1.0 SCOPE

This policy applies to all forms of sexual misconduct, sexual violence and intimate partner violence.

This policy provides information related to:

- Saint Louis University Statement of Values;
- Effective Consent;
- Prohibited Conduct;
- Reporting Options, Resources and Accommodations;
- Privacy and Confidentiality;
- Investigation, Hearing, and Appeal Procedures; and
- Programming and Training for Students, Faculty and Staff.

This Policy applies to all behavior in which the Accused Party is a Student. In the event the Accused Party is no longer subject to the University Community Standards process or other University policies and procedures, the Reporting Party will be referred to the St. Louis Metropolitan Police Department. In the event the Accused Party is faculty, staff, or a non-University affiliated party, the reporting procedures and resources are the same as set forth in this Policy, but the University’s investigation will be conducted pursuant to the Harassment Policy and any disciplinary action will be taken pursuant to University policy and/or The Faculty Manual, as applicable.

2.0 PURPOSE

The procedures outlined in this Policy are designed to achieve the following goals:

- Provide prompt and compassionate support services.
• Provide a comprehensive framework in which the needs and decisions of all parties concerned are central in determining further administrative response and assistance.
• Create a campus environment that both facilitates and expedites the prompt reporting of Sexual Misconduct.
• Cultivate a climate of community empowerment and education in which behaviors that contribute to Sexual Misconduct are not tolerated.
• Ensure that appropriate steps are followed when Sexual Misconduct is reported.
• Protect the rights of the Reporting Party, the Accused Party, and other parties involved in or affected by the case.

3.0 STATEMENT OF VALUES

As a Catholic, Jesuit educational institution, Saint Louis University is committed to fostering a safe and supportive environment conducive to the academic pursuit and healthy personal development of all persons. It is committed to the preservation of personal dignity and the safety of its community members. The University views Sexual Misconduct as an offense that can affect individuals of all identities – race, ethnicity, sex, age, ability, faith, sexual orientation, gender, class, and ideology. All members of the University community share responsibility for fostering this environment by adhering to standards of conduct. Any form of Sexual Misconduct is a serious violation of these standards and will not be tolerated.

The University seeks to create a supportive climate that will encourage individuals to report incidents. While this Policy sets out various courses of action, reporting incidents involving Sexual Misconduct is the only mechanism by which offenders can be officially sanctioned by the University, thereby reducing the risk of repeat occurrences. Reporting is essential for the University to acquire an accurate account of the campus environment. Reporting provides the opportunity for the University to provide compassionate, effective intervention, support and remediation, and most importantly, to help prevent such incidents from occurring. When investigating any report of Sexual Misconduct, the University’s primary focus is to address the Sexual Misconduct. Amnesty will be granted to a Reporting Party with respect to Community Standards violations involving alcohol and drug use and should not discourage a Reporting Party from disclosing an incident or report of Sexual Misconduct.

Members of the Saint Louis University community should seek to understand and appreciate the University values and mission, including respect for the dignity of all persons, individual safety, and civil engagement within the community. Those same community ideals apply to contributions through social media tools and forums in order to foster meaningful and global connections. Use of any social media or other technology to engage in uncivil or harmful conduct that is abusive, threatening, harassing, retaliatory or hateful will not be tolerated.
What is Effective Consent:

- Consent is an affirmative, conscious decision – indicated clearly by words (e.g., saying “yes”) or actions – to engage in mutually acceptable sexual activity (e.g., to do the same thing, at the same time, in the same way, with one another). A verbal “no,” even if perceived to be indecisive constitutes a lack of consent.

- Effective consent must be given freely, willingly, and knowingly by each participant to any desired sexual contact.

What is NOT Effective Consent:

- Conduct will be considered “without consent” if no clear consent, verbal or nonverbal, is given.

- Consent may be withdrawn at any time during the sexual encounter.

- Effective consent cannot be inferred from silence or passivity.

- Effective consent cannot be inferred from a current or previous dating or sexual relationship. Even in the context of a relationship, there must be mutually understandable communication that clearly indicates a willingness to engage in sexual activity.

- Effective consent cannot be inferred from an individual’s attire or physical appearance.

- Effective consent cannot be inferred from an individual’s offer, acceptance, or participation in any form of non-physical sexual activity (e.g., social media forums, date/outing, consumption of alcohol, or invitation to a dorm room or private area).

- Effective consent cannot be given by someone who is incapacitated or subject to threat or coercion.

Sexual Contact without Consent is Sexual Misconduct. To engage in sexual activity of any type, there must be clear, knowing and voluntary consent prior to and during sexual activity. The expectations of our community regarding consent include, but are not limited to, the following:

- It is the responsibility of the person initiating the sexual activity to obtain the other party’s consent throughout the duration of the sexual activity.

- Consent is sexual permission. Consent can be given by word or action, but nonverbal consent is not as clear as talking about what you want sexually and what you do not.
• Consent to some form of sexual activity cannot automatically be taken as consent to any other form of sexual activity. Silence—without actions demonstrating permission—cannot be assumed to show consent.  
• Consent may be withdrawn at any time during the sexual encounter; consent is not, however, something that can be revoked or taken back after the conclusion of the sexual activity.

**Incapacitation, Alcohol, Coercion, and Related Concepts:**

A person violates the Sexual Misconduct Policy if he or she has sexual contact with someone he or she knows, or should know, to be mentally incapacitated or has reached the degree of intoxication that results in incapacitation. The test of whether an individual should know about another’s incapacitation is whether a reasonable, sober person would know about the incapacitation. An accused student cannot rebut a Sexual Misconduct charge merely by asserting that he or she was drunk or otherwise impaired and, as a result did not know that the other person was incapacitated. Alcohol, drugs or other intoxicants do not dismiss the responsibility of an individual to obtain valid consent.

A person is considered incapacitated, or unable to give consent, if they cannot understand the when, where, why, how or who of the sexual encounter.

A person is NOT able to give effective consent in the following situations:

• An individual who is incapacitated because alcohol or other drugs cannot consent to sexual activity. An individual is incapacitated if he/she is physically helpless, unconscious, or unaware, due to drug or alcohol consumption (voluntarily or involuntarily) or for some other reason.

  Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. Some indicators of incapacitation may include, but are not limited to, lack of control over physical movements, being unaware of circumstances or surroundings, or being unable to communicate for any reason.

• When an individual is sleeping or unconscious.

In some situations, an individual’s ability to freely, willingly, and knowingly consent is taken away by another person or circumstance. Examples include, but are not limited to:

• When an individual is physically forced to participate. Force is the use of physical violence and/or imposing on someone physically in order to gain sexual access. There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. Any sexual activity that is forced is by definition without consent.

• When an individual is intimidated, threatened – even a perceived threat – isolated, or confined.
• When an individual is coerced or unreasonably pressured for sexual activity. When someone makes clear that they do not want to engage in sexual activity, that they want something to stop, or that they do not want to go past a certain point of sexual interaction – continued pressure past that point can be coercive behavior. When evaluating coercive behavior, factors such as the frequency, duration, location (isolation of recipient of unwanted contact), and intensity of coercive behaviors will be considered.

5.0 PROHIBITED CONDUCT

Saint Louis University prohibits all forms of Sexual Misconduct. Sexual Misconduct is a broad term that includes, but is not limited to, sexual harassment, sexual violence, sexual exploitation, stalking, cyber-stalking, aiding or facilitating the commission of a violation, and retaliation. The following definitions and examples focus on conduct that is specifically prohibited by the University’s Sexual Misconduct Policy, Sexual Harassment Policy, and Community Standards. A complete glossary of terms used within this policy is available in Section 10.0, below.

“Sexual Misconduct” refers to a wide range of behaviors and encompasses any sexual behavior that was committed without consent. Sexual Misconduct may vary in severity and consists of behaviors including, but not limited to, the following categories that violate Saint Louis University’s Sexual Misconduct Policy, Harassment Policy, and Community Standards as well as a person’s rights, dignity, and integrity:

“Sexual Harassment” refers to unwelcomed, unsolicited, and offensive conduct that is severe or pervasive and tends to injure, degrade, disgrace, or show hostility toward a person because of a person’s gender and may include persons of the same sex. A single instance of sexual harassment may be sufficient to create a hostile environment. Descriptions of additional types and examples of sex-based harassment are contained in the Harassment Policy available in the Student Handbook, the Human Resources policy site and the Vice President Academic Affairs policy site. Copies are also available in the Office of Institutional Equity and Diversity.

“Sexual Assault” refers to engaging in any form of sexual contact or conduct with another without that person’s clear, knowing, and voluntary consent. It is the responsibility of the person seeking to initiate sexual contact or conduct to affirmatively obtain such consent. It is not the responsibility of the intended recipient of such sexual contact to affirmatively deny such consent. Sexual Assault may or may not include sexual intercourse.

NON-CONSENSUAL SEXUAL CONTACT:

Non-Consensual Sexual Contact is:

• any intentional touching,
• however slight,
• with any object or body part,
• by a man or a woman upon a man or a woman,
• that is without consent and/or by force.

Sexual Contact includes:
• Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

**NON-CONSENSUAL SEXUAL INTERCOURSE:**

Non-Consensual Sexual Intercourse is:
• any sexual intercourse
• however slight,
• with any object or body part,
• by a man or woman upon a man or a woman,
• that is without consent and/or by force.

Intercourse, no matter how slight the penetration or contact, includes:
• vaginal penetration by a penis, object, tongue or finger;
• anal penetration by a penis, object, tongue, or finger; and
• oral copulation (mouth to genital contact or genital to mouth contact).

“Sexual Exploitation” occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:
• invasion of sexual privacy;
• prostituting another person;
• non-consensual video or audio-taping of sexual activity;
• going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
• engaging in voyeurism;
• knowingly transmitting an STI or HIV to another student;
• exposing one’s genitals in non-consensual circumstances;
• inducing another to expose their genitals;
• sexually-based stalking and/or bullying may also be forms of sexual exploitation.

“Stalking” is when any person purposely and repeatedly (two or more times) engages in an unwanted course of conduct that would cause a reasonable person to fear for his, her, or others’ safety, or to suffer substantial emotional distress. Stalking can be a form of
Sexual Harassment and may be prohibited by the University’s Harassment Policy and Community Standards. Such harassment can be either physical stalking or cyber stalking. Stalking may present a safety concern or be an indicator of a potential safety concern.

“Dating Violence” refers to violence by a person who has been in a romantic or intimate relationship with the victim. Whether a relationship exists will depend on the length, type, and frequency of interaction.

“Domestic Violence” refers to violence committed by a current or former spouse or intimate partner, current or former cohabitant, a person with whom a victim shares a child in common, a person similarly situated to a spouse under domestic or family violence law, or anyone else protected under domestic or family violence law.

“Aiding or Facilitating” refers to when any individual or group of individuals aids, facilitates, promotes, or encourages another to commit a violation under this policy will also be held accountable under this policy. Aiding or facilitating may also include failing to take action to prevent an imminent act when it is reasonably prudent and safe to do so.

“Retaliation” refers to any acts, threats, or attempts to discourage a person from reporting Sexual Misconduct or participating in the investigation or hearing process. Retaliation also refers to any acts, threats, or attempts to seek retribution against a Reporting Party, the Accused Party, or any individual or group of individuals involved in the investigation, and/or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals, not just a Reporting Party or Accused Party.

6.0 REPORTING OPTIONS, RESOURCES, AND ACCOMMODATIONS

A. Emergency Assistance and Medical Care

The priority response to any report of sexual misconduct is to address the safety of the Reporting Party. The University will help the Reporting Party get to a safe place and assist the Reporting Party in seeking immediate medical treatment and to preserve evidence. Contact the Department of Public Safety and Emergency Preparedness (DPS) or the local police department to obtain emergency assistance.

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<th>EMERGENCY REPORTING</th>
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<tr>
<td>Saint Louis Metropolitan Police Department - 911</td>
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<tr>
<td>Department of Public Safety and Emergency Preparedness</td>
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<tr>
<td>Wool Center, Rm. 114</td>
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<tr>
<td>(314) 977-3000</td>
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B. Reporting Contacts

The University encourages the reporting of all incidents of Sexual Misconduct. Deciding whether to report an incident is a personal and often difficult decision. Reporting Sexual Misconduct is often the beginning of a process by which a person may regain control. Reporting Sexual Misconduct may also help in preventing future incidents and establishing precedent that may assist other people. It is important to understand the options available for reporting an incident of Sexual Misconduct. The following options are available:

University Reporting Contacts

While an individual is encouraged to report an incident to a person of her/his choice, the University has designated the following Reporting Contacts to receive reports of Sexual Misconduct. The designated Reporting Contacts have been trained to make the Reporting Party aware of available options and alternatives, to aid the Reporting Party in making an informed decision as to a course of action, and to enable the Reporting Party to follow through in that decision. The designated Reporting Contacts are:

- Title IX Coordinator (unless otherwise noted on the Title IX website, the Director of the Office of Institutional Equity and Diversity is the Title IX Coordinator).
- Department of Public Safety and Emergency Preparedness
- Dean of Students
- Residence Hall Professional Staff
- Office of Student Responsibility & Community Standards
- Office of Institutional Equity and Diversity

Although certain individuals or entities are designated Reporting Contacts, all employees who are aware of sex-based harassment, including Sexual Misconduct, are required to report the information to a Reporting Contact unless otherwise designated as a confidential resource.

Confidential Resources

The only University resources that afford complete confidentiality (assuming no other conditions require mandatory reporting, i.e., known or suspected child abuse or neglect)¹ are:

¹ Missouri state law mandates reporting “When any physician, medical examiner, coroner, dentist, chiropractor, optometrist, podiatrist, resident, intern, nurse, hospital or clinic personnel that are engaged in the examination, care, treatment or research of persons, and any other health practitioner, psychologist, mental health professional, social worker, day care center worker or other child-care worker, juvenile officer, probation or parole officer, jail or detention center personnel, teacher, principal or other school official, minister as provided by section 352.400, peace officer or law enforcement official, or other person with responsibility for the care of children has reasonable cause to suspect that a child has been or may be subjected to abuse or neglect or observes a child being subjected to conditions or circumstances which
• Disclosure to a licensed counselor in the University Counseling Center; Disclosure to a medical professional in the context of the physician-patient relationship; and
• Disclosure to a member of the clergy when the communication is made in their professional capacity of giving religious or spiritual advice.²

Speaking confidentially with a licensed counselor in the University Counseling Center may be helpful in deciding how to proceed because a counselor will provide information regarding additional reporting options (Reporting Options, below) and available resources (Support Services, below).

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<th>Student Health Center</th>
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<tr>
<td>Marchetti Towers East</td>
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<td>Ph: (314) 977-2323 (24-hour line)</td>
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<tr>
<th>University Counseling Center</th>
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<tr>
<td>Marchetti Towers West</td>
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<tr>
<td>Ph: (314) 977-8255 (24-hour line)</td>
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The University also maintains a 24-hour toll free hotline available at (877) 525-5669 or (877) 525-KNOW. Reports or information related to Sexual Misconduct can be submitted anonymously through the hotline. Information submitted through the University hotline will be shared with the Title IX Coordinator.

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<tr>
<th>University Hotline</th>
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<tr>
<td>(877) 525-5669 or (877) 525-KNOW (24-hour toll free line)</td>
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would reasonably result in abuse or neglect, that person shall immediately report to the division in accordance with the provisions of sections 210.109 to 210.183. No internal investigation shall be initiated until such a report has been made. As used in this section, the term ‘abuse’ is not limited to abuse inflicted by a person responsible for the child's care, custody and control as specified in section 210.110, but shall also include abuse inflicted by any other person.” See R.S.Mo. 210.115.1

² Missouri state law acknowledges the confidential nature of these communications for:

“Any person practicing as a minister of the gospel, priest, rabbi or other person serving in a similar capacity for any organized religion, concerning a communication made to him or her in his or her professional capacity as a spiritual advisor, confessor, counselor or comforter; and

A physician licensed pursuant to chapter 334, a chiropractor licensed pursuant to chapter 331, a licensed psychologist or a dentist licensed pursuant to chapter 332, concerning any information which he or she may have acquired from any patient while attending the patient in a professional character, and which information was necessary to enable him or her to prescribe and provide treatment for such patient as a physician, chiropractor, psychologist or dentist.” See R.S.Mo. 491.060.
Reporting Options

University Report: A report may be filed with any of the Reporting Contacts described above. When a report is received, the University will investigate the incident based on the information provided and determine an appropriate response, in consultation with the Reporting Party. The investigation, conducted in consultation with the Title IX Coordinator, will be prompt, thorough, and impartial. In filing a report, the Reporting Party may choose to pursue the University’s Community Standards process, as outlined below in Section 8.0 and further described in the Student Handbook, though there is no obligation to do so. While the Reporting Party is not obligated to participate in the Community Standards process, the University can still pursue the Community Standards process if enough information is available.

The Title IX Coordinator is responsible for overseeing all Sexual Misconduct reports at the University.

Title IX Coordinator
Michelle Lewis
Dubourg Hall, Room 36
Ph: 314-977-3065

The Title IX Coordinator is also responsible for:

- Conducting an annual report and review of all reports to identify and address any patterns or systemic problems within the University community;
- Overseeing the investigation and resolution of all reports of Sexual Misconduct involving all members of the University community;
- Knowing and training the University community in policies and procedures and relevant state and federal laws;
- Advising an individual, including the Reporting Party, Accused Party, or a third party, about the courses of action available at the University and in the community;
- Providing assistance to any University employee regarding how to respond appropriately to a report of Sexual Misconduct;
- Monitoring compliance with all procedural requirements and time frames outlined in this policy; and
- Training, prevention, and education efforts and periodic review of climate and culture.

The Title IX Coordinator may delegate certain responsibilities to a Title IX Deputy Coordinator, as appropriate.
Criminal report: A criminal report may be filed with the St. Louis Metropolitan Police Department, or appropriate jurisdiction. The Department of Public Safety and Emergency Preparedness is available to provide assistance with contacting the St. Louis Metropolitan Police Department, or other appropriate jurisdiction. An individual may file a report with both the University and the St. Louis Metropolitan Police Department, or other appropriate jurisdiction, as the systems operate independently. The Reporting Party has the right to file (or not to file) a criminal report.

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<th>St. Louis Metropolitan Police Department</th>
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<tr>
<td>Ph: 911 – emergency</td>
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<tr>
<td>Ph: (314) 231-1212 – non emergency</td>
</tr>
<tr>
<td>Ph: (314) 444-5385 – domestic abuse division</td>
</tr>
<tr>
<td>Ph: (314) 444-5385 – sex crimes division</td>
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Upon receipt of a Sexual Misconduct report, the University will provide to the Reporting Party a written notice describing the options listed above. Filing one of the above reports does not preclude a Reporting Party from filing any of the other types of reports. Multiple reporting options may be pursued. Regardless of the reporting option(s) used by the Reporting Party, the first priority is receiving prompt medical attention to treat any medical injuries and preserve evidence in the event the Reporting Party chooses to make a report at a later date. The first 96 hours after a sexual assault is a critical time frame for gathering the most complete medical evidence.

Prompt intervention can do much to mitigate the trauma associated with sexual misconduct and enhance recovery. Students are encouraged to utilize appropriate services whether or not a report is filed. Students in need of resources or assistance relating to any of the matters covered by this Policy are encouraged to contact one of the on-campus or off-campus resources listed in Section 6.H of this Policy.

C. Bystanders

The University encourages all members of the University community to take reasonable and prudent steps to prevent or stop incidents of Sexual Misconduct. Taking action may include direct intervention when safe to do so, enlisting the help of friends, contacting the Department of Public Safety or local law enforcement, or seeking assistance from a person in authority. Community members who choose to exercise this positive, moral obligation will be supported by the University and protected from Retaliation. More information regarding bystander action can be found in the Responsible Action Protocol in Section 1.16 of the University’s Community Standards.
D. Amnesty

Amnesty will be granted to a Reporting Party or bystander(s) who attempts to intervene with respect to Community Standards violations involving alcohol or drug use and should not prevent an individual from reporting an incident of Sexual Misconduct.

E. Statement Against Retaliation

The University will not tolerate Retaliation against any Student, faculty member, or staff member who makes a report of Sexual Misconduct, participates in an investigation related to a report of Sexual Misconduct, or participates in a hearing or appeal process related to a report of a Sexual Misconduct. Examples of Retaliation include, but are not limited to, intimidation, threats, stalking, coercion, or discrimination because of a person’s report or participation in an investigation, hearing, or appeal. Any allegations of Retaliation should be reported to the Title IX Coordinator or a designated Reporting Contact and may be subject to the same investigation, hearing, and appeal process as set forth in Section 7.0, below.

F. Accommodations/Interim Measures

During the investigation, hearing and appeal period, the University may issue a written “no contact” order to all parties identified in a sexual misconduct. The University will also consider additional accommodations that may be appropriate including, but not limited to, counseling, academic assistance, alternative housing, transportation assistance, and work assignments for on-campus employment. While there is no set menu of accommodations that may be implemented, the University will take the necessary steps to ensure that safety, emotional and physical well-being concerns of both the Reporting Party and the Accused Party are addressed.

An Order of Protection may also be available from the St. Louis City Circuit Court (Civil Courts Building, 9th Floor, Adult Abuse Office, 10 N. Tucker), or other appropriate jurisdiction. The Title IX Coordinator or Department of Public Safety is available to assist with this process.

G. Sanctions

In determining sanctions in cases of Sexual Misconduct, the University Student Conduct Board (“USCB”) will consider the facts and circumstances of each case. Examples of sanctions for a violation of this policy include, but are not limited to, expulsion, suspension, disciplinary probation, mandated counseling assessment, campus restrictions, and/or other education sanctions.

H. Support Services

If you have experienced Sexual Misconduct, we encourage you to immediately notify a Reporting Contact, local law enforcement, and/or seek immediate medical assistance. Descriptions of the services provided and contact information for on campus and off-campus resources are as follows:
Emergency Assistance

Saint Louis Metropolitan Police Department 911

Saint Louis University Department of Public Safety

Students are strongly encouraged to report incidence of sexual assault. The Department of Public Safety will assist students in contacting appropriate law enforcement authorities.

Wool Center, Rm. 114
3545 Lindell Blvd.
St. Louis, MO 63103
Phone: 314-977-3000

Medical and Counseling Services

University Counseling Center

Mental health services are available to all Students, including full-time, part-time, graduate students. We provide a broad range of services to the Saint Louis University community, including individual and couples counseling, educational and therapy groups, psychiatry, outreach and programming, and consultation to groups, departments, and organizations.

For Mental Health Emergencies, a trained and licensed staff therapist is on call 24 hours per day, 7 days per week, 365 days per year at 314-977-TALK (8255).

Marchetti Towers East
3520 Laclede Avenue
Saint Louis, Missouri 63103
Phone: 314-977-2323

Confidentiality is often a concern of those who seek counseling. The University Counseling Center team values your confidentiality. Your privacy is protected UNLESS you are a danger to yourself or others. In addition, mental health information and records are not available to anyone outside or within the University without your written permission. If you have questions or concerns about matters of confidentiality, please ask your counselor.

Student Health

Student Health Services provides medical treatment, outpatient services, and a variety of educational programs for all Students, including full-time, part-time and graduate students.
The staff of Student Health include: nurses, physicians of various specialties, medical assistants, patient care coordinators, and many support staff.

Marchetti Towers East
3518 Laclede Avenue
Saint Louis, Missouri 63103
Phone: (314) 977-2323 (24 hours)

St. Louis area hospitals that employ Sexual Assault Nurse Examiner (forensic nurses):

St. Louis University Hospital - (314) 577-8777
St. Mary’s Health Center - (314) 768-8360
Barnes/Jewish Hospital - (314) 362-9123
Missouri Baptist Hospital - (314) 996-5225
St. John’s Mercy Medical Center - (314) 569-6090

Campus Ministry

With a spirit of cura personalis, or care for the whole person, the Department of Campus Ministry offers opportunities for cultivating an informed faith, a commitment to social justice, and an integrated way of life. Guided by the Catholic Church and the Society of Jesus, we welcome and serve students of all religious backgrounds and traditions.

Eckelkamp Center for Campus Ministry
Wuller Hall
3711 West Pine Mall
St. Louis, MO 63108
Phone: 314-922-2425

University Reporting Contacts

Title IX Coordinator

The Title IX Coordinator is responsible for overseeing all Sexual Misconduct reports at the University.

Office of Institutional Equity and Diversity
221 North Grand Blvd.
DuBourg Hall 36
St. Louis, MO 63103
Phone: 314-977-3838
Office of the Dean of Students

The Office of the Dean of Students provides an increased level of support to the University community through various educational efforts, programmatic opportunities and mechanisms of coordinated care and community commitment.

Busch Student Center, Suite 350  
20 N Grand Blvd  
St. Louis, MO 63103  
Phone: 314-977-1572  
Email: deanofstudents@slu.edu

Student Responsibility and Community Standards

The Office of Student Responsibility and Community Standards is committed to working with students and the University community to foster values that reflect the mission of the University.

Wuller Hall, 2nd Floor North  
3711 West Pine Mall  
St. Louis, MO 63108-3306  
Phone: 314-977-7326  
Email: conduct@slu.edu

Department of Housing and Residence Life

The Department of Housing and Residence Life at Saint Louis University is dedicated to providing a secure and inclusive educational environment that facilitates student learning and holistic development through intentional experiences and engagement in community.

Department of Housing and Residence Life  
Brown Hall, Village Apartments  
3744 West Pine Mall Blvd.  
St. Louis, MO, 63108-3306  
Phone: 314-977-2811  
Professional Staff On-Call: 314-486-4947 (24 hours)  
Email: reslife@slu.edu
Additional Resources in the St. Louis Area

Alternatives to Living in Violent Environments 314-993-2777 (24 hour access)
Crime Victims Advocacy Center 314-652-3623 (24 hour access)
Legal Advocates for Abused Women 314-664-6699
LGBT Center of St. Louis 1-888-350-4477; to speak to a live volunteer from 12:00 – 9:00 pm, seven days a week, call (888) 350-4477
Website: http://www.lgbtcenterstl.org/
Life Crisis 314-647-4357
Women’s Resource Center: Sexual Assault Response Team 314-531-7273 (24 hour access)
Safe Connections (314) 646-7500 Tty: 314-646-0505 Hotline: (314) 531-2003
Website: http://www.safeconnections.org
Bridgeway Sexual Assault Center Hotline: (877) 946-6854
Website: http://bridgewaybh.com
Provident Life Crisis Hotline
314-647-HELP (4357)
1-800-273-TALK (8255)

National Resources

Not Alone.gov
https://www.notalone.gov/
https://www.notalone.gov/resources/ (Locate services and resources in your area to receive support if you are in a crisis situation or if you want to speak with an advocate).
National Domestic Violence Hotline (24 hour)
1.800.799.SAFE
http://www.thehotline.org/
National Sexual Assault Online Hotline

Domestic Abuse Helpline for Men and Women
1.888.743.5754
http://www.dahmw.org/

Stalking Resource Center
http://www.victimsofcrime.org/our-programs/stalking-resource-center
Rape, Abuse, and Incest National Network (RAINN)
http://www.rainn.org
24 hour hotline: 1-800-656- HOPE (4673)

H. Response Protocol

The University will respond to all reports of Sexual Misconduct in a timely, effective, and consistent manner. Factors the University may consider in determining which response procedure(s) to follow include when the report is filed and how the Reporting Party chooses to proceed. The University’s response procedures include, but are not limited to, the following:

1. All employees who are aware of Sexual Misconduct are required to report the information to a Reporting Contact unless otherwise designated as a confidential resource.

2. The Reporting Contact will assist the Reporting Party in getting to a safe place. In doing so, the Reporting Contact will coordinate with DPS as needed.

3. The Reporting Contact will encourage the Reporting Party to seek prompt medical attention for treatment of injuries and preservation of evidence, discuss the reasons why prompt medical treatment is important, and arrange for transportation to the hospital if the Reporting Party agrees to such medical treatment.

4. The Title IX Coordinator will inform DPS of the report.

5. The Reporting Party will have the option to file a criminal report with the St. Louis Metropolitan Police Department, or appropriate jurisdiction. Declining to speak with the St. Louis Metropolitan Police Department, or other appropriate jurisdiction, at the time of the initial report does not preclude the Reporting Party from filing a criminal report at a later date.

6. The Reporting Contact will coordinate with the on-call sexual assault counselor from the University Counseling Center and a victim’s advocate from the St. Louis Regional Sexual Assault Center. The on-call sexual assault counselor and/or victim’s advocate may be present at each stage of the reporting, investigation, or hearing process, if requested by the Reporting Party.

7. The Reporting Contact will provide to the Reporting Party information describing the various reporting options described in Section 5.B. and available resources. The information will be discussed at the time of the initial report and provided in writing by the Title IX Coordinator (or designee) to the Reporting Party.

8. If the Reporting Party wishes to pursue a report through the Community Standards process, the Reporting Contact will arrange for the Office of Student Responsibility & Community Standards to contact the Reporting Party within one (1) business day of receiving the report to discuss the process, as well as other
options available, including, but not limited to, pastoral care, academic assistance, alternative housing, or a “no contact” order from the University.

9. If the Reporting Party does not wish to pursue a report through the Community Standards process, the Reporting Contact will provide a referral to appropriate resources listed in Section 5.H of this Policy. The Reporting Contact will also provide information on other options available, including, but not limited to, pastoral care, academic assistance, alternative housing, or a “no contact” order from the University. Please note that even if a Reporting Party chooses not to participate in the Community Standards process or pursue the report as a criminal matter, the University is under an obligation to investigate the report and may initiate the conduct process if enough information is available.

10. The Reporting Contact and on-call sexual assault counselor will arrange for follow-up counseling, if requested by the Reporting Party.

11. The Reporting Contact will make notifications to appropriate University officials, including the Title IX Coordinator, and, where possible, limit the information provided to such officials by taking the Reporting Party’s request for privacy into consideration (see Section 7.0 for more information regarding privacy and confidentiality). The Reporting Contact will also assist, at the request of the Reporting Party, in coordinating follow-up services, including referrals to appropriate resources listed in Section 5.H, above.

7.0 PRIVACY AND CONFIDENTIALITY

The University seeks to respect the privacy of all parties. The University will treat information that it receives in a manner that respects both the Reporting Party and the Accused Party. Recognizing that Sexual Misconduct can include criminal acts that violate the security of the entire campus community, there may be instances where the University has a responsibility to investigate or disclose information regarding the circumstances related to a specific incident. Individual and community safety considerations will be balanced with the privacy interests of all involved, as well as the applicable legal requirements, when making decisions regarding such investigations and disclosures.

The University’s ability to act to protect the interests of the Reporting Party and other Students is limited by the information provided to it. The University’s ability to respond to a report of Sexual Misconduct may be limited if the Reporting Party insists that his or her name, or other identifiable information not be disclosed. The University will evaluate a request for anonymity in the context of its responsibility to provide a safe and non-discriminatory environment for the campus community. Additionally, while the Reporting Party is under no obligation to reveal the identity of the Accused Party, the Reporting Party will be encouraged to do so in the interest of protecting all members of the University community and preventing future incidents of sexual misconduct.

Accordingly, the terms privacy and confidentiality have two distinct meanings under this Policy.
**Privacy:** Privacy generally means that information related to a report made under this Policy will only be shared with a limited amount of people who “need to know” in order to insure the report is investigated and resolved as effectively as possible. While not bound by confidentiality, these individuals are trained to protect the privacy of both the Reporting Party and Accused Party.

**Confidentiality:** Confidentiality means that information shared with certain campus or community individuals cannot be revealed to any other party without express permission of the Reporting Party. These campus and community professionals are listed above and include: clergy, physicians, or mental health providers. Further information about confidential reporting is described above in Section 6.B.

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**8.0 OVERVIEW OF INVESTIGATION, HEARING AND APPEAL PROCEDURES**

Saint Louis University’s process for investigating and adjudicating Sexual Misconduct reports will be prompt and equitable and conducted in consultation with the Title IX Coordinator. Mediation is not appropriate for Sexual Misconduct cases.

**A. Investigation**

Pursuant to this Policy, the Title IX Coordinator, or designee, will assign an investigator to investigate all reports of Sexual Misconduct. The investigator will be responsible for interviewing the Reporting Party and the Accused Party, interviewing witnesses, collecting relevant documentation and physical evidence, creating a timeline, and preparing a written report to be provided for consideration in the hearing. The investigator will also be prepared to be called as a witness during the hearing.

**B. Hearing and Notification of Outcome**

The Director of Student Responsibility and Community Standards, or designee, will act as the case administrator for all Sexual Misconduct cases in which the Accused Party is a Student. The case administrator’s role is to ensure compliance with the University’s Community Standards, initiate the Community Standards process, as appropriate, and facilitate the process – before, during, and after – the hearing. The case administrator will be responsible for working with the investigator and parties to compile information to be presented and arranging for any witnesses to be available to provide information during the University’s hearing process.

Except in extraordinary circumstances, the University will conclude its investigation, hearing, and appeal process within sixty (60) calendar days following receipt of a report. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness. Both the Reporting Party and the Accused Party will be provided written notification of the outcome of the investigation and a thorough explanation of the procedures to be followed during the course of the conduct process. The procedures will follow those that are set forth in Sections 2.12 and 2.15 of the Student Handbook, but to the extent that anything set out in
those sections is inconsistent with this Policy, the process set out in this Policy shall apply.

C. Special Considerations for Sexual Misconduct Hearings

1. UCSB Composition and Training. All Sexual Misconduct cases will go before a pool of conduct officers trained to hear Sexual Misconduct cases referred to herein as the “University Community Standards Board (UCSB)”. Every effort will be made to ensure that the members selected to sit on the UCSB represent the diverse campus community. All UCSB members will receive training specific to Sexual Misconduct cases, with comprehensive training conducted prior to the beginning of each fall semester and refresher training prior to a hearing.

2. Standard. The UCSB will determine responsibility using a preponderance of the evidence standard, (i.e., it is more likely than not that Sexual Misconduct did or did not occur). The chairperson of the UCSB will prepare a written hearing report.

3. Participation During the Hearing. The importance of physical presence at a UCSB hearing will be discussed with the Reporting Party and the Accused Party. The University will make every effort to honor requests to minimize contact between the Reporting Party and the Accused Party. Separate waiting rooms will also be available for family members and/or attorneys during the hearing.

4. Advisor. The Reporting Party and Accused Party will each be appointed an advisor as a resource to guide them through the Community Standards Process. Alternatively, the Reporting Party and Accused Party have the right to consult with an advisor of their own choosing or retain an attorney, at their own expense. Advisors and attorneys can participate in the Community Standards Process in an advisory capacity, but they may not take part directly in the hearing itself. If a party wishes to speak privately with their advisor or attorney during the hearing, they may request a brief recess which will be granted at the discretion of the UCSB.

5. Prior Sexual History. In general, information concerning prior sexual history and behavior will not be admissible or considered at a UCSB hearing. However, where the Accused Party and the Reporting Party have a prior intimate or sexual relationship, this information may be deemed relevant to a determination of responsibility.

6. Pattern of Behavior. Information that may demonstrate a pattern of behavior regarding the commission of Sexual Misconduct by an Accused Party may be considered by the UCSB in determining whether the Accused Party is responsible for the current allegations of Sexual Misconduct.

D. Appeals

All parties will receive written notification of the UCSB’s findings, sanctions, and right to appeal. Either party may appeal the decision. All appeals are due to the Office of Student Responsibility & Community Standards within two (2) University business days following receipt of the official notification of the outcome. The grounds for appeal may only be one or more of the following:
• Procedures set forth in this Policy or the Student Handbook were not followed that would significantly impact the outcome of the case or may have resulted in a different finding;
• The sanctions imposed were excessively harsh or excessively lenient for the violation;
• New or relevant information, not available at the time of the hearing, has arisen that would significantly impact the outcome of the case or may have resulted in a different finding. Failure of a party to attend or participate in the investigation or hearing process is not a basis for appeal.

The other party will have an opportunity to review the appeal and may submit a written response to the appeal. All replies to an appeal must be submitted to the Office of Student Responsibility & Community Standards within two (2) University business days following a Student’s review of the appeal. Except in extraordinary circumstances, appeals will be resolved within thirty (30) calendar days following receipt of the request for appeal. All parties will receive written notification following the final determination of any appeal.

9.0 PROGRAMMING AND TRAINING

In accordance with the University’s philosophy and mission, as well as Federal guidelines, programming and training about the Policy regarding the expectations of our community regarding sexual conduct, reporting options and procedures related to incidents of Sexual Misconduct and prevention are required for all Students, faculty, and staff.

10.0 GLOSSARY OF TERMS

All definitions set forth in Section 2.1 of the Community Standards apply to this Policy. For the purposes of this Policy, the following definitions also apply:

“Aiding or Facilitating” refers to when any individual or group of individuals aids, facilitates, promotes, or encourages another to commit a violation under this policy will also be held accountable under this policy. Aiding or facilitating may also include failing to take action to prevent an imminent act when it is reasonably prudent and safe to do so.

“Accused Party” refers to any individual who is identified by a Reporting Party as the perpetrator of Sexual Misconduct.

“Consent” Consent is an affirmative, conscious decision – indicated clearly by words (e.g., saying “yes”) or actions – to engage in mutually acceptable sexual activity. A verbal “no,” even if perceived to be indecisive constitutes a lack of consent. Further guidance on what constitutes consent is provided above in Section 4.0, above.
“Dating Violence” refers to violence by a person who has been in a romantic or intimate relationship with the victim. Whether a relationship exists will depend on the length, type, and frequency of interaction.

“Domestic Violence” refers to violence committed by a current or former spouse or intimate partner, current or former cohabitant, a person with whom a victim shares a child in common, a person similarly situated to a spouse under domestic or family violence law, or anyone else protected under domestic or family violence law.

“Reporting Contact” refers to individuals or entities across the University who have been designated to receive a report of Sexual Misconduct. While a Student is encouraged to report an incident to a person of her/his choice, the University has designated the following Reporting Contacts to receive reports of sexual misconduct. The designated Reporting Contacts have been trained to make the Reporting Party aware of available options and alternatives, to aid the Reporting Party in making an informed decision as to a course of action, and to enable the Reporting Party to follow through in that decision. The designated Reporting Contacts are:

- Title IX Coordinator (unless otherwise noted on the Title IX website, the Director of the Office of Institutional Equity and Diversity is the Title IX Coordinator). Department of Public Safety and Emergency Preparedness (DPS)
- Dean of Students
- Residence Hall Professional Staff
- Office of Student Responsibility & Community Standards
- Office of Institutional Equity and Diversity

Although certain individuals or entities are designated Reporting Contacts, all employees who are aware of sex-based harassment, including Sexual Misconduct, are required to report the information to a Reporting Contact unless otherwise designated as a confidential resource.

“Reporting Party” refers to any individual who makes a report about an incident involving Sexual Misconduct. A Reporting Party does not need to be a victim of Sexual Misconduct and may act as a third party to file a report on a Student’s behalf. To avoid confusion, however, in most contexts within this Policy, “Reporting Party” refers to the person who has experienced the Sexual Misconduct.

“Retaliation” refers to any acts, threats, or attempts to discourage a person from reporting Sexual Misconduct or participating in the investigation or hearing process. Retaliation also refers to any acts, threats, or attempts to seek retribution against a Reporting Party, the Accused Party, or any individual or group of individuals involved in the investigation, and/or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals, not just a Reporting Party or Accused Party.

“Stalking” is when any person purposely and repeatedly engages in an unwanted course of conduct that would cause a reasonable person to fear for his, her, or others’ safety, or
to suffer substantial emotional distress. Stalking can be a form of Sexual Harassment and may present a safety concern.

“Sexual Assault” refers to engaging in any form of sexual contact or conduct with another without that person’s clear, knowing, and voluntary consent. It is the responsibility of the person seeking to initiate sexual contact or conduct to affirmatively obtain such consent. It is not the responsibility of the intended recipient of such sexual contact to affirmatively deny such consent. Sexual assault may or may not include sexual intercourse.

“Sexual Harassment” refers to unwelcomed, unsolicited, and offensive conduct that is severe or pervasive and tends to injure, degrade, disgrace, or show hostility toward a person because of a person’s gender and may include persons of the same sex. Sexual assault is a severe form of sexual harassment and a single instance of sexual assault may be sufficient to create a hostile environment. Descriptions of additional types and examples of sex-based harassment are contained in the Harassment Policy available in the Student Handbook, the Human Resources policy site and the Vice President Academic Affairs policy site. Copies are also available in the Office of Institutional Equity and Diversity.

“Sexual Misconduct” refers to a wide range of behaviors and encompasses any sexual behavior that was committed without consent. Sexual Misconduct may vary in severity and consists of behaviors including, but not limited to Sexual Harassment, Sexual Assault, Sexual Exploitation, Stalking, Dating Violence, and Domestic Violence that violate Saint Louis University’s Sexual Misconduct Policy, Harassment Policy, and Community Standards as well as a person’s rights, dignity, and integrity.

“Sexual Exploitation” occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- prostituting another student;
- non-consensual video or audio-taping of sexual activity;
- going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- engaging in voyeurism;
- knowingly transmitting an STI or HIV to another student;
- exposing one’s genitals in non-consensual circumstances; inducing another to expose their genitals;
- sexually-based stalking and/or bullying may also be forms of sexual exploitation.

“Student” is defined in Section 2.1 of the Community Standards.
“Title IX Coordinator” refers to the person responsible for overseeing all sex discrimination, sexual harassment, and sexual misconduct and relationship violence reports at the University.

“Title IX Deputy Coordinator” refers to the person(s) responsible for assisting the Title IX Coordinator to conduct training, climate assessments, and facilitate communications on behalf of the University with the Reporting Party, Accused Party, and various University constituents.

11.0 REVIEW AND APPROVAL

Changes to this policy may be necessary from time to time. At a minimum, this Policy shall be subject to annual review for compliance with applicable law, available guidance, and assessment of best practices. This Policy has been reviewed and approved by the Vice President, Student Affairs, Vice President and General Counsel, and the University’s Title IX Coordinator. This Policy has been approved by the Senior Executive Staff. Policy documentation, including a record of all changes to the charter, will be maintained by the Title IX Coordinator and available for inspection in the Office of Institutional Equity and Diversity, DuBourg Hall, Room 36.

12.0 REVISION HISTORY

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