





## Why are we here?

As a Catholic, Jesuit educational institution, Saint Louis University is committed to fostering a safe and supportive environment conducive to the academic pursuits, employment opportunities, 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 understands the forms of Prohibited Conduct identified in this Policy as offenses that can affect individuals of any race, ethnicity, sex, age, ability, faith, sexual orientation, gender, gender identity, gender expression, class, and ideology. Any members of the University community share responsibility for fostering this environment by adhering to University standards of conduct. Any form of Prohibited Conduct is a serious violation of these standards and will not be tolerated. Any student found in violation of this Policy may face sanctions up to and including, suspension or expulsion from academic programs. Any employee found in violation of this Policy may face sanctions up to an including termination of employment.


## Role in Title IX Sexual Harassment Policy

- ' Investigators, Hearing Officers and Appeal Officers must be fair, impartial, and unbiased.
- ' Must approach the process without pre-judgment . determinations must be based on application of policy to the specific information brought forward in the process.




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- Current Legal Landscape
  - Overview of Regulations
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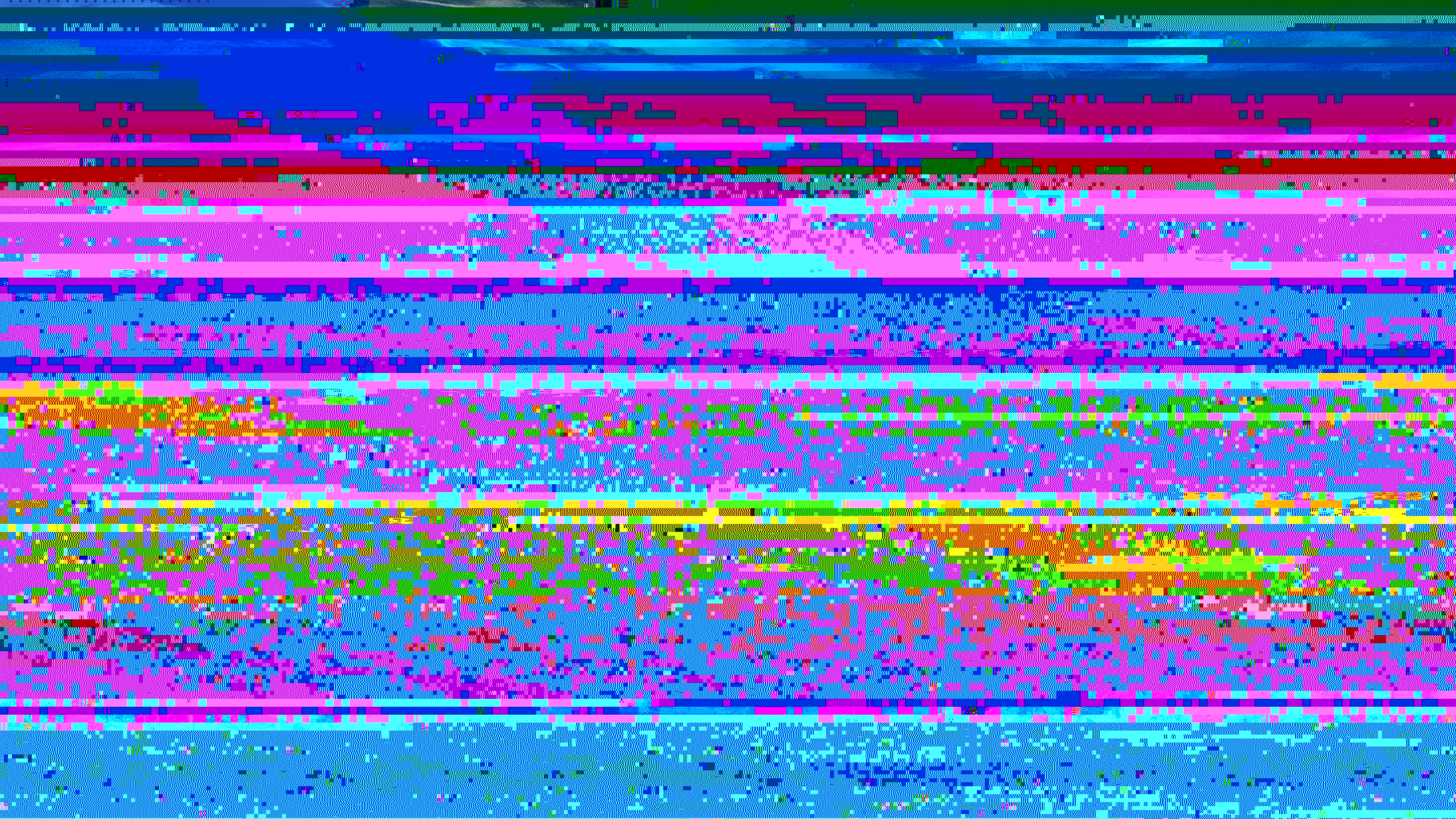


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- ’ Must respond in a way that is not deliberately indifferent when school has actual knowledge of sexual harassment
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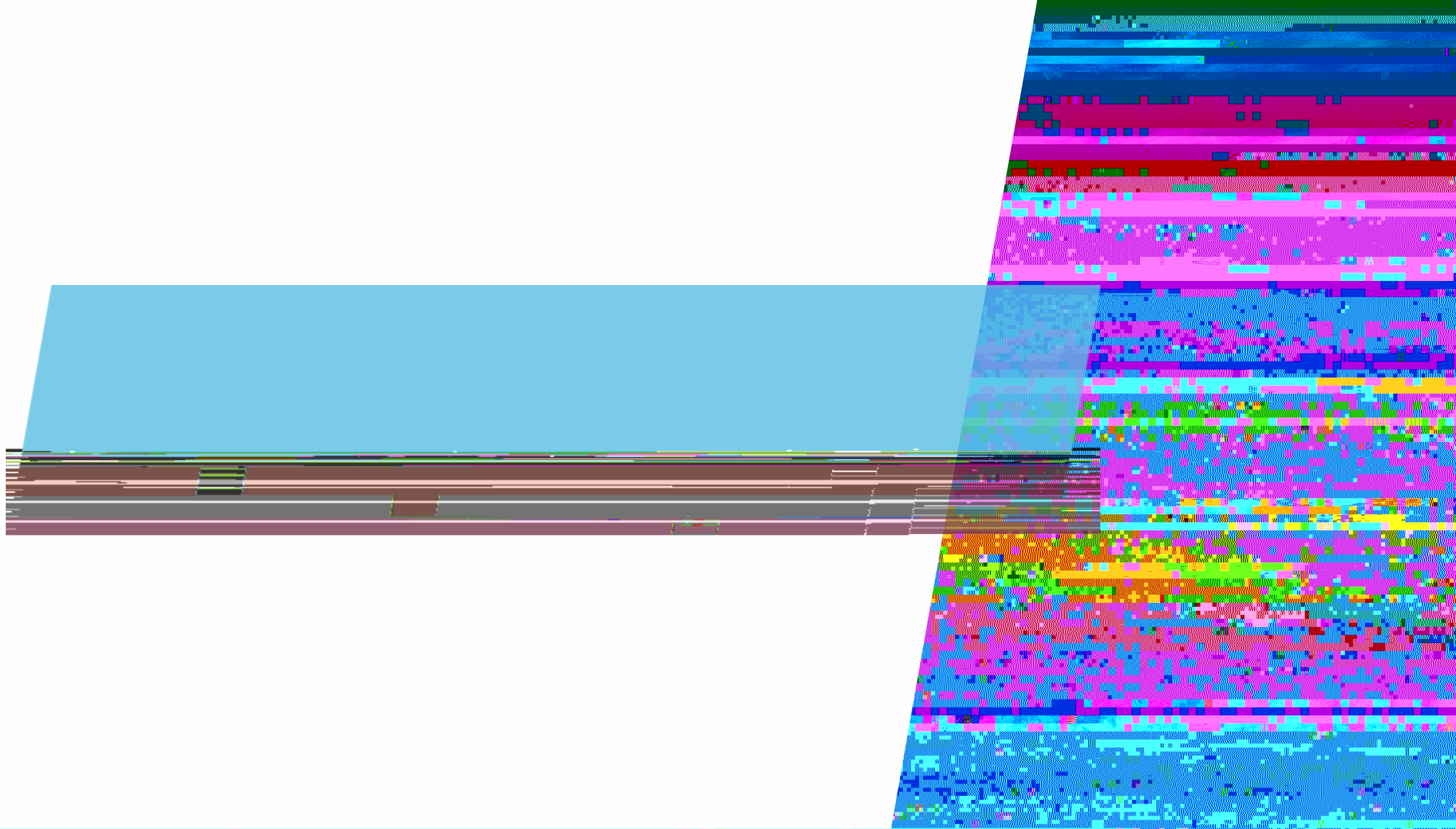


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- ' Regulations include specific requirements for the grievance process used to address formal complaints
  - ' Decision maker must be separate from investigator (no single investigator model)
  - ' advisors to cross examine other parties/witnesses



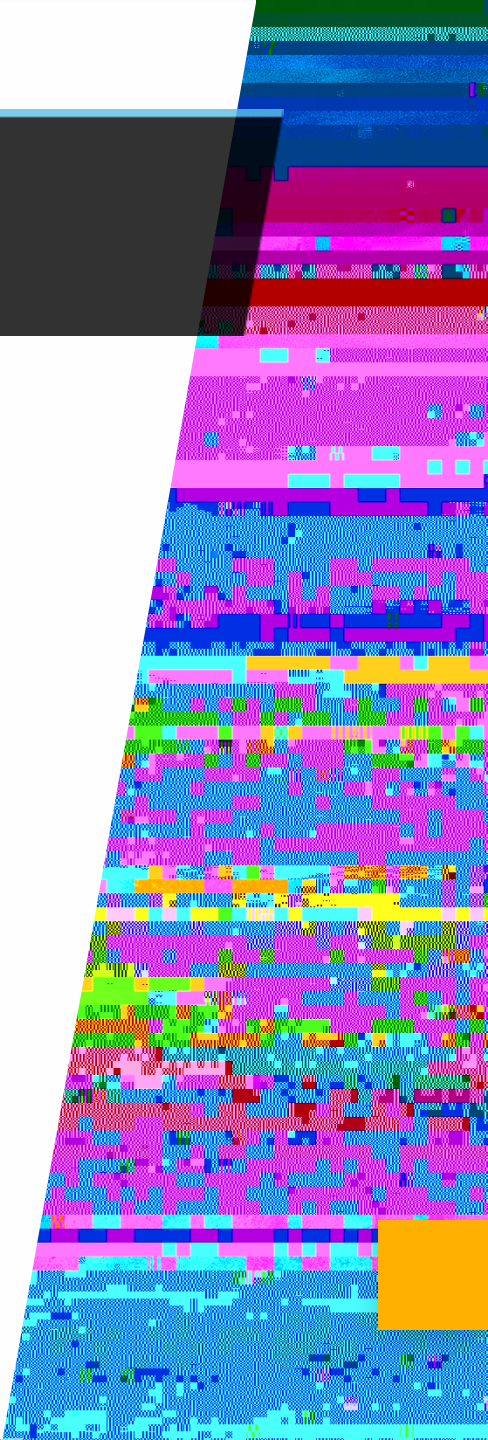









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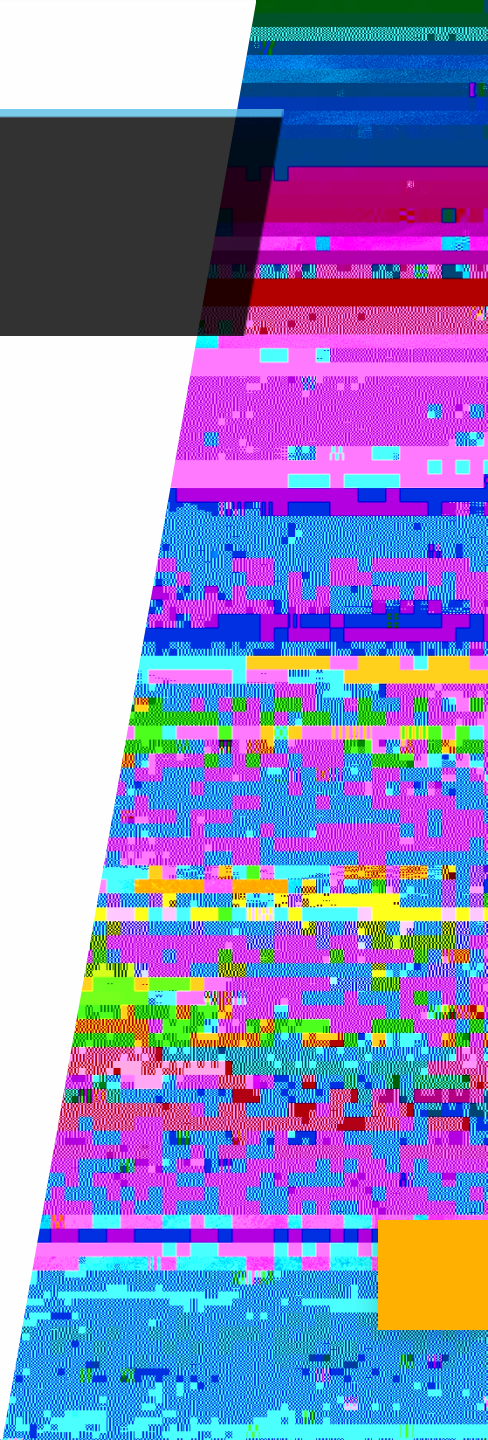


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- ' Conduct that occurs outside the United States, including on the campus of SLU-Madrid, is not

## Scope of the Policy - WHO

- ' The Complainant is an individual who is alleged to be the victim of conduct that could constitute sexual harassment, as defined by this policy.
- ' The Respondent is an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment, as defined by this policy.

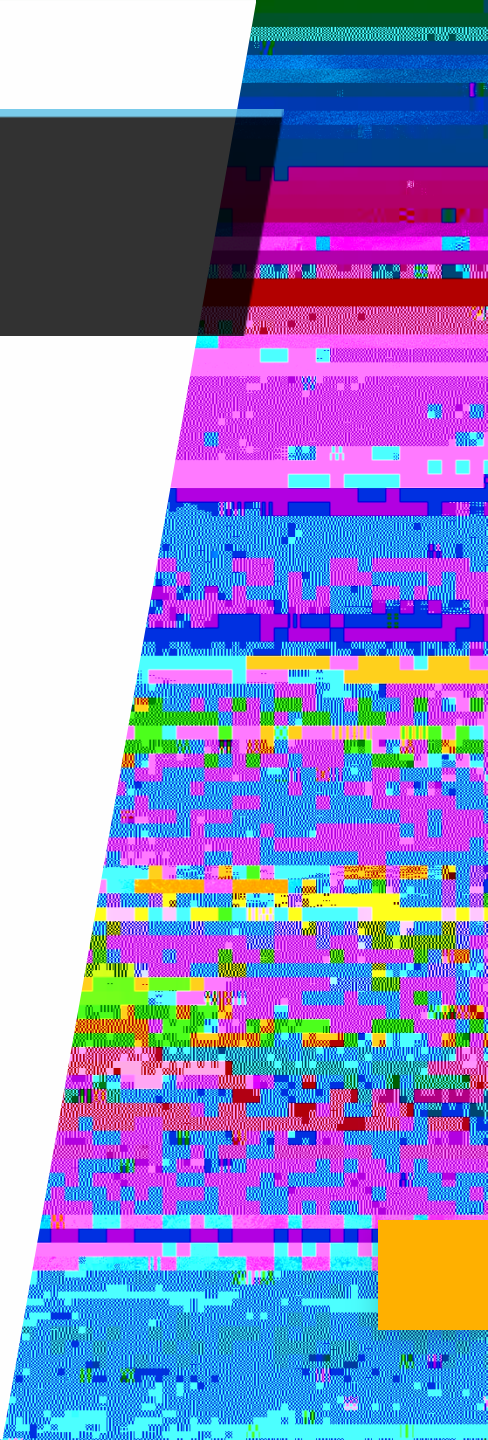


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- ' The Policy applies to any enrolled student, attempting to enroll student, faculty or staff.
  - ' The Policy does not require the respondent to be affiliated with the University.
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## Scope of the Policy - WHO

- ' When Respondent is an enrolled student, faculty, or staff at the university, the procedures outlined in Section 2.11 of this policy apply.
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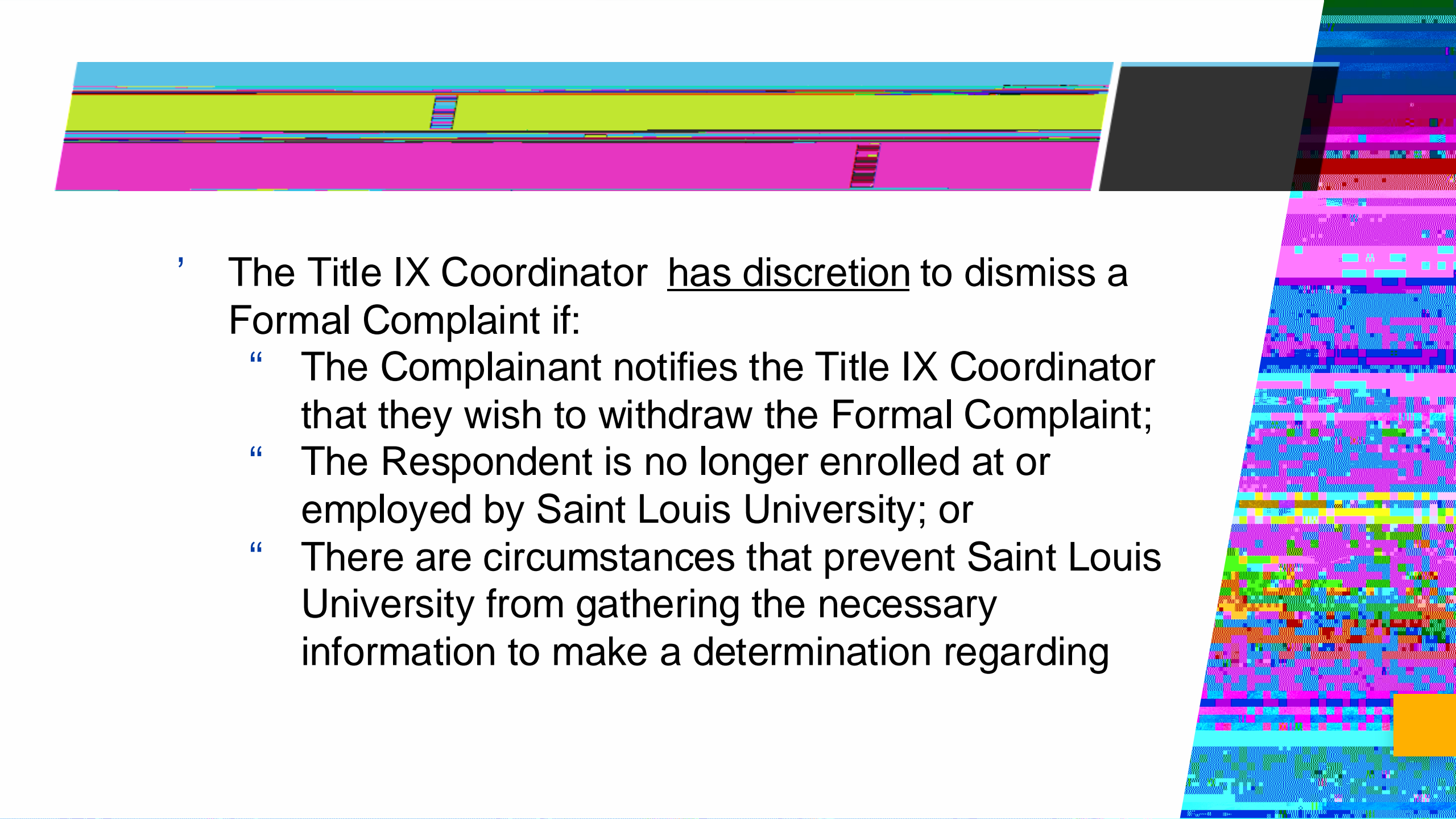


' The Title IX Coordinator must dismiss a Formal Complaint if:

“ The Formal Complaint does not allege

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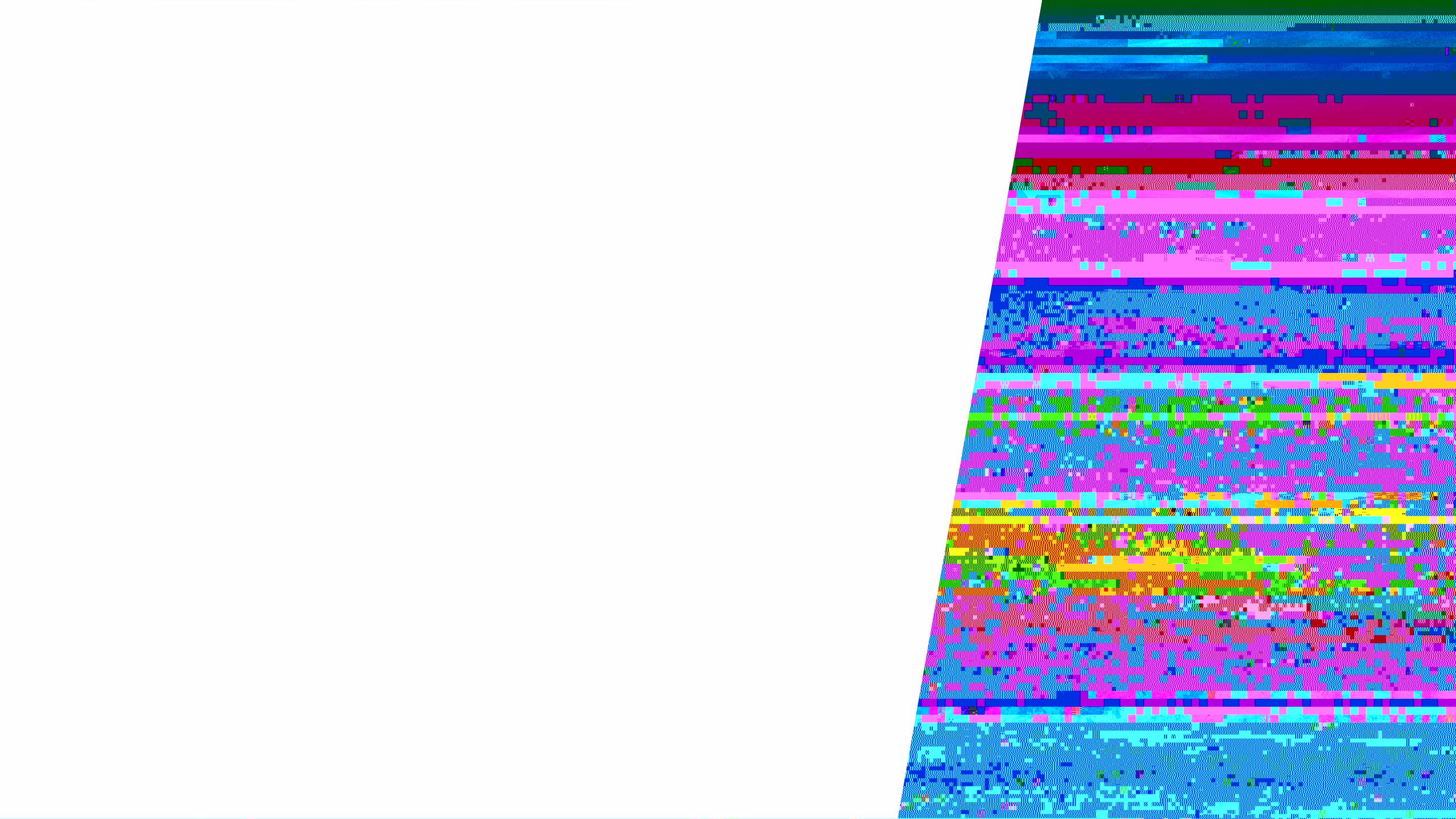


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- ' The Title IX Coordinator has discretion to dismiss a Formal Complaint if:
    - “ The Complainant notifies the Title IX Coordinator that they wish to withdraw the Formal Complaint;
    - “ The Respondent is no longer enrolled at or employed by Saint Louis University; or
    - “ There are circumstances that prevent Saint Louis University from gathering the necessary information to make a determination regarding

## Scope of the Grievance Process

- ' If a Formal Complaint is dismissed under this policy, the university may address the Prohibited Conduct as a violation of the Student Code of Conduct, the Faculty Manual, or the Staff Performance Management Policy.
- ' In those instances, the Complainant will be directed to the appropriate office.





# Sexual Harassment

widely an educational institution. A. Quid Pro Quo: sexual harassment occurs when an employee of Saint Louis University provides or receives in exchange for goods or services that the employee is conduct on the basis of sex that is unwelcome, severe, persistent or pervasive, or otherwise creates an intimidating, hostile, or offensive work environment, or effectively denies a person equal access to the school's education program or activity; B. Hostile Environment: sexual harassment occurs when there is conduct on the basis of sex that is unwelcome, severe, persistent or pervasive, or otherwise creates an intimidating, hostile, or offensive work environment, or effectively denies a person equal access to the school's education program or activity; C. Retaliation: an individual who has reported or is about to report sexual harassment or sexual violence to the institution or a governmental or law enforcement agency, or who has cooperated in an investigation of such conduct, is subjected to adverse treatment or retaliation by the institution or an individual acting on behalf of the institution.



# Sexual Harassment

Conduct reported under this policy as sexual or gender-based harassment will be evaluated by considering the totality of the conduct, of the particular circumstances, based on the nature, frequency, intensity, location, context, and all other factors relevant to the issue.

Sexual harassment may be perpetrated by a person of any gender against a person of any gender, regardless of the sex of the harasser or the victim. Sexual harassment may also be perpetrated by a person of one sex against a person of the opposite sex.

Sexual harassment may include, but is not limited to, the following: (a) unwelcome sexual advances; (b) requests for sexual favors; (c) verbal abuse of a sexual nature; (d) graphic verbal comments about a person's body, clothing, or appearance; (e) sexually suggestive or obscene gestures, or (f) physical contact of a sexual nature. Sexual harassment may also include the display of sexually suggestive or obscene objects, pictures, or materials.

Sexual harassment may also include the use of sexually suggestive or obscene language, gestures, or actions. Sexual harassment may also include the use of sexually suggestive or obscene language, gestures, or actions. Sexual harassment may also include the use of sexually suggestive or obscene language, gestures, or actions.

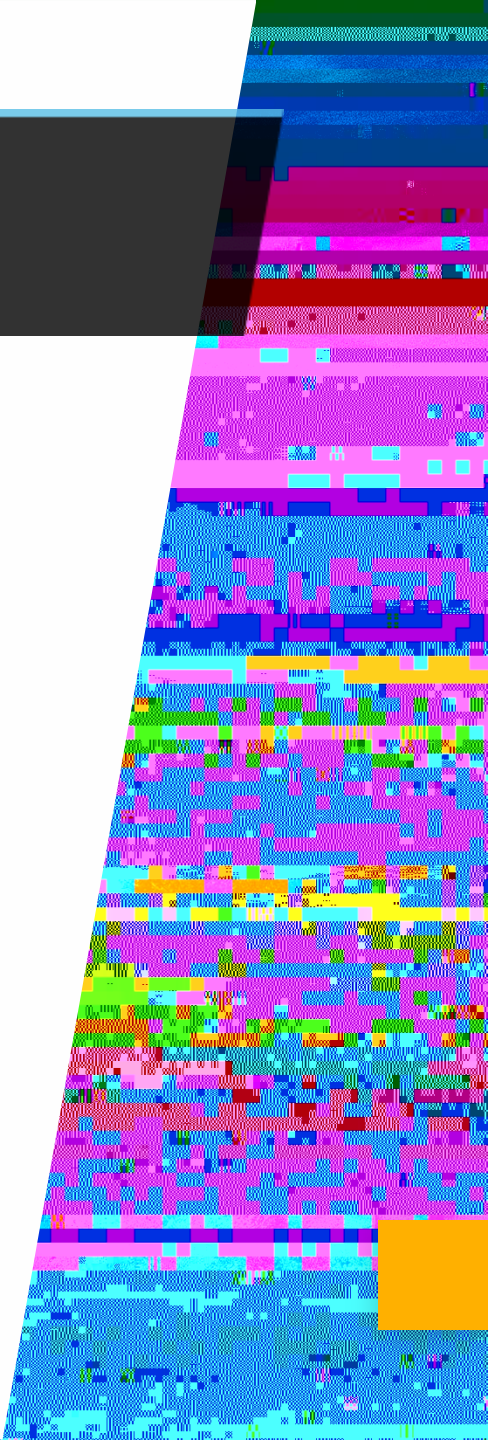
## Sexual Assault

- ' Sexual Assault refers to an offense that meets the definition of rape, fondling, incest, or statutory rape as defined in the Criminal Code. These sexual offenses include instances where the Complainant is incapable of giving consent.





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## Sexual Assault

- ' Incest refers to the non-forcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.
- ' Statutory Rape refers to non-forcible sexual intercourse with a person who is under the statutory age of consent.

# Stalking

“Stalking” occurs when a person engages in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person’s safety, or the safety of others, or suffer substantial emotional distress.

→ A course of conduct means two or more acts, including, but not limited to acts in which the stalker directly, or indirectly,

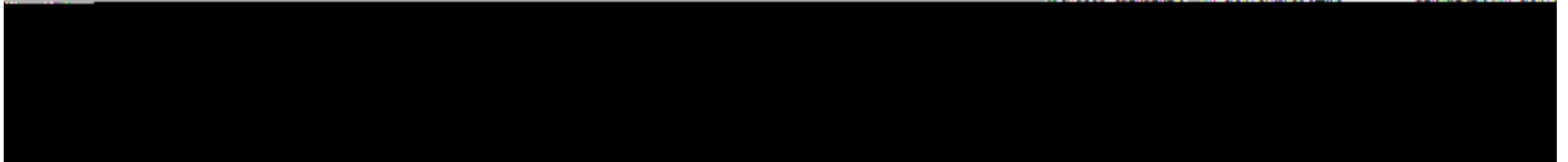


# Dating Violence

[[Dating Violence]] is a form of violence that occurs between people who are romantically involved. It can include physical, emotional, and psychological abuse. Dating violence is a serious problem that affects millions of people each year. It can have long-lasting effects on the victim's mental and physical health. If you or someone you know is experiencing dating violence, it is important to seek help from a professional. There are many resources available to help you deal with dating violence, including support groups, counseling, and legal assistance. Remember, you are not alone, and there is help available.

# Domestic Violence

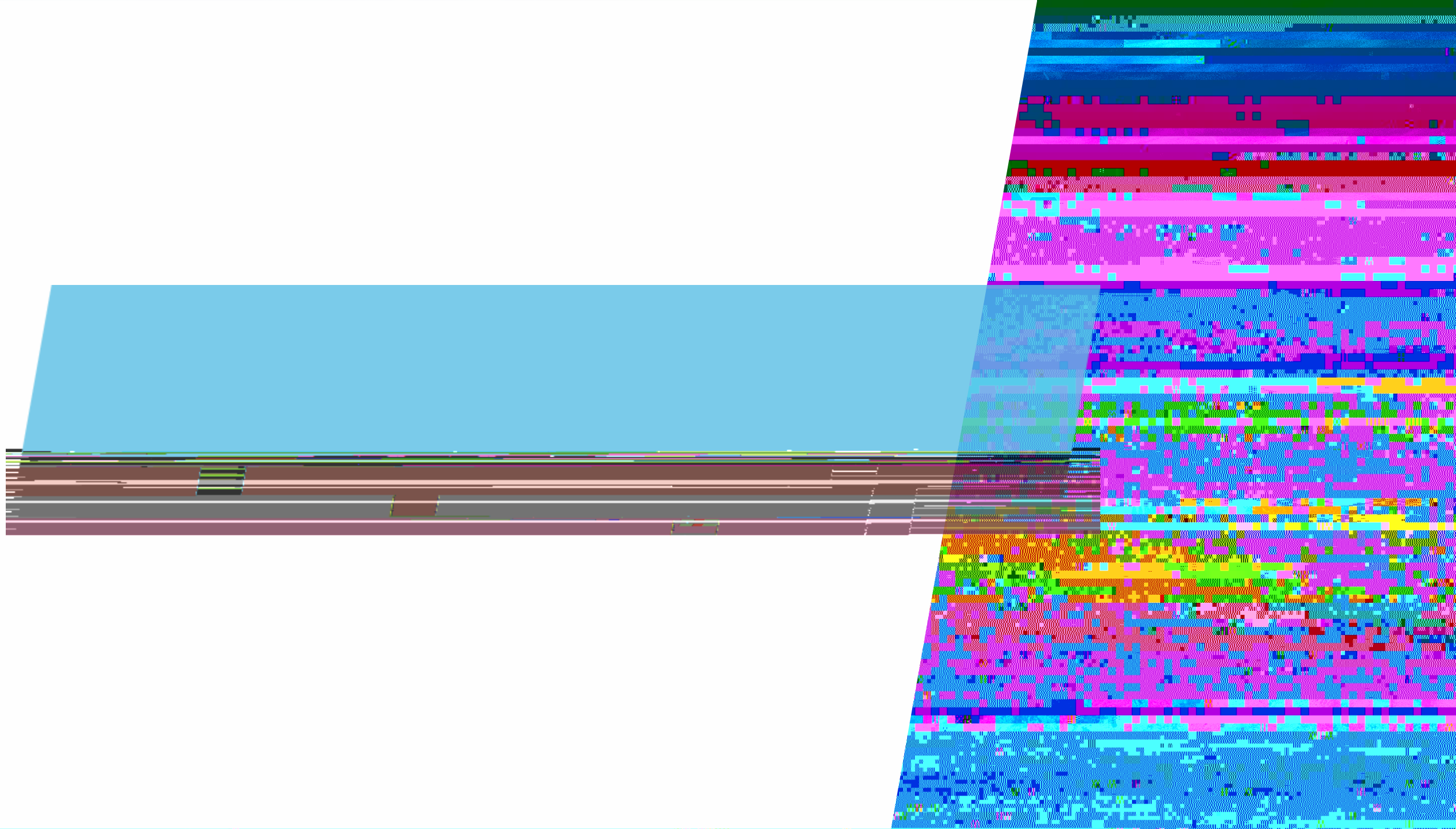
"Domestic Violence" includes a crime of violence, whether a felony or misdemeanor under the Missouri Revised Statutes, that is committed by:







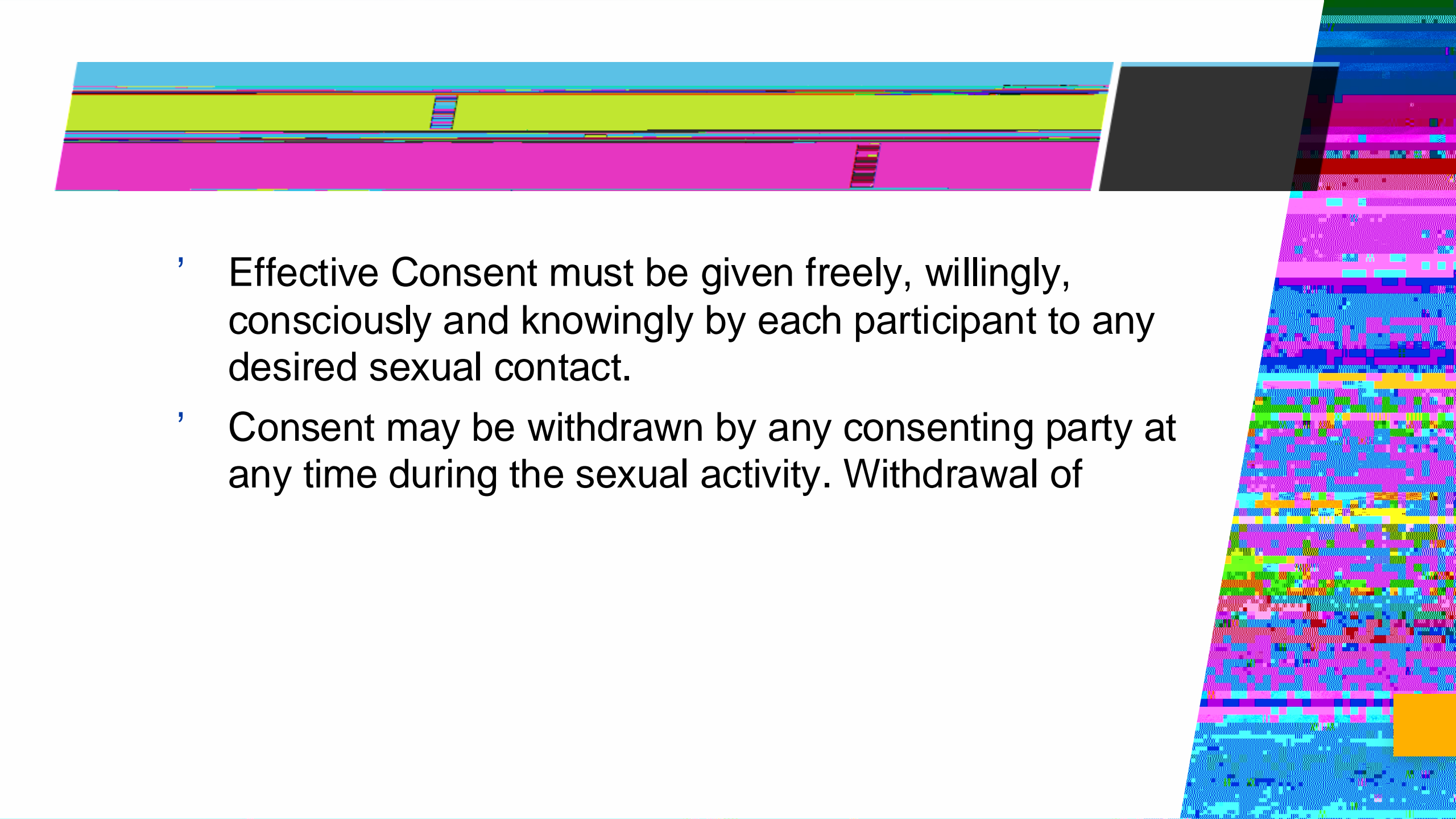
# Retaliation



## Effective Consent

- Effective Consent is an affirmative, knowing, and voluntary decision . clearly communicated through  
and/or actions . to willingly engage in mutually acceptable sexual activity (e.g. to do the same thing, at the same time, in the same way, with another individual(s)).



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- ' Effective Consent must be given freely, willingly, consciously and knowingly by each participant to any desired sexual contact.
  - ' Consent may be withdrawn by any consenting party at any time during the sexual activity. Withdrawal of

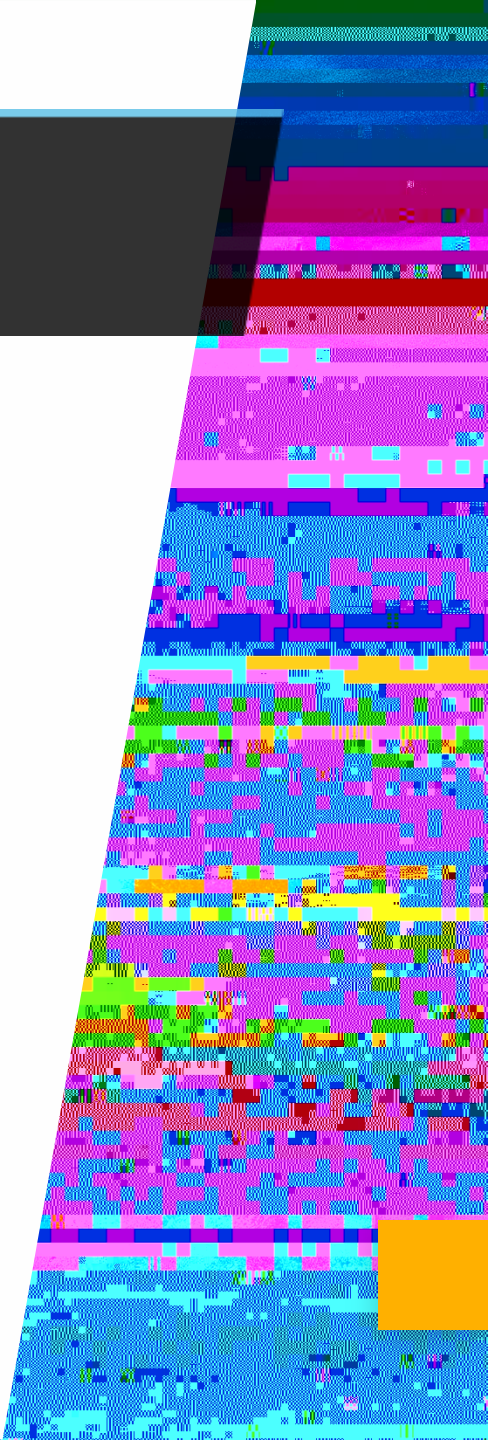




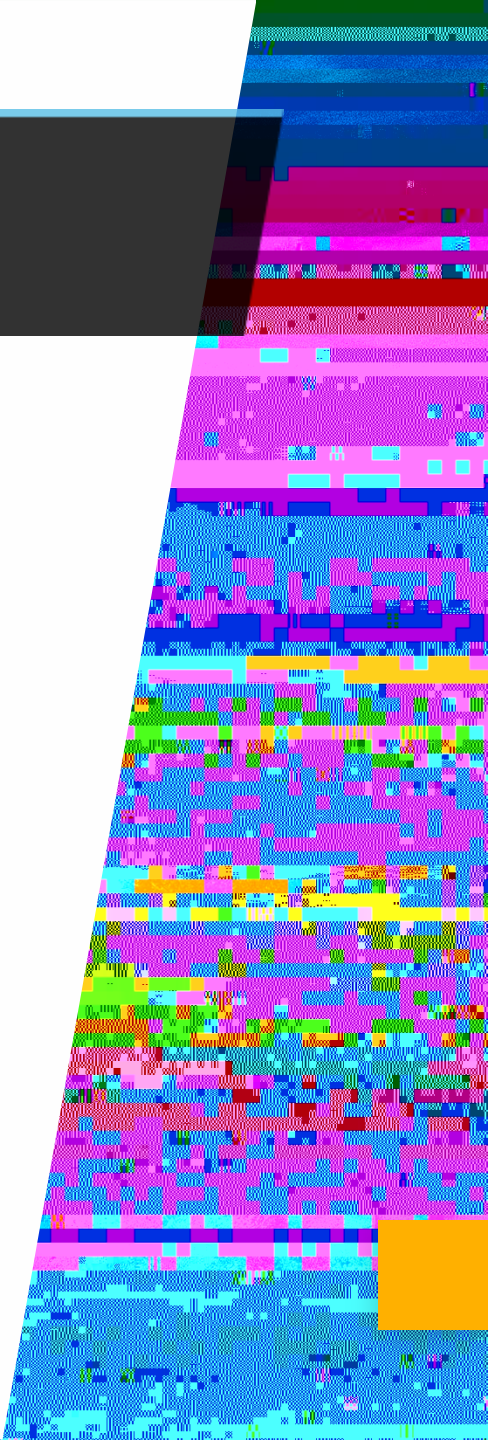




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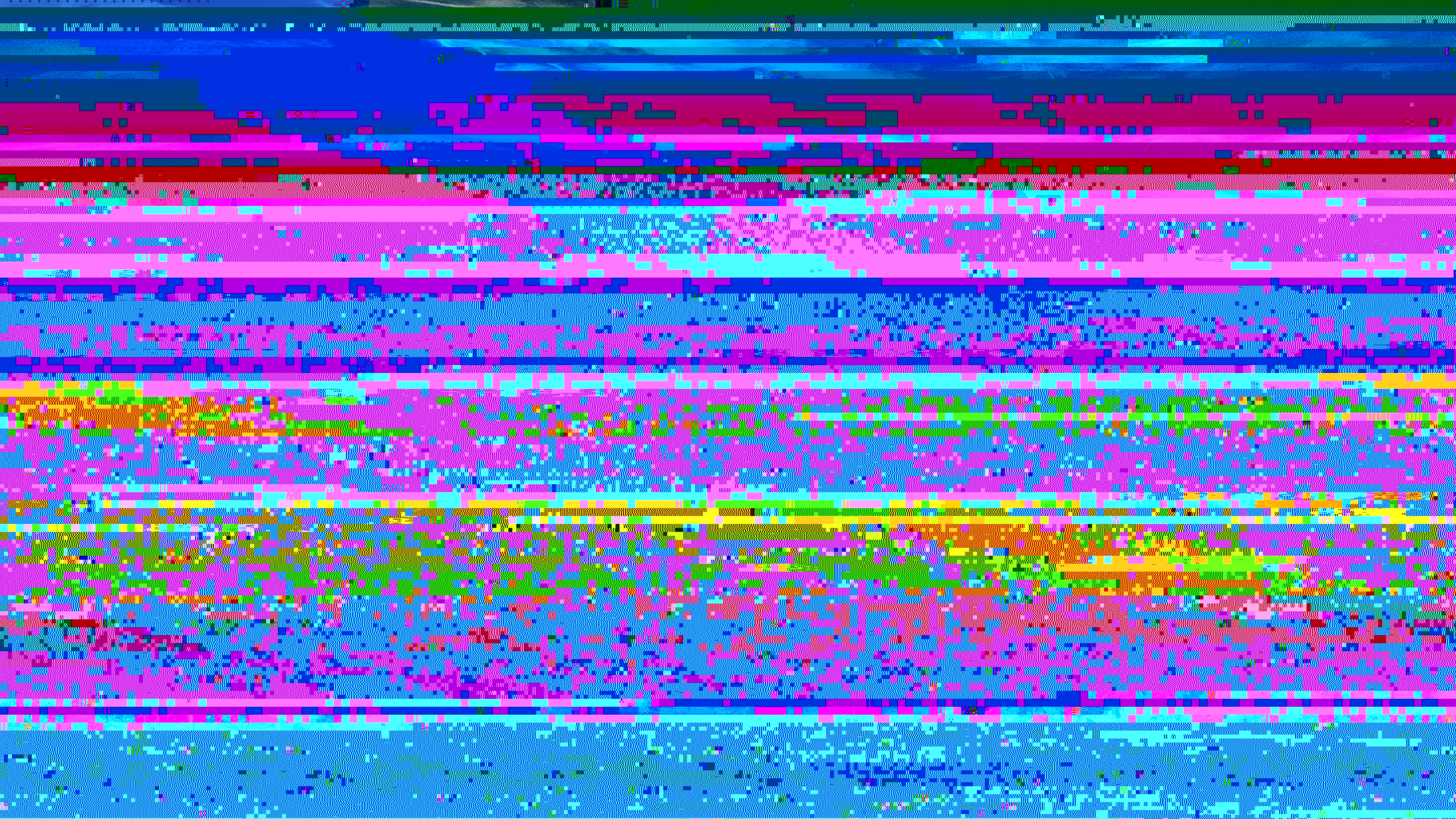
## Incapacitation and Effective Consent

The test of whether an individual should know about another's incapacitation is whether a reasonable, sober person in the same circumstances would know about the other person's incapacitation. Factors that may be relevant to this test include the nature and extent of the other person's incapacitation, the relationship between the parties, and the social context of the interaction. Alcohol, drugs, or other intoxicants, in and of themselves, do not constitute a sufficient basis for a finding that the other person was incapacitated. A reasonable, sober person in the same circumstances would know about the other person's incapacitation if the person's behavior is so abnormal that a reasonable, sober person would know about it.

# Force/Coercion and Effective Consent

Force/coercion is a situation in which an individual's ability to freely will his or her actions is significantly impaired. Force/coercion is not limited to:  
- taken away by another person or circumstance. Example: the use of physical force or threat of chemical/biological/cyber/... - Whether individuals are physically forced to participate in research or if there is a power differential between the researcher and the participant. Example: a researcher using a research participant who is a minor or a person with a mental disability.  
- The use of threat of a weapon.  
- The use of a threat of harm to a loved one or to the participant's job or to the participant's reputation. Example: a researcher threatening to report a participant's HIV status to their employer if they do not consent to participate in research.  
- The use of a threat of financial gain or other benefits. Example: a researcher offering a participant a large sum of money if they agree to participate in research.  
- The use of a threat of physical or psychological harm. Example: a researcher using a participant who is a minor or a person with a mental disability.  
- The use of a threat of physical or psychological harm to a loved one or to the participant's job or to the participant's reputation. Example: a researcher threatening to report a participant's HIV status to their employer if they do not consent to participate in research.  
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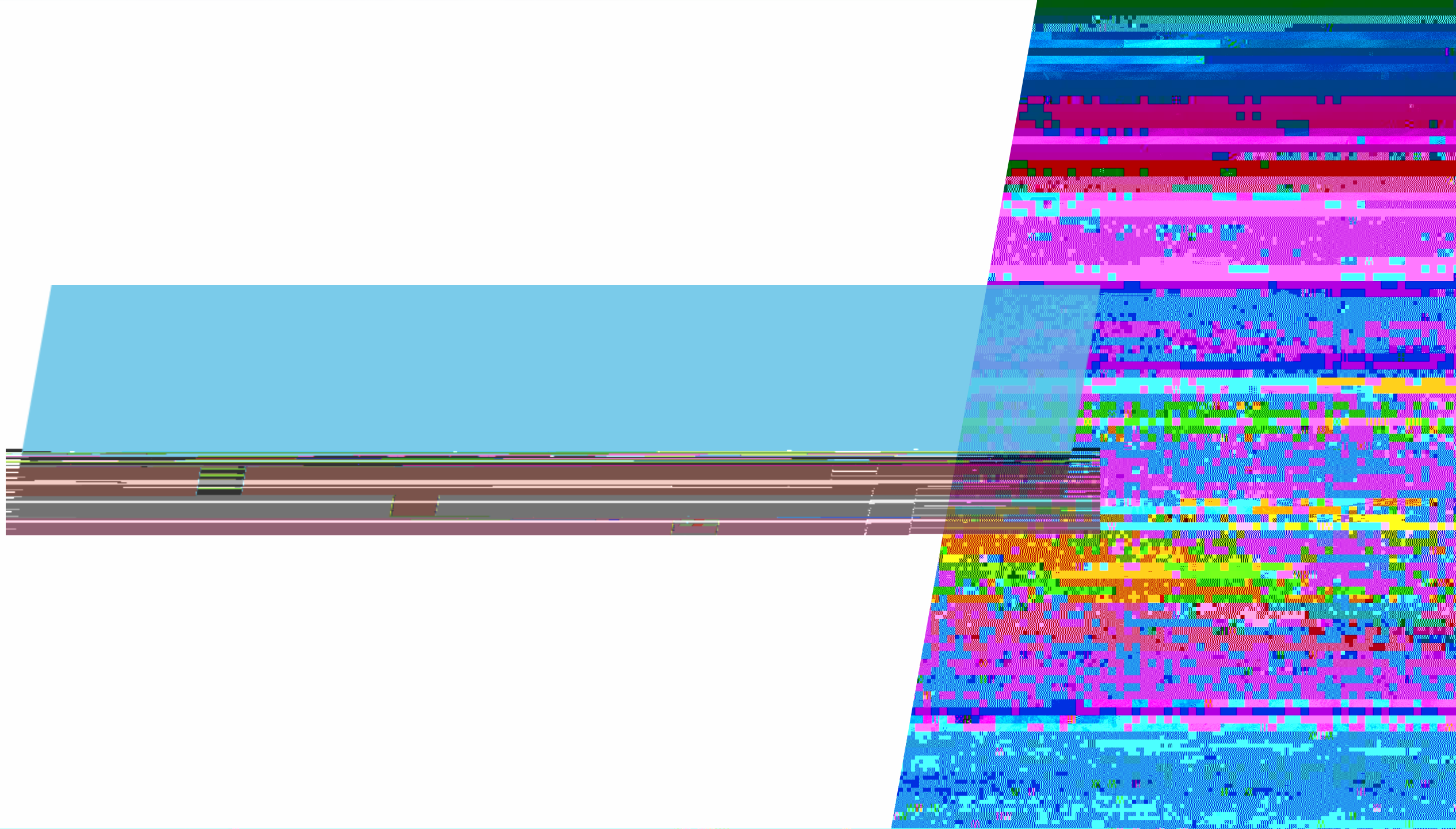


## Serving Impartially

- ' Next session will address mechanics of the grievance process.
- ' Important that throughout process, individuals who administer process maintain an open mind . that they are neutral and unbiased.
- ' Only form an opinion at the conclusion of the process.

## Serving Impartially

- ' Be mindful of prior interactions or relationships that may give the appearance of a conflict of interest . and make the Title IX Coordinator aware if any arise.
- ' NB: Decision-makers are not charged with finding a particular outcome and should avoid pre -conceived notions and consider only the information provided during the process.
- ' And, decision-makers must treat both parties equitably and with respect.





## Complaint Intake Process

- ' Receive a report or information of a disclosure of Prohibited Conduct.
- ' Outreach via email to the Complainant offering supportive measures, their rights under the Policy and an opportunity to meet with the Title IX Coordinator.
- ' Review of every disclosure to determine if further steps are able to be taken to prevent the reoccurrence of potential prohibited conduct.

