



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.

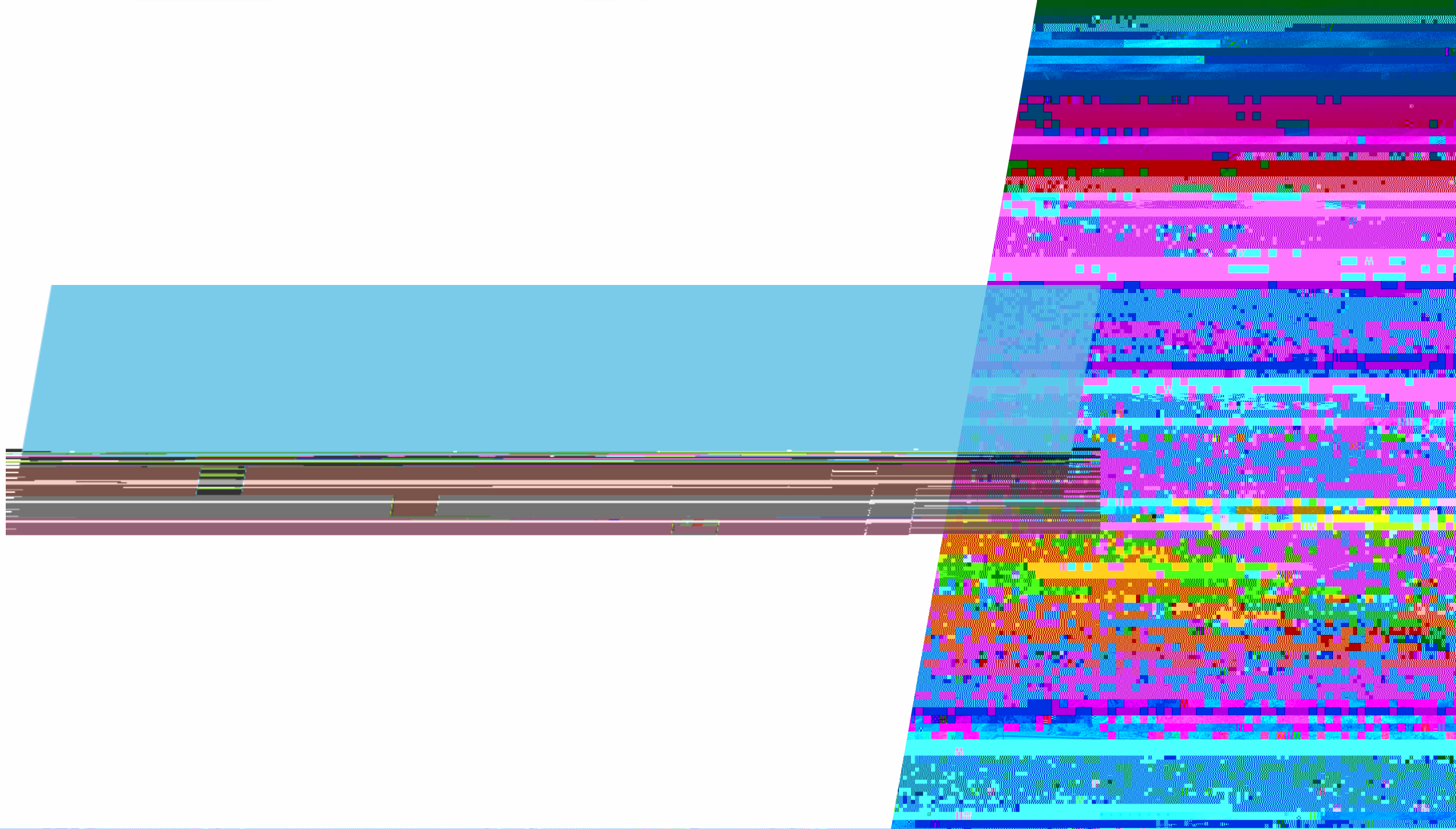
- 
- Current Legal Landscape
 - Overview of Regulations
 -

Overview of 2020 Regulations

- ’ Must respond in a way that is not deliberately indifferent when school has actual knowledge of sexual harassment
- ’ Must offer supportive measures
- ’ Requires a signed formal complaint to start the grievance process
- ’ Formal complaints must be dismissed if they do not meet the jurisdictional requirements

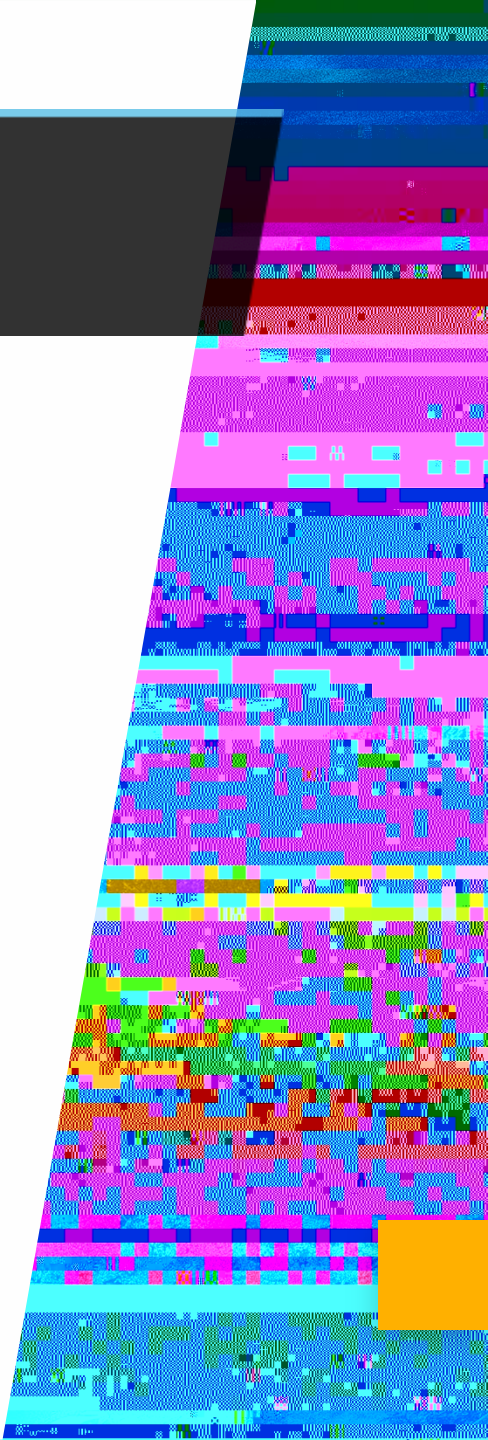
- 
- ' Regulations include specific requirements for the grievance process used to address formal complaints
 - ' Decision maker must be separate from investigator (no single investigator model)
 - ' advisors to cross examine other parties/witnesses









,



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

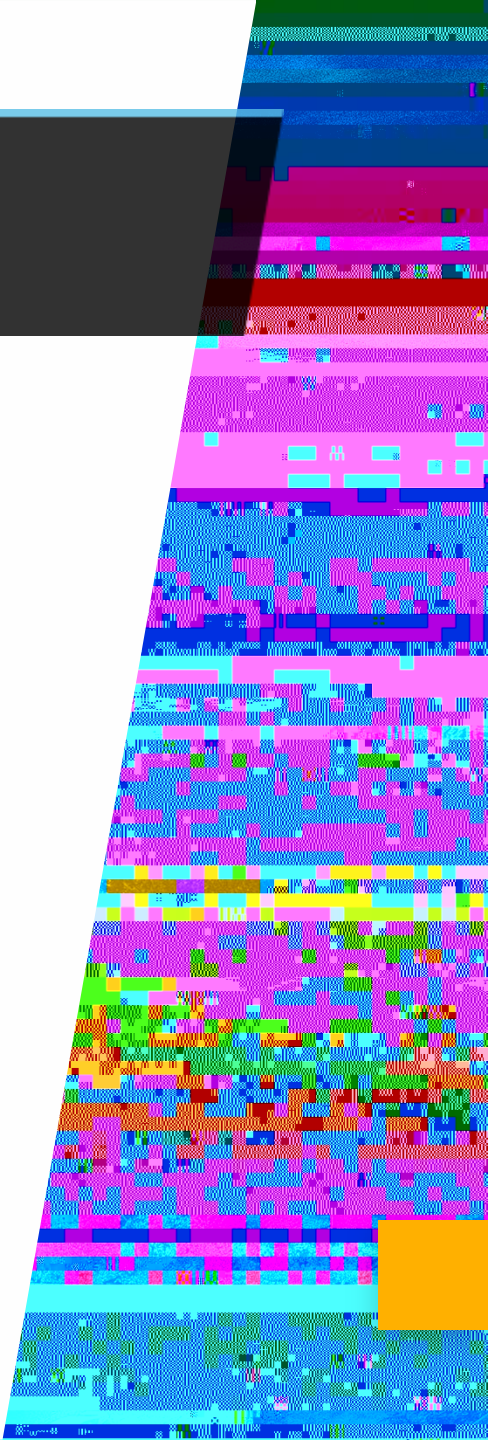
Scope of the Policy - WHO

- ' 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.

- 
- ' 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.

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.
- ' ' Ž — 1 Ž œ™ ~ — • Ž — • 1 ' œ 1 Š 1 • ' ' › • 1™ Š › • ç ó • ' Ž 1 ž ~ —™ • Š ' — Š — • 1 Œ ~ — œ ' œ • Ž — • 1 ' • ' 1 • ' Ž 1 • ~ Š • œ

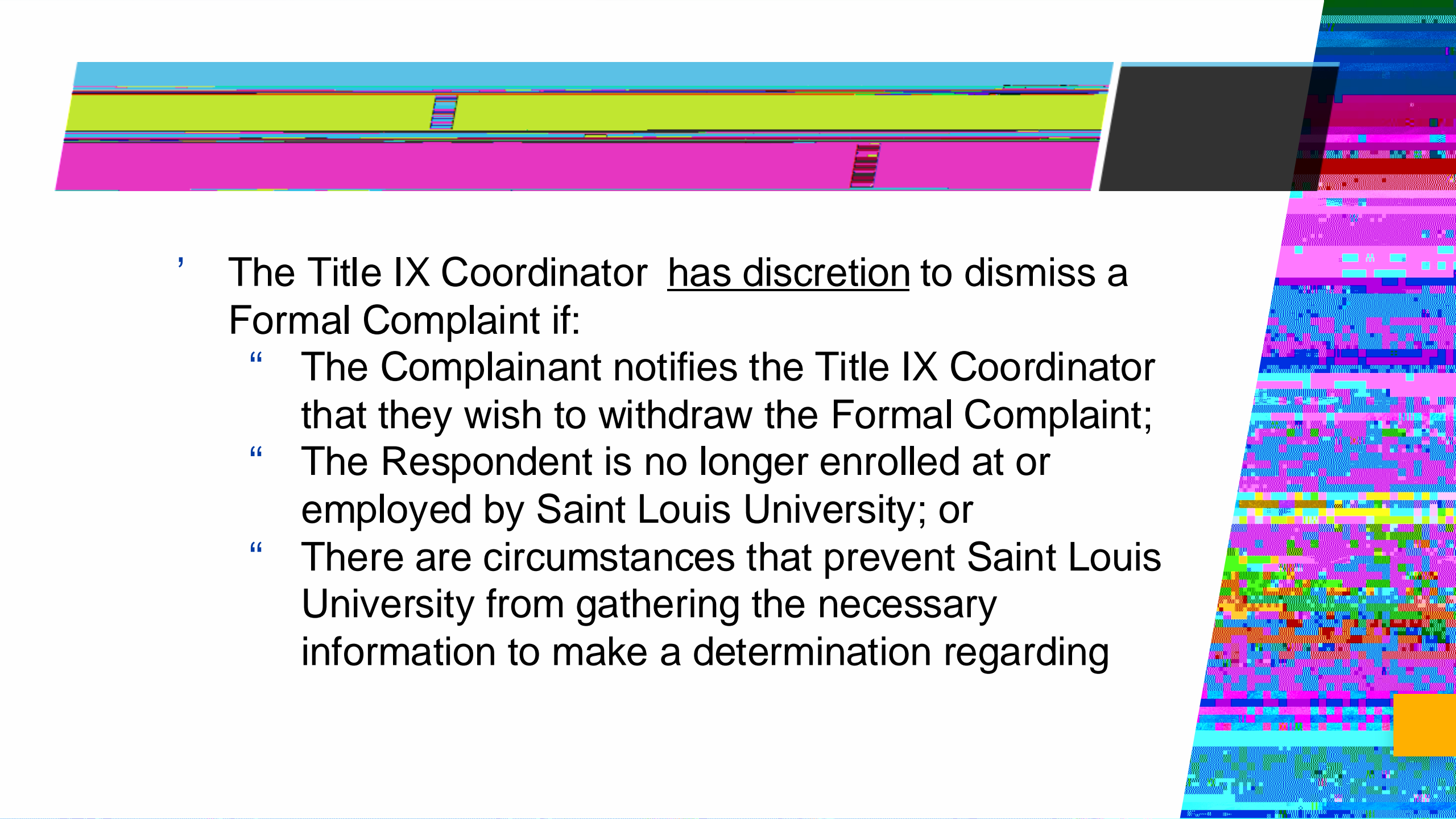




' The Title IX Coordinator must dismiss a Formal Complaint if:

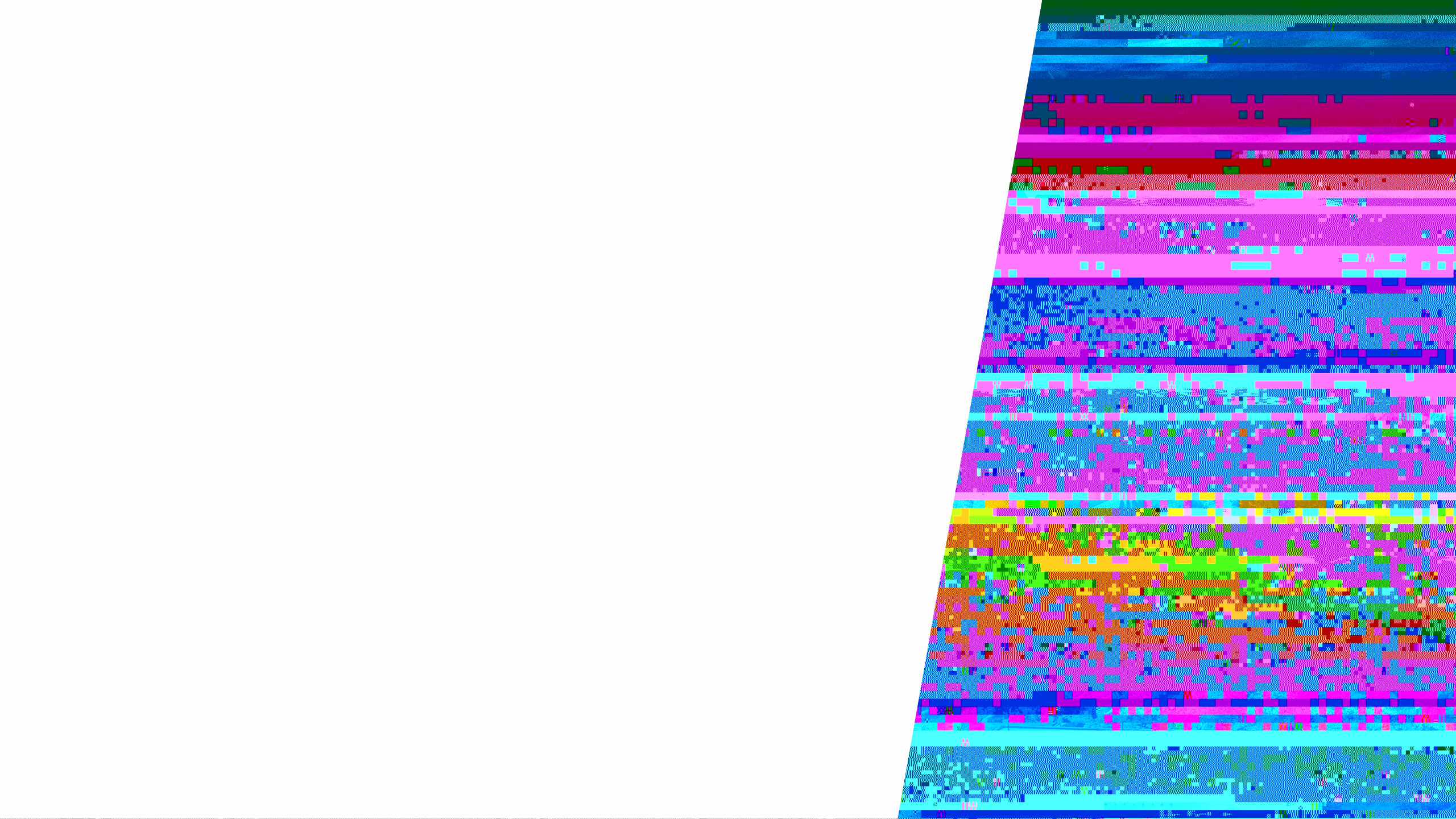
“ The Formal Complaint does not allege

OE ' › OE ž – œ • Š — OE Ž œ 1 • ' Š • 1 – Ž Ž • 1 • ' Ž 1 • Ž • ' — ' •

- 
- ' 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.

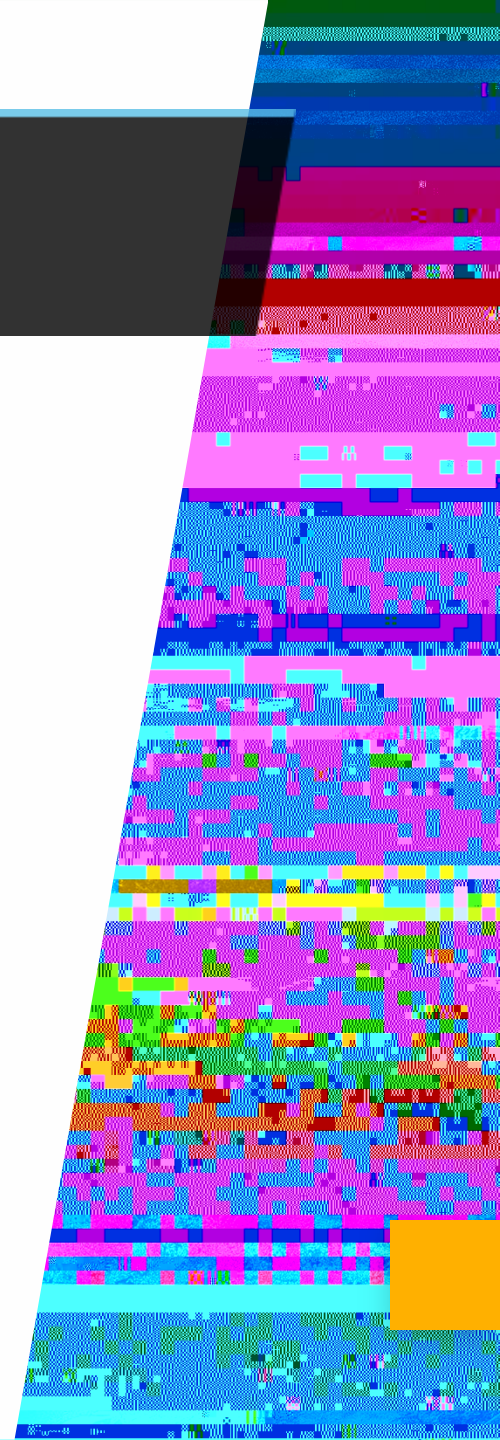


Sexual Assault

- ' 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.



,



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

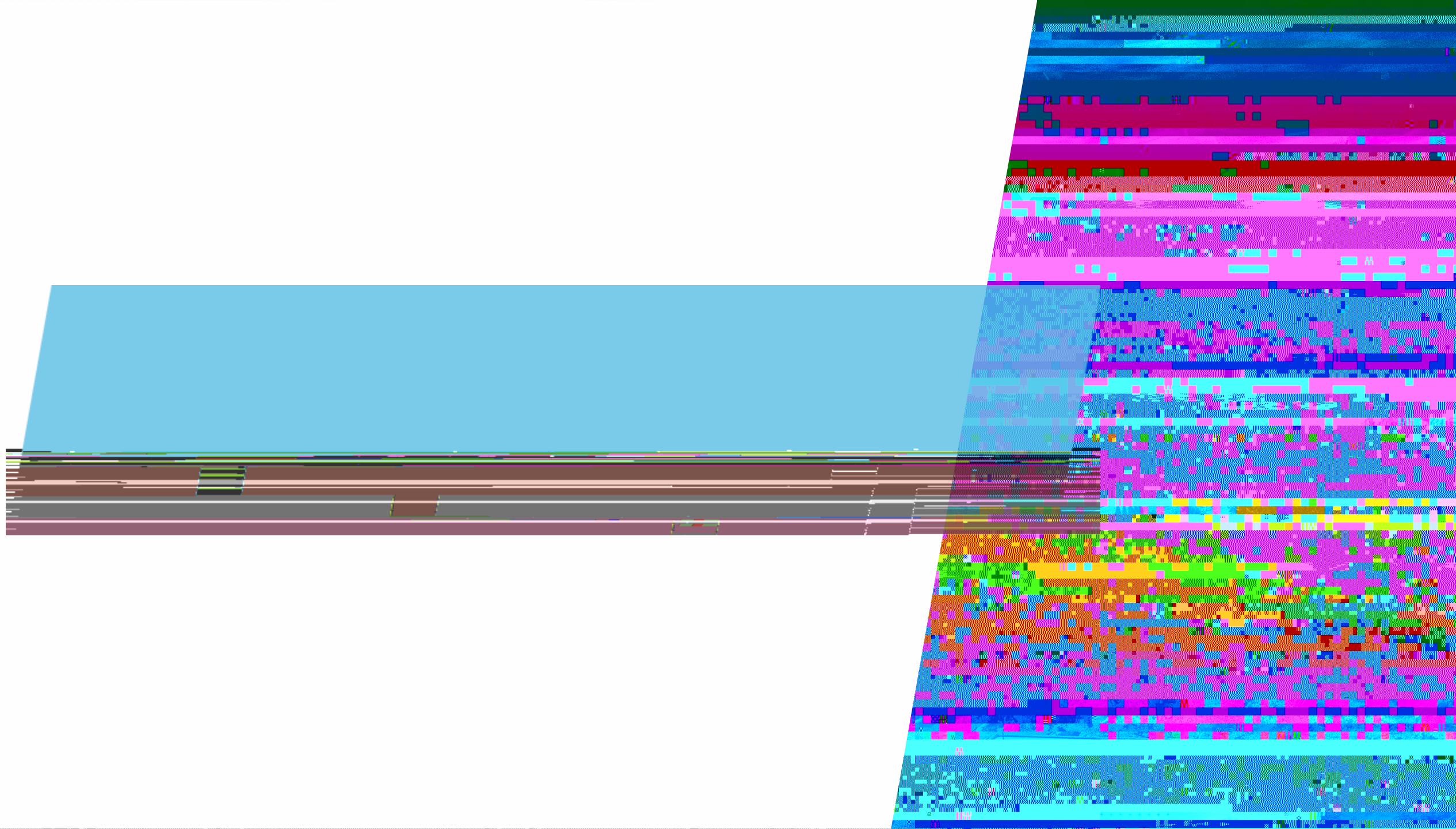
[[Dating Violence]] is a form of violence that occurs between people who are romantically involved. It can include physical, emotional, and psychological abuse. It is a serious problem that affects millions of people each year. It is important to recognize the signs and symptoms of dating violence and to seek help if you or someone you know is experiencing it. There are many resources available to help victims of dating violence, including hotlines, counseling, and legal services. It is important to remember that you are not alone and that help is available.

Domestic Violence

"Domestic Violence" includes a crime of violence, whether a felony or misdemeanor under the Missouri Revised Statutes, that is committed by:
(1) a person who is
(a) a spouse or intimate partner of the victim;
(b) a parent or other family member of the victim;
(c) a person who has a child in common with the victim;
(d) a person who is a cohabitant of the victim;
(e) a person who is a member of the same household as the victim;
(f) a person who is a member of the same religious community as the victim;
(g) a person who is a member of the same social community as the victim;
(h) a person who is a member of the same neighborhood as the victim;
(i) a person who is a member of the same community as the victim;
(j) a person who is a member of the same city as the victim;
(k) a person who is a member of the same county as the victim;
(l) a person who is a member of the same state as the victim;
(m) a person who is a member of the same country as the victim;
(n) a person who is a member of the same world as the victim;
(o) a person who is a member of the same universe as the victim;
(p) a person who is a member of the same multiverse as the victim;
(q) a person who is a member of the same multiverse as the victim;
(r) a person who is a member of the same multiverse as the victim;
(s) a person who is a member of the same multiverse as the victim;
(t) a person who is a member of the same multiverse as the victim;
(u) a person who is a member of the same multiverse as the victim;
(v) a person who is a member of the same multiverse as the victim;
(w) a person who is a member of the same multiverse as the victim;
(x) a person who is a member of the same multiverse as the victim;
(y) a person who is a member of the same multiverse as the victim;
(z) a person who is a member of the same multiverse as the victim;

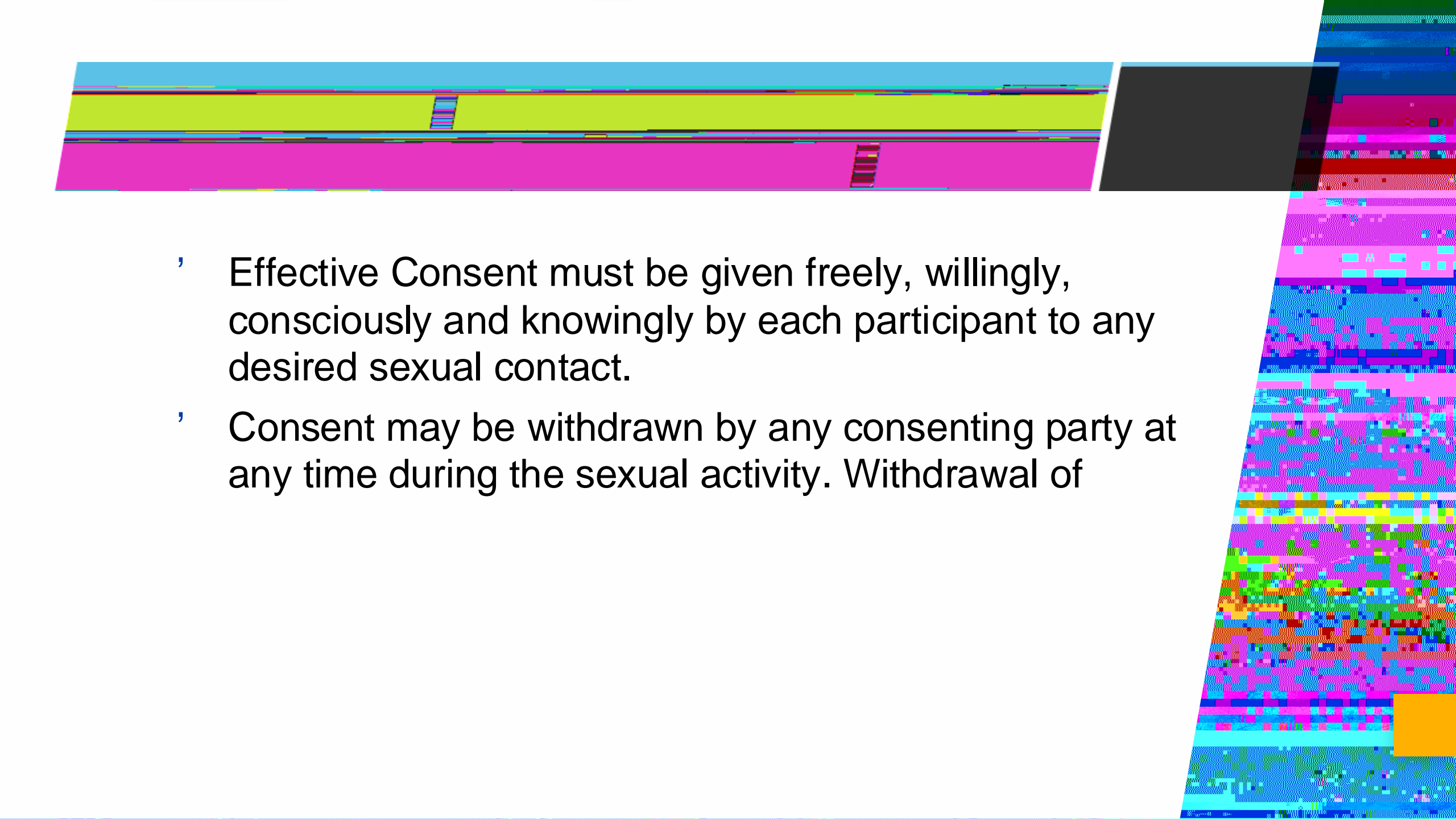


Retaliation



Effective Consent

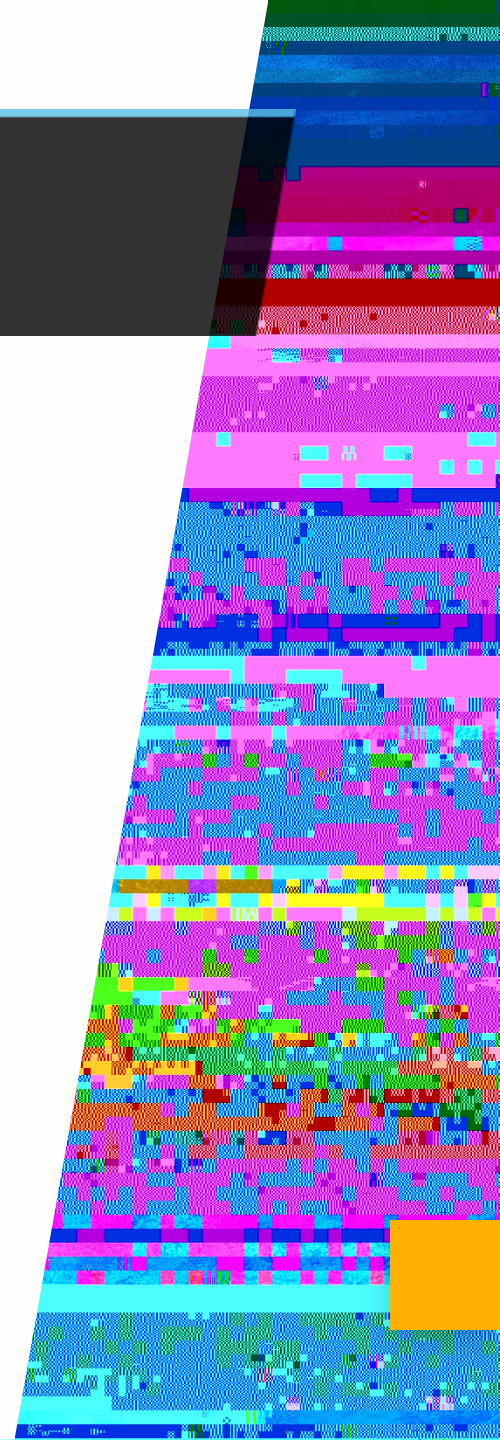
- Effective Consent is an affirmative, knowing, and voluntary decision . clearly communicated through
– ž • ž Š • • ç 1 ž — • Ž › œ • Š — • Š ‹ • Ž 1 ~ › • œ 1 û Ž i • i 1 œ Š
and/or actions . to willingly engage in mutually acceptable sexual activity (e.g. to do the same thing, at the same time, in the same way, with another individual(s)).

- 
- ' 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



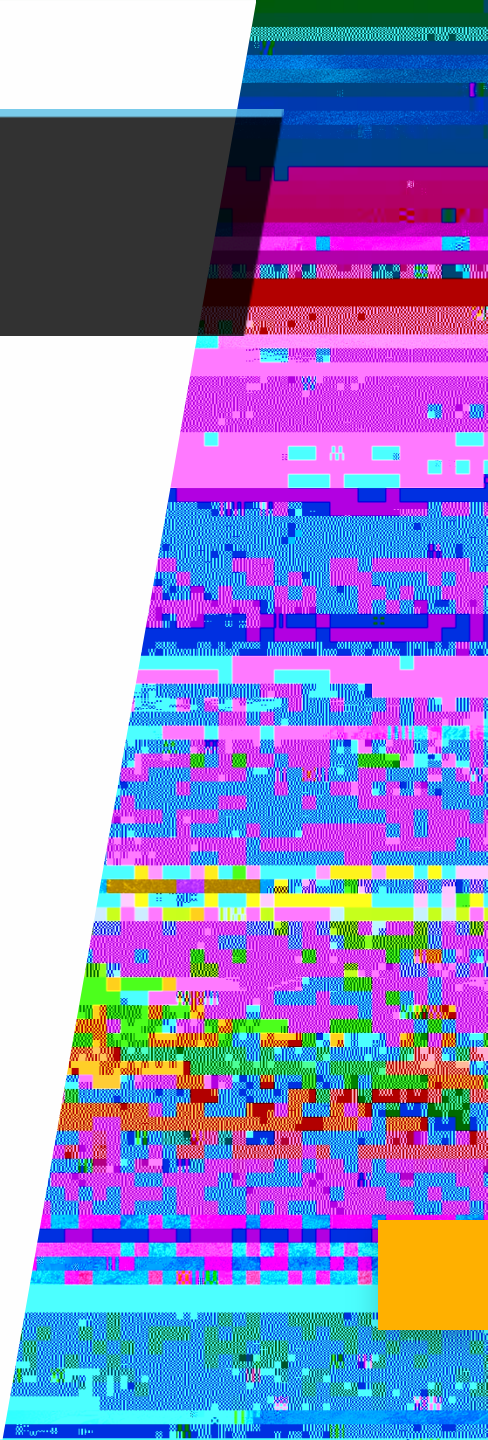


,



Incapacitation and Effective Consent

Individuals who are unable to give informed consent are considered incapable of giving informed consent. Incapacity is a legal term that refers to an individual's inability to understand the nature and consequences of a proposed action or to appreciate the risks and benefits of a proposed action. Incapacity can be temporary or permanent, and it can be caused by a variety of factors, including mental illness, intellectual disability, and physical impairment. Incapacity is a legal concept that is used to determine whether an individual is able to give informed consent to a proposed action. Incapacity is a legal term that refers to an individual's inability to understand the nature and consequences of a proposed action or to appreciate the risks and benefits of a proposed action. Incapacity can be temporary or permanent, and it can be caused by a variety of factors, including mental illness, intellectual disability, and physical impairment. Incapacity is a legal concept that is used to determine whether an individual is able to give informed consent to a proposed action.



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 or similar circumstances would know about the other's incapacitation. *Alford, 448 So.2d 1101 (Fla. 1st DCA 1984)*. The test is whether a reasonable, sober person in the same or similar circumstances would know about the other's incapacitation. *Alford, 448 So.2d 1101 (Fla. 1st DCA 1984)*. The test is whether a reasonable, sober person in the same or similar circumstances would know about the other's incapacitation. *Alford, 448 So.2d 1101 (Fla. 1st DCA 1984)*.

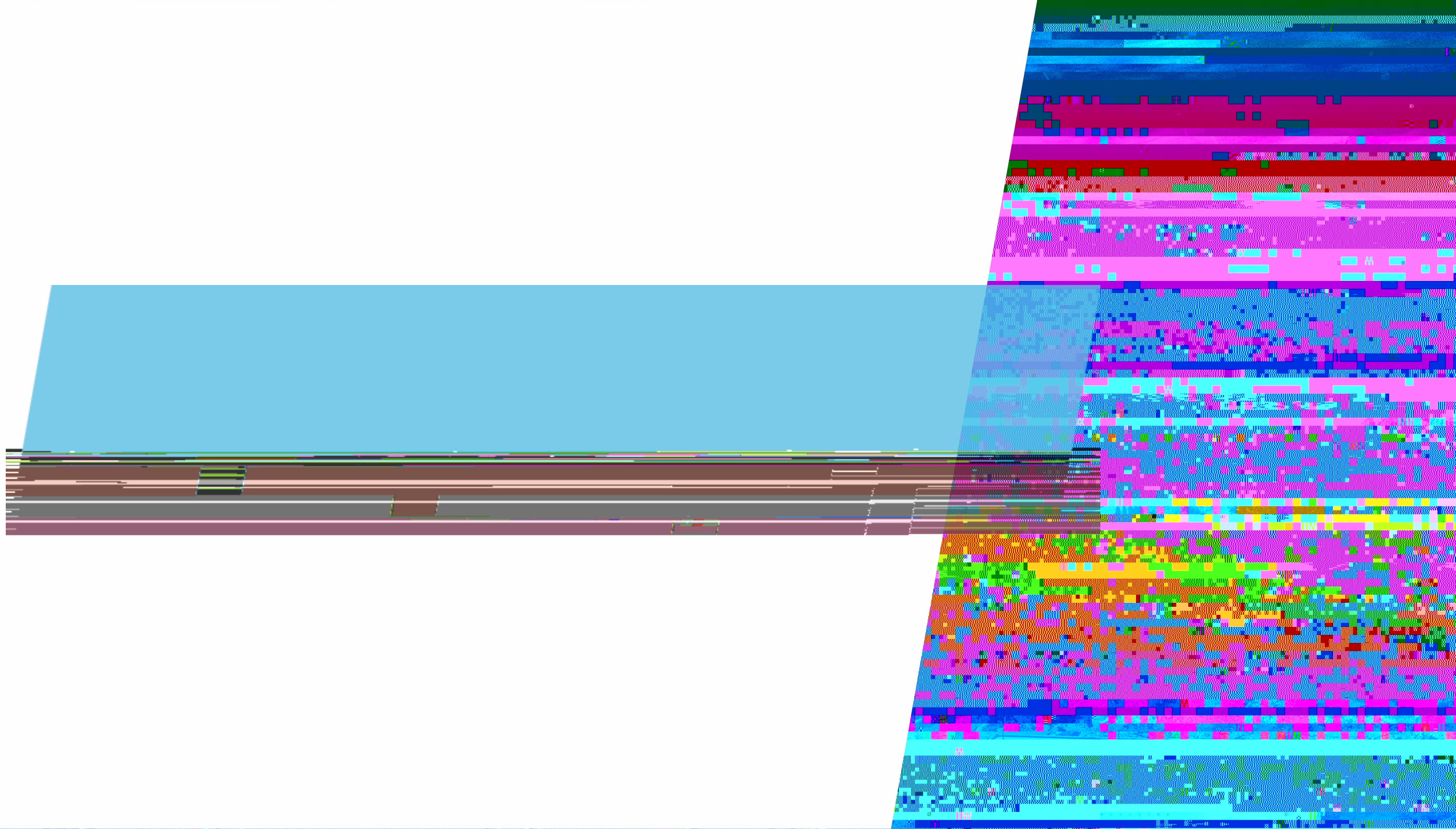


Serving Impartially

- ' 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.

