



**You have options.
Northwestern can help.**

**Resource Guide
on Non–Title IX
Sexual Misconduct
2020–21**

Northwestern

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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, reproductive health decision making, or any other classification protected by law in matters of admissions, employment, housing, or services or in the educational programs or activities it operates. Harassment, whether verbal, physical, or visual, that is based on any of these characteristics is a form of discrimination. 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.

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. Title IX requires educational institutions, such as Northwestern, to prohibit discrimination based on sex (including sexual harassment) in the University's educational programs and activities, including in matters of employment and admissions. 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 Office of Equity, 1800 Sherman Avenue, Suite 4-500, Evanston, Illinois 60208, 847-467-6165, equity@northwestern.edu.

Questions specific to sex discrimination (including sexual misconduct and sexual harassment) should be directed to Northwestern's Title IX Coordinator in the Office of Equity, 1800 Sherman Avenue, Suite 4-500, Evanston, Illinois 60208, 847-467-6165, 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. Inquiries about the application of Title IX to Northwestern may be referred to Northwestern's Title IX Coordinator, the United States Department of Education's Assistant Secretary for Civil Rights, or both.

Northwestern University is committed to fostering an environment in which all members of our campus community are free from sexual misconduct of any form.

Sexual misconduct may include

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

Sexual exploitation: taking sexual advantage of another person or violating the sexual privacy of another without consent (e.g., voyeurism, indecent exposure, recording intimate activity)

Sexual harassment: unwelcome conduct of a sexual nature that creates a hostile environment or is a condition of employment, academic standing, or participation in a University program or activity

Dating/domestic violence: any violence between two people who are or have been in a romantic or intimate relationship

Stalking: knowingly engaging in a course of conduct directed at a specific person that one knows or should know would cause a reasonable person to fear for their safety or suffer emotional distress (e.g., threats, following, monitoring, communication)

The full definitions of these terms can be found in the Policy on Institutional Equity.

Consent

Consent is present when clearly understandable words or actions manifest a **knowing, active, voluntary, and present and ongoing** agreement to engage in a specific sexual or intimate contact.

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. Pursuant to the US Department of Education's 2020 regulations implementing Title IX, the University has adopted an Interim Policy on Title IX Sexual Harassment. Specific conduct covered by the Title IX regulations on sexual harassment is addressed through the interim policy. A resource guide explaining that process is available on our website.

If you believe that you have experienced sexual misconduct, you have options.

Your options

- Speak with a confidential resource about your options, on or off campus. See page 11 for a list of Northwestern confidential resources.
- 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. See page 13 for contact information.
- Contact the police to file a report. See page 13 for contact information.
- Contact the Office of Equity 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 preserve 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 or both.
- Request measures such as no-contact directives from the University, protective orders from a court, or housing, academic, working, or transportation accommodations.

Supportive measures

Supportive measures are individualized services offered to parties involved in incidents of sexual misconduct. Supportive measures may include

- 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 the Office of Equity to request supportive measures (see page 12). Such measures will be kept confidential to the extent possible.

For community members abroad

Northwestern can work with you to help create a safe environment and prioritize healing. Students, faculty, and staff 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 Director of Global Safety and Security 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, GeoBlue (610-254-8771); at 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 Northwestern, law enforcement, both, or neither.

University 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 for reporting an incident. Reports should be made as soon as possible, as the passing of time makes a review of the evidence more difficult and the memories of involved parties may become less reliable.

Reporting options

You may report an incident to Northwestern and request supportive measures and/or a University investigation by contacting the Office of Equity. See page 12 for contact information.

You may also report sexual misconduct electronically:

Sexual Misconduct Reporting Form

bit.ly/NUReportSexualMisconduct

You may also file an anonymous report:

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.

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

Reporting obligation

All University employees (including student employees) and graduate students with teaching or supervisory authority are obligated to promptly report sexual misconduct of which they become aware in the scope of their work for the University to the Office of Equity, unless they are a resource not obligated to report as identified in the Policy on Institutional Equity. Employees are encouraged to fulfill their reporting obligations by completing the Sexual Misconduct Reporting Form available at bit.ly/NUReportSexualMisconduct.

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.

All participants in an investigation will be informed that privacy helps enhance the integrity of the investigation, protect the privacy interests of the parties, and protect the participants from statements that might be interpreted to be retaliatory or defamatory. For these reasons, the complainant and respondent will be asked at the beginning of the investigation to keep the information related to the investigation and resolution private, to the extent consistent with applicable law. Witnesses and advisors will be asked to keep any information learned in an investigation meeting confidential, to the extent consistent with applicable law.

When 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, the Office of Equity 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. A list of factors that the Office of Equity will consider in making this determination is available in the Policy on Institutional Equity. Northwestern reserves the right to take appropriate action in such circumstances, including in cases when the individual reporting the misconduct chooses not to proceed; however, the University will not compel an individual to participate.

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 typically 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 staff from the Office of Equity, who are trained in handling sexual misconduct matters. See pages 8–9 for a flowchart of the sexual misconduct complaint resolution process.

Violations of the Policy on Institutional Equity 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

An advisor is a person who is present to provide support to a complainant or respondent throughout an investigation and any sanctioning process. Complainants and respondents may be accompanied by one advisor throughout the investigation and any sanctioning process, provided that the involvement of the advisor does not result in an undue delay of the process. It is the responsibility of each party to coordinate scheduling with their advisor for any meetings. An advisor may not speak, write, or otherwise communicate with an investigator, conduct administrator, Sanctioning Panel member, or appeal reviewer on behalf of the complainant or respondent. Advisors may not engage in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or individuals involved in resolving the complaint. Advisors who do not abide by these guidelines may be excluded from the process.

In any matter involving a complaint of non-Title IX 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 nonparticipatory role described above. A representative from the University's Office of General Counsel may attend any proceeding where an attorney serving as an advisor is present. In matters not involving a complaint of sexual assault, stalking, or dating or domestic violence, 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.

Timeline

Though the University strives to resolve all cases in a prompt and timely manner, the timeline varies based on the circumstances of the case. Additionally, the timeline for a case may be affected by breaks in the academic calendar, availability of the parties and witnesses (including due to leave of absence), scope of the investigation, need for interim actions, and unforeseen or exigent circumstances. The parties will be periodically updated on the status of their case. In cases where there is a simultaneous law enforcement investigation, the University may need to temporarily delay its investigation while law enforcement gathers evidence. However, the University will generally proceed with its investigation and resolution of a complaint during any law enforcement investigation.

Although the length of each investigation will vary, the University strives to complete each investigation within 90 days of sending the written notice of investigation.

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 any manner, in an investigation or hearing related to a report of sexual misconduct. The University considers such actions to be protected activities in which all members of the Northwestern community may freely engage.

Members of the community are prohibited from engaging in actions, directly or through others, which are aimed to deter a reasonable party or a witness from reporting sexual misconduct or participating in an investigation or hearing or done in retribution for such activities. A detailed definition of retaliation and examples of retaliatory conduct are provided in the University's Policy on Non-Retaliation.

The Northwestern community is strongly encouraged to report any potential incident of retaliation under this policy to the Office of Equity, who shall assess the matter and take appropriate actions to address such conduct.

Overview of the non–Title IX sexual misconduct complaint resolution process*

The Office of Equity receives a report of sexual misconduct.

An Office of Equity staff member contacts the person who may have experienced sexual misconduct to provide information about resources and options and extend an invitation to meet.

The person decides whether or not to meet with the staff member.

The person chooses to meet. The staff member goes over resources and options. The person may request supportive 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 typically can honor that request.

The complainant chooses to proceed with an investigation. One or more investigators from the Office of Equity meet with the complainant to gather information about the concern. The complainant can suggest witnesses and provide evidence.

An Office of Equity 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.

One or more investigators meet with the respondent to get information. The respondent can suggest witnesses and provide evidence.

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* This is the process for matters falling under the Policy on Institutional Equity. For Title IX sexual harassment matters, please see the Resource Guide for Title IX Sexual Harassment.

One or more investigators collect information from the complainant, respondent, and relevant witnesses and review all evidence collected.

The complainant and respondent each have the opportunity to review a preliminary investigative report and provide additional information. In the event new, relevant information is provided, the complainant and respondent have the opportunity to review a second preliminary investigative report and provide feedback on the new information.

The investigators complete the investigation and send the complainant and respondent a final investigative report containing all information collected, findings of fact, and a finding of whether there has been a policy violation.

When a policy violation is found and the respondent is a student, the Office of Equity will provide findings to the Office of Community Standards, which will determine sanctions and corrective actions in accordance with the procedures set forth in the *Student Handbook*.

When a policy violation is found and the respondent is a staff member, the findings will be forwarded to the Office of Human Resources and the respondent's manager. 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 department chair and to 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.

This flowchart is intended to provide a general overview. A full explanation of the sexual misconduct complaint resolution process can be found in the policy available at on the sexual misconduct site: www.northwestern.edu/sexual-misconduct.

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.

If required under the Reporting Obligation section on page 5, be sure to report to the Office of Equity through the online form at bit.ly/NUReportSexualMisconduct.

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 resources 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 in any way 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).

Center for Awareness, Response, and Education (CARE)

(provides support, advocacy, and education to students)

847-491-2054

www.northwestern.edu/care

Counseling and Psychological Services (CAPS)

(provides counseling services to students)

847-491-2151 (24 hours)

www.northwestern.edu/counseling

Office of Religious and Spiritual Life

(provides spiritual counseling and advice to members of the University community)

847-491-7256

www.northwestern.edu/religious-life

Employee Assistance Program

(provides crisis intervention and short-term counseling to faculty and staff as well as their household family members)

855-547-1851

www.northwestern.edu/hr/work-life/employee-assistance-program.html

Faculty Wellness Program

(provides free consultations for faculty members to identify appropriate resources for personal and professional concerns)

312-695-2323

www.northwestern.edu/provost/faculty-resources/work-life/faculty-wellness.html

For confidential resources located off campus, please see www.northwestern.edu/sexual-misconduct/get-help/confidential-support.html.

Office of Equity Staff (to report concerns to Northwestern)

Colleen Johnston, Director, Sexual Misconduct Response and Resources

847-491-3881

colleen.johnston@northwestern.edu

Amanda DaSilva, Associate Director, Equity and Title IX Compliance

(for complaints involving students)

847-467-6571

amanda.dasilva@northwestern.edu

Karen Tamburro, Director, Equal Opportunity and Access

(for complaints involving faculty and staff)

847-491-6697

karen.tamburro@northwestern.edu

Other important contacts

Janna Blais, Deputy Director of Athletics for Administration and Policy

(for athletics compliance issues)

847-491-7893

j-blais@northwestern.edu

Julie Friend, Director of Global Safety and Security

(for community members abroad)

847-467-3175

julie.friend@northwestern.edu

Pim Thukral, Chief Operations Officer, Qatar

(for complaints on the Qatar campus)

+974 4454 5008

pim.thukral@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

24-hour services

Counseling and Psychological Services (CAPS)

(provides counseling services
to Northwestern 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

Rape, Abuse, and Incest National Network (RAINN)

800-656-HOPE

**Office of Equity
Northwestern University**

Fostering a culture of access, belonging, and accountability.