You have options. Northwestern can help.

Resource Guide on Sexual Misconduct and Title IX

Northwestern
Northwestern University does not discriminate or permit discrimination by any member of its community against any individual on the basis of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, or any other classification protected by law in matters of admissions, employment, housing, or services or in the educational programs or activities it operates. Further prohibited by law is discrimination against any employee and/or job applicant who chooses to inquire about, discuss, or disclose their own compensation or the compensation of another employee or applicant. Harassment, whether verbal, physical, or visual, that is based on any of these characteristics is a form of discrimination.

Northwestern University complies with federal and state laws that prohibit discrimination based on the protected categories listed above, including Title IX of the Education Amendments of 1972, which prohibits discrimination based on sex (including sexual misconduct) in the University’s educational programs and activities. In addition, Northwestern provides reasonable accommodations to qualified applicants, students, and employees with disabilities and to individuals who are pregnant.

Any alleged violations of this policy or questions with respect to nondiscrimination or reasonable accommodations should be directed to Northwestern’s Director of Equal Opportunity and Access and Section 504 Coordinator, 1800 Sherman Avenue, Suite 4500, Evanston, Illinois 60208, 847-491-7458, eeo@northwestern.edu.

Any alleged violations of this policy or questions with respect to sexual misconduct or sexual harassment should be directed to Northwestern’s Title IX Coordinator, 1800 Sherman Avenue, Suite 4500, Evanston, Illinois 60208, 847-467-6571, TitleIXCoordinator@northwestern.edu.

A person may also file a complaint with the Department of Education’s Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or calling 800-421-3481.

© 2016 Northwestern University. All rights reserved. Produced by Global Marketing and Communications.

10-16/3.5M/AE-GD/2266
Northwestern University is committed to fostering an environment in which all members of our campus community are safe and free from sexual misconduct of any form.

**Sexual misconduct may include**

**Sexual assault:** sexual penetration without consent, sexual contact without consent, incest, or statutory rape

**Sexual exploitation:** taking sexual advantage of another person without consent (e.g., voyeurism, lewd exposure, recording intimate activity, etc.)

**Sexual harassment:** unwelcome conduct of a sexual nature that creates a hostile, intimidating, or offensive environment

**Dating/domestic violence:** intimidation, harassment, physical abuse, sexual abuse, or emotional abuse by someone in an intimate relationship

**Stalking:** a course of unwelcome conduct that causes a person to fear for their safety (e.g., threats, following, monitoring, communication, etc.)

**Retaliation:** materially adverse action directed at a person for reporting sexual misconduct or participating in an investigation or hearing

---

**Consent**

Consent is a knowing and voluntary agreement to engage in specific sexual activity at the time of the activity.

Consent must be **knowing, voluntary, active**, and **present and ongoing**.

Consent is not present when an individual does not have the capacity to give consent due to age, alcohol, drugs, sleep, or other physical condition or disability.

---

**Title IX**

Title IX is a federal civil rights law that prohibits discrimination on the basis of sex in federally funded educational programs and activities.

For more information, see www.northwestern.edu/sexual-misconduct
If you believe that you have experienced sexual misconduct, you have options.

You have options

- Seek medical attention to treat any injuries, test for sexually transmitted infections, obtain emergency contraception (if needed), and/or perform a rape evidence collection procedure. A medical forensic exam can be performed up to seven days after an incident but is most effective if performed sooner.
- Speak with a confidential resource about your options, on or off campus. See page 11 for a list of Northwestern confidential resources.
- Contact the police to file a report. See page 13 for contact information.
- Contact the Title IX Coordinator or a Deputy Title IX Coordinator to report the incident to Northwestern. See page 12 for contact information.
- Preserve any physical evidence you have in case you decide to report the incident at a later date.

Preserving evidence

Northwestern encourages individuals who have experienced sexual misconduct to preserve evidence to the greatest extent possible, as this will maintain more options for them in the future. Some suggestions include the following:

- Preserve evidence of electronic communications, such as text messages, pictures, and/or social networking pages, by saving them and/or taking screen shots.
- If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or police as soon as possible so they can collect evidence (e.g., from the drink, through urine or blood sample).
- Because evidence that may be located on the body can dissipate quickly, consider going to a hospital or medical facility immediately to seek a medical exam. If possible, do not shower, brush teeth, use the bathroom, or eat before going to the hospital or seeking medical attention. Do not wash clothes or bedding.
Northwestern can help you

• Connect with on-campus and off-campus resources—including medical, counseling, immigration, student financial aid, and legal resources.

• File a police report or a complaint with the University.

• Request protective measures, such as no-contact directives from the University, protective orders from a court, or housing, academic, working, or transportation accommodations.

Protective measures

The University can put in place measures to provide support and protection to an individual who reports having experienced sexual misconduct. Such measures include the following:

• academic assistance  • student financial aid arrangements
• housing or workspace relocation  • transportation arrangements
• dining arrangements  • no-contact directives
• time off from class or work  • safety planning

Contact CARE (see page 11), the Title IX Coordinator (see page 12), or the Deputy Title IX Coordinator for Students (see page 12) for help. Such measures will be kept confidential to the extent possible.

For students, faculty, and staff abroad

Northwestern can work with you to help create a safe environment and prioritize healing. Community members participating in University-sponsored international activities who experience sexual misconduct abroad can receive information about support and services from the Office of Global Safety and Security and from Deputy Title IX Coordinator Julie Friend (see page 12). For additional information, see www.northwestern.edu/global-safety-security/emergencies-abroad/sexual-misconduct.

Referrals for medical care may be obtained through Northwestern’s international medical assistance provider, HTH Worldwide/GeoBlue (610-254-8771); the nearest United States embassy or consulate (www.usembassy.gov); or by calling American Citizens Services (202-501-4444).
About reporting

You may choose whether to report sexual misconduct to law enforcement, Northwestern, both, or neither.

Campus sexual misconduct investigations can occur at the same time as police investigations.

Northwestern can help you file a police report.

Reporting to police does not obligate you to testify in court.

To encourage reporting, an individual who makes a good faith report of sexual misconduct that was directed at them or another person will not be subject to disciplinary action by the University for a conduct or policy violation that is related to and revealed in the sexual misconduct report or investigation, unless the University determines that the violation was serious and/or placed the health or safety of others at risk.

There is no time limit as to when an incident may be reported; however, in most cases, the University will not investigate reports of incidents that occurred over one year prior to the time the investigation is requested. The University may address any report—regardless of when it is made—based on concerns for the safety of the community.

Reporting options

You may report an incident to law enforcement and request a police investigation. See page 13 for Northwestern, Evanston, and Chicago police contact information.

You may report an incident to Northwestern and request protective measures and/or a University investigation by contacting a Title IX Coordinator. See page 12 for contact information.

You may also report sexual misconduct electronically:

**Sexual Misconduct Online Reporting Form**
bit.ly/NUReportSexualMisconduct

**Via email**
TitleIXReport@northwestern.edu

**EthicsPoint**
866-294-3545
www.northwestern.edu/ethics

While anonymous reports are accepted and will be reviewed, Northwestern’s ability to address alleged sexual misconduct reported by anonymous sources is significantly limited.
Reporting obligation

All University employees (including student employees), as well as nonemployees with teaching or supervisory authority, are obligated to promptly report to the Title IX Coordinator sexual misconduct of which they become aware in the scope of their work for the University, unless they are a resource listed in Appendix D of the Policy on Sexual Misconduct.

Privacy

Northwestern handles sexual misconduct reports discreetly, with information shared only with those who need to know in order to investigate and resolve the matter.

Parties in investigations of sexual misconduct are asked to keep the information related to the investigation private, to the extent consistent with applicable law. Witnesses and advisors will be asked to maintain complete confidentiality as to the investigation, to the extent consistent with applicable law.

What if a person does not want Northwestern to investigate or wants to remain anonymous?

In cases where an individual reporting sexual misconduct requests anonymity or does not wish to proceed with an investigation, the University will attempt to honor that request but, in some cases, may determine that the University needs to proceed with an investigation based on concern for the safety or well-being of the broader University community (e.g., risk of future acts of sexual violence or a pattern of sexual misconduct).

If you are unsure about whether you want to make a report or proceed with an investigation, a confidential resource can help you explore your options and provide additional resources, support, and information. See page 11 for a list of confidential resources.
Complaint investigation and resolution

Northwestern investigates complaints by meeting with the complainant, respondent, and witnesses and reviewing relevant evidence. The University uses the preponderance of the evidence standard, which means that if the evidence shows that it is more likely than not that sexual misconduct occurred, the respondent will be found responsible.

Investigations are usually conducted by the University’s Title IX Investigator(s), Deputy Title IX Coordinators, or Title IX Coordinator, who are trained in handling sexual misconduct matters. Complaints against students that could lead to separation from the University are referred for a panel hearing following the investigation.

Violations of the Sexual Misconduct Policy may result in sanctions and corrective actions. These actions may include required training or counseling, warning, probation, suspension, expulsion, demotion, termination, or revocation of tenure.

Services or other measures to help remedy the effects of sexual misconduct and prevent recurrence may also be provided.

The irrelevant prior sexual history of the parties will not be considered as evidence in the investigation.

Advisor/legal counsel

Complainants and respondents may be accompanied by one advisor throughout the investigation and any hearing process. An advisor is a support person who is present to provide support to a complainant or respondent throughout an investigation and/or hearing. An advisor may not speak, write, or otherwise communicate with an investigator, hearing officer, or panel on behalf of the complainant or respondent.

In any matter involving a complaint of sexual assault, stalking, or dating or domestic violence, the advisor may be any person of the party’s choosing, including an attorney. However, an advisor may not also serve as a witness in the same matter. Further, the advisor is still limited to the supportive and not participatory role described above. In all other matters, advisors cannot be a witness or party in the matter or a related matter, a family member of the complainant or respondent, or an attorney. A union representative may serve as an advisor, where applicable.
Investigations

Timeline

In most cases, the University investigates and resolves complaints of sexual misconduct—including determining what sanctions and/or corrective actions will be taken—within 60 days of receiving a complaint.

Truthfulness

All participants have the responsibility to be completely truthful with the information they share at all stages of the process.

Retaliation

Northwestern strictly prohibits retaliation against any member of its community for reporting an incident of sexual misconduct or for participating in an investigation or hearing related to a report of sexual misconduct. Retaliation is material adverse action taken—directly or through others—against an individual because they engaged in a protected activity, such as reporting sexual misconduct or participating in an investigation or hearing, where the adverse action is sufficiently severe or pervasive that it could deter a reasonable person from engaging in the protected activity. Examples of retaliation could include, but are not limited to, terminating someone’s employment; reducing a grade; removing someone from an organization; direct or indirect intimidation, threats, or coercion; or harassment or other forms of discrimination. Concerns about retaliation can be reported to the Title IX Coordinator or Deputy Title IX Coordinator.
Overview of the sexual misconduct complaint resolution process

The Office of Sexual Harassment Prevention receives a report of sexual misconduct.

A Title IX staff member contacts the person who may have experienced sexual misconduct to provide information about resources and options and an invitation to meet.

The person decides whether or not to meet with a Title IX staff member.

The person chooses to meet. The staff member goes over resources and options. The person may request protective measures and may elect to proceed with an investigation.

The person chooses not to meet or requests not to proceed with an investigation. The University can typically honor that request.

The complainant chooses to proceed with an investigation. A Title IX staff member meets with the complainant to gather information about the concern. The complainant can suggest witnesses and provide evidence.

A Title IX staff member contacts the person who is alleged to have committed sexual misconduct (respondent) to notify them of the complaint, the resolution process, and the resources available to them.

The Title IX staff member investigating the complaint meets with the respondent to get information. The respondent can suggest witnesses and provide evidence.

This flow chart is intended to provide a general overview. A full explanation of the sexual misconduct complaint resolution process can be found at www.northwestern.edu/sexual-misconduct/university-policy/process.html.
The Title IX staff member completes the investigation by collecting information from the complainant, respondent, and relevant witnesses and by reviewing all evidence collected.

If the respondent is a student and the matter has the potential to result in separation from the University, a panel hearing is scheduled by the Office of Student Conduct.

A report including the information collected and findings of fact is provided to the complainant, respondent, and panel at least five days before the hearing.

The complainant and respondent meet with the panel separately. The panel decides whether there has been a policy violation; if so, what sanctions are appropriate; and informs the complainant and respondent of the outcome in writing.

If the respondent is a student and the matter does not have the potential to result in separation from the University or if the respondent is a faculty member, staff member, or third party, the parties are provided a written summary of the information collected and a finding of whether there has been a policy violation.

When a policy violation is found and the respondent is a student, the Title IX Coordinator or Deputy Title IX Coordinator for Students will determine any sanctions or corrective actions.

When a policy violation is found and the respondent is a staff member, the findings will be forwarded to the Department of Human Resources and the respondent's unit. Any sanctions or corrective actions will be decided in accordance with the Staff Handbook.

When a policy violation is found and the respondent is a faculty member, the findings will be forwarded to the faculty member's dean and the associate provost for faculty. Any sanctions or corrective actions will be determined in accordance with the Faculty Handbook.

Any party may appeal a finding or sanction. Information on how to appeal is included in the outcome letters provided to the parties.
How to help someone who tells you about an incident of sexual misconduct

Individuals who have experienced sexual misconduct often respond in a variety of ways, including anger, sadness, confusion, or withdrawal.

**Listen:** Give the survivor your complete attention. Try not to interrupt or discuss your personal history.

**Support:** Survivors are often met with skepticism or disbelief. Offering nonjudgmental support and acknowledging the feelings of the survivor can help create a safe space for them to process the next steps.

**Refer:** You do not have to have all of the answers, and it is not your responsibility to fix the problem or determine what occurred. An important part of being helpful to a survivor is providing them with information about options and resources. Please refer survivors to the confidential resources and other options in this brochure.

Be sure to report to the Title IX Coordinator if required under the Reporting Obligation section on page 5.

**Do**

Tell the survivor: This was not your fault. You have options.

Give the survivor options:
- to sit or stand
- to share or be silent
- to call CARE or other referrals or to have you facilitate the connection

Say that the survivor is not alone.

Tell the survivor that resources are available to help.

Take care of yourself. Get support if you need it.

**Don’t**

Say that you know what the survivor is going through.

Ask questions that suggest blame, such as “Why were you drinking?” or “Why didn’t you get help sooner?”

Question whether the survivor is telling the truth.

Touch the survivor’s leg, shoulder, hand, etc., without permission.

Panic. Take a deep breath and focus on the survivor.
Confidential resources

Confidential resources are privileged to keep communications confidential, except in very limited situations (e.g., minors, imminent danger).

**CARE: Center for Awareness, Response, and Education**  
(provides support, advocacy, and education to students)  
847-491-2054  
www.northwestern.edu/care

**CAPS: Counseling and Psychological Services**  
(provides counseling services to students)  
847-491-2151 (24 hours)  
www.northwestern.edu/counseling

**Faculty and Staff Assistance Program**  
(provides crisis intervention and short-term counseling to faculty and staff members, as well as their household family members)  
855-547-1851  
www.northwestern.edu/hr/work-life/faculty-staff-assistance-program.html

**Office of the University Chaplain**  
(provides spiritual counseling and advice to members of the University community)  
847-491-7256  
www.northwestern.edu/religious-life

For confidential resources located off campus, please see www.northwestern.edu/sexual-misconduct/get-help/confidential-support.html.
Title IX Coordinator and Deputy Title IX Coordinators (to report concerns to Northwestern)

Amanda DaSilva, Interim Title IX Coordinator
847-467-6571
titleixcoordinator@northwestern.edu

Amanda DaSilva, Deputy Title IX Coordinator for Students (starting November 14, 2016)
(for complaints involving students)
847-467-6571
DeputyTitleIXCoordinator@northwestern.edu

Janna Blais, Deputy Title IX Coordinator
(for Title IX athletics compliance issues)
847-491-7893
j-blais@northwestern.edu

Sarah Brown, Deputy Title IX Coordinator
(for Title IX sex discrimination complaints)
847-491-7458
eeo@northwestern.edu

Julie Friend, Deputy Title IX Coordinator
(for community members abroad)
847-467-3175
julie.friend@northwestern.edu

Kathryn Symank, Deputy Title IX Coordinator
(for complaints on the Qatar campus)
+974-4454-5155
kathryn.symank@northwestern.edu
Emergency resources

Northwestern University Police Department
(has officers who are specially trained to work with victims of sexual violence)
847-491-3456 (Evanston)
312-503-3456 (Chicago)
www.northwestern.edu/up

Evanston Police
911 or 847-866-5000
www.cityofevanston.org/police

Chicago Police
911 or 312-744-4000
home.chicagopolice.org

Medical resources

Northwestern University Health Service
847-491-8100 (Evanston)
312-695-8134 (Chicago)

NorthShore University HealthSystem/ Evanston Hospital
847-570-2111

Northwestern Memorial Hospital
(Chicago)
312-926-5188

Presence Saint Francis Hospital
(Evanston)
847-316-4000
(emergency contraception not provided)

24-hour services

CAPS: Counseling and Psychological Services
(provides counseling services to students)
847-491-2151 (24 hours)
www.northwestern.edu/counseling

Chicago Metro Rape Crisis Hotline (YWCA)
888-293-2080

Chicago Domestic Violence Line
877-863-6338

Evanston Domestic Violence Line (YWCA)
877-718-1868

RAINN: Rape, Abuse & Incest National Network
800-656-HOPE

SASHAA: Sexual Assault Help and Support for Americans Abroad
sashaa.org