the investigator(s). The investigator(s) has (have) discretion to assess the relevancy of any proposed witnesses and determine which interviews to conduct, including the discretion to conduct interviews of individuals not identified by the parties. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence, as appropriate and available. General character or reputation evidence generally will not be considered relevant and will not be included in the investigation. The investigator(s) may choose not to interview character witnesses and/or not to include information from character witnesses in the investigation report. In addition, lie detector test information will not be permitted or considered.

The complainant may decide when (or when not) to repeat a description of the alleged misconduct and has the right to decline to participate in the complaint resolution process. If at any time the complainant declines to participate in the process, the University’s ability to meaningfully investigate and resolve a complaint may be limited. In such cases, the University will proceed with the complaint resolution process, if possible to do so without the complainant’s participation, and will make a determination based upon the information available as set forth above in the section entitled, “Non-Participation and Silence.” The respondent also has the right to decline to participate in the complaint resolution process. In such cases, the University will proceed with the complaint process and will make a determination based upon the information available as set forth in the above section entitled, “Non-Participation and Silence.”

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

The University will seek to complete the investigation phase (including the review and response
period discussed below, if applicable) within forty-five (45) calendar days from the date of the complaint, but this time frame may be extended depending on the circumstances of each case, including the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses involved, the effect of a concurrent criminal investigation, unsuccessful attempts at informal resolution, any intervening school break, vacation, or other unforeseen circumstance.

The parties will be informed of a close of evidence date. The parties shall submit any and all information and evidence believed to be relevant to the complaint by the close of evidence date. After the close of evidence date, the parties shall not be permitted to submit new or additional evidence that existed prior to the close of evidence date, unless the investigator determines otherwise.

At the conclusion of the investigation, the investigator(s) may prepare a report setting forth the facts gathered. The investigator(s) generally will compile an investigation file, which may consist of any information, documents, recordings, or other evidence that are provided to the adjudicators. At the investigator(s)’ discretion, such information may include, as applicable: the written complaint, recordings or written records of interviews with the complainant, respondent, and any witnesses, any other evidence obtaining during the investigation, and the investigator’s report of the investigation. The investigation file will be forwarded to the Title IX Coordinator. The Title IX Coordinator or the Title IX Coordinator’s designee(s) will review the investigation file and has the discretion to ask the investigator(s) for clarification, additional investigation, and/or to have information removed or redacted from the investigation report or the investigation file.

E.2. Review of Investigation File in Cases Involving Sexual Assault, Dating/Intimate Partner Violence, Domestic Violence, and Stalking

For complaints involving allegations of sexual assault, dating violence, domestic violence, or stalking, the investigation file will be made available for review by the complainant and respondent. Confidential information in the investigation file that cannot be shared with the complainant, respondent, or adjudicators may be redacted from the file in accordance with applicable law. The Title IX Coordinator or the Title IX Coordinator’s designee(s) will provide a seven (7) calendar day period (the review and response period) during which the complainant and respondent will have access to review the investigation file and prepare a response to the investigation file, as discussed below. The parties’ access to the investigation file generally will be provided during normal business hours in a designated on-campus location. The investigation file cannot be removed from that location, nor can copies be made or pictures taken of the file contents.

Both parties will have the opportunity to provide a written response to the investigation file. To do so, the party must submit an initial written statement, which shall not exceed 2,000 words in length, to the Title IX Coordinator. The initial written statement must be submitted by the conclusion of the review and response period described above. The initial written statement may be used as an opportunity to clarify points in the investigation report or identify information previously given to the investigator that is not included in the investigation report which the party believes should have been included. While the parties may be assisted by their advisors in preparation of the initial written statement, the initial written statement must be submitted by
the party, must be the party’s own statement, and may not be used to submit the statements of others on the party’s behalf.

The parties shall have an opportunity to review the initial written statement submitted by the other party and, if desired, may submit a rebuttal written statement not to exceed 1,500 words. The rebuttal written statement must be submitted within three (3) calendar days after being given access to the other party’s initial written statement. The rebuttal written statement may only be used to respond to arguments made in the other party’s initial written statement. While the parties may be assisted by their advisors in preparation of the rebuttal written statement, the rebuttal written statement must be submitted by the party, must be the party’s own statement, and may not be used to submit the statements of others on the party’s behalf. The parties shall have an opportunity to review the rebuttal written statement submitted by the other party. The Title IX Coordinator or the Title IX Coordinator’s designee(s) will provide a three (3) calendar day period for the complainant and respondent to have access to review the other party’s rebuttal written statement. The parties’ access to the rebuttal written statement generally will be provided during normal business hours in a designated on-campus location. The rebuttal written statement cannot be removed from that location, nor can copies be made or pictures taken of the contents.

The Title IX Coordinator or the Title IX Coordinator’s designee(s) shall review the initial written statements and rebuttal written statements. Based on the statements, the Title IX Coordinator or the Title IX Coordinator’s designee(s) has the discretion to ask the investigator(s) for clarification, additional investigation, and/or to have information removed or redacted from the investigation report. In addition, the Title IX Coordinator or the Title IX Coordinator’s designee(s) may remove or redact any portions of the parties’ written statements that exceed the word limits of the statements as stated above or that otherwise exceed the scope of information that may be considered in the complaint resolution process (e.g., general character or reputation evidence and evidence relating to the complainant’s prior sexual history).

E.3. Adjudication
The University will strive to complete a prompt, thorough, fair and impartial adjudication.

Appointment of Adjudicators
Upon completion of the investigation, the Title IX Coordinator or the Title IX Coordinator’s designee(s) will designate one or more adjudicators on a case-by-case basis. Generally, a single adjudicator will be appointed for adjudication of complaints, in accordance with the following, based on title. Where the respondent is:

- A student: Vice-President for Student Life
- Staff or a vendor/contractor: Vice-President for Human Resources
- Faculty: Dean of respondent’s college and/or Senior Vice-President for Academic Affairs
- Media staff: Senior Vice-President for Media
- Advancement staff: Department Head and/or Vice-President for Advancement
- Business/Facilities staff: Department Head and/or CFO
The University will ensure that the adjudicators have received the appropriate training, and are impartial and free of any conflict of interest. The parties shall receive written notice of the adjudicator(s) appointed. If any party has a concern that an adjudicator has a conflict of interest, the party should report the concern in writing as indicated in the “Conflicts” section above.

E.4. Determination
Each adjudicator will receive and review the investigation file and any initial written statements and rebuttal written statements provided by the complainant and respondent after the parties’ review of the investigation file, as applicable. Each adjudicator may, in their discretion, request additional investigation by the investigator(s) or another appropriate individual. In the event that an adjudicator requests additional investigation, the complainant and respondent shall be notified.

Each adjudicator will use a preponderance of the evidence standard to determine whether it is more likely than not that the respondent violated the policy and impose remedies and/or sanctions as necessary to end the misconduct, prevent its recurrence, and address its effects.

If the adjudicator(s) determines that the respondent is responsible for a policy violation, they may, in their discretion, request information from the Title IX Coordinator regarding whether the respondent has previously been found responsible for any violations of this policy. In the event that information regarding the respondent’s previous policy violations is shared with the adjudicators, the parties shall be notified.

Not all forms of sexual misconduct are deemed equally serious offenses and, as a result, different remedies or sanctions may be imposed depending on the severity of the offense and any previous conduct violations.

When a respondent is found not responsible for a policy violation, but nevertheless is found to have engaged in inappropriate conduct – for example, inappropriate remarks that do not rise to the level of hostile environment sexual harassment – the University may, in its discretion, require the respondent to receive appropriate education and/or training. The University may also recommend counseling or other support services for the respondent.

E.5. Sanctions and Remedies
The adjudicator(s) will impose sanctions and/or remedies as necessary to end the misconduct, prevent its recurrence, and address its effects. The University reserves the right to take whatever measures deemed necessary in response to an allegation of sexual misconduct in order to protect the rights and personal safety of the complainant and the University community.

Individuals who are found responsible under this policy may face the following sanctions as appropriate for students, employees, visitors, or others including but not limited to:

- Assigned disciplinary status:
  - warning,
  - probation,
  - strict probation,
  - suspension ranging from one day to five years, or
expulsion;
• Withholding of diploma or degree for a defined period of time or until the completion of
assigned sanctions;
• Revocation of admission to the University;
• Temporary or permanent restricted access to areas of campus and campus events;
• Temporary or permanent restricted access to or participation in activities, organizations
or courses;
• Temporary or permanent removal from class or residential assignment;
• Conditions upon presence on campus or at University events;
• No trespass or no contact directives;
• Required attendance at educational trainings or meetings;
• Behavioral contracts;
• Required assessment or counseling;
• Community service hours;
• Loss of salary or benefit such as sabbatical or research or travel funding, removal or non-
renewal of scholarships or honors;
• Suspension of employment from one day to five years;
• Suspension of promotion or salary increase increments;
• Transfer or change of job or responsibilities, revocation of tenure, demotion, or
termination of employment;
• Ineligibility for rehire;
• Payment of restitution or costs incurred.

For any suspension or other temporary restriction, reinstatement may be conditioned upon
behavioral contracts, required attendance at educational programs, required assessment or
counseling, and/or any other disciplinary accountability measures outlined by Student Life and/or
Human Resources.

In the event that the University issues a sanction that is not contained in this policy, then it will
include that sanction in its next annual policy update.

Violations of imposed sanctions should be reported to the Title IX Coordinator.

When an investigation reveals that a campus organization (such as a student club, athletic team,
campus academic department, or staff/faculty committee) has committed or promoted behavior
involving sexual misconduct, the organization may be sanctioned. Sanctions to the organization
may include, but are not limited to, loss of University privileges (including, but not limited to,
prohibition on the organization’s participation in certain activities and the use of University
facilities), educational requirements for organization members, required additional oversight of
organization activities, temporary loss of funding and/or loss of recognition by the University,
and permanent loss of organization recognition, in addition to individual members of the
organization who are determined responsible for a Policy violation being subject to the sanctions
listed above. All campus organizations/departments are responsible for the actions of its
members when they are operating on behalf of the organization/department.

Remedies, accommodations, and protective measures for the complainant include implementing
or extending interim or protective measures, including, without limitation:
• A mutual or one-sided no contact order;
• Prohibiting an individual involved from being on University property;
• Prohibiting an individual involved from participating in University-sponsored events;
• Changing an individual’s on-campus residency, dining, or transportation arrangements, or prohibiting an individual from residing in a University residence;
• Assistance in finding alternative housing;
• Changing an individual’s student or employee status or job responsibilities;
• Changing an individual’s work or class schedule;
• Providing academic accommodations or providing assistance with academic issues;
• Providing security escorts;
• Providing a temporary cellphone
• Access to counseling and medical services;
• Making information about orders for protection and harassment restraining orders available to a complainant; and
• Assistance identifying an advocate to help secure additional resources or assistance, including off-campus and community advocacy, support, and services.

Remedies designed to address the Northwestern community include increased monitoring, supervision, and/or security at locations or in connection with activities where the prohibited conduct occurred or is likely to reoccur and targeted or broad-based educational programming or training for relevant persons or groups.

E.6. Notice of Outcome
The complainant and respondent will receive a written notice of the outcome by letter or email. The notifications will be sent to the complainant and the respondent at the same time.

For complaints involving sexual assault, dating violence, domestic violence, or stalking, the written notice shall include the determination of the adjudicator(s); where a violation is deemed to have occurred, the sanctions imposed; the rationales for the determination and sanctions, including, how the evidence was weighted, how the information supports the result, and the standard of evidence applied; procedures for appeal and the date by which the result becomes final as provided below; any other steps the University has taken to eliminate the conduct and prevent its recurrence; and, in the complainant’s notice, remedies offered or provided to the complainant.

For all other complaints of sexual misconduct, the written notice shall include the determination of the adjudicator(s). The respondent’s written notice shall include any imposition of sanctions and the complainant’s written notice shall include any imposition of sanctions that directly relate to the complainant. The written notice will also include information about the procedures for appeal, as set forth below, and when the result becomes final. In addition, the written notice shall include any other steps the University has taken to eliminate the conduct and prevent its recurrence and the complainant’s written notice will include remedies offered or provided to the complainant.

The University will seek to complete the adjudication process and provide written notice of outcome within twenty-five (25) calendar days of the adjudicator(s) receiving the investigation
file from the Title IX Coordinator; however, in some cases, more time may be required.

The determination of the adjudicator(s) may be appealed as provided below. In the event that no appeal is filed within the time periods prescribed below, the decision will be final.

**X. APPEAL OF DECISION**

Either the complainant or the respondent may appeal the results of the formal resolution process on one or more of the following bases:

- a procedural error occurred that substantially affected the outcome of the process;
- the decision was arbitrary and capricious or violated academic freedom;
- there has been discovery of significant new factual material that was not previously available to submit during the complaint resolution process that could have affected the original outcome; however, intentional omission of factual information by the appealing party is not a ground for an appeal;
- the sanction or other response by Northwestern under the formal resolution process was excessively severe or grossly inadequate.

**A. Submitting an Appeal**

Either party may request an appeal by submitting a written appeal statement, not to exceed 2,000 words, which must explain which of the bases above the party is citing for the appeal. A written appeal must be submitted to the Title IX Coordinator within seven (7) calendar days following the date that the notice of outcome was sent to the complainant and the respondent. Failure to file a timely appeal constitutes a waiver of any right to an appeal.

The Title IX Coordinator or the Title IX Coordinator’s designee(s) will review the appeal statement to determine whether the appeal states a permissible ground for appeal (as set forth above), such that the appeal will be considered.

If the Title IX Coordinator or the Title IX Coordinator’s designee(s) determines that the appeal states a permissible ground for appeal, the non-appealing party will be notified of the appeal and the alleged grounds for the appeal. The non-appealing party may, if desired, submit a written response to the appeal, not to exceed 2,000 words. The written response to the appeal must be submitted to the Title IX Coordinator within seven (7) calendar days of receiving notice of the appeal.

The Title IX Coordinator or the Title IX Coordinator’s designee(s) shall review the appeal statement and any responsive appeal statement and may remove or redact any portions of the statements that exceed the permitted scope of the appeal or that otherwise exceed the scope of information that may be considered in the complaint resolution process (e.g., general character or reputation evidence and evidence relating to the complainant’s prior sexual history). The Title IX Coordinator generally will compile an appeal file, which may consist of any information, documents, recordings, or other evidence that is provided to the appeal officer. Such information, may include, as applicable, the written appeal statement, the responsive appeal statement, the notice of outcome, the investigation file, the parties’ initial written statements and rebuttal written statements, and any previously undiscovered evidence (if discovery of new evidence is a ground for appeal).
Appeals will be considered by an appeal panel consisting of three (3) members appointed by the Title IX Coordinator or the Title IX Coordinator’s designee(s). Generally, the appeal panel will be made up of three (3) of the individuals identified, by position, as a potential adjudicator (in Section IX.E.3 above) who have not been previously involved in the complaint process and do not have a conflict of interest in the case. The University will ensure that the appeal panel has received the appropriate training and is impartial and free of any conflict of interest. The parties shall receive written notice of the appointed appeal panel. If any party has a concern that the appeal panel has a conflict of interest, the party should report the concern in writing as indicated in the “Conflicts” section above.

For complaints involving allegations of sexual assault, dating violence, domestic violence, or stalking, the appeal file will be made available for review by the complainant and respondent. The Title IX Coordinator or the Title IX Coordinator’s designee(s) will provide a four (4) calendar day period for the complainant and respondent to have access to review the appeal file and such access generally will be provided during normal business hours in a designated on-campus location. The appeal file cannot be removed from that location, nor can copies be made or pictures taken of the contents.

B. Consideration of Appeal

In an appeal, the burden of proof is on the appealing party to show that it is more likely than not that one or more of the above grounds for appeal are satisfied.

The appeal panel will not rehear the case, but will receive and review the appeal file and consider whether it is more likely than not that the above-listed grounds for appeal have been satisfied and impacted the outcome of the process. The appeal panel may choose to meet with the parties and consider other additional information, in the appeal panel’s sole discretion. For complaints involving allegations of sexual assault, dating violence, domestic violence, or stalking, if the appeal panel meets with a party, the other party shall have an opportunity to review any information provided to the appeal panel during or as a result of such a meeting.

If the appeal panel determines that the appealing party has demonstrated that it is more likely than not that one of the above grounds for appeal is satisfied, it will generally remand the matter for further investigation and/or deliberations, as determined by the appeal panel. If the appeal panel grants an appeal finding the imposed sanction to be excessively severe or grossly inadequate, the appeal panel has the discretion to modify the sanctions determination or to remand the matter to adjudicator(s) for a new sanctions determination. If the appeal panel modifies the sanctions determination, the appeal panel’s sanctions decision will be subject to an appeal.

If remanded, the appeal panel, in consultation with the Title IX Coordinator—or the Title IX Coordinator’s designee(s), will determine whether the matter should be remanded to the previous adjudicator(s) or whether new adjudicator(s) should review the matter, and, if the reasons for remand relate to the investigation or warrant additional investigation, whether the matter should be remanded to the previous investigator(s) or whether a new investigator(s) should be appointed. The appeal panel may not change the adjudicator’s determination of whether the respondent was responsible or not responsible for a policy violation. Only the
adjudicator(s) reviewing the matter on remand from an appeal may change the determination of the original adjudicator(s) of whether the respondent was responsible or not responsible of a possible violation. Upon remand, the investigator(s) and adjudicator(s) shall utilize the same process as required for all complaint processes under this policy. If the matter is remanded, the determination made on remand will be appealable under the procedures discussed in this Section.

If the appeal panel determines that the appealing party has not demonstrated that it is more likely than not that one or more grounds for appeal have been satisfied, the appeal panel will dismiss the appeal. This dismissal decision is final and is not appealable.

The appeal panel will issue a written decision stating the appeal officer’s findings and decision on the appeal. The University will seek to complete the appeal process within thirty (30) calendar days following the appeal panel’s receipt of the appeal file from the Title IX Coordinator; however, in some cases, more time may be required.

XI. NO RETALIATION

The University is committed to protecting the rights of the complainant, the respondent, and anyone else involved in the complaint process. No student or employee shall be reprimanded or retaliated against for, in good faith: initiating a report, filing a complaint, or participating in an investigation related to a claim of sexual misconduct. This policy also prohibits retaliation against a person who, in good faith, supports another person in these actions. Any conduct constituting retaliation is a violation of this policy, which is subject to disciplinary action up to and including termination of employment or expulsion.

The University may impose disciplinary action if it determines that a student or employee initiated a claim of sexual misconduct in bad faith, knowingly provided false information, or intentionally misled a University representative during an investigation of this or a related complaint.

XII. COMPLAINTS OF RETALIATION, VIOLATION OF INTERIM MEASURES, AND VIOLATIONS OF SANCTIONS.

Any complaint relating to retaliation in violation of this policy, violations of interim measures, or violations of sanctions should be reported promptly to the Title IX Coordinator. The University will take appropriate action against any individual who retaliates against another person in violation of this policy or who violates interim measures or sanctions.

When the University receives a complaint of retaliation or of violations of interim measures or sanctions, the Title IX Coordinator may exercise discretion to determine an appropriate responsive process based on the facts and circumstances. At the Title IX Coordinator’s or the Title IX Coordinator’s designee(s)’ discretion, options for resolution include, but are not limited to: informal discussions and resolution facilitated by the Title IX Coordinator or the Title IX Coordinator’s designee(s), investigation and determination by the Title IX Coordinator, or assignment of a designated individual to investigate the complaint and determine an appropriate response. This process will be separate and distinct from the Procedures for Sexual Misconduct Complaint Resolution outlined above for addressing sexual misconduct complaints. The Title IX Coordinator or the Title IX Coordinator’s designee(s) will document the complaint received, the
process used, and the outcome. In instances where the outcome of the process results in a suspension longer than one year, expulsion, or termination of employment, the impacted individual may appeal the decision in accordance with the appeal rights as set forth in this policy. The University will notify the parties of the outcome of the complaint. Any party with concerns about the process or outcome should consult with the Title IX Coordinator.

XIII. ALTERNATIVE PROCEDURES
Nothing in this policy is intended to interfere with the right of any individual to pursue other avenues of recourse which may include, but is not limited to, filing a complaint with the United States Department of Education’s Office for Civil Rights (OCR).

The OCR office for institutions located in Minnesota is:

U.S. Department of Education
Office for Civil Rights
Citigroup Center
500 W. Madison Street, Suite 1475
Chicago IL 60661-4544

Tel: 312.730.1560
TDD: 877.521.2172
Email: OCR.Chicago@ed.gov

XIV. POLICY DISSEMINATION
As part of the University’s commitment to maintaining a learning and working environment free of sexual misconduct, Northwestern will disseminate this policy broadly to the University community through publications, websites (public-facing and internal), employee training, student orientation, and other appropriate communication channels.

XV. RECORDKEEPING
The Title IX Coordinator is responsible for maintaining the official Northwestern records of sexual misconduct reports and complaints. When a complaint is pending, each official having a role in the response and resolution process is responsible for handling records appropriate to their role. When the process is complete, the official records relating to the complaint or report will be provided to the Title IX Coordinator, who will maintain such records in accordance with Northwestern record retention requirements and applicable law.

Records related to sexual misconduct reports and complaints will be treated as confidential and shared only on a need-to-know basis or as required by law.

XVI. POLICY AMENDMENTS
Northwestern reserves the right to change all matters contained in this policy, to interpret the provisions of this policy, and to vary from any provision of this policy in any instance where Northwestern determines that such variance is appropriate.
Nothing listed in this policy shall affect the authority of University of Northwestern to take actions as it deems appropriate to safeguard the safety and security of the University community.
Receiving medical care immediately following a sexual assault is critical for the victim’s well-being. The following provides information about the types of medical examinations available, what you can expect during a sexual assault examination, and the importance of preserving evidence. If you have questions, please contact the Title IX Coordinator or one of the confidential resources listed in Appendix B. This Appendix A includes, where applicable, definitions and procedures applicable to Northwestern employees or students at the Minnesota campus. For information on other states in which Northwestern employees or students are located, please see the state-specific information in Appendices D-I.

What are the different types of medical examination that a victim of sexual assault should obtain?

- Emergency medical exam, if the victim has injuries
  - May need ambulance if injuries are severe (call 911)
  - May utilize Health Services on campus as a starting point if during day hours
  - May utilize Resident Directors (RDs) for transportation
  - See attached listing of hospitals in Appendix B

- A general medical exam to ensure that the victim hasn’t sustained injuries that she/he is unaware of or unable to determine:
  - May utilize Health Services on campus as a starting point if during day hours
  - May utilize Resident Directors (RDs) for transportation
  - See attached listing of hospitals in Appendix B

- A Sexual Assault Examination, which is a medical/legal examination (may take up to 4 hours) for the collection of evidence if the victim thinks there is any possibility of pursuing legal action against the offender
  - It is very important to preserve evidence which may be necessary to the proof of sexual assault, dating violence, domestic violence, or stalking or which may be helpful in obtaining a protective order. To preserve evidence, do not change clothes, bathe, douche, brush teeth, comb hair, smoke, eat, or drink, and if possible, do not urinate; do not alter the scene of the assault; and bring another set of clothes to the hospital since clothes will be collected as part of the evidence. This is important for the evidence collection process that will occur at the hospital. Individuals should go to a medical facility, such as those listed in Appendix B, to obtain a medical exam and preserve evidence that may be necessary for criminal prosecution as soon as possible.
  - Victims who receive a Sexual Assault Examination are not required file a police report. If a victim is not sure if he or she wants to file a police report, receiving a Sexual Assault Examination and taking other steps to preserve evidence allows him/her to later decide to pursue criminal charges.
  - A victim may also submit the results of a Sexual Assault Examination to the University as evidence of a violation of the University’s Sexual Misconduct Policy.
SANE/SAFE (Sexual Assault Nurse Examination and Sexual Assault Forensic Examination) programs ensure that a victim will be treated by a specially trained nurse who is sensitive to her/his particular needs. It also ensures proper collection of forensic evidence, and maintains proper chain of custody issues if a case is brought to trial. These programs are committed to making sure an advocate is called and available to talk to the victim if she/he desires one.

What can be expected during a Sexual Assault Examination?

- A sexual assault nurse examiner can evaluate a victim whose assault has occurred within the previous 240 hours (10 days).

- During a sexual assault exam, the nurse will:
  - identify and care for injuries
  - collect physical evidence
  - assess risk of sexually transmitted diseases and give preventative treatment
  - assess risk of pregnancy and present emergency prevention options (victims should be aware that the Morning After Pill may be automatically given; make sure that medical personnel are aware of your wishes regarding emergency contraceptives)
  - give crisis information and referral to support services
  - provide referrals for appropriate medical follow-up

- If a different hospital (other than the ones listed in Appendices B and D-I) is utilized due to victim’s insurance or personal preference, please call ahead and see if they have SANE/SAFE personnel on staff. We have been told that every hospital in the Twin Cities area has a sexual assault services program, i.e. specialized care for an assault victim.

- It should be noted that Regions Hospital is unique in that their SANE person will come right away when the patient enters the emergency room. The other hospitals will call the S.O.S. advocacy agency, but they often (due to limited staff) do not come to the ER right at the time of the event, but they will follow-up the next day. However, United Hospital will call social services and they will stay and be an advocate for the victim at the time of admission.

- SANE/SAFE personnel should offer to call a provider of advocacy services if the victim desires this. Advocacy services are provided by:
  - Sexual Offense Services (S.O.S.) of Ramsey County, 24 hour crisis line: 651-266-1000, S.O.S. Business Line: 651-643-3022
  - If needed, a male/female EMT may be asked to stay to provide same sex support

- A victim has the right to refuse any type of treatment (i.e. drug testing, blood alcohol testing)

- Many hospitals offer Sexual Assault Examinations free of charge. Charges for various tests seem to vary depending upon the hospital. Check this with the hospital.

What should I do if I suspect I was given a date rape drug?
If date rape drugs are suspected (such as Rohypnol, GHB) request a urine test at the hospital. These drugs metabolize quickly in the body. Rohypnol cannot be detected 48 hours after
ingestion. Evidence of GHB can remain up to only 12 hours. Indicators that the victim may have been drugged include:

- She/he reports becoming intoxicated in a short span of time (5-15 minutes);
- She/he can’t remember what happened; or
- She/he recalls waking up then passing out again.

Note that other prescription and over-the-counter medication can cause similar reactions; therefore all other medications consumed by the victim in the past 24 hours should be disclosed.
Appendix B

People Who Can Help: Minnesota

If you or someone you know has been a victim of sexual misconduct, we strongly encourage you to report to the University. Only Counseling Services and Health Services on campus can promise confidentiality. They can also assist a complainant with obtaining medical, emotional and other support and advocacy resources, whether or not a complainant decides to report his or her concerns to the University or Law Enforcement. Those listed under On-Campus Resources are not confidential resources but are members of the Title IX Team and can answer questions about Title IX and the Sexual Misconduct Policy. It is important to note that if a member of the Title IX team becomes aware of sexual misconduct, he/she is obligated to report it to the Title IX Coordinator. If you aren’t sure of someone’s duties and their ability to maintain your privacy, ask them before you talk to them.

On-Campus Confidential Support
Obligated to keep your information confidential

Counseling Services
https://unwsp.edu/get-support/student-services-center/counseling-services
Monday–Friday: 9:00 a.m. – 5:00 p.m. (During the academic year)
Location: Nazareth Hall, N3086, N3087, N3088
Danette Wilfahrt, Director
651-631-5190 | dcwilfahrt@unwsp.edu

Health Services
https://unwsp.edu/get-support/student-services-center/health-services
Monday–Friday: 8:30 a.m. – 4:40 p.m. (During the academic year)
Location: Nazareth Hall, N1111 – first floor
Cynthia Reedstrom, Director
651-628-3250 | cpreedstrom@unwsp.edu

On-Campus Resources – Title IX Team

Title IX Coordinator
Kelly Franck, Human Resources Generalist
Location: Riley Hall: R1605
651-631-5480 | titleIX@unwsp.edu

Athletics
Beth Wilmeth, Senior Women’s Administrator
651-286-7486 | bkwilmeth@unwsp.edu

College of Adult & Graduate Studies
Sarah Butler, Assistant Dean of Student Academic Services & Retention
Location: Nazareth Hall, N1132
651-286-7450 | sjbutler@unwsp.edu
Public Safety:
651-631-5310 (24-hour officer on duty)
Peter Sola, Director
Location: Riley Hall 1619,
651-631-5349 | plsola@unwsp.edu

Resident Director on Duty
651-631-5307 (Available 24/7)

Student Life
Amy Carroll, Dean of Student Engagement
651-628-3359 | ascarroll@unwsp.edu

Student Life
Jerod Cornelius, Dean of Community Life
651-631-5320 | jlcornelius@unwsp.edu

Student Employment
Karen Grover, Human Resources Generalist
651-631-5327 | klgrover@unwsp.edu

Office of Dual Enrollment
Kristin Anenson, Lead Student Academic Advisor
651-286-7621 | knanenson@unwsp.edu

Adult and Graduate Studies
Nathan Tysk, Lead Student Academic Advisor, AGS
651-631-5251 | natysk@unwsp.edu

Off-Campus Confidential Resources
(Not required to report incident)

Sexual Offense Services (St. Paul) 24-hour
https://www.ramseycounty.us/residents/health-medical/clinics-services/sos-sexual-violence-services
651-266-1000
sos@co.ramsey.mn.us
crisis counseling, advocacy, information, and referral

RAINN (Rape, Abuse, and Incest National Network)
www.rainn.org
800-656-HOPE (4673) (24-hour hotline)

Sexual Violence Center
Minneapolis, MN
www.sexualviolencecenter.org
612-871-5111 (24-hour crisis line)

Off-Campus Resources

Emergency: 911

Non-emergency Reporting:
Ramsey County Sheriff - 24 Hour: 651-767-0640
**ADDITIONAL RESOURCES:**

**Sexual Assault Care Services:** 763-236-4172 (Allina Health)
**Sexual Assault Advocate:** 612-348-4243 (Minneapolis/Hennepin County)
**Family & Sexual Violence Unit:** 651-266-5676 (St. Paul)
**Sexual Violence Prevention:** [http://www.health.state.mn.us/injury/topic/svp/](http://www.health.state.mn.us/injury/topic/svp/)

**Counseling and Mental Health:** Sexual Offense Services (St. Paul) 24-hour 
[https://www.ramseycounty.us/residents/health-medical/clinics-services/sos-sexual-violence-services](https://www.ramseycounty.us/residents/health-medical/clinics-services/sos-sexual-violence-services)

651-266-1000
sos@co.ramsey.mn.us

Crisis counseling, advocacy, information, and referral

**Health:**

**Regions Hospital**
640 Jackson Street | St. Paul, MN 55101
Emergency Room – SANE Program**
651-254-5000

**United Hospital**
333 North Smith Avenue | St. Paul, MN 55102
651-241-8000
Emergency Room: 651-241-8755
SANE Program**

**Hennepin County Medical Center (HCMC)**
701 Park Avenue | Minneapolis, MN 55415
Emergency Room: 612-873-5832
SANE / Sexual Assault Resource Service**
[https://www.hennepinhealthcare.org/support-services/violence-assault-and-abuse-resources/](https://www.hennepinhealthcare.org/support-services/violence-assault-and-abuse-resources/)

**SANE:** Sexual Assault Nurse Examiners ensure that a victim will be treated by a specially trained nurse who is sensitive to her/his particular needs.
Victim Advocacy: See Confidential Resources above

Student Financial Aid: Office of Financial Aid
651-631-5212
financialaid@unwsp.edu

Immigration Law Assistance: Immigrant Law Center of Minnesota: 1-800-223-1368
(legal assistance in a variety of immigration-related matters including support for survivors of sexual assault, trafficking, domestic abuse, and other crimes)

Southern Minnesota Regional Legal Services: 1-888-575-2954 (free legal assistance for qualifying clients, available services include immigration assistance)
Risk Reduction / Interventions

RISK REDUCTION: WARNING SIGNS OF AN ABUSIVE DATE
- Possessive
- Bad tempered/easily angered
- Blames others for his/her problems
- Uses force during arguments
- Controlling
- Isolates you from your friends or family
- Threatens force or violence
- Verbally abusive

Sexual Assault Prevention Information from Merced College:

RISK REDUCTION: AVOID DANGEROUS SITUATIONS
- Be aware of your surroundings
- Try to avoid isolated areas and becoming isolated with someone you don’t trust or someone you don’t know well
- Walk with purpose
- Try not to load yourself down with packages or bags
- Trust your instincts
- Make sure your cell phone is with you and charged

RISK REDUCTION: SOCIAL SITUATIONS
- Go with a group of friends. Arrive together, check in with each other and leave together.
- Be careful when drinking beverages: If offered a beverage, watch it being poured, and carry it yourself. Don’t drink from punch bowls or other large, common open containers. Don’t leave your beverage unattended. Watch out for your friends, and vice versa.
- Use of alcohol or drugs significantly increases likelihood of sexual assault.
- Have a buddy system; stay with the group. Let a friend know if something is making you uncomfortable or if you are worried about your or your friend’s safety. Don’t be alone with someone you don’t know / trust.
- Be aware of your surroundings. Know where you are and who is around.

(By Crime Victim Services, Inc.)

Bystander Intervention
- Direct Intervention: Ask the target, “Do you need help?” Tell the harasser, “Stop now or I will call the police/security.”
- Delegate someone to go get help: “You, in the red jacket, go call the police.”
- Distract the harasser: Provide a distraction to give the target a way out of the situation, “Oh, look I just dropped my bag!” Pretend to know the target, “Hey, I’ve been looking for you! We’re going to be late!”

What to do?
- If you experience, hear about, or believe someone is experiencing sexual misconduct - including assault, please make a report by contacting an On-Campus Resource or Support person listed under “People Who Can Help” in Appendix B.
If UNW becomes aware of sex discrimination, sexual harassment, or sexual violence, we will take:

- steps to protect the complainant; and
- prompt and effective steps to end the sexual misconduct, prevent its recurrence, and address its effects.

**Note:**
- Location of complaint does not matter (on-campus and off-campus)
- Complaint can be filed by anyone

**Inquiries concerning sexual misconduct should be made to:**

Kelly Franck  
*Title IX Coordinator*  
Human Resources Generalist/Title IX Coordinator  
Riley Hall: R1605  
651-631-5480

This policy is reviewed annually by the Title IX Coordinator and the offices of Human Resources and Student Life.
Information for Students & Employees in South Dakota

RESOURCES:

On-Campus Resources (available remotely) – Title IX Team

**Title IX Coordinator**
Kelly Franck, Human Resources Generalist
Location: Riley Hall: R1605
651-631-5480 | titleIX@unwsp.edu

**Athletics**
Beth Wilmeth, Senior Women’s Administrator
651-286-7486 | bkwilmeth@unwsp.edu

**College of Adult & Graduate Studies**
Sarah Butler, Assistant Dean of Student Academic Services & Retention
Location: Nazareth Hall, N1132
651-286-7450 | sjbutler@unwsp.edu

**Public Safety:**
651-631-5310 (24-hour officer on duty)
Peter Sola, Director
Location: Riley Hall 1619,
651-631-5349 | plsola@unwsp.edu

**Resident Director on Duty**
651-631-5307 (Available 24/7)

Student Life
Amy Carroll, Dean of Student Engagement
651-628-3359 | ascarroll@unwsp.edu

Student Life
Jerod Cornelius, Dean of Community Life
651-631-5320 | jlcornelius@unwsp.edu

Student Employment
Karen Grover, Human Resources Generalist
651-631-5327 | klgrover@unwsp.edu

Office of Dual Enrollment
Kristin Anenson, Lead Student Academic Advisor
651-286-7621 | knanenson@unwsp.edu

Adult and Graduate Studies
Nathan Tysk, Lead Student Academic Advisor, AGS
651-631-5251 | natysk@unwsp.edu

Off-Campus Confidential Resources
(Not required to report incident)

Children’s Inn (24-hour assistance)
http://www.chssd.org/childrensinn
Office: 605-338-0016
Crisis Line: 605-338-4880
Toll Free Crisis Line: 1-888-378-7398

The Compass Center (24-hour assistance)
https://thecompasscenter.org
Office: 603-339-0116
Crisis Line: 877-IN-CRISIS

South Dakota Coalition Against Domestic Violence & Sexual Assault
www.sdcedsv.org
Crisis Line: 800-430-7233

RAINN (Rape, Abuse, and Incest National Network)
www.rainn.org
800-656-HOPE (4673) (24-hour hotline)

Off-Campus Resources

Emergency: 911

Non-emergency Reporting:
Minnehaha County Sheriff: 605-367-4300
Sioux Falls Police Department: 605-367-7212

ADDITIONAL RESOURCES:

Counseling and Mental Health:

Children’s Inn (24-hour assistance)
http://www.chssd.org/childrensinn
Office: 605-338-0016
Crisis Line: 605-338-4880

The Compass Center (24-hour assistance)
https://thecompasscenter.org
Office: 603-339-0116
Crisis Line: 877-IN-CRISIS
Toll Free Crisis Line: 1-888-378-7398

Health:

Sanford Emergency Room
1305 West 18th Street
Sioux Falls, SD 57105
605-333-6688
SANE Program**
www.sanfordhealth.org

Avera McKennan Hospital Emergency Room
1325 S. Cliff Avenue
Sioux Falls, SD
605-322-2000
SANE Program**
** SANE: Sexual Assault Nurse Examiners ensure that a victim will be treated by a specially trained nurse who is sensitive to her/his particular needs.

Victim advocacy: See Confidential Resources above

Student financial aid:

Office of Financial Aid
651-631-5212
financialaid@unwsp.edu

Immigration Law Assistance:

LSS-SD Center for New Americans
605-731-2000
(legal assistance in a variety of immigration-related matters)

South Dakota Network Against Family Violence and Sexual Assault
605-731-0041
(immigration legal assistance for victims of domestic violence, sexual violence, and/or stalking)

OTHER STATE LAW INFORMATION:

Domestic Abuse and Stalking Protection Orders/Criminal No Contact Orders

Stalking protection orders and domestic abuse protection orders are legal orders issued by a state court that forbid someone from harassing and/or making contact with another. A stalking restraining order is a civil court order issued against an alleged harasser, regarding of the relationship between the alleged harasser and the alleged victim, which orders the harasser to stop harassing the victim and/or to have no contact with the victim. A domestic abuse protection order is a civil court order that selects a person from domestic abuse by a spouse or former spouse, a person with whom he or she has had a significant romantic relationship, a person with whom he or she has a child or is expecting a child, a parent or child, or a sibling. The University does not issue such orders, however, petition forms to apply for stalking protection orders are available from the clerk of courts, 425 N. Dakota Avenue Sioux Falls, SD 57104, or online at http://ujs.sd.gov/Forms/stalkingpo.aspx or and petition forms to apply for domestic abuse protection orders are available from the clerk of courts or online at http://ujs.sd.gov/Forms/domesticpo.aspx. A criminal no contact order is an order by a court prohibiting the defendant in a criminal case from having any contact with the victim while out on bond.

Mandatory Reporting
Under South Dakota law, physicians, dentists, doctors of osteopathy, chiropractors, optometrists, emergency medical technicians, paramedics, mental health professionals or counselors, podiatrists, psychologists, religious healing practitioners, social workers, hospital interns or residents, parole or court services officers, law enforcement officers, teachers, school counselors, school officials, nurses, licensed or registered child welfare providers, employees or volunteers of a domestic abuse shelter, employees or volunteers of a child advocacy organization or child welfare service provider, chemical dependency counselors, coroners, or any safety-sensitive position are mandatory reporters. See South Dakota Code § 26-8A-3.

**Relevant State Law Definitions**

Sexual assault is a criminal act under South Dakota state law. See South Dakota Code § 22-22-1 et seq. for applicable criminal law definitions of criminal sex offenses in South Dakota.

Domestic violence also may be called domestic abuse or spousal/intimate partner/relationship abuse or violence and is prohibited by South Dakota state law. See South Dakota Code § 25-10-1 for applicable criminal law definitions related to domestic abuse in South Dakota.

Dating violence is also prohibited by South Dakota state law. See South Dakota Code § 25-10-1 for applicable criminal law definitions related to dating violence in South Dakota.

Stalking is also prohibited by South Dakota state law. See South Dakota Code § 22-19A-1 et seq. for applicable definitions of criminal stalking in South Dakota.
Information for Employees in North Dakota

RESOURCES:

On-Campus Resources (available remotely)

Title IX Coordinator
Kelly Franck, Human Resources Generalist
651-631-5480 | titleIX@unwsp.edu

Public Safety:
651-631-5310 (24-hour officer on duty)
Peter Sola, Director
651-631-5349 | plsola@unwsp.edu

Off-Site Confidential Resources
(Not required to report incident)

Rape and Abuse Crisis Center, Fargo
www.raccfm.com
Office: 701-293-7273
Crisis Line: 800-344-7273
Offering crisis intervention, counseling, advocacy, and education

RAINN (Rape, Abuse, and Incest National Network)
www.rainn.org
800-656-HOPE (4673) (24-hour hotline)

Off-Campus Resources

Emergency: 911

Non-emergency Reporting:
Cass County Sheriff: 218-547-1424
Fargo Police Department: 701-235-4493
West Fargo Police Department: 701-433-5500

ADDITIONAL RESOURCES:

Counseling and Mental Health:

Rape and Abuse Crisis Center, Fargo
www.raccfm.com
Office: 701-293-7273
Crisis Line: 800-344-7273
Offering crisis intervention, counseling, advocacy, and education

Health:

Essentia Health-Emergency Medicine
https://www.essentialhealth.org/find-facility/profile/emergency-medicine-essential-health-fargo/
3000 32nd Ave. S., Fargo, ND 58103
SANE Program**
701-364-8000

Sanford Health Emergency Center
https://www.sanfordhealth.org/locations/sanford-emergency-center
5225 23rd Avenue South, Fargo, ND
SANE Program**
701-417-2100

** SANE: Sexual Assault Nurse Examiners ensure that a victim will be treated by a specially trained nurse who is sensitive to her/his particular needs.
  - Evidence should be collected within 96 hours of the assault when possible.

Victim Advocacy: See Confidential Resources above

Student Financial Aid:

Office of Financial Aid
651-631-5212
financialaid@uwsp.edu

Immigration Law Assistance:

Lutheran Social Services of North Dakota
701-235-7341
(Legal assistance for qualifying clients, available services include immigration assistance)

OTHER STATE LAW INFORMATION:

Protection Order/Criminal No Contact Orders

Domestic violence protection orders, disorderly conduct restraining orders, and sexual assault restraining orders are legal orders issued by a state court that forbid someone from harassing and/or making contact with another. A domestic abuse protection order protects a person from abuse from a spouse or former spouse, a family member, a parent, a child, a person related by blood or marriage, a person presently residing with the person or who has resided with that person in the past, a person who has a child in common with the person, persons who
are in a dating relationship, or any other person with a sufficient relationship to the person as determined by the court.

A disorderly conduct restraining order protects a person from intrusive or unwanted acts, words, or gestures that are intended to adversely affect the safety, security, or privacy of another person regardless of the relationship between the alleged harasser and the alleged victim. A sexual assault restraining order protects a person that is a victim of sexual assault. The University does not issue such orders, however, instructions and petition forms can be obtained from the district court, 211 S. 9th St., Fargo, ND 58108, or online at http://www.ndcourts.gov/ndlshc/DCRO/DCRO.aspx. A criminal no contact order is issued by a judge against someone who has been arrested for a domestic violence offense. The order is placed on the arrested person at his or her first court appearance, prior to being released from custody.

**Mandatory Reporting**

Under North Dakota law, any dentist; optometrist; dental hygienist; medical examiner or coroner; tier 1 mental health professional, tier 2 mental health professional, tier 3 mental health professional, or tier 4 mental health professional as defined under section 25-01-01; or any other medical or mental health professional, religious practitioner of the healing arts, schoolteacher or administrator, school counselor, child care worker, foster parent, police or law enforcement officer, juvenile court personnel, probation officer, division of juvenile services employee, or member of the clergy is a mandatory reporter. See North Dakota Cent. Code § 50-25.1-03.

**Relevant State Law Definitions**

Sexual assault is a criminal act under North Dakota state law. See North Dakota Cent. Code § 12.1-20-01 et seq. for applicable criminal law definitions of criminal sex offenses in North Dakota.

Domestic violence also may be called domestic abuse or spousal/intimate partner/relationship abuse or violence and is prohibited by North Dakota state law. See North Dakota Code §§ 12.1-17-01; 14-07.1-01 for applicable definitions related to domestic violence in North Dakota.

Dating violence is also prohibited by North Dakota state law. See North Dakota Code §§ 12.1-17-01; 14-07.1-01 for applicable definitions related to dating violence in North Dakota.

Stalking is also prohibited by North Dakota state law. See North Dakota Code § 12.1-17-07.1 for applicable definitions of criminal stalking in North Dakota.
Appendix F

Information for Employees in Iowa

RESOURCES:

**On-Site Resources (available remotely)**

**Title IX Coordinator**
Kelly Franck, Human Resources Generalist
651-631-5480 | titleIX@unwsp.edu

**Public Safety:**
651-631-5310 (24-hour officer on duty)
Peter Sola, Director
651-631-5349 | plsola@unwsp.edu

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**Off-Site Confidential Resources**
(Not required to report incident)

**Polk County Crisis & Advocacy Center**
https://www.polkcountyiowa.gov/cfys/services/crisis-advocacy-services/
2309 Euclid Avenue, Des Moines, IA
Crisis Hotline: 515-286-3600

**Children & Families of Iowa**
http://cfiowa.org/
1111 University Avenue, Des Moines, IA
Crisis Hotline: 515-243-6147

**Cedar Valley Friends of the Family**
https://www.fofia.org
Waterloo Office: 319-234-0232
Crisis Hotline: 800-410-7233

**Riverview Center**
http://www.riverviewcenter.org/
2055 Kimball Avenue, Suite 355, Waterloo, IA
Cedar Rapids Office: 319-540-0080
Waterloo Office: 319-939-9599

**Iowa Coalition Against Sexual Assault**
https://www.iowacasa.org
800-770-1650 or text “IOWAHELP” to 20121
RAINN (Rape, Abuse, and Incest National Network)
www.rainn.org
800-656-4673 (24-hour hotline)

**Off-Site Resources**

**Emergency:** 911

**Non-emergency Reporting:**
Polk County Sheriff: 863-298-6200
Des Moines Police Department: 515-283-4811
Black Hawk County Sheriff: 319-291-2587
Waterloo Police Department: 319-291-2515
Linn County Sheriff: 319-892-6100
Cedar Rapids Police Department: 319-286-5491

**ADDITIONAL RESOURCES:**

**Counseling and Mental Health:**

Polk County Crisis & Advocacy Center
https://www.polkcountyiowa.gov/cfys/services/crisis-advocacy-services/
2309 Euclid Avenue, Des Moines, IA
Crisis Hotline: 515-286-3600

Children & Families of Iowa
http://cfiowa.org/
1111 University Avenue, Des Moines, IA
Crisis Hotline: 515-243-6147
Crisis Hotline: 515-286-3600

Riverview Center
http://www.riverviewcenter.org/
2055 Kimball Avenue, Suite 355, Waterloo, IA
Cedar Rapids Office: 319-540-0080
Waterloo Office: 319-939-9599

**Health:**

Mercy Medical Center Des Moines
1111 6th Avenue, Des Moines, IA
Emergency Room – SANE Program**
515-247-3211
http://www.mercydesmoines.org/emergency

Iowa Lutheran Hospital
700 East University Avenue, Des Moines, IA
Emergency Room—SANE Program**
Covenant Medical Center
3421 West 9th Street, Waterloo, IA
Emergency Room—SANE Program (if SANE nurse is available)**
319-272-8000
https://www.wheatoniowa.org/locations/covenant-medical-center/

Mercy Medical Center
701 10th Street Southeast, Cedar Rapids, IA
Emergency Center—SANE Program**
319-398-6041
https://www.mercycare.org/services/emergency-department/

** SANE: Sexual Assault Nurse Examiners ensure that a victim will be treated by a specially trained nurse who is sensitive to her/his particular needs.

Victim Advocacy:

Polk County Crisis & Advocacy Center
https://www.polkcountyiowa.gov/cfys/services/crisis-advocacy-services/
2309 Euclid Avenue, Des Moines, IA
Crisis Hotline: 515-286-3600

Iowa Coalition Against Sexual Assault
https://www.iowacasa.org
800-770-1650 or text "IOWAHELP" to 20121

RAINN (Rape, Abuse, and Incest National Network)
www.rainn.org
800-656-HOPE (4673) (24-hour hotline)

Student Financial Aid:

Office of Financial Aid
651-631-5212
financialaid@unwsp.edu

Immigration Law Assistance:

Iowa Legal Aid
800-532-1275
www.iowalegalaid.org
(Legal assistance in a variety of immigration-related matters including support for survivors of sexual assault, trafficking, domestic abuse, and other crimes)
OTHER STATE LAW INFORMATION:

Protective Orders/Criminal No Contact Orders

Domestic abuse protective orders and sexual assault protective orders are legal orders issued by a state court that forbid someone from harassing and/or making contact with another. A domestic abuse protective order is a civil court order that protects a person from domestic abuse by a spouse or former spouse, a person he or she lived with at the time of the assault or with whom he or she lived with within one year before the assault occurred, a person with whom he or she has a child, or a person with whom he or she has an intimate relationship or had an intimate relationship and had contact during the previous year. A sexual assault protective order protects a person who is the victim of sexual abuse. The University does not issue such orders, however protective orders petition forms are available from the clerk of court and online at https://www.iowacourts.gov/for-the-public/court-forms/. The clerk of court for Polk County is located at 500 Mulberry St., Des Moines, IA 50309. The clerk of court for Linn County is located at 51 Third Avenue Bridge, Cedar Rapids, IA 52401. The clerk of court for Black Hawk County is located at 316 E. 5th St., Waterloo, IA 50703. Information about obtaining a protective order is available at https://www.iowalegalaid.org/resource/how-can-i-get-a-civil-protection-order. A criminal no contact order may be issued by a court following a criminal charge for domestic abuse.

Mandatory Reporting

Under Iowa law, any health practitioner, social worker, employee or operator of a public or private health care facility, certified psychologist, licensed school employee, certified para-educator, holder of a coaching authorization, instructor employed by a community college, employee or operator of a licensed child care center, registered child development home, head start program, family development and self-sufficiency grant program, or health opportunity for parents to experience success – healthy families Iowa program, employee or operator of a substance abuse program or facility, employee of a department of human services institution, employee or operator of a juvenile detention or juvenile shelter care facility, employee or operator of a foster care facility, employee or operator of a mental health center, peace officer, counselor or mental health professional, and employee or operator of a provider of services to children funded under a federally approved medical assistance home and community-based services waiver is a mandatory reporter. See Iowa Code § 232.69.

Relevant State Law Definitions

Sexual assault is a criminal act under Iowa state law. See Iowa Code § 709.1 et seq. for applicable criminal law definitions of sexual abuse in Iowa.

Domestic violence also may be called domestic abuse or spousal/intimate partner/relationship abuse or violence and is prohibited by Iowa state law. See Iowa Code §§ 236.2; 708.2A for applicable definitions related to domestic violence in Iowa.
Dating violence is also prohibited by Iowa state law. See Iowa Code §§ 236.2; 708.2A for applicable definitions related to dating violence in Iowa.

Stalking is also prohibited by Iowa state law. See Iowa Code § 708.11 for applicable definitions of criminal stalking in Iowa.
Information for Employees in Nebraska

RESOURCES:

On-Campus Resources (available remotely)

Title IX Coordinator
Kelly Franck, Human Resources Generalist
651-631-5480 | titleIX@unwsp.edu

Public Safety:
651-631-5310 (24-hour officer on duty)
Peter Sola, Director,
651-631-5349 | plsola@unwsp.edu

Off-Site Confidential Resources
(Not required to report incident)

Women’s Center for Advancement
http://wcaomaha.org/
222 South 29th Street, Omaha, NE
Office: 402-345-6555
Crisis Hotline: 402-345-7273

Catholic Charities Domestic Violence Shelter
https://www.ccomaha.org/what-we-do/domestic-violence-services.html
Crisis Hotline: 402-558-5700

Heartland Family Service
https://heartlandfamilyservice.org/
info@heartlandfamilyservice.org
2101 South 42nd Street, Omaha, NE
402-553-3000

RAINN (Rape, Abuse, and Incest National Network)
www.rainn.org
800-656-HOPE (4673) (24-hour hotline)

Off-Site Resources

Emergency: 911

Non-emergency Reporting:
Douglas County Sheriff: 402-444-6641
Omaha Police Department: 402-444-5600
ADDITIONAL RESOURCES:

Counseling and Mental Health:

Heartland Family Service
https://heartlandfamilyservice.org/
info@heartlandfamilyservice.org
2101 South 42nd Street, Omaha, NE
402-553-3000

Health:

Methodist Hospital
8303 Dodge Street, Omaha, NE
Emergency Room – SANE Program**
24 Hour Help Line: 402-354-4424
https://www.bestcare.org/methodist-hospital/

CHI Health Creighton University Medical Center—Bergan Mercy
7500 Mercy Road, Omaha, NE
Emergency Room—SANE Program**
402-398-6161

** SANE: Sexual Assault Nurse Examiners ensure that a victim will be treated by a specially trained nurse who is sensitive to her/his particular needs.

Victim Advocacy: See Confidential Resources above

Student Financial Aid:

Office of Financial Aid
651-631-5212
financialaid@unwsp.edu

Immigration Law Assistance:

Catholic Charities, Juan Diego Center
402-939-4615
(Legal assistance in a variety of immigration-related matters including support for survivors of sexual assault, trafficking, domestic abuse, and other crimes)

Nebraska Immigration Legal Assistance Hotline
855-307-6730
OTHER STATE LAW INFORMATION:

Protection Orders/Criminal No Contact Orders

Domestic abuse protection orders, harassment protection orders, and sexual assault protection orders are legal orders issued by a state court that forbid someone from harassing and/or making contact with another. A domestic abuse protection order protects a person who has been in a close relationship with the alleged perpetrator, including relatives, spouses or former spouses, and a person with whom he or she has lived or is living with, and is granted because the other person attempted, threatened, or caused bodily injury, intimidated the other person by credible threat, or engaged in sexual contact or sexual penetration without consent. A harassment protection order is issued against an alleged harasser, regardless of the relationship between the alleged harasser and the alleged victim, based on a number of telephone or personal contacts that seriously terrify, threaten, or intimidate the victim and serve no legitimate purpose. A sexual assault protection order is granted regardless of the relationship between the alleged perpetrator and the alleged victim because someone subjected or attempted to subject the other person to sexual contact or sexual penetration without consent. The University does not issue such orders, however, protection order petition forms are available from the district court clerk, 1701 Farnam St., 5th Floor, Omaha, NE 68183, or online at:

Mandatory Reporters

Under Nebraska law, any person is a mandatory reporter. See Nebraska Revised Statutes § 28-711.

Relevant State Law Definitions

Sexual assault is a criminal act under Nebraska state law. See Nebraska Revised Statutes § 28-319 et seq. for applicable criminal law definitions of sexual assault in Nebraska.

Domestic violence also may be called domestic abuse or spousal/intimate partner/relationship abuse or violence and is prohibited by Nebraska state law. See Nebraska Revised Statute § 28-323 for applicable definitions related to domestic violence in Nebraska.

Dating violence is also prohibited by Nebraska state law. See Nebraska Revised Statute § 28-323 for applicable definitions related to dating violence in Nebraska.

Stalking is also prohibited by Nebraska state law. See Nebraska Revised Statute § 28-311.02 et seq. for applicable definitions of criminal stalking in Nebraska.
Information for Employees in Kansas

RESOURCES:

On-Campus Resources (available remotely)

**Title IX Coordinator**
Kelly Franck, Human Resources Generalist
651-631-5480 | titleIX@unwsp.edu

**Public Safety:**
651-631-5310 (24-hour officer on duty)
Peter Sola, Director
651-631-5349 | plsola@unwsp.edu

Off-Site Confidential Resources
(Not required to report incident)

Metropolitan Organization to Counter Sexual Assault
http://www.mocsa.org
3100 Broadway, Suite 400, Kansas City, MO
Office Line: 816-931-4527
Crisis Line (Kansas): 913-642-0233

Off-Site Resources

**Emergency:** 911

**Non-emergency Reporting:**
Johnson County Sheriff: 913-782-0720
Overland Park Police Department: 913-895-6300

ADDITIONAL RESOURCES:

**Counseling and Mental Health:** See Confidential Resources above

**Health:**

Overland Park Regional Medical Center
10500 Quivira Road, Overland Park, KS
Emergency Room – SANE Program**
913-541-5000
https://oprmc.com/
** SANE: Sexual Assault Nurse Examiners ensure that a victim will be treated by a specially trained nurse who is sensitive to her/his particular needs.
- Evidence should be collected within 72 hours of the assault when possible.

Victim Advocacy:

Safehome
www.safehome-ks.org
PO Box 4563, Overland Park, KS
Administrative Line: 913-432-9300
24-Hour Hotline: 913-262-2868; 1-888-432-4300

Metropolitan Organization to Counter Sexual Assault
http://www.mocsa.org
3100 Broadway, Suite 400, Kansas City, MO
Office Line: 816-931-4527
Crisis Line (Kansas): 913-642-0233

RAINN (Rape, Abuse, and Incest National Network)
www.rainn.org
800-656-HOPE (4673) (24-hour hotline)

Student Financial Aid:

Office of Financial Aid
651-631-5212
financialaid@unwsp.edu

Immigration Law Assistance:

Catholic Charities, La Luz Immigration Clinic
913-621-1504
(Legal assistance in a variety of immigration-related matters including support for survivors of sexual assault, trafficking, domestic abuse, and other crimes)

Immigrant Connection, Inc.
913-210-1776
(Legal assistance in a variety of immigration-related matters including support for survivors of sexual assault, trafficking, domestic abuse, and other crimes)

OTHER STATE LAW INFORMATION:

Protection from Abuse Orders/Protection from Stalking or Sexual Assault Orders

Protection from abuse and protection from stalking or sexual assault orders are legal orders issued by a civil court that prohibit another person from having contact with you. Protection
from abuse orders protect a person from abuse by his or her spouse or former spouse, someone he or she lives with or lived with, someone he or she is dating or has dated, or someone with whom he or she has a child. Protection from stalking or sexual assault orders protects victims of stalking or sexual assault, regardless of the victim’s relationship to the alleged perpetrator. The University does not issue such orders, however protection from abuse and protection from stalking or sexual assault order petition forms are available from the clerk of district court, 100 N. Kansas Avenue, Olathe, KS 66061, and at: http://www.kansasjudicialcouncil.org/legal-forms/protection-orders. Information about obtaining protection from abuse and protection from stalking or sexual assault orders is available at https://www.kansaslegalservices.org/node/2036/pfa-tips-tricks-part-1-preparing-your-pfapfs and https://www.kansasjudicialcouncil.org/sites/default/files/PFA%20General%20Instructions%20%287-2018%29.pdf. A criminal no contact/no violence contact order is issued in a criminal case, generally as a condition of bond or probation.

**Mandatory Reporters**

Under Kansas law, persons licensed to practice the healing arts, dentistry, or optometry or engaged in post graduate training programs approved by the state board of healing arts, licensed professional or practical nurses, chief administrative officers of medical care facilities, licensed psychologists, licensed masters level psychologists, licensed clinical psychotherapists, licensed social workers, licensed marriage and family therapists, licensed clinical marriage and family therapists, licensed professional counselors, licensed clinical professional counselors, registered alcohol and drug abuse counselors, teachers, school administrators, other employees of an educational institution which the child is attending, persons licensed by the secretary of health and environment to provide child care services, the employees of persons so licensed at the place where the child care services are being provided to the child, firefighters, emergency medical services personnel, law enforcement officers, juvenile intake and assessment workers, court services officers and community corrections officers, case managers, and mediators are mandatory reporters of child abuse. See Kan. Stat. § 38-2223.

**Relevant State Law Definitions**

Sexual assault is a criminal act under Kansas state law. See Kan. Stat. § 21-5501 et seq. for applicable criminal law definitions of sexual assault in Kansas.

Domestic violence also may be called domestic battery and is prohibited by Kansas state law. See Kan. Stat. § 21-5414 for applicable criminal law definitions of domestic violence in Kansas.

Dating violence is also prohibited by Kansas state law. See Kan. Stat. § 21-5414 for applicable definitions related to dating violence in Kansas.

Stalking is also prohibited by Kansas state law. See Kan. Stat. § 21-5427 for applicable definitions of criminal stalking in Kansas.
RESOURCES:

On-Campus Resources (available remotely)

**Title IX Coordinator**
Kelly Franck, Human Resources Generalist
651-631-5480 | titleIX@unwsp.edu

**Public Safety:**
651-631-5310 (24-hour officer on duty)
Peter Sola, Director
651-631-5349 | plsola@unwsp.edu

Off-Campus Confidential Resources
(Not required to report incident)

The Rape Crisis Center
https://thercc.org/
333 East Campus Mall, #7901, Madison, WI
Crisis Hotline: 608-251-7273

Domestic Abuse Intervention Services
www.abuseintervention.org
Crisis Hotline: 608-251-4445
Crisis Testing Help Line: Text “HOPE” to 20121

RAINN (Rape, Abuse, and Incest National Network)
www.rainn.org
800-656-HOPE (4673) (24-hour hotline)

Off-Campus Resources

Emergency: 911

Non-emergency Reporting:
Dane County Sheriff: 608-284-6800
Madison Police Department: 608-255-2345

ADDITIONAL RESOURCES:

Counseling and Mental Health:

The Rape Crisis Center
https://thercc.org/
333 East Campus Mall, #7901, Madison, WI
Crisis Hotline: 608-251-7273

**Health:**

**UnityPoint Health—Meriter Hospital**
202 South Park Street, Madison, WI
Emergency Room – SANE Program**
608-417-6000
https://www.unitypoint.org/madison/default.aspx

**UW Health University Hospital**
600 Highland Avenue, Madison, WI
Emergency Room—SANE Program**
608-262-2398
https://www.uwhealth.org/emergency/emergency-department/10770

** SANE: Sexual Assault Nurse Examiners ensure that a victim will be treated by a specially trained nurse who is sensitive to her/his particular needs.

**Victim Advocacy:** See Confidential Resources above

**Student Financial Aid:**

**Office of Financial Aid**
651-631-5212
financialaid@unwsp.edu

**Immigration Law Assistance:**

**Community Immigration Law Center**
608-257-4353
(Legal assistance in a variety of immigration-related matters including support for survivors of sexual assault, trafficking, domestic abuse, and other crimes)

**Catholic Multicultural Center**
608-441-0144
(Legal assistance in a variety of immigration-related matters including support for survivors of sexual assault, trafficking, domestic abuse, and other crimes)

**OTHER STATE LAW INFORMATION:**

**Harassment and Domestic Abuse Restraining Orders/Criminal No Contact Orders**
Harassment restraining orders and domestic abuse restraining orders are legal orders issued by a state court that order someone not to hurt you, to stay away from you, move out of the house, have no contact with you, or stop harassing you. A harassment restraining order protects a person that has been harassed by a person regardless of their relationship to that person. A domestic abuse restraining order protects a person from domestic abuse by a family member, household member, former spouse, a person with whom he or she has a child, a person with whom he or she has or had a dating relationship, or an adult caregiver. The University does not issue such orders, however restraining order petition forms are available from the clerk of court, 215 S. Hamilton St., Madison, WI 53703, and online at: https://wicourts.gov/forms1/circuit/formcategory.jsp?Category=4. Information about obtaining a restraining order is available at https://abuseintervention.org/help/legal-help/. A criminal no contact order may be issued by a criminal court to require a defendant to maintain a prescribed geographic distance from a witness or victim and have no communication with a witness or victim.

**Mandatory Reporters**

Under Wisconsin law, any physician, coroner, medical examiner, nurse, dentist, chiropractor, optometrist, acupuncturist, other medical or mental health professional, social worker, marriage and family therapist, professional counselor, public assistance worker, including a financial and employment planner, school teacher, school administrator, school counselor, other school employee, mediator, child care worker in a child care center, group home, or residential care center for children and youth, child care provider, alcohol or other drug abuse counselor, member of the treatment staff employed by or working under contract with a county department or a residential care center for children and youth, physical therapist, physical therapist assistant, occupational therapist, dietitian, speech-language pathologist, audiologist, emergency medical services practitioner, emergency medical responder, police or law enforcement officer, juvenile correctional officer, University of Wisconsin System professor, University of Wisconsin System administrator, University of Wisconsin System coach, and other University of Wisconsin System employee is a mandatory reporter. Court appointed special advocates and members of the clergy are also mandatory reporters in some circumstances. See Wis. Stat. § 48.981(2); Governor’s Executive Order #54.

**Relevant State Law Definitions**

Sexual assault is a criminal act under Wisconsin state law. See Wis. Stat. § 940.225 for applicable criminal law definitions of sexual assault in Wisconsin.

Domestic violence also may be called domestic abuse and is prohibited by Wisconsin state law. See Wis. Stat. § 968.075 for applicable definitions related to domestic violence in Wisconsin.

Dating violence is also prohibited by Wisconsin state law. See Wis. Stat. § 968.075 for applicable definitions related to dating violence in Wisconsin.
Stalking is also prohibited by Wisconsin state law. See Wis. Stat. § 940.32 for applicable definitions of criminal stalking in Wisconsin.