



# **Harris-Stowe State University Title IX Policy & Commitments**

## Definitions and The Law:

Title IX of the Education Amendments of 1972 prohibits discrimination on the basis of sex in programs and activities which receive certain federal funding. Title IX states:

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance...” 20 U.S.C. section 1681.

## POLICY OF NONDISCRIMINATION:

Harris-Stowe State University (hereinafter the “University”) and Title IX law prohibit discrimination on the basis of sex in its’ education programs, activities, admissions, recruitment, financial aid, academic programs, student services, athletics, housing, and employment. Title IX law and the University prohibit exclusion from or being denied the benefits of any academic, extracurricular, occupational training, sports, research, or other educational program and activity on the basis of sex and/or sexual orientation.



- Harris-Stowe State University (the “University”) does not discriminate on the basis of sex in its’ educational programs and activities. The University is required by Title IX law not to discriminate on the basis of sex in its’ education programs and activities. Questions regarding Title IX may be referred to the University’s Title IX coordinator or to the Office of Civil Rights, U.S. Department of Education. The University’s Title IX coordinator can be found at: **Rhonda Wesley, J.D., Title IX Coordinator, Harris-Stowe State University, 3026 Laclede Avenue, St. Louis, Missouri, 63103-2136, 314-340-3545, [WesleyR@hssu.edu](mailto:WesleyR@hssu.edu), or [TitleIXCoordinator@hssu.edu](mailto:TitleIXCoordinator@hssu.edu).** The Office of Civil Rights, U.S., Department of Education contact information is: 1010 Walnut St., Ste., 320, Kansas City, Mo., 64106, [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov), 816-268-0550. Local law enforcement may be contacted at 911, as well.

Title IX prohibits and the University shall not retaliate against any person because he or she opposed an educational practice or policy, filed a complaint, testified or participated in any complaint action under Title IX law.

Any student can experience sexual misconduct from: male and female individuals, straight, gay, lesbian, bisexual, transgender individuals, part-time or fulltime students, students with or without disabilities, students of different ethnic groups and/or national origins, faculty, staff, and/or employees.

It is the University's commitment to provide a safe and healthy learning environment for students to thrive and grow; as well as for employees to satisfactorily perform their job duties in an environment free of sexual harassment, sexual misconduct, and sex discrimination. This commitment includes the safety of volunteers and visitors of the University, too. The University has zero-tolerance for claims of discrimination based on academic programs, sport programs, and sexual misconduct allegations. A commitment of the University continues to be the development of the whole student in mind, body, and spirit.

<http://www.hssu.edu/ae/aefiles/TitleIXSexualDiscriminationandMisconductReportingForm.pdf>

Title IX requires and the University pledges that once it knows of possible sex discrimination and/or sexual misconduct towards students, employees, visitors, or volunteers, the University shall take immediate and appropriate steps to investigate or otherwise determine what occurred, and take prompt and equitable resolutions to: end any sex discrimination or sexual misconduct, eliminate a hostile environment (if one has been created), prevent its' recurrence, and (as appropriate) remedy its' effects regardless of whether the individual who has been victimized complains of the violence or asks the University to act.

The University's commitment to combat sex discrimination and sexual misconduct does include claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity. Any actual or perceived sexual orientation or gender identity misconduct projected against an individual as sex discrimination shall not change the University's obligations. Lesbian, gay, bisexual, transgender, queer, intersex, asexual, and ally individuals (LGBTQIA) are protected by the same rights and privileges provided by Title IX law.

# HARRIS-STOWE STATE UNIVERSITY POLICY AGAINST SEX DISCRIMINATION

Sex discrimination, i.e., sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or disability prevents the student from having the capacity to give consent).

Several different acts, conduct, and behavior fall into the category of sex discrimination including rape, sexual assault, sexual battery, sexual abuse, sexual harassment, and sexual coercion. Sex discrimination includes criminal offenses that meet the definition of rape, fondling, incest, or statutory rape. The University has zero tolerance for these described actions.

Sex discrimination can be done by school employees, other students, or third parties. All such acts of sexual violence are forms of sex discrimination prohibited by Title IX law.

<http://www.hssu.edu/ae/aefiles/TitleIXSexualDiscriminationandMisconductReportingForm.pdf>

In general, sex discrimination may be present if there are repeated unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature. Sex discrimination is prohibited by Title IX law when committed in the form of physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent.

Sex discrimination violates state law, federal law, and University policy. Students, employees, volunteers, and visitors can be the victims or perpetrators of sexual misconduct.

Sex discrimination may be present when submission to a sexual proposal is made (explicitly or implicitly) a term or condition of an individual's employment, participation, or performance in any course, program or activity. Sexually violent conduct can be severe and pervasive that it will be, reasonably, perceived, and is perceived by the victim as creating an intimidating, hostile, or abusive work or school environment.



Under Title IX, sexual harassment is a form of sex discrimination and is defined as “conduct that is sexual in nature; that is unwelcome; and denies or limits a student's ability to participate

in or benefit from a school's education program.”<sup>1</sup> The practice of sexual harassment creates a hostile environment in which an individual cannot learn, work, and thrive within. Hostile environments impede the growth and advancement of an organization. The promotion of hostile environments and the advancement of sexual harassment (of any sort) will not be tolerated by the University.

**Examples** of sex discrimination include, but are not limited to:

- **Unwanted:** sexual contact; touching of a sexual nature; sexual assault; rape; making unwanted sexual advances and propositions to pressure others for sexual favors; leering at or ogling a person's body; performing sexual gestures; touching oneself sexually in front of others; engaging in indecent exposure; unwelcome sexual behavior; telling sexual or dirty jokes; spreading sexual rumors; rating other individuals as to sexual activity or performance; intimate partner violence; sexual misconduct; sexual exploitation, trafficking & slavery; sexual predatory conduct; sexually suggestive/disparaging language; writing offensive sexual graffiti; displaying or distributing sexually explicit drawings, pictures, or written materials; stalking; circulating and/or showing emails or websites of a sexual nature; cyber-stalking; sexual favors with express or implied threats; the creation, dissemination or possession of pornographic materials as determined by local standards; the electronic transmission of offensive, provocative, harassing, sexual material by email, text messages and other forms of social media; and any other conduct of a sexual nature that has the purpose or effect of threatening, intimidating or coercing a person(s) to engage in sexual activity(s); and otherwise hamper one's ability to receive her/his education.<sup>2</sup>

<http://www.hssu.edu/ae/aefiles/TitleIXSexualDiscriminationandMisconductReportingForm.pdf>

The Harris-Stowe State University sex discrimination policy governs the conduct of all individuals of the campus and of the University community. This includes students, employees, faculty, volunteers and visitors. This policy covers both on-campus and off-campus events and conduct. Any individual to have violated this policy by engaging in sexual misconduct, sexual violence, sexual harassment, etc., (including retaliation for making a Title IX complaint), will be subject to appropriate disciplinary and/or corrective action. This will include, but is not limited to, referral plus enforcement by all law enforcement agencies, dismissal, expulsion, termination of employment, termination of contract, removal from

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<sup>1</sup> U.S. Department of Education, Office for Civil Rights, *Sexual Harassment: It's Not Academic*, Washington, D.C., 2008, (Archived). Use of the terms: "sexual misconduct", "sexual violence" and "sexual harassment", as used throughout this document are one-in-the-same to the term of "sex discrimination".

<sup>2</sup> These examples are illustrative in nature and not all-inclusive of sex discrimination and sexual misconduct.

campus, or other revocation of privileges on the campus of Harris-Stowe State University. Any act remotely-related to sexual misconduct, including gender-based harassment, constitutes a violation of policy. In addition to violating University policy, sexual misconduct will, also, constitute criminal activity. Harris-Stowe State University strongly encourages all individuals on the campus and of the campus community to report all instances, concerns, or complaints of sexual misconduct and violence to: **Rhonda Wesley, J.D., Title IX Coordinator, Harris-Stowe State University, 3026 Laclede Avenue, St. Louis, Missouri, 63103-2136, 314-340-3545, [WesleyR@hssu.edu](mailto:WesleyR@hssu.edu), or [TitleIXCoordinator@hssu.edu](mailto:TitleIXCoordinator@hssu.edu).**

## **INTERNATIONAL STUDENTS:**

International students are protected by the same provisions of Title IX law as are American students. The freedom from sex discrimination and the opportunity to learn in an inclusive environment are principles embraced by the University and exercised towards all students. University officials are trained on the sexual violence policies of the University, trained on the handling of sexual violence complaints, and trained in the counseling of students who have experienced sexual violence. The University officials are aware of the special issues that international students may experience. The University nor its' employees shall ever threaten an international student with deportation in an attempt to intimidate or deter them from exercising the Title IX protections.





## **CONSENT:**

Clear and unequivocal consent are required between adults to engage in any kind of sexual behavior of an intimate personal nature. Each adult must have the capacity to give consent. Consent is defined as an affirmative, unambiguous, and conscious decision by each party to engage in sexual activity.

Consent to sexual activity must be discussed, knowing, informed, understood, and agreed upon between the parties. Sexual activity must be willingly permitted between the parties. Consent must be voluntary, conscious, knowing, willing, and not forced upon between the parties. The threat of force, the threat of physical harm, and/or the act of coercion negate the affirmative act of consent.

If a party is incapacitated, intoxicated, unconscious, underage, and/or unknowing of the situation, that party is found NOT to have given legal consent for sexual activity nor does that party have capacity to give consent. The engaging party CANNOT legally claim that consent was given for sexual activity.

The silence or absence of resistance by a party does not establish consent-implied or direct. The consent to one form of sexual activity does not imply the consent to another form of sexual activity. If consent to engage in sexual activity with one person is given, it does not confer consent to engage in sexual activity with other persons.

At the time of the specific sexual activity is when consent must be affirmatively obtained. Consent can be withdrawn at any time. The communication of words and/or the conveyance of non-verbal acts are sufficient gestures by a party to withdraw consent, and to demonstrate a lack of consent by any party. A previous sexual history does not equate to consent during the time of the alleged event. Consent for sexual activity is not continuing in nature. If adults take part in any kind of sexual activity, the decision to do so must be made with the total approval and the informed consent of the party(s) involved. If not, the University shall administer relevant sanctions and appropriate remedies for the deviant actions.

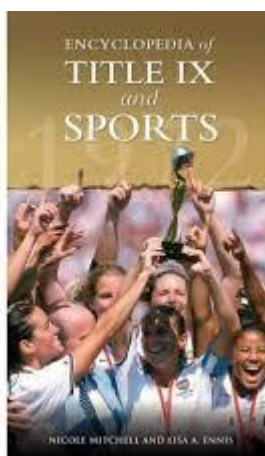
## TITLE IX AND EQUAL OPPORTUNITY FOR STUDENTS IN SPORTS:

Title IX law and Harris-Stowe State University support and encourage **equitable athletic opportunity in sports for women and men**. The University strives for and is committed to offer equal opportunities to women and men of any sexual preference to participate in all phases of its' athletic programs and services. Students of any gender, of any sexual preference, of any citizenship status, and of any ethnic background are welcome to take part in all the offerings of the University's athletic department without fear of discrimination, inequity, or reprisal.

Harris-Stowe State University knows and practices the inclusion and participation of all students from any gender, of any orientation, of any citizenship status, and from any ethnic group to participate into all components of its' sports and athletic programs. This inclusion stands to only enhance and improve the scholar-athlete experience for the students and promote the success of the University as a whole.

The University is committed to provide gender equality in sports for female students and male students in all aspects of its' athletic programs. That would include: equity for locker room facilities; equity for practice and competitive facilities; equity in determining the athletic interest and abilities of students; and equity in the selection of sports and levels of competition which effectively accommodate the interests and abilities of female students.

<http://www.hssu.edu/ae/aefiles/TitleIXSexualDiscriminationandMisconductReportingForm.pdf>





## **GRIEVANCE PROCEDURES TO REPORT COMPLAINTS OF SEXUAL DISCRIMINATION AND MISCONDUCT:**

<http://www.hssu.edu/ae/aefiles/TitleIXSexualDiscriminationandMisconductReportingForm.pdf>

The grievance procedure to address complaints of sexual violence shall be overseen by the University in conjunction with Title IX rules and procedures-as a prompt and equitable corrective action reasonably calculated to end the sexual violence, eliminate the hostile environment, prevent its recurrence and remedy its' effects.

The University shall not wait to take steps to protect the students until students have already been deprived of educational opportunities. The University shall protect a complainant and ensure his or her safety as necessary including taking interim steps before the final outcome of any investigation. University students are strongly encouraged to, immediately, report any information and incidents which are thought to be inappropriate and unwanted sexual conduct directed towards them, against another, or heard of by others. This information may be reported in confidence.

Any employee of the University is strongly encouraged to, immediately, report any information and incidents which are thought to be inappropriate and unwanted sexual conduct directed towards them, against another, or heard of by others. This information may be reported in confidence to the extent possible. It is strongly encouraged for volunteers, visitors, and any member of the University community to, immediately, report information that appears to be sexual violence and sex discrimination in nature. Sexual violence impairs the ability of a student to fully participate in academic programs, University services, and athletic sports. Employees are impaired from satisfactorily performing their job duties when subjected to sex discrimination and the sexual misconduct by another at work.

The University will take prompt steps once it has notice of a sexual violence allegation. It will provide the complainant with periodic updates on the status of the investigation. If the University finds that sexual violence did occur, the University shall continue to take the necessary steps to protect the complainant and ensure his or her safety, as necessary. The University shall also ensure that the complainant is aware of any available resources such as victim advocacy, housing assistance, academic support, counseling, disability services, health/mental services, legal assistance, and the right to report a crime to campus public safety and/or local law enforcement.

It is the University's commitment to operate an institution for learning, development, productivity, and achievement within the HSSU community.

## UNIVERSITY PROCEDURES FOR COMPLAINTS OF SEXUAL MISCONDUCT:

- Information and complaints of sexual discrimination, sexual violence, sexual harassment, and sexual misconduct<sup>3</sup> are to be filed with the: **Rhonda Wesley, J.D., Title IX Coordinator, Harris-Stowe State University, 3026 Laclede Avenue, St. Louis, Missouri, 63103-2136, 314-340-3545, [WesleyR@hssu.edu](mailto:WesleyR@hssu.edu), or [TitleIXCoordinator@hssu.edu](mailto:TitleIXCoordinator@hssu.edu).**
- Students and/or employees may begin the application of the grievance procedure for complaints alleging sexual misconduct carried out by other students, employees, or third parties to: **Rhonda Wesley, J.D., Title IX Coordinator, Harris-Stowe State University, 3026 Laclede Avenue, St. Louis, Missouri, 63103-2136, 314-340-3545, [WesleyR@hssu.edu](mailto:WesleyR@hssu.edu), or [TitleIXCoordinator@hssu.edu](mailto:TitleIXCoordinator@hssu.edu).**
- A complainant should file within **10** calendar days a complaint of sex discrimination and sexual misconduct. To effectively investigate any complaints, it is to the best interests of the University and the complainant to file a complaint immediately upon occurrence.
- The University has provisions for adequate, impartial, prompt, and reliable investigation of all complaints. This includes the **equal opportunity for due process for the complainant and equal opportunity for due process for the alleged perpetrator** to: present witnesses, give testimony, submit evidence, (albeit not necessarily in the presence of one another), and other protected rights.
- The evidentiary standard that must be used to resolve a complaint is based upon the preponderance of the evidence, i.e., the existence of the facts is more likely than not.
- The timeframe for completion of an investigation can vary on a case-by-case basis. The University pledges to complete major steps of a complaint process in a prompt, reasonable, and equitable timeframe as determined by the facts and circumstances of each case. A timeframe goal of 60-calendar days refers to the entire investigation process (which includes conducting the fact-finding investigation, holding a hearing or engaging in another decision-making process to determine whether the alleged sexual violence occurred and created a hostile environment, and to determine what actions the University will take to eliminate the hostile environment and prevent its' recurrence. This does not include any time for an appeal process.

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<sup>3</sup> See page 5 for examples.

<http://www.hssu.edu/ae/aefiles/TitleIXSexualDiscriminationandMisconductReportingForm.pdf>

- Progress reports and written notice of the outcome of a complaint will be provided by the University to the complainant and the alleged perpetrator.
- The rights of an alleged perpetrator are protected and respected by the University to the same degree as that of a complainant.
- A complainant or an alleged perpetrator shall have right to appeal the outcome of a complaint within **10** calendar days of receipt of the written outcome. Written notice of the outcome of any appeal will be provided by the University to the complainant and the alleged perpetrator.

The University vows to take steps to prevent the recurrence of any sexual misconduct and to remedy any discriminatory effects on the complainant and others.

- The University will utilize interim measures to protect a complainant in the educational setting during and after the course of a claim investigation.
- The University and Title IX law prohibit the retaliation against any individual who makes a claim of sex discrimination. The University will take strong responsive action if retaliation should occur.
- The University has potential sanctions of various measures against any alleged perpetrator of sexual violence.
- The University prohibits any individual from making a false claim of sex discrimination and/or sexual misconduct. “False claim” means a claim brought in bad-faith and unsupported by true facts upon its’ initiation. A false claim does not include a complaint that was brought in good-faith, but later found to be unsubstantiated. Sanctions of various measures will be used against any individual who reports a **false claim** of sex discrimination and/or sexual misconduct. It is just as important to the University to protect the rights of an innocent alleged perpetrator as those of an alleged victim.
- Any student has the right to file a criminal complaint against a perpetrator with local law enforcement, as well as file a Title IX complaint simultaneously.

- It is advised to all students, members of the faculty and staff to sign up with the University email/text/voice emergency notification system administered by the University Department of IT Services. You can find information on how to sign up within the hssu.edu website.

If there is any kind of any sex discrimination or sexual misconduct directed towards you or another, please contact the: **Rhonda Wesley, J.D., Title IX Coordinator, Harris-Stowe State University, 3026 Laclede Avenue, St. Louis, Missouri, 63103-2136, 314-340-3545, [WesleyR@hssu.edu](mailto:WesleyR@hssu.edu), or [TitleIXCoordinator@hssu.edu](mailto:TitleIXCoordinator@hssu.edu).**

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### **COUNSELING SERVICES:**

The University does provide counseling, advocacy, resource referrals, and support services for sex discrimination and/or sexual misconduct encounters to students and employees upon their request. The Office of Counseling Services provides students with individual and group counseling, and a variety of programs to foster personal and educational growth, effective problem solving, and thoughtful cohesive decision making. Counseling is confidential and free to currently enrolled students-female, male, any sexual orientation, gender identity, LGBTQIA individuals, straight individuals, gender-neutral individuals, and all other variations of students, and employees. University employees are encouraged to, also, seek out counseling with EAP services of the University. Other local resources that address sex discrimination and sexual misconduct are YWCA WOMEN'S RESOURCE CENTER at 314-531-7273 or UNITED WAY at 211 or 314-421-4336.

**KNOW YOUR IX**  
Empowering students to stop sexual violence



## ADDITIONAL INFORMATION ABOUT TITLE IX GRIEVANCE PROCEDURES:

- Harris-Stowe State University has jurisdiction over Title IX complaints. Any matter which relates to sex discrimination, sexual violence, sexual harassment, and/or sexual misconduct<sup>4</sup> must be reported immediately to: **Rhonda Wesley, J.D., Title IX Coordinator, Harris-Stowe State University, 3026 Laclede Avenue, St. Louis, Missouri, 63103-2136, 314-340-3545, [WesleyR@hssu.edu](mailto:WesleyR@hssu.edu), or [TitleIXCoordinator@hssu.edu](mailto:TitleIXCoordinator@hssu.edu).**
- The University has a reporting policy and an established protocol to fully gather all facts, circumstances, and information relevant to any alleged complaint of sex discrimination.
- The employee(s) responsible for evaluating requests for confidentiality may be found at: **Rhonda Wesley, J.D., Title IX Coordinator, Harris-Stowe State University, 3026 Laclede Avenue, St. Louis, Missouri, 63103-2136, 314-340-3545, [WesleyR@hssu.edu](mailto:WesleyR@hssu.edu), or [TitleIXCoordinator@hssu.edu](mailto:TitleIXCoordinator@hssu.edu).**

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<sup>4</sup> See page 5 for examples of sex discrimination and sexual misconduct.

- The University's primary concern is for the safety of its' students and employees. Use of alcohol or drugs never makes the victim of sexual misconduct at fault – **REPORT THE ACT**.
- It is advised to all students, members of the faculty and staff to sign up with the University email/text/voice emergency notification system administered by the University Department of IT Services. You can find information on how to sign up within the hssu.edu website.

### **CONFIDENTIALITY:**

- With the complainant's request, and to the extent possible, the University will investigate a report of sex discrimination as confidential in nature and as privileged information. In the event that some information must be disclosed in furtherance of investigating any complaint, the University will disclose selective information (only to the extent necessary and on a need-to-know basis) that is to be used only for complaint resolution and for the safety of the victim, other students, employees, volunteers, and visitors. The Title IX Coordinator and school officials are best suited to evaluate those requests for confidentiality on a case-by-case basis.
- Under some applied laws and statutes, the University must adhere to a request to inspect and review information about allegations maintained by the University. In such a case, the University may redact the complainant's name and all identifying information of the complainant before allowing the perpetrator to review the allegations. Or, the University will inform the alleged perpetrator of the specific information in the complaint that is about the alleged perpetrator.
- The University will always need to balance whether it can honor a student's request not to disclose his or her name to the alleged perpetrator against the responsibility to provide a safe and nondiscriminatory environment for all students including the student who reported the sexual violence.
- The University will always balance the need to adhere to FERPA laws and corresponding laws to privacy.

<http://www.hssu.edu/ae/aefiles/TitleIXSexualDiscriminationandMisconductReportingForm.pdf>



## RESPONSIBLE EMPLOYEES AND REPORTING:

Each employee and member of the Harris-Stowe State University community have a role in preventing the occurrences of sex discrimination and sexual misconduct by reporting their occurrences if they should happen.

<http://www.hssu.edu/ac/aefiles/TitleIXSexualDiscriminationandMisconductReportingForm.pdf>

When an employee knows or reasonably should know of possible sexual violence, the University is deemed to have notice of the sexual misconduct. The University is obligated to take immediate and appropriate steps to investigate and determine what has occurred. If the University determines that the sexual misconduct has created a hostile environment, the University has an obligation to take the appropriate steps to address the situation.

A responsible employee must immediately report in writing to the University's Title IX coordinator all the relevant details about the alleged sexual violence that the student or another person has shared. The University will need to determine what occurred and shall move to resolve the situation. This includes reporting the name of the alleged perpetrator, the student who experienced the alleged sexual violence, other students involved in the alleged sexual violence, as well as all relevant facts, such as date, time, and location.

A responsible employee has an obligation to immediately report in writing any sexual misconduct, sex discrimination, sexual harassment, and sexual violence<sup>5</sup> perpetrated one against another. Failure to report such shall have punitive consequences against the responsible employee.

A responsible employee must understand that they do not need to determine whether the alleged sex discrimination or sexual misconduct actually occurred, nor determine that a hostile environment has been created before reporting an incident to the University's Title IX coordinator. The responsible employee fulfills the obligation by mere reporting, in writing, of the details and information related to a possible occurrence of sexual misconduct.

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<sup>5</sup> See page 5 for examples.



## **ADDITIONAL UNIVERSITY POLICIES:**

Harris-Stowe State University strives to provide a safe campus conducive for learning, achieving, and developing. To that end, it is imperative that all students, employees, volunteers, and visitors are informed of the following:

- There is zero-tolerance for the threat of violence of any sort done to another campus individual;
- There is zero-tolerance for bullying, stalking and related behavior committed against another individual;
- There is zero-tolerance for the misuse of University rooms and facilities for inappropriate behavior by students, employees, volunteers, and visitors;
- There is zero-tolerance for the display of active bias committed against another individual based on sexual orientation, physical attributes, mental disabilities, and/or socio/economic status; and
- There is zero-tolerance for discrimination and retaliation in any form committed one against another individual.

## **Hazing Prohibited:**

The University prohibits all acts of hazing. Hazing is defined as:

- ... a willful act, occurring on or off the campus of an educational institution, directed against a student or a prospective member of an organization operating under the sanction of an educational institution, that recklessly endangers the mental or physical health or safety of a



student or prospective member for the purpose of initiation or admission into or continued membership in any such organization to the extent that such person is knowingly placed at probable risk of the loss of life or probable bodily or psychological harm. Acts of hazing shall include:

- (a) Any activity which recklessly endangers the physical health or safety of the student or prospective member, including but not limited to physical brutality, whipping, beating, branding, exposure to the elements, forced consumption of any food, liquor, drug or other substance or forced smoking or chewing of tobacco products; or
- (b) Any activity which recklessly endangers the mental health of the student or prospective member, including but not limited to sleep deprivation, physical confinement, or other extreme stress-inducing activity; or (c) Any activity that requires the student or prospective member to perform a duty or task which involves a violation of the criminal laws of this state or any political subdivision in this state.<sup>6</sup>

Furthermore as hazing is forbidden, the University informs all students, employees, volunteers, and visitors that:

- A person commits the crime of hazing if he/she knowingly participates in or causes hazing, as it is defined in section Mo.R.S. [578.360 and the University](#). Hazing is a class A misdemeanor. Consent is not a defense to hazing.

## **DRUG-FREE ALCOHOL-FREE CAMPUS:**

The following acts are considered violations as it relates to alcohol and other drug use.

The use and/or possession of alcohol, marijuana, narcotics, illicit drugs or drug paraphernalia on property owned or controlled by the University are prohibited. The University prohibits the sale and/or distribution of marijuana, narcotics or other dangerous drugs on property owned or controlled by the University including any function sponsored or supervised by the University.

Drunken or disorderly behavior on property owned or controlled by the University or at functions sponsored or supervised by the University, or its' student organizations are prohibited.

Alcohol and illicit drugs can be the conduits to commit sexual misconduct and a way to impair the judgment and the consent of another. The use of alcohol or drugs never makes the victim of sexual violence as one who is at fault. A primary concern is for the safety of students, employees, and the University community.

<http://www.hssu.edu/ae/aefiles/TitleIXSexualDiscriminationandMisconductReportingForm.pdf>

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<sup>6</sup> Mo.R.S. 578.360.

# HARRIS-STOWE STATE UNIVERSITY

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## COMMITMENT TO DEVELOP THE WHOLE STUDENT-MIND, BODY & SPIRIT



### **CONTACT:**

Rhonda Wesley, J.D.,  
Title IX Coordinator  
Harris-Stowe State University  
3026 Laclede Avenue  
St. Louis, Mo., 63103  
314-340-3545  
[WesleyR@hssu.edu](mailto:WesleyR@hssu.edu)  
[TitleIXCoordinator@hssu.edu](mailto:TitleIXCoordinator@hssu.edu)

### **EMERGENCY:**

Contact the Office of Public Safety, immediately, if you are injured, in need of emergency assistance, or know of a potential crime. The Office of Public Safety provides a safe and secure environment in which students, faculty and staff can study and work in a secure environment.

**Public Safety Phone Numbers:**  
**314-340-5952     314-280-9971     314-340-3333**  
**Local law enforcement may be contacted at: 911**

The Office of Civil Rights, U.S., Department of Education contact information is: 1010 Walnut St., Ste., 320, Kansas City, Mo., 64106, [OCR.KansasCity@ed.gov](mailto:OCR.KansasCity@ed.gov), 816-268-0550.

**FAQ's:**

Q: What should I do if I think that I have been a victim of sex discrimination?

A: Immediately, an individual should contact the University Title IX Coordinator to report the matter for the investigation of prompt and equitable corrective actions. There shall be no retaliation against an individual for doing so. In addition, an individual may contact local law enforcement to report the matter for an independent criminal investigation.

Q: What is the procedure for filing a complaint of sex discrimination?

A: Students and/or employees may begin the application of the grievance procedure for complaints alleging sexual violence carried out by other students, employees, or third parties by contacting the: **Rhonda Wesley, J.D., Title IX Coordinator, Harris-Stowe State University, 3026 Laclede Avenue, St. Louis, Missouri, 63103-2136, 314-340-3545, [WesleyR@hssu.edu](mailto:WesleyR@hssu.edu), or [TitleIXCoordinator@hssu.edu](mailto:TitleIXCoordinator@hssu.edu).** A complainant should file a complaint within **10** calendar days of the sexual misconduct and/or sex discrimination. The opportunity for due process is given to the **complainant and the alleged perpetrator** to present witnesses, give testimony, submit evidence, use the preponderance of the evidence standard, and other recognized U.S. Constitution protected rights. The timeframe for completion of an investigation can vary on a case-by-case basis. Progress reports and written notice of the outcome of the complaint will be provided by the University to the complainant and the alleged perpetrator at the same time. A complainant or an alleged perpetrator shall have right to appeal the outcome of a complaint within **10** calendar days of receipt of the written decision. The University has provisions for adequate, impartial, prompt and reliable investigation of all complaints. The University pledges to complete major steps of a complaint process in a prompt, reasonable, and equitable timeframe and enforcing corrective action as determined by the facts and circumstances of each case. Also, a complainant may contact the **Office of Civil Rights, U.S., Department of Education, 1010 Walnut St., Ste., 320, Kansas City, Mo., 64106, [OCR.KansasCity@edgov](mailto:OCR.KansasCity@edgov), 816-268-0550, and local law enforcement at 911.**

Q: What assurances do I have that privacy and confidence will be maintained about a sex discrimination complaint?

A: With the complainant's request, and to the fullest extent possible, the University will investigate a report of sex discrimination as confidential in nature and as privileged information. In the event that some information must be disclosed in furtherance of investigating any complaint, the University will disclose selective information (only to the extent necessary and on a need-to-know basis) that is to be used only for complaint resolution for the safety of the complainant, other students, employees, volunteers, and

visitors. The Title IX Coordinator and school officials are best suited to evaluate those requests for confidentiality.

Q: What if I have not been sexually assaulted but have witnessed inappropriate groping, physical gestures, and sexually explicit language?

A. Without fear of retaliation, an individual should report any behavior and conduct that remotely looks inappropriate-that includes inappropriate groping, physical sexual gestures, sexually explicit language and other actions. (See list of examples of sexual misconduct and discrimination on page 8).

Q. Do Title IX protections **apply equally to men** as they do to women?

A. Yes, Title IX protections **apply equally to men and women**. That includes **protections for any sexual orientation, gender identity, LGBTQIA individuals, straight individuals, any sexual preference, gender-neutral individuals, and all other variations of students, employees, visitors, and volunteers**.

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