



SAFETY | PREVENTION | REPORT | RESPONSE



SEXUAL MISCONDUCT RESOURCE GUIDE

Christian Brothers University is committed to Lasallian principles of respecting one another, ensuring that we develop a diverse, inclusive, and supporting community, having faith in the presence of God, and providing the highest quality education for our students. We carry out these values “together and by association” by adhering to not just a shared set of beliefs about the importance of our community but also a shared set of policies, procedures, and guidelines established to promote equity, fairness, and best practices across the University.

Discrimination on the basis of sex, including gender-based harassment, sexual misconduct, domestic violence, dating violence, or stalking, has no place within our community. All Individuals are encouraged to report potential policy violations to our Title IX Coordinator or his designee.

The Title IX Coordinator and Deputy Coordinators respond to potential violations. The Coordinators respond with kindness and care. Coordinators strive to treat every individual with dignity and equity. Coordinators are private resources meaning they will only share information on a need-to-know basis.

Individuals can report in person, by phone, by email, or online here:



Robert L. Dotson, EdD.
Title IX Coordinator

Dean of Students
Student Development & Campus Life
(901) 321-3254 | titleix@cbu.edu



Theresa P. Jacques
Associate VP,
Human Resources
Director
650 East Parkway
South, Thomas
Center (901) 321-
3474

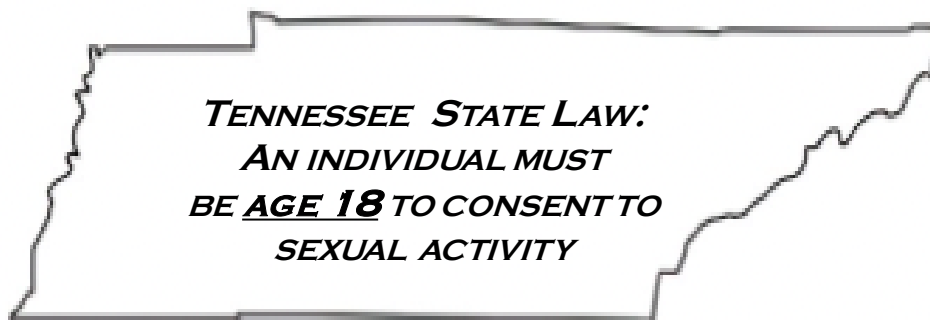


Jessica Nagle
University Deputy
Title IX Coordinator
Student
Development &
Campus Life (650)
383-4753 Ext. 145

Sexual Assault

Sexual assault is an offense that meets one of the definitions below:

- Rape—The penetration, no matter how slight, of the vagina or anus with any body part or object, or penetration by a sex organ of another person, without the consent of the victim.
- Fondling - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest - Sexual intercourse between people who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape - Sexual intercourse with a person who is under the statutory age of consent.



**This brochure complies with federal law, the "Violence Against Women Act," which protects people of all genders.

The law uses the term "victim." The University refers to individuals as "complainant" and "respondent" because a) it aligns with best practice, and b) the respondent is presumed not responsible for violating University Policy until the conclusion of the formal process. The Complainant is defined as the person harmed or impacted by misconduct. The respondent is the person alleged to have caused harm.

Sources: VAWA Final Regulations, Federal Register, 10/20/14; The Handbook for Campus Safety and Security Reporting, 2016



Dating Violence

Dating Violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be 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.

Examples of dating violence may include:

- Physical violence (slaps, kicks, or pushing)
- Isolating a person from friends and family
- Psychological and emotional abuse like coercion to engage in sexual activity
- Preventing a person from studying or accessing their working environment

Domestic Violence

Domestic violence is a pattern of abusive behavior in any relationship that one partner uses to gain or maintain power and control over another intimate partner.

Domestic violence can be physical, sexual, emotional, economic, psychological, technological, or threats of actions or other coercive behavior patterns that influence another person within an intimate partner relationship. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

The behavior must be committed by a:

- A current or former spouse or intimate partner
- A person with whom you share a child
- A person against an adult or youth victim who is protected from that person's acts. In most abusive relationships, possessive and controlling behaviors are present.

**Domestic Violence Hotline:
800.799.SAFE (7233)**



Consent

Sexual and relationship violence takes place without someone's consent. Consent is the affirmative, unambiguous and voluntary agreement to engage in a specific sexual activity. Community members are strongly encouraged to obtain explicit consent before engaging in any sexual activity. Consent must be completely voluntary, without coercion, intimidation, force, or threats. Consent can be withdrawn at any time. Consent given earlier for a specific act doesn't mean you can automatically proceed with other acts. Individuals have the right to change their minds at any time.

Consent cannot be given if someone is unconscious, asleep, incapacitated (due to alcohol/other drugs), a minor, or physically/mentally impaired.

Additionally, prior sexual acts do not constitute consent. Individuals need to obtain consent every time.



Prevention Tip:
Do not engage in sexual activity if using alcohol or substances

Stalking



Gender-Based violence can happen to any individual regardless gender

Stalking is when someone engages in the course of conduct directed at a specific person that causes that person to fear for their safety or the safety of others. It also causes the stalked person substantial emotional distress.

Over 85 percent of people who experience stalking are stalked by someone they know, according to the Stalking Resource Center, with behaviors that control, track or frighten them.

Reporting

The Title IX Coordinator, Title IX Deputies, and Campus Security Officers, to name a few, are trained to listen, take your report, and guide you to appropriate resources. You'll receive information about support options and the disciplinary process. Additionally, you will be informed of your right to pursue a criminal complaint. You get to choose what works best for you.



Under the federal Clery Act, the Title IX Coordinator, Title IX Deputies, and Campus Security Officers are also Campus Security Authority (CSAs) and must report where and when a crime occurred, but not necessarily who was involved. Regarding confidentiality, our institution will balance the need to keep the campus community safe with protecting your request for privacy to the maximum extent possible.

Support



Our institution offers several measures for safety and support, depending on the circumstances. These include helping you receive counseling and medical assistance while offering protective measures to help you feel safer on campus. These accommodations may be related to your academic, living, transportation, and working environment. The University will make every attempt to identify and grant reasonably available and appropriate protective measures.

In rare circumstances, the University may need to act quickly to protect your safety and others. In this event, we may not be able to obtain your written consent ahead of time. We will provide status updates and communicate with you throughout the process to keep you in control of the situation and as safe as possible.

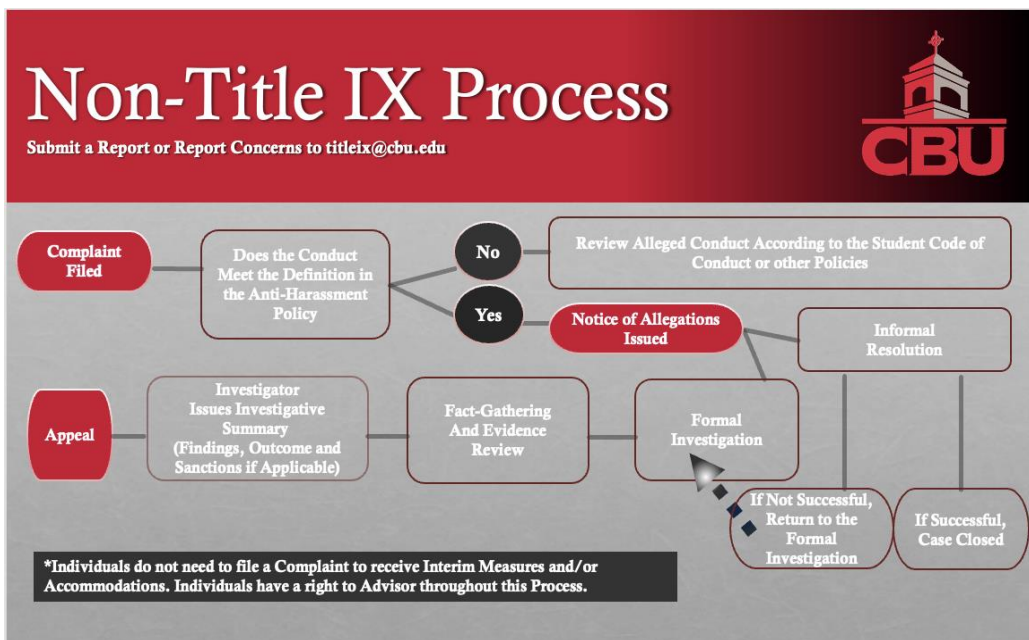
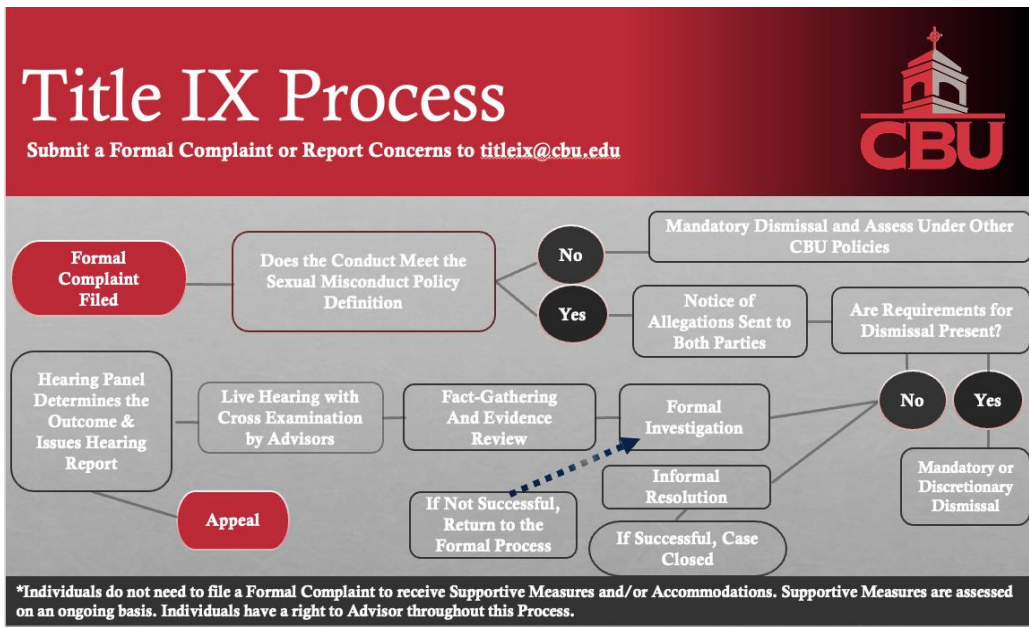


University Resolution Options



Resolving cases of sexual assault, dating violence, domestic violence, and stalking involves a fair, impartial, and equitable process. As part of this process, both the complainant and the respondent will have equal opportunities to have an advisor of their choice present. Both parties will be given timely notice of meetings and equal access to information that will be used during meetings and hearings.

Once the formal resolution concludes, the complainant and respondent will be alerted simultaneously regarding the outcome and any appeal options.



Our community members can work together to care for one another and reduce risk. The following examples of safety planning can make a difference:

General Safety Tips

- Trust your intuition and instincts
- Pay attention to your surroundings and be aware of people around you
- Walk with others
- Plan your transportation method and route before you go out
- Don't worry about offending someone
- Remove yourself from a questionable situation right away
- Say "NO" clearly and firmly, if you are able
- Notice when your boundaries aren't being respected
- Assert your right to have those boundaries respected
- Don't be afraid to ask for help in situations where you don't feel safe
- Be aware that alcohol or substance use may impact your inhibitions and situational awareness
- Lock doors and windows in your car and living space
- Do not share your keys

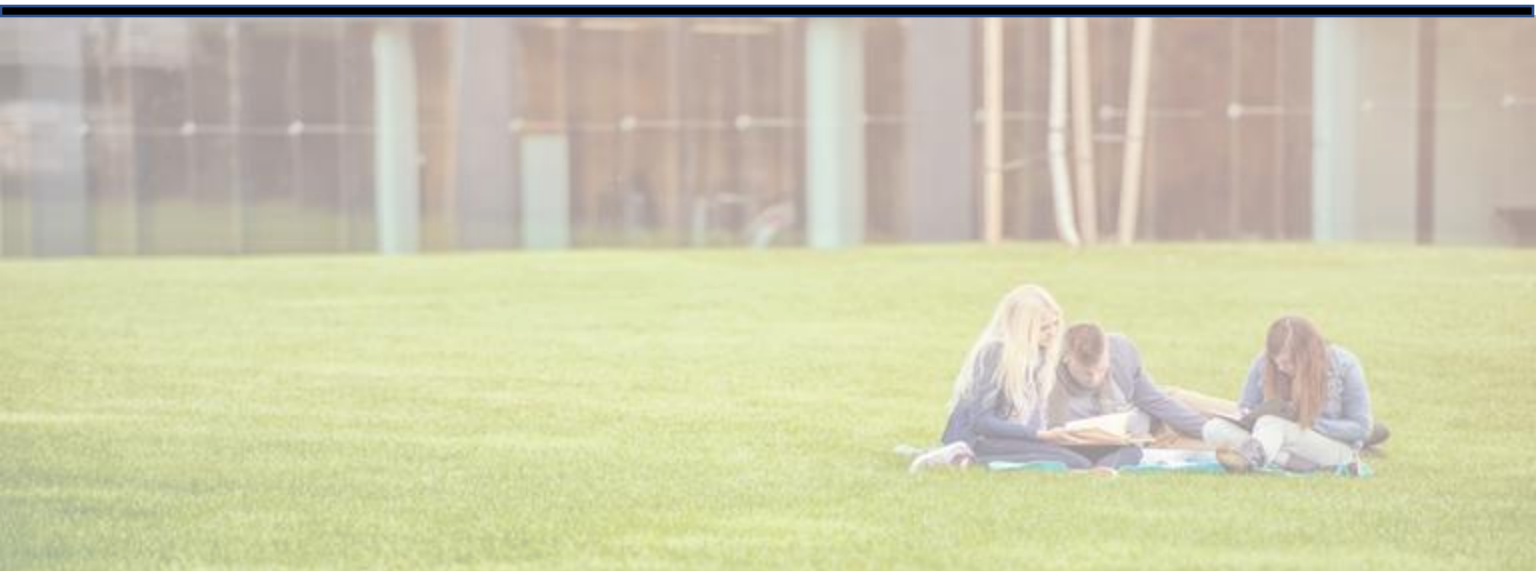
Ride Share Safety Tips

- Request your ride and wait inside
- Check Your Ride
- Confirm your name with the driver
- Be a back-seat rider
- Always wear your seat belt
- Share your trip details with loved ones
- Protect your personal information

Reduce the Risk of Becoming an Aggressor:

- Listen to your partner and be mindful of nonverbal cues
- Only engage in sexual activity with explicit consent
- Do not abuse power advantage, coerce or intimidate
- Do not take advantage of someone who might be impaired
- Watch substance intake and ingestion

Sources: Uber Tips; VAWA



Every community member can help end and prevent sexual misconduct, sexual harassment, dating violence, domestic violence, and stalking. A few examples of how you can help are below:

Become a Community Bystander

- There are multiple actions you can take to help prevent sexual and relationship violence proactively, too, such as
- Believe that sexual and relationship violence is unacceptable and say it out loud.
- Treat people with respect.
- Speak up when you hear victim-blaming statements
- Talk with friends about confronting sexual and relationship violence.
- Encourage friends to trust their instincts to stay safe
- Be a knowledgeable resource for survivors. Don't laugh at sexist jokes or comments. Look out for friends at parties, bars, and other gatherings.
- Educate yourself and your friends
- Use campus resources
- Attend awareness events
- Empower survivors to tell their stories
- Make sure they get home safely
- Remind friends and acquaintances that incapacitated people can't give consent
- Provide a distraction that interrupts an interaction
- Directly engage one or more of the involved parties
- Get police or other authorities involved
- Tell someone else and get help
- Ask people in potentially dangerous situations if they are okay and/or want to leave

Prevention Awareness Events:

Ongoing crime and safety awareness programs take place campus wide with an emphasis on residence life and student organizations.



Rights & Reporting Options



•**Right to report to law enforcement:** Dial 3550 from a campus phone or 321-3550 from a cell phone or off campus. On campus, you may also dial 9, then 911 for emergencies. Campus Emergency: 911. You may also request our assistance in reporting an incident to your local law enforcement.

•**Right to submit a report or formal complaint to the University:** You have the right to file a report and/or submit a formal complaint to the Title IX Coordinator: Robert L. Dotson, titleix@cbu.edu.

•**Right to privacy:** The Title IX Coordinator is a private resource meaning they will keep any information you share as private as possible, only sharing with those who need to know to respond to the report, end the conduct alleged, or remedy its effects.

•**Right to seek medical care:** You can seek medical care from Health Services or any area hospital emergency room. At the hospital, you can be treated by a Sexual Assault Nurse who is skilled in performing Sexual Assault Nurse Exams (SANE) and collecting forensic evidence from patients who may have experienced a sexual assault. A SANE can address sexually transmitted infections, diseases, and pregnancy exposure.



- A SANE must be given within **five days or 120 hours** of the assault.
- If you suspect you were given any drug, you should seek medical care within hours or days to obtain laboratory diagnostics.
- Emergency contraception to prevent pregnancy must be given within **72 hours**.
- HIV emergency post-exposure prophylaxis (PEP) should be started as soon as possible for maximum effectiveness and must be started within **72 hours** of the potential exposure.

•**Right to assistance accessing and navigating resources:** Whether you want to report or not, you can obtain confidential medical, counseling, spiritual, and advocacy services on or off campus to help cope with an incident or to explore options.

•**Right to reasonably appropriate supportive measures:** The University will make every attempt to provide measures to help restore or preserve access to your learning, living and working environment. Measures might include a no-contact order, schedule adjustment, or academic extension.



Confidential resources have NO duty to report to the Title IX Coordinator.

HEALTH SERVICES AND COUNSELING



- CBU Health Services, On-Campus
- CBU Counseling Services, On-Campus
- Methodist Hospital, Off-Campus, (901) 516-7000

COUNSELING FOR EMPLOYEES



- Employee Assistance Program through Methodist Health Care, (901) 683-5658 or visit www.methodisteapcanhelp.org
- Hartford's Ability Assist with Health Champions Employee Assistance Program, (800) 964-3577

ADVOCACY & CRISIS SERVICES



- Domestic Violence Legal Clinic, (312) 325-9155
- Memphis Crisis Center, [\(901\) 274-7477](tel:(901)274-7477)
- Shelby County Rape Crisis Center, [\(901\) 222-4350](tel:(901)222-4350)
- Suicide and Crisis Intervention, [\(901\) 274-7477](tel:(901)274-7477) or [\(800\)-SUICIDE](tel:(800)SUICIDE)
- Tennessee RedLine, [\(800\) 889-9789](tel:(800)889-9789) (Referrals for Substance and Mental Health Services-Available 24/7)
- The Pregnant Scholar, <https://thepregnantscholar.org/>

Private Resources must report to the Title IX Coordinator.

Law Enforcement | Private

Campus Police & Safety:



- Dial 3550 from a campus phone
- Dial 321-3550 from a cell phone or off campus.
- On campus, you may also dial 9, then 911 for emergencies.
- Off Campus Emergency: 911

Faculty or Staff | Private



University employees are private resources required to report potential policy violations to the Title IX Coordinator.



Title IX Coordinator | Private

Robert L. Dotson, EdD.

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Student Development & Campus Life
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