



Sexual Misconduct Guidelines

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TABLE OF CONTENTS

Scope..... 2

Purpose..... 3

Statement of Board Policies 4

Prohibited Conduct..... 5

Definition of Affirmative Consent 8

Reporting Sexual Misconduct..... 9

 Emergency Assistance Contacts..... 9

 College-Wide Contacts..... 10

 Campus-Specific Contacts..... 11

 Confidential Resources 13

 Reporting Procedures 15

 Confidentiality During the Procedures for Resolving Reports of Sexual Misconduct 16

Procedures For Resolving Reports of Sexual Misconduct Against Students..... 18

 Initial Intake and Assessment..... 18

 Investigation Procedures 19

 Resolution Meeting Process..... 22

 Formal Hearing Process..... 22

 Appeal Procedures 25

Procedures For Resolving Reports of Sexual Misconduct Against Employees..... 27

 Initial Intake and Assessment..... 27

 Investigation Procedures 28

 Resolution Meeting Process..... 30

 Formal Hearing Process..... 31

 Appeal Procedures 34

Additional Resources, Education, and Training..... 35

 On-Campus Support 35

 Off-Campus Support..... 36

 Risk Reduction 37

 Preservation of Evidence 37

 Orders of Protection..... 38

 Bystander Intervention..... 39

 Educational Programs and Training..... 39

Review of Guidelines..... 40

SCOPE

These Guidelines for Complaints Involving Sexual Misconduct (“Guidelines”) provide the procedures for reporting and resolving complaints of all forms of sex or gender-based harassment, including dating violence, domestic violence, sexual assault, sexual harassment, and stalking (collectively referred to as “Sexual Misconduct”). These Guidelines cover both student and employee conduct that occurs on or near property owned or operated by the College; at or in connection with a College-related event; or off-campus if such conduct adversely affects the campus environment.

If the accused individual is not a member of the STLCC community (a student, faculty, or staff member), the investigation, hearing, and appeals procedures provided in these Guidelines will not apply. The College will, however, provide the reporting party with information regarding the support and other resources detailed herein. To the extent the report involves alleged criminal behavior occurring on College property, the Campus Police Department may investigate. To the extent the report involves alleged criminal behavior occurring somewhere other than on College property, the College can assist the reporting party with contacting the Police Department with jurisdiction over the location where the incident reportedly occurred.

These Guidelines include information relating to:

- St. Louis Community College’s Sexual Harassment and Sexual Assault Board Policies;
- The type of conduct prohibited;
- The meaning of Effective Consent;
- The options available for reporting Sexual Misconduct;
- The investigation, hearing, and appeals procedures applicable to resolving complaints of Sexual Misconduct against STLCC students and employees;
- The parties’ rights to privacy and confidentiality;
- The resources available for victims of Sexual Misconduct; and
- The programming and training available for members of the STLCC community.

PURPOSE

The College is committed to providing an academic and work environment that is free from Sexual Misconduct. These Guidelines are meant to comply with Title VII, Title IX, and the Violence Against Women Act (VAWA), as well as the Department of Education's Office of Civil Rights' Dear Colleague Letters from 2011 and 2014. In accordance with this guidance and as further detailed herein, STLCC is committed to the following:

- Designating a Title IX Coordinator;
- Publishing a notice of non-discrimination;
- Taking immediate, appropriate action to investigate or otherwise determine what occurred once the College knows or reasonably should have known about possible Sexual Misconduct;
- Providing a procedure to resolve complaints of Sexual Misconduct that:
 - Provides both the person making the complaint ("Complainant") and the person accused of having engaged in Sexual Misconduct ("Respondent") with an equal opportunity to present witnesses and other evidence;
 - Uses the preponderance of evidence standard (i.e., more likely than not that a violation of College policy occurred) in determining whether a violation of Policy occurred;
 - Provides both the Complainant and Respondent equal access to appeal; and
 - Notifies both the Complainant and Respondent of the outcome of the procedures in accordance with applicable law;
- Training the staff and faculty that will implement these procedures on behalf of the College;
- Taking prompt, effective steps to end Sexual Misconduct, prevent its reoccurrence, and address its effects, regardless of whether or not the alleged Sexual Misconduct is the subject of a criminal investigation; and
- Providing resources as well as accommodations and interim measures, when appropriate, to individuals who report Sexual Misconduct.

The College's Sexual Harassment and Sexual Assault Board Policies are as follows:

Section B.12 Sexual Harassment Policy

St. Louis Community College is committed to providing an academic and work environment that is free from sexual harassment. In keeping with this commitment, the College prohibits sexual harassment of any member of the College community. Sexual harassment in any form, including verbal, written, physical and visual harassment will not be tolerated. Sexual harassment may include, without limitation, unwelcome sexual advances, attempts to coerce any member of the College community into a sexual relationship or to punish such persons for refusing to submit to sexual advances, or conduct of a sexual nature which creates an intimidating, hostile or offensive academic or work environment.

Any member of the College community who has a sexual harassment complaint may obtain redress through administrative procedures of the College. The College will respond to sexual harassment complaints promptly and in an equitable manner.

All information regarding complaints of sexual harassment is confidential and will be revealed only to those directly involved with the investigation and/or resolution of the complaint. Breaches of confidentiality may result in disciplinary action. Retaliation against anyone who brings a complaint of sexual harassment is prohibited.

A student or employee of the College found to have violated this policy will be subject to disciplinary action, up to and including dismissal from the College or termination of employment.

Section B.13 Sexual Assault Policy

St. Louis Community College will provide an environment for its students, employees and visitors that will, to the greatest extent possible, preclude the occurrence of sexual assault. For purposes of this policy, the term "sexual assault" includes rape, acquaintance rape, or any other sexual offenses, forcible or non-forcible. In keeping with this commitment, the College has established a policy prohibiting sexual assault in any form.

Any student, employee or visitor who is sexually assaulted on College property or at any College-sponsored or –supervised activity may obtain redress both through College channels and local, state, and federal law enforcement agencies.

Students or employees of the College found to have violated this Policy will be subject both to disciplinary action by the College up to and including dismissal or termination and prosecution by appropriate law enforcement agencies.

PROHIBITED CONDUCT

All forms of sex or gender-based harassment that constitute unlawful discriminatory conduct under Title VII of the Civil Rights Act of 1964 (as amended), Title IX of the Education Amendments of 1972, and Missouri law, including Sexual Misconduct, are prohibited by St. Louis Community College. For purposes of these Guidelines, Sexual Misconduct includes dating violence, domestic violence, sexual harassment, sexual assault, and stalking, as defined herein.

The following definitions apply in determining whether a violation of College Policy and/or the STLCC Code of Student Conduct has occurred. However, any criminal investigation conducted by Campus Police or another law enforcement agency with responsibility for investigating an alleged offense of sexual assault, dating violence, domestic violence, or stalking will operate in accordance with the definitions of those crimes under the Revised Statutes of Missouri (RSMo), not these Guidelines.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

- i. 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.
- ii. For the purposes of this definition –
 - a. Dating Violence includes, but is not limited to, sexual or physical abuse or threat of such abuse.
 - b. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence:

- i. A felony or misdemeanor crime of violence committed –
 - a. By a current or former spouse or intimate partner of the victim;
 - b. By a person with whom the victim shares a child in common;
 - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
 - e. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as defined below.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: The touching of the private 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 or her age or because of his or her temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons 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.

Sexual Harassment: Unwelcome sexual advances, attempts to coerce any member of the College community into a sexual relationship or to punish such persons for refusing to submit to sexual advances, or conduct of a sexual nature which creates an intimidating, hostile or offensive academic or work environment. Sexual harassment may involve conduct, in any form, by a person of either sex towards a person of the opposite or same sex.

Types of Sexual Harassment

Quid Pro Quo Harassment: Situations in which a supervisor, faculty member, or other individual conditions an employment or educational benefit upon the receipt of sexual favors.

Examples may include when an individual causes a student or employee to believe:

- that he/she must submit to unwelcome sexual conduct in order to participate in a school program or activity; or
- that the individual will make an educational or employment decision based on whether the student or employee submits to unwelcome sexual conduct.

Hostile Environment: Unwelcome conduct of a sexual nature, which has the purpose or effect of creating a hostile, offensive or intimidating environment. This would also include harassment that is so severe, pervasive, and objectively offensive that the conditions of an individual's employment or education are altered. A single instance of sexual harassment may be sufficient to create a hostile environment.

Hostile environment for a student may exist when unwelcome conduct of a sexual nature is so severe, persistent or pervasive that it:

- affects the student's ability to participate in or benefit from an educational program or activity; or
- creates an intimidating, threatening or abusive educational environment.

Examples of Sexual Harassment

Sexual Harassment may include the following:

- Subtle pressure for sexual activity;
- Unnecessary brushing against or touching another individual;
- Offensive sexual graffiti;
- Disparaging remarks about one's gender, sexual identity, or sexual orientation;
- Physical aggression, such as pinching or patting another individual;
- Sexist remarks about a person's clothing, body, sexual orientation or identity, or sexual activities;
- Leering at or ogling a person's body;
- Demanding sexual favors, accompanied by overt or implied threats;
- Physical assault;
- Creation, dissemination, or possession of pornographic materials, as determined by local standards; or
- Electronic transmission of offensive, provocative, or harassing information by e-mail, text messages, and/or other forms of social media.

Gender-Based Harassment

Title IX also prohibits gender-based harassment, which may include acts of verbal, nonverbal or physical aggression, intimidation or hostility based on sex or sex-stereotyping, even if these acts do not involve conduct of a sexual nature. Gender-based harassment, including that predicated on sex- stereotyping, is covered by Title IX if it is sufficiently serious to deny or limit a person's ability to participate in or benefit from the program. Thus, it can be sex discrimination to harass a student on the basis of the victim's failure to conform to stereotyped notions of masculinity and femininity.

Stalking:

- i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to
 - a. Fear for the person's safety or the safety of others; or
 - b. Suffer substantial emotional distress.
- ii. For the purposes of this definition –
 - a. Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
 - b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Retaliation: The act of reprisal, interference, restraint, penalty, coercion, discouragement or harassment against any member of the College community who reports, complains of, or participates in the investigation or adjudication of a complaint of Sexual Misconduct. Acts of retaliation may be committed by any individual, not just the Complainant or Respondent in a case.

DEFINITION OF AFFIRMATIVE CONSENT

For purposes of these Guidelines, “Affirmative Consent” is an informed, conscious, mutually understandable, affirmation given freely and actively by words (e.g., saying “yes”) or actions that indicate a willingness to engage in mutually acceptable sexual activity (i.e., to do the same thing, at the same time, in the same way, with each other).

Individuals engaging in sexual activity are encouraged to talk before engaging in such activity and to continue communicating with each other throughout the activity to ensure that Affirmative Consent exists. It is the responsibility of the person who wants to engage in the specific sexual activity to make sure he or she has Affirmative Consent from the other individual.

It is important to remember the following regarding Effective Consent:

- Consent may be withdrawn at any time during a sexual encounter.
- Consent at one time does not imply consent at any other time.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
- Silence, passivity, or other inactive behaviors (i.e., absence of resistance) do not constitute Affirmative Consent.
- One cannot presume Affirmative Consent due to participation in a relationship. There must still be a mutually understandable communication indicating a willingness to engage in sexual activity.
- Affirmative Consent cannot be gained by force, or threat of force, coercion, fraud, or intimidation.
- Affirmative Consent can never be given by minors (in Missouri, under age 18), mentally disabled individuals, or by persons incapacitated as a result of alcohol or other legal or illegal drug use.
- A person who is unconscious, unaware, or otherwise physically helpless cannot give Affirmative Consent.

REPORTING SEXUAL MISCONDUCT

Any member of the STLCC community who believes he or she has been subjected to Sexual Misconduct is encouraged to report the incident to the College as soon as possible. Making the decision to report an incident of Sexual Misconduct is often very difficult, but can be the first step in the healing process and also allows the College to provide support and prevent future occurrences.

In emergencies, individuals should call 911 or the Campus Police at the numbers listed below.

Individuals are encouraged to report incidents of Sexual Misconduct to the College-Wide and/or Campus-Specific Contacts listed below. In situations involving alleged dating violence, domestic violence, sexual assault, or stalking, ensuring the safety of the person making the report is of primary importance. The College-Wide and Campus-Specific Contacts can assist victims of dating violence, domestic violence, sexual assault, or stalking with seeking medical assistance and/or contacting Campus Police or local law enforcement. They can also direct individuals to additional resources and provide information on the preservation of evidence.

Students and employees wishing to maintain confidentiality may speak with the individuals designated below as Confidential Resources. Unlike other College employees, Confidential Resources are not required to notify the Investigators or Lead Investigator on their respective campuses or the Coordinator or Deputy Coordinator of reports of Sexual Misconduct. All other employees are, however, required to notify either the Investigators and/or Lead Investigator on their respective campuses or the Deputy Title IX Coordinator or Title IX Coordinator of any and all reports of Sexual Misconduct.

Emergency Assistance Contacts

ST. LOUIS POLICE
EMERGENCY NUMBER 911

COSAND CENTER and CORPORATE COLLEGE
314-539-5178
Location: Cosand Center, 5th Floor

FLORISSANT VALLEY CAMPUS POLICE
314-513-4300
Location: Service Building, Behind the Child Development Center

FOREST PARK CAMPUS POLICE (also for William J. Harrison Education Center)
314-644-9700
Location: C Tower, Room C-013

MERAMEC CAMPUS POLICE (also for South County Education and University Center)
314-984-7667
Location: West Side of Campus, off Couch Avenue

WILDWOOD CAMPUS POLICE
636-422-2044
Location: Room 114

College-Wide Contacts

Title IX Coordinator (“Coordinator”)

300 South Broadway
St. Louis, MO 63102
314-539-5374

The Title IX Coordinator has overall responsibility for Title IX compliance and implementing these Guidelines and the College’s related policies. These responsibilities include:

- Overseeing all Title IX complaints, which includes identifying and addressing any patterns or systemic problems that arise during the review of such complaints;
- Ensuring that student Complainants and Respondents know their rights;
- Ensuring that complaints of Sexual Misconduct are investigated and resolved in a timely manner;
- Monitoring compliance with all requirements and timelines specified in these Guidelines;
- Notifying and educating the STLCC community about Title IX, which includes distributing Title IX policies and providing and/or coordinating college-wide training programs;
- Assisting Campus Police and other College employees in responding appropriately to reports of Sexual Misconduct;
- Providing guidance about Title IX and these Guidelines by answering questions about compliance, policies, and procedures;
- Convening College-wide Sexual Misconduct Student Resolution Meetings or Formal Hearing Committees when necessary;
- For cases involving complaints of Sexual Misconduct against students, ensuring that any sanctions imposed as part of the procedures described in these Guidelines are implemented; and
- Preparing reports on the number of complaints, the nature of filed complaints, and the disposition of complaints.

Deputy Title IX Coordinator for Employees (“Deputy Coordinator”)

Patricia Henderson
Manager, Talent Management
300 South Broadway
St. Louis, MO 63102
314-539-5214
phenderson@stlcc.edu

The Deputy Coordinator assists the Title IX Coordinator in implementing these Guidelines and the College’s related policies with regard to employees. The Deputy Title IX Coordinator’s duties include:

- Investigating complaints of Sexual Misconduct and ensuring the appropriate disposition of those complaints in accordance with these Guidelines;
- Assisting with the development and delivery of training for investigators;
- Ensuring that employee Complainants and Respondents know their rights;
- Ensuring that employee complaints of Sexual Misconduct are investigated and resolved in a timely manner;

- For cases involving complaints of Sexual Misconduct against employees, ensuring that any sanctions imposed as part of the procedures described in these Guidelines are implemented; and
- Convening College-wide Sexual Misconduct Employee Resolution Meetings or Formal Hearing Committees when necessary.

As noted above, the Coordinator is primarily responsible for overseeing the investigation and adjudication of complaints of Sexual Misconduct against students, while the Deputy Coordinator is primarily responsible for overseeing the investigation and adjudication of complaints against employees. In matters involving both students and employees, the Coordinator and Deputy Coordinator will work together to ensure that proper procedures are followed and that both parties, the Complainant and Respondent, are afforded all rights as explained in these Guidelines.

Campus-Specific Contacts

In addition to the College-Wide Contacts, each STLCC location has a team of individuals who can receive reports of Sexual Misconduct. These teams consist of Title IX Investigators and Lead Investigators. As noted above, with the exception of individuals designated as Confidential Resources, all other employees are required to notify either the Investigators and/or Lead Investigator on their respective campuses or the Deputy Title IX Coordinator or Title IX Coordinator of any and all reports of Sexual Misconduct that they receive.

Title IX Investigators (“Investigators”)

Each Campus Leadership Team nominates individuals to serve as Investigators for their respective campuses and/or education centers. For the Cosand Center and the Corporate College, the Investigators are nominated by the appropriate Vice Chancellors.

Among the individuals nominated by either the Campus Leadership Teams or the Vice Chancellors, the Title IX Coordinator and Deputy Coordinator select those who will serve as Investigators for each campus and education center, the Cosand Center, and the Corporate College. The individuals appointed for each location should be drawn from persons accessible to students, faculty, and staff.

Each Investigator serves a three-year term. The Title IX Coordinator and Deputy Coordinator may request that an Investigator serve beyond his or her initial three-year term. To the extent possible, the terms of Investigators are staggered to allow some experienced Investigators and newly appointed Investigators to serve together.

The Investigators’ duties include:

- Notifying the Lead Investigator for the respective campus, Deputy Coordinator, and/or Coordinator of all reports of Sexual Misconduct, including the names of the Complainant, Respondent, and any witnesses identified and any information reported regarding the alleged incident or misconduct, immediately following receipt of such reports;
- Investigating complaints of Sexual Misconduct in a prompt, fair, and impartial manner and in accordance with these Guidelines;
- Participating in training and education programs on preventing Sexual Misconduct and investigating complaints of Sexual Misconduct;
- Maintaining a log of complaints on the “Sexual Misconduct Log” form; and

- Sending the “Sexual Misconduct Log” form regarding complaints for the previous month to the Coordinator on the first of each month.

After selecting an Investigator, the Coordinator or Deputy Coordinator shall notify the Investigator’s supervisor and make the supervisor aware of the selection. Supervisors should provide flexibility to Investigators in their work assignments, so that they may fulfill the above duties and complete the investigations and procedures provided in these Guidelines in a timely fashion.

The following is a list of the current Title IX Investigators by location:

COSAND CENTER INVESTIGATOR
Beverly Bevineau-Lewis 314-539-5177

CORPORATE COLLEGE INVESTIGATOR
Leslie English-Abram 314-513-5480

FLORISSANT VALLEY INVESTIGATORS
Carlos Blancos 314-513-4430
Alexandria Bratcher 314-513-4457
Scott Martin 314-513-4355
Chris White 314-513-4844

FOREST PARK INVESTIGATORS
Bruce Munson 314-644-9656
Hilary Wilson 314-644-9173

MERAMEC INVESTIGATORS
Scott Armstead 314-984-7951
Sharon Holt 314-984-7609
Jaqueline Meaders-Booth 314-984-7578
Sherita Reinhardt 314-984-7593

SOUTH COUNTY EDUCATION AND UNIVERSITY CENTER INVESTIGATORS
Kathy Pritchard 314-984-6758

WILDWOOD INVESTIGATORS
Syed Chowdhury 636-422-2214
Krista Sucher 636-422-2011

WILLIAM J. HARRISON EDUCATION CENTER INVESTIGATORS
Amber Howlett 314-763-6014

Lead Investigator

From the group of Investigators, the Coordinator and Deputy Coordinator will appoint Lead Investigators for the Florissant Valley, Forest Park, and Meramec campuses. Reports of Sexual Misconduct at these campuses should be reported to the Lead Investigator for the relevant campus. For complaints against students at these campuses, the Lead Investigator will decide which Investigator at his or her respective campus will investigate the complaint. In making this determination, the Lead Investigator should consider the availability of his or her Investigators and rotate among those Investigators in order to provide each Investigator the opportunity to use the knowledge and skills obtained through training. For complaints against students at locations without a Lead Investigator, the Investigators at those locations will investigate the complaint in accordance with these procedures and in consultation with the Coordinator. Lead Investigators cannot be faculty members due to their contractual commitments.

The following is a list of the Lead Investigators by location:

FLORISSANT VALLEY LEAD INVESTIGATOR
Jennifer Orzel 314-513-4201

FOREST PARK LEAD INVESTIGATOR
Carolyn Jackson 314-951-9481

MERAMEC LEAD INVESTIGATOR
Ray Eberle-Mayse 314-984-7393

Confidential Resources

Though the College encourages students and employees to bring reports of Sexual Misconduct to the attention of the College for further investigation pursuant to these Guidelines, individuals who wish to maintain confidentiality may contact the following Confidential Resources.

Confidential Resources for Students

There are two categories of College employees that can serve as Confidential Resources for students: the counselors in the campus counseling centers and Student Assistance Program (SAP) Specialists. Unlike other College employees, these individuals are not required to notify the Investigators or Lead Investigator on their respective campuses or the Coordinator or Deputy Coordinator of reports of Sexual Misconduct. Thus, students can speak confidentially with these individuals about an incident of Sexual Misconduct, and these individuals will not notify the College unless the student is a danger to himself, herself, or others. These Confidential Resources can, however, assist students in contacting Campus Police, local law enforcement, or the other College-Wide or Campus-Specific Contacts listed above at the student's request.

FLORISSANT VALLEY COUNSELORS
Location: Student Center
To make an appointment: Stop in or call
314-513-4253
Troy Hansen
Johnathan Hunn

FLORISSANT VALLEY SAP SPECIALIST
Location: Student Center
To make an appointment: Stop in or call
314-513-4565
Danielle Lusk

Emily Lasek
Dawn Meyer
Ellen Nickrent
Pam Wilson

FOREST PARK COUNSELORS

Location: Student Center, Room 200
To make an appointment: Stop in or call
314-644-9251
Brenda French
Bella Hafezi
Reginald Johnson
Sandra Knight
Scott Queener
Kathleen Swyers

FOREST PARK SAP SPECIALISTS

Location: Student Center, Room 200
To make an appointment: Stop in or call
314-644-9087
Donna Dowell-Foster
Tamala Turner

MERAMEC COUNSELORS

Location: Clark Hall (Administration Building) 2nd Floor
To make an appointment: Stop in or call
314-984-7526
Rhonda Adams
Jason Duchinsky
Harold Salmon
Hope Steiner
Donna Zumwinkel

MERAMEC SAP SPECIALISTS

Location: Clark Hall (Administration Building)
To make an appointment: Stop in or call
314-984-7168
Claire Martin
Christina Hunter

WILDWOOD COUNSELOR

Location: Room 105
To make an appointment: Stop in or call
636-422-2018
Jenna Mueller

WILLIAM J. HARRISON EDUCATION CENTER COUNSELORS

To make an appointment: Call
314-763-6015
Renay Durley-Petty
Douglass Petty

WILLIAM J. HARRISON SAP SPECIALIST

To make an appointment: Stop in or call
314-763-6017
Mavis Stone

Students who wish to maintain confidentiality may also speak with off-campus rape crisis counselors and off-campus members of the clergy, all of whom have the right to maintain confidentiality. For a list of these resources, please see the section titled "Additional Resources, Education, and Training."

Confidential Resources for Employees

Employees who wish to maintain confidentiality may speak with off-campus rape crisis counselors and off-campus members of the clergy, all of whom have the right to maintain confidentiality. For a list of these resources, please see the section titled "Additional Resources, Education, and Training."

College employees may also wish to speak with someone confidentially through the Employee Assistance Program by calling 800-765-9124.

Reporting Procedures

If any member of the College community feels he or she has been subjected to or witnessed Sexual Misconduct, the individual is strongly encouraged to report the incident or behavior to the College. A report of Sexual Misconduct may be filed by the alleged victim of the misconduct, by someone at the College to whom the incident was reported, or by someone who has witnessed an incident of Sexual Misconduct. Reports of Sexual Misconduct may be made to the following:

Title IX Coordinator

300 South Broadway
St. Louis, MO 63102
314-539-5374

Deputy Title IX Coordinator for Employees

300 South Broadway
St. Louis, MO 63102
314-539-5214
phenderson@stlcc.edu

Any Investigator or Lead Investigator

The list of Investigators and Lead Investigators is posted at each campus, the Cosand Center, each education center, and the Corporate College. This list of Investigators and Lead Investigators and their contact information can also be found previously and in the "One Sheet" located online via the "Sexual Misconduct Resources" link at www.stlcc.edu/need2know.

Any Supervisory Personnel

Upon receiving a report of Sexual Misconduct, supervisory personnel must contact either the Investigators and/or Lead Investigator on their respective campuses or the Deputy Coordinator or Coordinator to notify them of the report as soon as possible.

Campus Police

Upon receiving a report of Sexual Misconduct, Campus Police must contact either the Investigators and/or Lead Investigator on their respective campuses or the Deputy Coordinator or Coordinator to notify them of the report as soon as possible. A report to Campus Police will also be considered a report to law enforcement. Thus, for reports involving alleged criminal behavior, in addition to notifying an Investigator, Lead Investigator, the Deputy Coordinator, or Coordinator, Campus Police may also proceed with pursuing a criminal investigation and/or criminal charges with or without the Complainant's consent. For reports involving alleged criminal behavior, Campus Police will work collaboratively with the Investigator, Lead Investigator, Deputy Coordinator, and/or Coordinator to investigate and resolve the complaint. The College will not, however, delay pursuing the procedures described in these Guidelines pending the final results of a criminal investigation or proceeding.

Once a Lead Investigator, Investigator, the Deputy Coordinator, or the Coordinator is notified of a report of Sexual Misconduct, the procedures detailed further herein will begin.

Though the College encourages all individuals to bring reports of Sexual Misconduct to the attention of the College for further investigation pursuant to these procedures, students and employees who wish to maintain confidentiality and do not want these procedures pursued may contact the Confidential Resources listed above.

Confidentiality During the Procedures for Resolving Reports of Sexual Misconduct

The College understands the private nature of incidents involving Sexual Misconduct and the emotional and moral complexities surrounding such issues. Accordingly, throughout the procedures described in these Guidelines, the College will give careful attention to the protection of personally-identifiable information related to the parties involved. Information obtained during these procedures will be kept as confidential as possible while also meeting the College's legal obligation to investigate and take corrective action regarding allegations of Sexual Misconduct brought to the College's attention. The College may need to disclose information relating to an incident, including the identity of the individuals involved, witnesses and others, and will do so in accordance with these Guidelines and applicable law. This information will be treated as confidential and will be shared with others on a need-to-know basis to the extent they are involved in the investigation, Resolution Meeting, Formal Hearing, or appeals and/or directly responsible for the College's response to the incident. Any witnesses or other participants must keep the content of any interview, investigation, meeting and/or hearing confidential.

When an individual reports Sexual Misconduct but asks that it remain confidential or does not wish to proceed or participate in the procedures described in these Guidelines, the College's ability to respond to the complaint may be limited. Regardless of whether the Complainant wishes to pursue his or her complaint, or wishes his or her complaint to remain confidential, Title IX may nevertheless require the College to investigate and to take reasonable action in response to the complaint. The College will inform the Complainant if it cannot ensure confidentiality and/or if it intends to investigate a complaint against the Complainant's wishes. The Investigator will take all steps necessary to safeguard the confidentiality of the investigation, including communicating to each party and witness the need to maintain confidentiality. Regardless of whether or not the College can accommodate a request for confidentiality and/or a request that an incident not be investigated, the College may still provide accommodations and/or interim measures if they are reasonably available and requested by the Complainant. The College will maintain as confidential any accommodations or interim measures provided to the Complainant to the extent that maintaining such confidentiality will not impair the ability of the College to provide the accommodations or measures.

When a complaint of Sexual Misconduct is resolved, no record of the incident will be made a part of the personnel or academic file of the Respondent unless the Respondent is found responsible of violating College Policy. A record of the complaint and the resolution of the complaint will be kept in a confidential file by the Title IX Coordinator (for complaints against students) or Deputy Coordinator (for complaints against employees).

When complying with the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, the College will not include names or other identifying information in publicly available reports.

Retaliation

The College's Board Policies and these Guidelines seek to encourage students, faculty members, and staff to voice freely, responsibly, and in an orderly manner, any problem or complaint of Sexual Misconduct. Any act of retaliation, reprisal, interference, restraint, penalty, coercion or harassment against any member of the College community for reporting, complaining of, or participating in the investigation or adjudication of a complaint of Sexual Misconduct is strictly prohibited and shall be grounds for prompt disciplinary action, up to and including dismissal from the College or termination of employment. Any such act should be immediately reported to the Coordinator, Deputy Coordinator, Lead Investigator, or Investigator.

A typical investigation and resolution processes, as outlined below will be completed in sixty (60) days. If the process cannot be completed within this timeline for good cause, the Investigator will notify the Complainant and Respondent in writing of the delay and the reason for the delay. If an appeal is made by the Complainant or Respondent of the initial decision, that process follows a timeline outlined in the Appeals Process below.

Initial Intake and Assessment

Preliminary Meeting with Complainant

Upon receiving a report of Sexual Misconduct, the Investigator, Lead Investigator, Coordinator, or designee will:

- Assess the immediate safety needs of the Complainant and whether any accommodations or interim measures are appropriate;
- Provide the Complainant with access to medical care if appropriate;
- Provide the Complainant with contact information for Campus Police or local law enforcement and assist the Complainant with contacting Campus Police or local law enforcement if the Complainant requests;
- Inform the complainant of the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on- and/or off-campus by providing the Complainant with a copy of the "One Sheet," which provides information about available on- and off-campus resources, including locations and contact information for the counseling center as well as information for other victim support agencies in the greater St. Louis community;
- Provide the Complainant with written instructions on how to apply for a protective order; and
- Provide the Complainant with a copy of these Guidelines and inform the Complainant regarding timeframes for inquiry, investigation, and resolution.

Notification to the Title IX Coordinator

Immediately following notification of any report of Sexual Misconduct involving students, Campus Police, Lead Investigators and/or Investigators must notify the Coordinator of the report. The information reported to the Coordinator should include the names of the Complainant, Respondent, and any witnesses identified and any information reported regarding the alleged incident or misconduct. The Senior Student Affairs Officer on the campus where the incident is reported must also be notified.

Accommodations and Interim Measures

The College reserves the right to implement accommodations and/or interim measures that it deems necessary while the procedures described in these Guidelines are pending. These accommodations or measures may be provided to ensure that the safety, physical, and emotional well-being of both the Complainant and Respondent are addressed. These accommodations and measures may apply to the Complainant, Respondent, or both parties, and may include, but are not limited to: class or work reassignment; restricted access to College campuses and/or other College locations; Campus Police escorts to class, work, and/or parking/public transportation; and temporary suspension. College officials may also issue a "no contact" order to all parties involved in a situation while the case is ongoing.

In matters where the Complainant is a student, the Coordinator or designee will assess the need to implement any such accommodations or measures and will provide these accommodations or measures if they are reasonably available and requested by the Complainant.

In matters where the Complainant is an employee, the Deputy Coordinator or designee will assess the need to implement any such accommodations or measures and will provide these accommodations or measures if they are reasonably available and requested by the Complainant.

Refusal to follow and adhere to any accommodations or measures may result in disciplinary action. Accommodations and interim measures may be taken even if a Complainant declines to pursue a complaint under these procedures. The College will maintain as confidential any accommodations or interim measures provided to the Complainant to the extent that maintaining such confidentiality will not impair the ability of the College to provide the accommodations or measures.

Complainant's Option to Pursue Complaint

Upon receiving a report of Sexual Misconduct, the Complainant should be advised of his or her option to pursue the matter through the procedures described herein. The Complainant is not, however, obligated to pursue the complaint or participate in these procedures to resolve the matter. The Complainant's decision regarding whether to participate in these procedures should be noted. If the Complainant does not wish to proceed or does not consent to the disclosure of his or her name or other identifiable information to the Respondent, the College's ability to respond to the complaint may be limited.

Regardless of whether the Complainant wishes to pursue his or her complaint, or wishes his or her complaint to remain confidential, the College may be required by law to investigate and take reasonable action in response to the complaint. The College will inform the Complainant if it cannot ensure confidentiality and/or if it is not able to honor the Complainant's request not to investigate the complaint. The Investigator will take all steps necessary to safeguard the confidentiality of the investigation, including communicating to each party and witness the need to maintain confidentiality.

If the Complainant decides not to pursue the complaint or participate in these procedures, the Complainant should still be provided the "One Sheet" and informed of all available resources, including any accommodations and/or interim measures.

Investigation Procedures

If the College will proceed with an investigation, the Lead Investigator, Coordinator, or designee will notify the Respondent of the complaint and designate an Investigator to conduct an investigation that is prompt, appropriate, and impartial.

For complaints against students at campuses with a Lead Investigator, the Lead Investigator will decide which Investigator at that campus will investigate the complaint.

For complaints against students at locations without a Lead Investigator, the Investigators at those locations will investigate the complaint in accordance with these procedures and in consultation with the Coordinator.

For complaints against students at locations without an Investigator, one will be assigned by the Coordinator from one of the other College locations.

The Investigator is authorized to contact any and all individuals with potentially relevant information and access and/or request records or any additional evidence, outside of those legally protected as confidential or privileged, relevant to the complaint. The nature and scope of the investigation is within the discretion of the Investigator.

Investigation

As part of the investigation, the Investigator may speak individually with the Complainant (if he or she agrees to participate in the process), the Respondent, any witnesses, as appropriate, as well as with other persons identified as having information related to the alleged Sexual Misconduct. The Investigator will provide the Respondent and any witnesses interviewed a copy of these Guidelines, which contain the Board Policies on Sexual Harassment and Sexual Assault, and the Investigator should explain the process and the need for the investigation at the start of any interviews. As part of the investigation, the Investigator may also review any relevant documents and other evidence. The Investigator should complete an Investigation Form as he or she conducts the investigation.

If the Complainant agrees to participate in the process, the Investigator will ask the Complainant to complete a Sexual Misconduct Complaint form and attach supplemental documentation relevant to the investigation. However, a written Sexual Misconduct Complaint form from the Complainant is not necessary in order for the investigation to continue.

In the meeting with the Respondent, the Investigator should advise the Respondent of the complaint and any information obtained during the course of the investigation and give the Respondent an opportunity to respond. The Respondent has the right to respond in writing to the complaint. The Respondent should also be told to refrain from directly or indirectly contacting the Complainant regarding the allegations of Sexual Misconduct, and that he or she is not to retaliate against the Complainant or any witnesses in any manner whatsoever.

During the investigation and throughout these procedures, to the extent permitted by law, the Complainant and the Respondent will be afforded the same rights and opportunities, including the following:

- The opportunity to have an advisor of the individual's choosing present during any investigative meetings or disciplinary hearings (the advisor can provide moral support and information to his or her advisee, but cannot participate, comment or ask questions during any meetings or hearings);
- The right to receive timely notice of meetings in which they are a participant;
- The right to receive timely and equal access to information relied on as part of the investigation;
- The opportunity to recommend witnesses and submit evidence; and
- The opportunity to respond in writing to statements from witnesses and any other information relied on as part of the investigation (the Investigator shall give both the Respondent and Complainant a deadline to submit their written responses to this information).

Witnesses identified by either party, or by the Investigator, may be asked to provide a written statement. The Investigator should advise all parties involved in the investigation of the seriousness of the matter, that it should be kept confidential, and that retaliation will not be tolerated. All individuals contacted and/or interviewed in the course of the investigation are advised to complete the Title IX Online Education Program if

they have not already done so. The Title IX Online Education Program is accessed through Blackboard via the Haven for Students tab found along the top of the page after logging in.

Investigation Findings

At the conclusion of an investigation, the Investigator, as a neutral fact finder, will prepare a written Investigative Report, which will typically include: summaries of interviews with the Complainant, the Respondent, and any third party witnesses; summaries of interviews with any expert witnesses, where applicable; photographs of the related site(s) and related logs; other photographic, electronic, and forensic evidence; and a detailed written summary of the events in question. The report will be reviewed by the Coordinator to determine if any additional investigation is necessary (e.g., interviewing additional witnesses or gathering documents mentioned in the draft report). The Investigator will then conduct any additional necessary investigation.

Once the Investigator completes the final Investigative Report, the Coordinator will review it and determine whether good cause exists to warrant further proceedings.

Further Proceedings Not Warranted. If the Coordinator determines that a reasonable fact finder could not find any evidence to substantiate further proceedings, the Coordinator will notify the Complainant and Respondent of this determination in writing and provide them both with an opportunity to review a copy of the final Investigative Report. If the Complainant believes this decision was reached in error because these procedures were not followed or because relevant evidence was not considered, he or she may request that the Coordinator reconsider this determination. This request must be made within five (5) calendar days of receipt of the determination, and should include the basis for reconsideration. The Coordinator's decision will be final.

Further Proceedings Warranted. If the Coordinator determines that further proceedings are warranted, the Coordinator will determine whether the matter should be resolved through a Resolution Meeting with the Complainant and Respondent, adjudication with the Senior Student Affairs Officer, or through the Formal Hearing Process. A Resolution Meeting will only be recommended in cases that do not involve sexual assault, as defined previously in this document. Matters involving sexual assault will always be referred for a hearing before the Formal Hearing Committee. Both the Complainant and the Respondent will be notified concurrently of this decision in writing by the Coordinator and will be provided the opportunity to review a copy of the final Investigative Report. The Coordinator should specify which alleged violations of policy and/or alleged misconduct will go forward to a hearing, or be referred for a Resolution Meeting.

Once there is a determination that further proceedings are warranted, the Coordinator is responsible for scheduling the Resolution Meeting, assigning to the appropriate Senior Student Affairs Officer for adjudication, or initiating the Formal Hearing Committee process. The Coordinator will also inform the appropriate Senior Student Affairs Officer(s). To the extent that both employees and students are involved as Complainants, Respondents, and/or witnesses, the Coordinator and Deputy Coordinator will work together to coordinate and schedule the appropriate meetings and/or hearings.

Resolution Meeting Process

The purpose of a Resolution Meeting is to bring the Complainant and Respondent together in a controlled setting where they can discuss their situation and work towards a mutual agreement that will allow both parties to continue their studies at the College in an environment where they feel safe and free from Sexual Misconduct and/or retaliation. For this process to be effective, both the Complainant and Respondent have to agree to this method of resolution. Either party may decide at any point to proceed to the Formal Hearing Process.

For complaints that involve only students, the Resolution Meeting will be led by the Coordinator. For complaints that involve both students and employees as Complainants and/or Respondents, the Coordinator and Deputy Coordinator may both participate in the Resolution Meeting. The Investigator may also be present to provide insight and/or clarification from the investigation.

Both the Complainant and the Respondent have the right to have an advisor (e.g., friend, colleague, attorney, etc.) present at the Resolution Meeting. The advisor can provide moral support and information to his or her advisee, but cannot participate, comment, or ask questions during the meeting. Notice of any advisor who is accompanying a Complainant or Respondent must be provided to the Coordinator not less than forty-eight (48) hours prior to the meeting.

During the Resolution Meeting, the Coordinator and/or Deputy Coordinator will lead the parties through a conversation where they may:

- Discuss the behavior that resulted in the complaint against the Respondent;
- Discuss appropriate student and/or employee behavior in accordance with the STLCC Code of Student Conduct and the College Policies;
- Come to an agreement regarding resolution of the complaint; and
- Review the College's policies on retaliation.

If the parties are able to reach a mutual agreement and resolve the complaint, the Coordinator will send a letter to both the Complainant and the Respondent summarizing the meeting (which may include a written warning and any sanctions, as appropriate, for the Respondent). A copy of the letter will also be sent to the Senior Student Affairs Officer at the campus the Complainant and Respondent attended at the time of the incident. If the students involved attend multiple College locations, the appropriate Senior Student Affairs Officers will be notified. If the parties are not able to reach a mutual agreement and resolve the complaint, the matter will be referred to the Formal Hearing Process.

A Resolution Meeting may also be appropriate in situations where the Respondent accepts responsibility for the alleged conduct.

Formal Hearing Process

The Formal Hearing Committee ("Committee") is responsible for determining if there has been a violation of College Policy.

Make-Up of Committee

The Committee is comprised of three Investigators and two alternates. The Coordinator will select the Investigators and alternates to serve on the Committee and will appoint one of the Committee members to serve as the Chair of the Committee ("Chair"). The duties of the Chair are to direct any Formal Hearings, fully participate in the hearings and decision making of the Committee, and prepare written notice of the Committee's decisions and a description of the information relied on in reaching its decisions.

Notification of Hearing

When a Formal Hearing is needed, the Coordinator will notify the Chair. The Chair will contact the other Committee members to determine a mutually acceptable date, time, and location for the Formal Hearing, and then notify the Coordinator of the date, time, and location chosen. The Chair will provide written notice of the hearing to the Complainant and Respondent. This notice shall state: (1) the nature of the complaint; (2) the policy (or policies) alleged to have been violated; (3) the name of the Complainant and Respondent; (4) the date, time, and place of the Formal Hearing; and (5) the names of the members of the Committee, including the Chair of the Committee. The written notice will be simultaneously hand-delivered or mailed by certified mail to the Complainant's and Respondent's current local addresses on record at the College. Notice sent by mail shall be considered effective three (3) calendar days after such mailing. The Formal Hearing must occur within fourteen (14) calendar days of actual delivery of the written notice to the Complainant and Respondent, unless the Chair, in his or her discretion, allows for a longer period of time for good cause.

No Investigator shall serve on a Formal Hearing Committee for which he or she conducted the investigation. Furthermore, if a Complainant or Respondent is concerned that an Investigator, Committee member, or other official involved in these procedures may be biased or have a conflict of interest, that person should inform the Coordinator or Deputy Coordinator of that concern immediately. The Coordinator or Deputy Coordinator will consider this concern, determine if any bias or conflict of interest exists, and appoint an alternative individual if appropriate.

The Chair and the Committee members shall also determine which witnesses, if any, will be asked to appear at the hearing, and the Chair will be responsible for contacting those witnesses.

Hearing Procedures

The Formal Hearing is confidential and closed to the public. The proceedings will be recorded to provide an official record of the hearing. This may be in the form of a court reporter or recording device (i.e. digital recorder). Documents prepared in anticipation of and/or presented at the Formal Hearing, testimony, or other evidence introduced at the Formal Hearing may not be disclosed except as permitted by these Guidelines or as required or authorized by law.

The Formal Hearing before the Committee will not follow a courtroom model or the formal rules of evidence. The Committee will determine the credibility of testimony or other evidence and the weight to be afforded such evidence. The Chair will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. Only the Chair and the members of the Committee may question the individual parties and any witnesses. Both parties may ask the Chair to pose additional questions or inquire further into specific matters by submitting these requests in writing. The Chair, in his or her sole discretion, may disallow any questions that are deemed irrelevant, redundant, or otherwise inappropriate.

Neither the Complainant, nor the Respondent is required to testify at the hearing. However, the Complainant's or Respondent's refusal to testify will not preclude the Committee from proceeding and determining whether the Respondent is responsible for the alleged conduct and whether that conduct violates College Policy on the basis of the evidence presented.

Both the Complainant and the Respondent have the right to have an advisor (e.g., friend, colleague, attorney, etc.) present at the hearing. The advisor can provide moral support and information to his or her advisee, but cannot participate, comment, or ask questions during the Formal Hearing. Notice of any advisor who is accompanying a Complainant or Respondent must be provided to the Chair not less than forty-eight (48) hours prior to the hearing.

Determination of Findings

After the hearing, the Committee will deliberate. The deliberation process is not recorded. The Chair will prepare a written decision setting forth the Committee's factual findings and conclusions. The Committee shall determine whether the Respondent is responsible for violating College Policy as a result of the alleged misconduct. The Committee shall determine responsibility using the "preponderance of the evidence" standard. Preponderance of the evidence means that the Committee determines that it is more likely than not that the Respondent is responsible for committing the act or acts presented in the complaint. "Preponderance" means more than half. If, for example, the Committee concludes that the totality of the evidence weighs equally on both sides, the preponderance standard has not been met and a violation of College Policy has not been established. At least two of the three Committee members must agree with and sign the final written decision of the Committee.

Outcomes of the Formal Hearing

If the Committee determines that College Policy was not violated, the Formal Hearing Chair will notify the Coordinator and the Senior Student Affairs Officer on the campus where the alleged violation occurred of its decision. The Chair will also provide a written copy of the Committee's decision to the Respondent and the Complainant concurrently. The Committee's written decision shall include information about the appeals procedures and when its decision becomes final.

If the Committee determines that College Policy was violated, the Committee will provide, as part of the written decision, a recommended sanction to the Coordinator and the campus Senior Student Affairs Officer. In reviewing the Committee's recommendation, the Coordinator and Senior Student Affairs Officer should consider whether the proposed sanction is consistent with the sanctions assigned to other students found in violation of similar policies. They may also review the Respondent's prior disciplinary history with the College. The Coordinator and Senior Student Affairs Officer may accept or modify the Committee's recommended sanction.

The Senior Student Affairs Officer will then notify the Complainant and Respondent concurrently, in writing, of the Committee's determination that College Policy was violated and in some cases, the sanction(s) to be imposed. The Complainant and Respondent will also be provided a copy of the Committee's written decision at that time. NOTE: Except in cases involving dating violence, domestic violence, sexual assault, or stalking, the Complainant will not be advised of any specific sanction imposed against the Respondent unless the sanction relates specifically to the Complainant (e.g., Respondent is not to have any contact with

Complainant). Both parties will also be notified of the appeals procedures and when the sanction(s) become final.

Sanctions

When the Committee determines that a student has violated College Policy, a wide range of sanctions may be imposed depending on the severity of the incident(s).

The potential sanctions that may be imposed on students include, but are not limited to:

- Censure – Reprimand for the violation of a specified Regulation(s), including the possibility of more severe disciplinary sanction in the event of additional violation of any Regulation within the period of time stated in the letter of reprimand.
- Disciplinary Probation – Exclusion from participation in extra-curricular College activities and/or exclusion from various locations of the campus for a specific period of time.
- Restitution – Reimbursement by the student for damage to or misappropriation of property, if offered by the College and accepted by the student.
- Compensatory Service – Assignment to perform specific duties for the College for a specified period of time, if offered by the College and accepted by the student.
- Suspension – Exclusion from physical presence on the campus or at College-authorized activities up to a maximum of one calendar year. The conditions for readmission will be stated in the order of suspension.
- Dismissal – Termination of student status and right of physical presence on any College location or at College-authorized activities for a period of time exceeding one calendar year. The conditions for readmission, if any are permitted, will be stated in the order of dismissal.

Sanctions will not be effective until the resolution of any timely appeal of the decision. However, if advisable to protect the welfare of the parties or the College community, the Committee may recommend that a sanction be effective immediately and continue in effect until the resolution of an appeal or until such time as the Coordinator may otherwise determine. The Coordinator, in his or her sole discretion, may suspend implementation of a sanction pending exhaustion of any appeals, allow the Respondent to attend classes or to engage in other activity on a supervised or monitored basis, or make other modifications to the implementation of a sanction as may be advisable. The Coordinator's decision in this regard may not be appealed.

Follow Up After the Formal Hearing

When appropriate, the Coordinator will follow-up with the Complainant and Respondent within a reasonable time after the Formal Hearing to address any concerns and ensure that no further problems have occurred. If the Respondent was found responsible for a violation of College Policy and sanctioned, the Coordinator will also follow-up with the campus Senior Student Affairs Officer to ensure that the recommended sanction, if any, has been implemented.

Appeal Procedures

Either the Respondent or the Complainant may appeal the decision of the Formal Hearing Committee or the decision regarding sanctions. Three issues may be raised on appeal: 1) that the investigation and/or Formal Hearing were not conducted in accordance with the procedures established by these Guidelines, and that the

failure to follow such procedures led to an incorrect result; or 2) new information that was not available during the initial investigation has been brought forward that may alter the outcome of the initial hearing; or 3) that the sanction is not appropriate.

The written appeal must be submitted to the Title IX Coordinator within ten (10) calendar days of the date of the Committee's written decision or notification of sanctions, whichever is later. An untimely appeal will not be considered. The appeal will be handled by the Vice Chancellor for Student Affairs (VCSA). The VCSA will review the written appeal and decision of the Committee, as well as the records from the investigation and recording of the Formal Hearing. The non-appealing party will also be notified of the appeal and will be given the opportunity to respond to the appeal. The VCSA may affirm, reverse or modify the Committee's decision or the sanction(s), in whole or in part. The VCSA will render a written decision within fifteen (15) calendar days of receipt of the appeal. If the VCSA's decision is dismissal, that decision may be appealed in writing to the Chancellor within ten (10) calendar days of the date of the VCSA's decision. The Chancellor will review the written appeal, the decisions of the Hearing Committee and VCSA as well as the records from the investigation and Formal Hearing. Again, the non-appealing party will be notified of the appeal and given the opportunity to respond. The Chancellor may affirm, reverse, or modify the Committee's or VCSA's decision or the sanction(s), in whole in part. The Chancellor will render a written decision within fifteen (15) calendar days of receipt of the appeal. The decision of the Chancellor will be final.

All parties will receive written notification of the decision of any appeal and when that decision becomes final. NOTE: Except in cases involving dating violence, domestic violence, sexual assault, or stalking, the Complainant will not be advised of any specific sanction imposed against Respondent unless the sanction relates specifically to the Complainant (e.g., Respondent is not to have any contact with Complainant).

A typical investigation will be completed in sixty (60) days. If an investigation cannot be completed within this timeline for good cause, the Investigator/Deputy Coordinator will notify the Complainant and Respondent in writing of the delay and the reason for the delay.

Initial Intake and Assessment

Preliminary Meeting with Complainant

Upon receiving a report of Sexual Misconduct, the Investigator, Lead Investigator, Deputy Coordinator, or designee will:

- Assess the immediate safety needs of the Complainant and whether any accommodations or interim measures are appropriate;
- Provide the Complainant with access to medical care if appropriate;
- Provide the Complainant with contact information for Campus Police or local law enforcement and assist the Complainant with contacting Campus Police or local law enforcement if the Complainant requests;
- Inform the complainant of the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance and other services on- and/or off-campus by providing the Complainant with a copy of the "One Sheet," which provides information about available on- and off-campus resources, including locations and contact information for the counseling center as well as information for other victim support agencies in the greater St. Louis community;
- Provide the Complainant with written instructions on how to apply for a protective order; and
- Provide the Complainant with a copy of these Guidelines and inform the Complainant regarding timeframes for inquiry, investigation, and resolution.

Notification to the Deputy Title IX Coordinator

Immediately following notification of any report of Sexual Misconduct involving employees, Campus Police, Lead Investigators and/or Investigators must notify the Deputy Coordinator of the report. The information reported to the Deputy Coordinator should include the names of the Complainant, Respondent, and any witnesses identified and any information reported regarding the alleged incident or misconduct.

Accommodations and Interim Measures

The College reserves the right to implement accommodations and/or interim measures that it deems necessary while the procedures described in these Guidelines are pending. These accommodations or measures may be provided to ensure that the safety, physical, and emotional well-being of both the Complainant and Respondent are addressed. These accommodations and measures may apply to the Complainant, Respondent, or both parties, and may include, but are not limited to: class or work reassignment; restricted access to College campuses and/or other College locations; Campus Police escorts to class, work, and/or parking/public transportation; and temporary suspension. College officials may also issue a "no contact" order to all parties involved in a situation while the case is ongoing.

In matters where the Complainant is a student, the Coordinator or designee will assess the need to implement any such accommodations or measures and will provide these accommodations or measures if they are reasonably available and requested by the Complainant.

In matters where the Complainant is an employee, the Deputy Coordinator or designee will assess the need to implement any such accommodations or measures and will provide these accommodations or measures if they are reasonably available and requested by the Complainant.

Refusal to follow and adhere to any accommodations or measures may result in disciplinary action. Accommodations and interim measures may be taken even if a Complainant declines to pursue a complaint under these procedures. The College will maintain as confidential any accommodations or interim measures provided to the Complainant to the extent that maintaining such confidentiality will not impair the ability of the College to provide the accommodations or measures.

Complainant's Option to Pursue Complaint

Upon receiving a report of Sexual Misconduct, the Complainant should be advised of his or her option to pursue the matter through the procedures described herein. The Complainant is not, however, obligated to pursue the complaint or participate in these procedures to resolve the matter. The Complainant's decision regarding whether to participate in these procedures should be noted. If the Complainant does not wish to proceed or does not consent to the disclosure of his or her name or other identifiable information to the Respondent, the College's ability to respond to the complaint may be limited.

Regardless of whether the Complainant wishes to pursue his or her complaint, or wishes his or her complaint to remain confidential, the College may be required by law to investigate and take reasonable action in response to the complaint. The College will inform the Complainant if it cannot ensure confidentiality and/or if it intends to investigate a complaint against the Complainant's wishes. The Investigator will take all steps necessary to safeguard the confidentiality of the investigation, including communicating to each party and witness the need to maintain confidentiality.

If the Complainant decides not to pursue the complaint or participate in these procedures, the Complainant should still be provided the "One Sheet" and informed of all available resources, including any accommodations and/or interim measures.

Investigation Procedures

If the College will proceed with an investigation, the Deputy Coordinator or designee will notify the Respondent of the complaint. A prompt, appropriate, and impartial investigation will be conducted by either the Deputy Coordinator or the Cosand Center Investigator. The Investigator/Deputy Coordinator is authorized to contact any and all individuals with potentially relevant information and access and/or request records or any additional evidence, outside of those legally protected as confidential or privileged, relevant to the complaint. The nature and scope of the investigation is within the discretion of the Investigator/Deputy Coordinator.

Investigation

As part of the investigation, the Investigator/Deputy Coordinator may speak individually with the Complainant (if he or she agrees to participate in the process), the Respondent, any witnesses, as appropriate, as well as with other persons identified as having information related to the alleged Sexual Misconduct. The Respondent and any witnesses interviewed should be given a copy of these Guidelines, which contain the Board Policies on Sexual Harassment and Sexual Assault, and the Investigator should explain the process and the need for the investigation at the start of any interviews. As part of the investigation, the Investigator/Deputy Coordinator may also review any relevant documents and other evidence. The Investigator/Deputy Coordinator should complete an Investigation Form as he or she conducts the investigation.

If the Complainant agrees to participate in the process, the Investigator/Deputy Coordinator may ask the Complainant to complete a Sexual Misconduct Complaint form and attach supplemental documentation relevant to the investigation. However, a written Sexual Misconduct Complaint form from the Complainant is not necessary in order for the investigation to continue.

In the meeting with the Respondent, the Investigator/Deputy Coordinator should advise the Respondent of the complaint and any information obtained during the course of the investigation and give the Respondent an opportunity to respond. The Respondent has the right to respond in writing to the complaint. The Respondent should also be told to refrain from directly or indirectly contacting the Complainant regarding the allegations of Sexual Misconduct, and that he or she is not to retaliate against the Complainant or any witnesses in any manner whatsoever.

During the investigation and throughout these procedures, to the extent permitted by law, the Complainant and the Respondent will be afforded the same rights and opportunities, including the following:

- The opportunity to have an advisor of the individual's choosing present during any investigative meetings or disciplinary hearings (the advisor can provide moral support and information to his or her advisee, but cannot participate, comment or ask questions during any meetings or hearings);
- The right to receive timely notice of meetings in which they are a participant;
- The right to receive timely and equal access to information relied on as part of the investigation;
- The opportunity to recommend witnesses and submit evidence; and
- The opportunity to respond in writing to statements from witnesses and any other information relied on as part of the investigation (the Investigator/Deputy Coordinator shall give both the Respondent and Complainant a deadline to submit their written responses to this information).

Witnesses identified by either party, or by the Investigator/Deputy Coordinator, may be asked to provide a written statement. The Investigator/Deputy Coordinator should advise all parties involved in the investigation of the seriousness of the matter, that it should be kept confidential, and that retaliation will not be tolerated. All individuals contacted and/or interviewed in the course of the investigation are advised to complete the Title IX Online Education Program if they have not already done so. The Title IX Online Education Program is accessed through Blackboard via the Communities tab located along the top of the page after logging in. From the Communities page, there is a block with the Title IX label that includes a Launch button for the program.

Investigation Findings

At the conclusion of an investigation, the Investigator or Deputy Coordinator (whoever conducted the investigation), as a neutral fact finder, will prepare a written Investigative Report, which will typically include:

summaries of interviews with the Complainant, the Respondent, and any third party witnesses; summaries of interviews with any expert witnesses, where applicable; photographs of the related site(s) and related logs; other photographic, electronic, and forensic evidence; and a detailed written summary of the events in question. The report will be reviewed by the Deputy Coordinator (or the Director of Employee and Labor Relations in instances when the Deputy Coordinator is the investigator) to determine if any additional investigation is necessary (e.g., interviewing additional witnesses or gathering documents mentioned in the draft report). The Investigator/Deputy Coordinator will then conduct any additional necessary investigation.

Once the Investigator/Deputy Coordinator (whoever conducted the investigation) completes the final Investigative Report, the Deputy Coordinator (or Director of Employee and Labor Relations, as necessary) will review it and determine whether good cause exists to warrant further proceedings.

Further Proceedings Not Warranted. If the Deputy Coordinator (or Director of Employee and Labor Relations, as necessary) determines that a reasonable fact finder could not find any evidence to substantiate further proceedings, the Deputy Coordinator will notify the Complainant and Respondent of this determination in writing and provide them both with the opportunity to review a copy of the final Investigative Report. If the Complainant believes this decision was reached in error because these procedures were not followed or because relevant evidence was not considered, he or she may request that the Deputy Coordinator (or Director of Employee and Labor Relations, as necessary) reconsider this determination. This request must be made within five (5) calendar days of receipt of the determination. The Deputy Coordinator's (or Director of Employee and Labor Relations') decision will be final.

Further Proceedings Warranted. If the Deputy Coordinator (or Director of Employee and Labor Relations, as necessary) determines that further proceedings are warranted, Deputy Coordinator (or Director of Employee and Labor Relations) will determine whether the matter can be resolved through a Resolution Meeting with the Complainant and Respondent or through the Formal Hearing Process. A Resolution Meeting will only be recommended in cases that do not involve sexual assault, as defined previously in this document. Matters involving sexual assault will always be referred for a hearing before the Formal Hearing Committee. Both the Complainant and the Respondent will be notified concurrently of this decision in writing by the Deputy Coordinator and will be provided the opportunity to review a copy of the final Investigative Report. The Deputy Coordinator should specify which alleged violations of policy and/or alleged misconduct will go forward to a hearing, or be referred for a Resolution Meeting.

Once there is a determination that further proceedings are warranted, the Deputy Coordinator will inform the appropriate College officer and is responsible for scheduling the Resolution Meeting or initiating the Formal Hearing Committee process. To the extent that both employees and students are involved as Complainants, Respondents, and/or witnesses, the Coordinator and Deputy Coordinator will work together to coordinate and schedule the appropriate meetings and/or hearings.

Resolution Meeting Process

The purpose of a Resolution Meeting is to bring the Complainant and Respondent together in a controlled setting where they can discuss their situation and work towards a mutual agreement that will allow both parties to continue their work at the College in an environment where they feel safe and free from Sexual Misconduct and/or retaliation. For this process to be effective, both the Complainant and Respondent have to

agree to this method of resolution. Either party may decide at any point to proceed to the Formal Hearing Process.

For complaints that involve only employees, the Resolution Meeting will be led by the Deputy Coordinator. For complaints that involve both students and employees as Complainants and/or Respondents, the Coordinator and Deputy Coordinator may both participate in the Resolution Meeting. If the investigation was not conducted by the Deputy Coordinator, the Investigator may also be present to provide insight and/or clarification from the investigation.

Both the Complainant and the Respondent have the right to have an advisor (e.g., friend, colleague, attorney, etc.) present at the Resolution Meeting. The advisor can provide moral support and information to his or her advisee, but cannot participate, comment or ask questions during the meeting. Notice of any advisor who is accompanying a Complainant or Respondent must be provided to the Coordinator not less than forty-eight (48) hours prior to the meeting. This is to provide the opportunity to notify the other party and the College of the fact that an advisor will be present.

During the Resolution Meeting, the Deputy Coordinator will lead the parties through a conversation where they may:

- Discuss the behavior that resulted in the complaint against the Respondent;
- Discuss appropriate employee behavior in accordance with the STLCC College Policies;
- Come to an agreement regarding resolution of the complaint; and
- Review the College's policies on retaliation.

If the parties are able to reach a mutual agreement and resolve the complaint, the Deputy Coordinator will send a letter to both the Complainant and the Respondent summarizing the meeting (which may include a written warning and any sanctions, as appropriate, for the Respondent). A copy of the letter will be provided to the appropriate College officer. If the parties are not able to reach a mutual agreement and resolve the complaint, the matter will be referred to the Formal Hearing Process.

Formal Hearing Process

The Formal Hearing Committee ("Committee") is responsible for determining if there has been a violation of College Policy.

Make-Up of Committee

The Committee is comprised of three members: the Deputy Coordinator or the Investigator for the Cosand Center (whichever did not serve as the Investigator); the Director of Employee and Labor Relations; and the Total Compensation Specialist. If an alternate is needed, he or she will be chosen by the Coordinator from the Formal Hearing Committee that hears complaints of Sexual Misconduct against students. The Deputy Coordinator or Investigator for the Cosand Center serves as the Chair of the Committee. The duties of the Chair are to direct any Formal Hearings, fully participate in the hearings and decision making of the Committee, and prepare written notice of the Committee's decisions and a description of the information relied on in reaching its decisions.

Notification of Hearing

When a Formal Hearing is needed, the Chair will contact the other Committee members to determine a mutually acceptable date, time, and location for the Formal Hearing. The Chair will then provide written notice of the hearing to the Complainant and Respondent. This notice shall state: (1) the nature of the complaint; (2) the policy (or policies) alleged to have been violated; (3) the name of the Complainant and Respondent; (4) the date, time, and place of the Formal Hearing; and (5) the names of the members of the Committee, including the Chair of the Committee. The written notice will be simultaneously hand-delivered or mailed by certified mail to the Complainant's and Respondent's current local addresses on record at the College. Notice sent by mail shall be considered effective three (3) calendar days after such mailing. The Formal Hearing must occur within fourteen (14) calendar days of actual delivery of the written notice to the Complainant and Respondent, unless the Chair, in his or her discretion, allows for a longer period of time for good cause.

No Investigator shall serve on a Formal Hearing Committee for which he or she conducted the investigation. Furthermore, if a Complainant or Respondent is concerned that an Investigator, Committee member, or other official involved in these procedures may be biased or have a conflict of interest, that person should inform the Coordinator or Deputy Coordinator of that concern immediately. The Coordinator or Deputy Coordinator will consider this concern, determine if any bias or conflict of interest exists, and appoint an alternative individual if appropriate.

The Chair and the Committee members shall also determine which witnesses, if any, will be asked to appear at the hearing, and the Chair will be responsible for contacting those witnesses.

Hearing Procedures

The Formal Hearing is confidential and closed to the public. The proceedings will be recorded to provide an official record of the hearing. This may be in the form of a court reporter or recording device (i.e. digital recorder). Documents prepared in anticipation of and/or presented at the Formal Hearing, testimony, or other evidence introduced at the Formal Hearing may not be disclosed except as permitted by these Guidelines or as required or authorized by law.

The Formal Hearing before the Committee will not follow a courtroom model or the formal rules of evidence. The Committee will determine the credibility of testimony or other evidence and the weight to be afforded such evidence. The Chair will determine the order of the witnesses and resolve any questions of procedure arising during the hearing. Only the Chair and the members of the Committee may question the individual parties and any witnesses. Both parties may ask the Chair to pose additional questions or inquire further into specific matters by submitting these requests in writing. The Chair, in his or her sole discretion, may disallow any questions that are deemed irrelevant, redundant, or otherwise inappropriate.

Neither the Complainant, nor the Respondent is required to testify at the hearing. However, the Complainant's or Respondent's refusal to testify will not preclude the Committee from proceeding and determining whether the Respondent is responsible for the alleged conduct and whether that conduct violates College Policy on the basis of the evidence presented.

Both the Complainant and the Respondent have the right to have an advisor (e.g., friend, colleague, attorney, etc.) present at the hearing. The advisor can provide moral support and information to his or her advisee, but cannot participate, comment, or ask questions during the Formal Hearing. Notice of any advisor who is

accompanying a Complainant or Respondent must be provided to the Chair not less than forty-eight (48) hours prior to the hearing.

Determination of Findings

After the hearing, the Committee will deliberate and the Chair will prepare a written decision setting forth the Committee's factual findings and conclusions. The Committee shall determine 1) whether the Respondent is responsible for the alleged misconduct, and 2) whether College Policy was violated. The Committee shall determine responsibility using the "preponderance of the evidence" standard. Preponderance of the evidence means that the Committee determines that it is more likely than not that the Respondent is responsible for committing the act or acts presented in the complaint. "Preponderance" means more than half. If, for example, the Committee concludes that the totality of the evidence weighs equally on both sides, the preponderance standard has not been met and a violation of College Policy has not been established. At least two of the three Committee members must agree with and sign the final written decision of the Committee.

Outcomes of the Formal Hearing

If the Committee determines that College Policy was not violated, the Formal Hearing Chair will notify the appropriate college officer and the Deputy Coordinator (if not also serving as the Chair) of its decision. The Chair will also provide a written copy of the Committee's decision to the Respondent and the Complainant concurrently. The Committee's written decision shall include information about the appeals procedures and when its decision becomes final.

If the Committee determines that College Policy was violated, the Committee will provide, as part of the written decision, a recommended sanction to the Vice Chancellor who oversees the Respondent's area of responsibility and the Deputy Coordinator (if not also serving as the Chair). In reviewing the Committee's recommendation, the Vice Chancellor and Deputy Coordinator should consider whether the proposed sanction is consistent with the sanctions assigned to other employees found in violation of similar policies. They may also review the Respondent's prior disciplinary history with the College. The Vice Chancellor and Deputy Coordinator may accept or modify the Committee's recommended sanction. The Vice Chancellor will then notify the Complainant and Respondent concurrently, in writing, of the Committee's determination that College Policy was violated and in some cases, the sanction(s) to be imposed. The Complainant and Respondent will also be provided a copy of the Committee's written decision at that time. If the sanction is suspension or dismissal, the procedures applicable depending on the Respondent employee's status (if any) will be followed. If the Respondent is a Vice Chancellor or Chancellor, the determination and notification regarding the Committee's determination and sanctions will come from the Chancellor or Board of Trustees. NOTE: Except in cases involving dating violence, domestic violence, sexual assault, or stalking, the Complainant will not be advised of any specific sanction imposed against Respondent unless the sanction relates specifically to the Complainant (e.g., Respondent is not to have any contact with Complainant). Both parties will also be notified of the appeals procedures and when the sanctions become final.

Sanctions

When the Committee determines that an employee has violated College Policy, a wide range of sanctions may be imposed depending on the severity of the incident(s).

The potential sanctions that may be imposed on employees include, but are not limited to:

- Written Warning;

- Suspension; and
- Termination of Employment.

Sanctions will not be effective until the resolution of any timely appeal of the decision. However, if advisable to protect the welfare of the parties or the College community, the Committee may recommend that a sanction be effective immediately and continue in effect until the resolution of an appeal or until such time as the Deputy Coordinator may otherwise determine. The Deputy Coordinator, in his or her sole discretion, may suspend implementation of a sanction pending exhaustion of any appeals. The Deputy Coordinator's decision in this regard may not be appealed.

Follow up to the Formal Hearing

When appropriate, the Deputy Coordinator will follow-up with the Complainant and Respondent within a reasonable time after the Formal Hearing to address any concerns and ensure that no further problems have occurred. If the Respondent was found responsible for a violation of College Policy and sanctioned, the Deputy Coordinator will also follow-up with the appropriate college officer to ensure that the recommended sanction, if any, has been implemented.

Appeal Procedures

Either the Respondent or the Complainant may appeal the decision of the Formal Hearing Committee or the decision regarding sanctions. Three issues may be raised on appeal: 1) that the investigation and/or Formal Hearing were not conducted in accordance with the procedures established by these Guidelines, and that the failure to follow such procedures led to an incorrect result; or 2) new information that was not available during the initial investigation has been brought forward that may alter the outcome of the initial hearing; or 3) that the sanction is not appropriate.

Appeals will be handled in accordance with the grievance procedure outlined in the joint resolution/Board Policy depending on the Respondent's employee group.

All parties will receive written notification of the decision of any appeal and when that decision becomes final. NOTE: Except in cases involving dating violence, domestic violence, sexual assault, or stalking, the Complainant will not be advised of any specific sanction imposed against Respondent unless the sanction relates specifically to the Complainant (e.g., Respondent is not to have any contact with Complainant).

Confidential Resources for Employees

Employees who wish to maintain confidentiality may speak with off-campus rape crisis counselors and off-campus members of the clergy, all of whom have the right to maintain confidentiality. For a list of these resources, please see the section titled "Additional Resources, Education, and Training."

Faculty & Staff Specific Counseling Services

Counseling Services are available through the College's Employee Assistance Program (EAP) and health care provider. Please contact Human Resources at (314) 539-5235 or visit the Human Resources website (<https://college.stlcc.edu/HR/Benefits/EmployeeAssistanceProgram.html>) to obtain more information on counseling services from the current health care provider.

ADDITIONAL RESOURCES, EDUCATION, AND TRAINING

If a member of the STLCC community (student, faculty, or staff) is the victim of sexual violence or domestic violence at an off campus location committed by someone who is not a member of the STLCC community, the College can still provide support and resources to that individual.

A victim of Sexual Misconduct has the right to choose whether to file a report with the College. If a victim of Sexual Misconduct chooses not to report Sexual Misconduct to law enforcement or campus authorities, the College nevertheless strongly encourages the individual to speak with a counselor on-campus or elsewhere. A list of resources both on- and off-campus are provided below.

On-Campus Support

FLORISSANT VALLEY COUNSELORS

Location: Student Center

To make an appointment: Stop in or call

314-513-4253

Troy Hansen

Johnathan Hunn

Emily Lasek

Dawn Meyer

Ellen Nickrent

Pam Wilson

FLORISSANT VALLEY SAP SPECIALIST

Location: Student Center

To make an appointment: Stop in or call

314-513-4565

Danielle Lusk

FOREST PARK COUNSELORS

Location: Student Center, Room 200

To make an appointment: Stop in or call

314-644-9251

Brenda French

Bella Hafezi

Reginald Johnson

Sandra Knight

Scott Queener

Kathleen Swyers

FOREST PARK SAP SPECIALISTS

Location: Student Center, Room 200

To make an appointment: Stop in or call

314-644-9087

Donna Dowell-Foster

Tamala Turner

MERAMEC COUNSELORS

Location: Clark Hall (Administration Building) 2nd Floor

To make an appointment: Stop in or call

314-984-7526

Rhonda Adams

Jason Duchinsky

Harold Salmon

Hope Steiner

Donna Zumwinkel

MERAMEC SAP SPECIALISTS

Location: Clark Hall (Administration Building)

To make an appointment: Stop in or call

314-984-7168

Claire Martin

Christina Hunter

WILDWOOD COUNSELOR

Location: Room 105

To make an appointment: Stop in or call

636-422-2018

Jenna Mueller

WILLIAM J. HARRISON EDUCATION CENTER COUNSELORS

To make an appointment: Call

314-763-6015

Renay Durley-Petty

Douglass Petty

WILLIAM J. HARRISON SAP SPECIALIST

To make an appointment: Stop in or call

314-763-6017

Mavis Stone

Off-Campus Support

St. Louis Family Violence Council

The St. Louis Family Violence Council is a group of organizations and community members committed to significantly reducing the incidences of family violence in St. Louis through discussion, education, advocacy, intervention, systemic change, and coordination of community resources. For more information about the member agencies, visit: www.fvcstl.wordpress.com

Safe Connections

24-Hour Crisis Helpline: 314-531-2003

<http://safeconnections.org>

YWCA St. Louis Regional Sexual Assault Center

24-Hour Crisis Helpline: 314-531-RAPE (7273)

www.ywcastlouis.org

(Click on "What We Do," then "Women's Resource Center")

City of St. Louis Circuit Attorney's Victim Services

Office Number 314-622-4373

Crime Victim Advocacy Center of St. Louis

24-hour hotline: 314-652-3623

www.supportvictims.org

Other Organizations

Missouri Coalition against Domestic Assault and Sexual Violence

<http://www.mocadsv.org>

US Dept. of Justice Office on Violence Against Women

<http://www.ovw.usdoj.gov>

National Coalition against Domestic Violence

<http://www.ncadv.org>

National Sexual Violence Resource Center

<http://www.nsvrc.org>

Stalking Resource Center

<http://www.victimsofcrime.org/ourprograms/Stalking-resource-center>

Risk Reduction

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of dating violence, domestic violence, sexual assault, or stalking is more likely to be re-victimized. Below are some tips to help reduce your risk, and how to avoid potential attacks.

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

1. Get help by contacting a Campus Counselor for support services
2. Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners
3. Consider getting a protective order or stay away order
4. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
5. Trust your instincts including—if something doesn’t feel right in a relationship, speak up or end it.

RAINN (the Rape, Abuse & Incest National Network) also offers a variety of tips on their website for reducing the risk of sexual assault: <https://www.rainn.org/get-information/sexual-assault-prevention>

Preservation of Evidence

Although the College strongly advocates that a victim of dating violence, domestic violence, sexual assault or stalking report the incidents to the Campus Police or local law enforcement in a timely manner, it is the victim’s choice to make such a report and the victim has a right to decline involvement with police. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining orders of protection related to these incidents more difficult. If a victim chooses not to file a criminal complaint, he or she should nevertheless consider speaking with Campus Police or local law enforcement to preserve evidence in the event that the victim changes his or her mind at a later date.

Preserving Evidence for Sexual Assaults

Physical evidence is crucial in helping to prosecute assailants in cases of rape or sexual assault. Physical evidence must be collected in a timely manner by a certified medical facility. Prior to a medical examination, victims of rape or assault should not bathe, change clothes, douche, use the toilet (if possible), smoke, or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours, so that physical evidence may be preserved. If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases.

Preserving Evidence for Victims of Stalking

Victims of stalking should save evidence such as any letters, notes, e-mails, phone calls, videos, photos, texts, social media postings (i.e...Facebook, twitter, computer screenshots, voicemails, or any other form of evidence that would be helpful).

Orders of Protection

The purpose of an Ex Parte Order of Protection and a Full Order of Protection is to restrain a respondent from committing or threatening domestic violence, stalking, communicating, or disturbing a complainant's peace, and entering a complainant's place of residence. An Ex Parte Order of Protection is a temporary order in place until a hearing by a judge. After reading of the petition, the judge will either grant or deny an Ex Parte Order of Protection. This initial decision is made solely on the determination of an immediate and present danger to the complainant based on what is written in the Petition. Court hearings are typically held within 15 days of filing an Ex Parte Order of Protection as noted in Missouri law. A complainant must be prepared to present documentation, photos, or other forms of evidence with the paperwork when filing a petition for an Ex Parte Order. At a court hearing, a judge can issue a Full Order of Protection for a period of 180 days up to one year. A Full Order of Protection can be renewed twice; each renewal can last up to one year. No new incidents of abuse are required if the Order is renewed before the old one expires. The Court may, upon a finding that it is in the best interest of the parties, include a provision that any Full Order of Protection for one year shall automatically renew unless the respondent requests a hearing by 30 days prior to its expiration. (See Chapter 455 and specifically 455.010, 455.035, & 455.050 RSMo. for more information).

All commissioned STLCC Campus Police officers possess the same powers on the College's campus as City police officers within their particular city. The College Police Department shall enforce any violation of an Ex Parte Order of Protection or Full Order of Protection by respondent in the same manner as any police officer in any jurisdiction. A violation of either type of order in Missouri is considered a class A misdemeanor (1-year imprisonment and/or \$1,000 fine) for the first offense, and any subsequent offense is treated as a class D felony (up to 4-years imprisonment and/or \$5,000 fine) per section 455.085 RSMo. Any person who obtains an Order of Protection from Missouri or any other state should provide a copy to STLCC Campus Police and/or the Title IX Coordinator. Depending on conditions specified in a particular order, the College may make arrangements with both parties that permit access to classrooms, library, the cafeteria, and/or any other public places. These arrangements shall be made to ensure normal access to public areas that do not violate the terms and conditions of the Order of Protection under normal day to day activities.

How to File for an Order of Protection

A Petition for Order of Protection can be filed at the Circuit Court clerk's office of St. Louis City, St. Louis County, Franklin County, or Jefferson County.

- St. Louis City, City Hall, St. Louis, MO 63103
314-622-4000
- St. Louis County, 168 N. Meramec Avenue, St. Louis, MO 63105
314-615-8024 47
- Franklin County, 401 E. Main St., Union, MO 63084
636-583-1550
- Jefferson County, 729 Maple St., Hillsboro, MO 63050

The Missouri Adult Abuse Act requires that court clerks explain how to file all of these necessary forms and documents. In addition, most counties have victim advocates to assist you in the process for filing for an Order of Protection and they may even go with you to court. When the court is unavailable after business hours or on holidays or weekends, a verified petition for protection from domestic violence or a motion for hearing on a violation of any order of protection may be filed with the Sheriff's Office of St. Louis City, St. Louis County, Franklin County, or Jefferson County.

- St. Louis County Police, 320 Benton St., # A, Valley Park, MO 63088
636-225-5252
- St. Louis City Sheriff, 1114 Market St., St. Louis, Mo 63101
314-622-4131
- Franklin County Sheriff, 1 Bruns Ln., Union, MO 63084
636-583-2560
- Jefferson County Sheriff, 510 1st St., Hillsboro, MO 63050
636-797-5000

Bystander Intervention

Bystanders are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved, but have the choice to intervene, speak up, or do something about what they witnessed. A bystander's presence potentially places him or her in position to discourage, prevent, or interrupt an incident. Individuals are encouraged to speak out against attitudes that promote Sexual Misconduct and become more supportive of those who have experienced Sexual Misconduct. Intervention does not have to be confrontational. It can be as simple as telling a friend when he or she is acting inappropriately, or calling the Campus Police if someone is aware of inappropriate behavior. Members of the College community who step in to protect others within STLCC are protected by the College's retaliation policy and may not be retaliated against for such intervention.

Educational Programs and Training

As part of its effort to prevent Sexual Misconduct, the College is dedicated to educating the College community about dating violence, domestic violence, sexual assault, and stalking. The College offers various programs and resources to students, faculty, and staff discussing these important issues. For example, the College offers a number of strategies and activities specifically designed to educate the College community regarding sexual assault issues and to promote awareness of rape, acquaintance rape, and other sex offense prevention strategies. These strategies and activities may include the use of posters, flyers, brochures, videos, lectures, and awareness days/weeks. For more information on the College's primary and on-going efforts at prevention and awareness, please see the College's Annual Security Report available at <http://www.stlcc.edu/Legal/Clery-Reports.html>.

In addition to the above, Investigators, Committee members, individuals handling appeals, and all other College officials participating in the procedures described in these Guidelines will receive training annually on the issues related to sexual assault, domestic violence, dating violence, and stalking, and on how to conduct a fair, impartial and equitable investigation and adjudication process that protects the safety of complainants

and promotes accountability. These individuals also receive training on handling complaints of sexual harassment, these policies and procedures, and the confidentiality requirements.

REVIEW OF GUIDELINES

These Guidelines and their implementation will be reviewed by the Title IX Coordinator, the Deputy Coordinator, the Vice Chancellor for Student Affairs, the Vice Chancellor for Academic Affairs, and the College's Legal Counsel as needed, but not less than once every three (3) years.