

## Reporting & Pursuit Options

SCU recognizes that choosing to report an incident and deciding how to proceed after making the report can be a process that unfolds over time. Reports should be made promptly, but there is no time limitation on reporting. Reports of harassment or discrimination will be investigated in a manner that is prompt, adequate and impartial. A person does not have to decide whether or not to request disciplinary action at the time a report is made.

If you have witnessed or experienced discrimination, harassment, or sexual violence including sexual assault, you should contact one of the listed persons or offices for assistance in resolving a complaint.

There are confidential and non-confidential reporting options available. Confidential Resources include on and off campus mental counselors, health service providers, local rape crisis counselors, domestic violence resources, and members of the clergy and chaplains. Confidential means that what you share will not be communicated with anyone else.

You can choose to report to SCU, file a police report, both or neither. To file a Police Report and move forward with the criminal justice process, please contact Santa Clara Police Department (SCPD) directly or any staff or faculty member at SCU who has been designated as a mandatory reporter.

SCU has a Memorandum of Understanding (MOU) with SCPD which means that if you report an incident of Sexual Assault or Domestic/Relationship Violence to Campus Safety Services they will be required to contact SCPD. You are not required to file a report with SCPD but be prepared for them to show up and ask if you would like to give a statement. To protect victim's privacy, the law requires that no identifying information about the alleged victim can be included in the report to police unless the victim consents.

## SCU's Investigation Process

1. A Report is filed with EEO & Title IX, Campus Safety Services, Residence Life, Office of Student Life or another staff or faculty member at SCU who are considered mandatory reporters.
2. Someone from EEO & Title IX meets with Reporting Party to determine next steps and offer resources.
3. If an Investigation is desired, or if SCU has information to indicate the community may be at risk, EEO & Title IX Coordinator or designee will investigate the complaint or report and take other appropriate remedial and preventative action including making changes to academic, living and working status, and transportation conditions or other interim protective and remedial measures.
4. Amnesty: Disclosure by students of drug or alcohol use in the course of an investigation will not be used against the Reporting Party.
5. Title IX prohibits retaliation for making a good faith complaint about gender-based discrimination and sexual violence or for participating in or otherwise being associated with an investigation.
6. Following the completion of the investigation, a recommendation is made based on the preponderance of the evidence as to whether or not a violation of The Gender Based Discrimination & Sexual Misconduct Policy has occurred
7. If it is determined that there is a violation, the case moves forward for administrative resolution.

## Resources & Support for Reporting

### Free & Confidential

#### On Campus-

Counseling & Psychological Services (CAPS)  
Cowell Center- Bldg 701  
Inquiries, Information & Appointments: 408.554.4501  
\*\*\*After- Hours Concerns & Emergencies- Contact  
Campus Safety Services: 408.554.4444

Wellness Center/ Violence Prevention  
Program 862 Market St. (across from Dunne  
Hall) Office Hours: Monday-Friday,  
9:00am-6:00pm Inquiries & Information:  
408.554.4409

*Members of the Clergy & Chaplains who are designated  
as so and acting in such capacity are confidential.*

**Online Reporting:** [www.scu.edu/osl/report](http://www.scu.edu/osl/report)

#### Off-Campus-

YWCA Silicon Valley  
375 South Third St., San Jose, CA 95112  
24 Hour Rape Crisis Hotline: 408.287.3000 or  
650.493.7273  
Domestic Violence Crisis Line: 1.800.572.2782 <http://ywca-sv.org/>  
Office Hours: Monday- Friday, 9:00am- 5:00pm  
(doors are locked for lunch 12:00pm- 12:30pm)

### Non-Confidential

Office of EEO & Title IX  
900 Lafayette Street, Suite 100  
Santa Clara, CA 95050  
EEO & Title IX Coordinator: Belinda Guthrie  
Inquiries & Information: 408.551.3043

Campus Safety Services  
Emergency Phone: 408.554.4444  
Main Phone Number: 408.554.4441

Santa Clara Police Department (SCPD)  
601 El Camino Real, Santa Clara, CA 95050  
Office Hours: Monday- Friday, 7:00am-5:00pm,  
Saturday 9:00am-3:00pm, Closed Sunday  
Inquiries & Information: 408.615.4700

The following offices are located in the Benson Center:  
Office of Student Life: 408.554.4583  
\*\*\*\*Campus Advocates are available 24/7 by contacting  
the Office of Student Life or Campus Safety Services  
Office of Residence Life: 408.554.4900  
Campus Ministry: 408.554.4372

Santa Clara University

# Title IX:

## GENDER & SEXUAL BASED HARASSMENT, DISCRIMINATION & MISCONDUCT



The Jesuit university in Silicon Valley

# Sexual & Gender Based Harassment, Discrimination & Misconduct

## What is Title IX?

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Title IX promotes equity in academic and athletics programs, preventing hostile environments on the basis of sex, sexual misconduct, and preventing discrimination against pregnant and parenting students.

## What is Sexual Misconduct?

**Sexual misconduct** is an umbrella term for inappropriate actions that are sexual in nature inclusive of sexual harassment and sexual violence. **Sexual harassment** is unwelcome, sexual or gender-based verbal, written, online, and/or physical conduct. **Sexual violence** includes sexual assault (non-consensual contact and non-consensual intercourse), sexual exploitation, and violent actions such as hazing, bullying, domestic and relationship violence, and stalking. Many behaviors that violate Title IX may also constitute crimes under California State Law.

## About the Office of EEO & Title IX

The EEO & Title IX Coordinator oversees the University's equal opportunity programs and provides assistance in resolving and investigating complaints of discrimination, harassment, sexual harassment and sexual violence (sexual assault, dating violence, domestic violence, sexual exploitation, and stalking).

The Office of EEO & Title IX is ultimately responsible for assuring in all cases that reports are handled with equal care and concern and with equity. The EEO & Title IX office also provides annual training to students, faculty staff to increase awareness and to help prevent sexual violence on campus. Annual training is also provided to all advocates, Title IX investigators, hearing officers, panelists, and appeals officers to ensure that the investigation and adjudication process protects the safety of victims and promotes accountability.

## If you or someone you know is assaulted...

### 1. Get Support

**You don't have to cope alone. Call someone you trust or reach out to one of the resources listed on this brochure.**

### 2. Obtain Medical Assistance

**Even if you feel fine, seek medical help if you think you may be at risk for injury, pregnancy or infection.**

### 3. Report the Incident

**Reporting to SCU enables the University to respond appropriately to your case and to the broader issues in our community. When you decide, you can report to SCU, to Santa Clara Police Department (SCPD), to both or to neither; there is no time limit for reporting an incident to SCU.**

### 4. Preserve Evidence

**In a sexual violence incident, police and forensic nurse examiners are in the best position to secure evidence of a crime. The preservation and collection of all physical evidence, including clothing, is paramount and should be collected immediately, ideally within the first 24 hours. Prior to their arrival you can preserve evidence in the following ways to help prepare for a forensic exam:**

- Do not wash the face, hands, brush teeth, bathe
- Do not eat or drink
- Do not douche
- If you change clothes, keep them in a paper bag

To seek Free Emergency Medical Assistance:

**The Santa Clara Valley Medical Center (SCVMC) provides a Forensic Nurse Examiner (a nurse who is specially trained in collecting physical evidence) usually on call 24 hours a day/ 7 days a week. Call the SCVMC Operator at 408.885.5000 if you want to speak to the Forensic Nurse Examiner. A victim advocate from the YWCA Rape Crisis Center will be contacted to meet you at the hospital. Law Enforcement or Campus Safety Services can provide transportation.**



## What is Consent?

Consent is **clear, knowing and voluntary** permission. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Consent to one type of sexual activity cannot be taken as consent to any other form of sexual activity. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why or how). Consent cannot be assumed from silence or a prior sexual relationship with the person. Consent does not come from the use of force, coercion or incapacitation.



## SCU's Campus Advocacy Program

The role of the campus advocate is to provide support to a student who reports being the victim of a sexual assault. The advocate's role parallels that of the county rape crisis advocate (from YWCA) in Santa Clara County, but is limited to participation in SCU processes. When requested the advocate might accompany the student to an interview with Campus Safety or the Office of EEO & Title IX, an initial meeting with the Counseling Center, any meetings with the Office of Student Life, and any judicial proceedings that take place. Campus Advocates do not have confidentiality but can provide the student with support and resources for on-campus assistance. Contact the Office of Student Life or the Office of EEO & Title IX to obtain more information.