

LINCOLN UNIVERSITY'S  
TITLE IX Frequently Asked  
Questions (FAQ's)  
(Jan. 2017)



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## Table of Contents

|                                                                                                                                           |    |
|-------------------------------------------------------------------------------------------------------------------------------------------|----|
| 1. How Does Title IX Protect You From Sex Discrimination? .....                                                                           | 5  |
| 2. What is Consent and Incapacitation?.....                                                                                               | 5  |
| 1. What is Sexual Harassment?.....                                                                                                        | 6  |
| 2. What is Gender-Based Discrimination? .....                                                                                             | 9  |
| 3. Filing a Report or Complaint .....                                                                                                     | 9  |
| 4. Who Can I Talk to Report A Sexual Assault/Harassment? .....                                                                            | 10 |
| A. “Professional and Pastoral Counselors” .....                                                                                           | 10 |
| B. Women’s Center and Male Initiative Staff .....                                                                                         | 10 |
| C. “Responsible Employees” .....                                                                                                          | 11 |
| 5. How Do I file a Complaint?.....                                                                                                        | 12 |
| 6. What Happens After I File a Complaint? .....                                                                                           | 13 |
| 7. Will What I say Be Kept Confidential? .....                                                                                            | 14 |
| 8. What Is A Title IX Grievance?.....                                                                                                     | 14 |
| 9. Does it Make a Difference if the Sexual Misconduct Occurs On or Off Campus? .....                                                      | 15 |
| 10. What Are My Rights If I am A Victim of Sexual Assault? .....                                                                          | 16 |
| 11. What Are My Rights Under Title IX Investigation and Adjudication Process?.....                                                        | 16 |
| 12. Why Should I Seek Medical Attention When I Haven't Decided Whether I want to Report the Assault to the Police or the University?..... | 16 |
| 13. Online Resources .....                                                                                                                | 18 |

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## 1. How Does Title IX Protect You From Sex Discrimination?

A school must respond promptly and effectively to sexual harassment, including sexual violence, that creates a hostile environment. When responsible employees know or should know about possible sexual harassment or sexual violence they must report it to the Title IX coordinator or other school designee.

## 2. What is Consent and Incapacitation?

**Consent:** is a knowing, voluntary, and affirmatively communicated willingness to participate in a particular sexual activity or behavior.

1. Consent or lack of consent may be expressed or implied
2. Consent **cannot** be given by:
  - a) a person who has been **incapacitated** by mental disability, alcohol, drugs, or any other reason is manifestly unable or known by someone to be unable to make a reasonable judgment about consent (*e.g., a person is asleep or unconscious*).
  - b) a person under force, threat, duress, coercion, or deception;
  - c) a person under the legal age of consent in Missouri (currently under 17 years of age)

- ✓ “No” means “No”
- ✓ “Yes” or “No” can be expressed or implied (**can be given verbally or by actions**)
- ✓ “Yes” means “No” if conditions **2a, 2b, or 2c** listed above exist

Individuals that engage in sexual activity or behavior must understand that:

- consent must be mutually understood;
- past consent does not imply future consent;
- silence or an absence of resistance does not imply consent;
- consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
- consent to engage in one form of sexual activity does not imply consent to engage in other forms of sexual activity; and
- consent can be withdrawn at any time

**\*Note on consent and age (reason of youth) in regards to sexual activity in Missouri**

- If you are **21 or older**, 17 is the minimum age of consent.
- If you have sexual contact with an individual and you are more than **4 years older** than the individual that is at least **14**, you can be charged with Child molestation 4<sup>th</sup> degree ([566.071](#) RSMO).

**(based on current Child molestation statutes in [566.067 through 566.103 RSMO](#), consult your legal counsel for more info)**

**Incapacitation:** the physical or mental condition, temporary or permanent, in which a person is unconscious, unable to appraise the nature of such person's conduct, or unable to communicate unwillingness to an act ([RSMo. 556.061\(13\)](#))

An individual who is incapacitated lacks the ability to make informed, rational judgments and cannot consent to sexual activity. Incapacitation is defined as the inability, temporarily or permanently, to give consent because an individual is mentally and/or physically helpless, asleep, unconscious, or unaware that sexual activity is occurring.

Where alcohol or other drugs are involved, incapacitation is a state beyond drunkenness or intoxication. The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, unsteady gait, odor of alcohol, combativeness, or emotional volatility.

Evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs affects an individual's:

- Decision-making ability;
- Awareness of consequences;
- Ability to make informed judgments;
- Capacity to appreciate the nature and the quality of the act; or
- Level of consciousness.

In other words, a person may be considered unable to give valid consent due to incapacitation if he person cannot appreciate the who, what, where, when, why, or how of a sexual interaction. Evaluating incapacitation also requires an assessment of whether a respondent should have been aware of the complainant's incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the respondent's position. An individual who engages in sexual activity with someone the individual knows or reasonably should know is incapable of making a rational, reasonable decision about whether to engage in sexual activity is in violation of the Title IX Sex Equity, Sexual Harassment, & Gender Equity Policy.

## 1. What is Sexual Harassment?

**Sexual Harassment:** Sexual harassment is unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature. It can take different forms depending on the harasser and the nature of the harassment. The conduct can be carried out by school employees, students, and non-employee third parties, such as a visiting speaker. Both males and females can be victims of sexual harassment, and the harasser and the victim can be of the same sex.

The conduct can occur in any school program or activity and can take place in school facilities, on a school bus, or at other off-campus locations, such as a school-sponsored field trip or a training program at another location. The conduct can be verbal, nonverbal, or physical.

Examples of sexual conduct include:

- making sexual propositions or pressuring individuals for sexual favors;
- touching of a sexual nature;
- writing graffiti of a sexual nature;
- displaying or distributing sexually explicit drawings, pictures, or written materials;
- performing sexual gestures or touching oneself sexually in front of others;

- telling sexual or dirty jokes;
- spreading sexual rumors or rating other individuals as to sexual activity or performance; or
- circulating or showing e-mails or Web sites of a sexual nature.

Legitimate nonsexual touching or conduct generally will not be considered sexual harassment. However, it may rise to that level if it takes on sexual connotations.

## Forms of Sexual Harassment

### **Quid Pro Quo Sexual Harassment (Something for Something)**

The form of sexual harassment occurs when a teacher or other school employee conditions an employment or educational decision or benefit on the person's submission to unwelcome sexual conduct. If this occurs, it does not matter whether the person resists and suffers the threatened harm or submits to and avoids the threatened harm.

### **Hostile Environment Sexual Harassment**

A work or learning environment which interferes with a person's ability to function normally without intimidation, fear, or sexually harassing behaviors. A hostile environment is an environment that is sufficiently serious to deny or limit a student's ability to participate in or benefit from the school's program or employment.

Whether such a hostile environment has been created depends on the particular circumstances of the incident(s) and it needs to rise to the level of pervasive and/or severe.

Relevant considerations include, but are not limited to:

- how much of an adverse effect the conduct had on the person's education or employment;
- the type, frequency, or duration of the conduct;
- the identity, age, and sex of the harasser(s) and the victim(s), and the relationship between them;
- the number of individuals who engaged in the harassing conduct and at whom the harassment was directed;
- the size of the school, location of the incidents, and context in which they occurred; and
- whether other incidents occurred at the school involving different students.

The conduct does not necessarily have to be repetitive. If sufficiently severe, single or isolated incidents can create a hostile environment.

**Sexual Violence:** is a form of prohibited sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity or because of his or her youth.

### **Examples of Sexual Violence:**

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

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- **Sodomy** - Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault With An Object** - The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity (Please note that a finger or hand is also considered an object).
- **Fondling** - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
- **Incest** - Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - Non-forcible sexual intercourse with a person who is under the statutory age of consent.

[See Missouri Statues Table for Sexual Offenses](#)

**Sexual Exploitation:** Sexually exploitative behavior, which occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own benefit, or to benefit anyone other than the one being exploited. Examples of sexual exploitation include, but are not limited to, engaging in voyeurism; forwarding of pornographic or other sexually inappropriate material via email or other channels to non-consenting students/groups; and any activity that goes beyond the boundaries of consent, such as recording of sexual activity, letting others watch consensual sex, or knowingly transmitting a sexually transmitted disease (STD), including HIV, to another.

**Intimidation:** Is engaging in actions that include, but are not limited to, stalking or behavior intended to frighten, coerce or induce duress.

Title IX prohibits harassing conduct that is of a sexual nature if it is unwelcome and denies or limits a person's ability to participate in or benefit from a school's program or employment, regardless of whether the harassment is aimed at one's sexual orientation or is perpetrated by individuals of the same or opposite sex. Title IX does not address discrimination or other issues related to sexual orientation.



## 2. What is Gender-Based Discrimination?

**Gender:** describes the characteristics that a society or culture delineates as masculine or feminine.

**Gender-Based Discrimination:** is conduct that interferes with an individual's employment or educational performance and has the purpose or effect of denying or limiting an individual's ability to participate in or benefit from the school's programs based on a person's gender. **Gender discrimination includes sex equity, sexual exploitation, sexual harassment, and sexual violence (which is considered a subset of sexual harassment).**

### **Examples of Gender-Based Discrimination**

Gender discrimination can be carried out by a boyfriend or girlfriend, a date, other kids, or adults. If someone does any of the following to you because of gender or sex, it may constitute gender-based violence or harassment.

It could be gender-based discrimination if someone:

- follows you around, always wants to know where you are and who you are with, or stalks you
- pressures you to perform sexual act
- touches you sexually against your will
- forces you to have sex
- verbally abuses you using anti-gay or sex-based insults
- sends you repeated and unwanted texts, IMs, online messages, and/or phone calls that harass you
- verbally or physically threatens you
- hits, punches, kicks, slaps, or chokes you

## 3. Filing a Report or Complaint

### Reports

Reports can be given by any faculty, staff, or student that has witnessed an event, received information about an event from someone other than the victim, or with whom a victim has shared the information with.

Individuals can make a report by:

- speaking with a responsible employee
- speaking with any other employee (non-supervisory staff)
- filling out the information on the [Title IX reporting page](#) directly
- speaking to the Title IX Coordinator directly

**Please note,** a victim can also fill out a report directly. Students have the option of reporting without including personally identifiable information on the [Title IX reporting](#) form if they so choose (also considered reporting confidentially).

## Reports Given to University Employees

If a report is given to a Lincoln University Employee, the employee will submit an electronic report via the online Title IX Reporting page for data tracking purposes. The employee may contact the Title IX coordinator directly and follow up with the online report later. If a report involves a student as the accused, an Incident Report Form (IRF) is not necessary and the Office of Judicial Affairs will be notified and it will be managed under the University's Student conduct process if needed. If the accused is an employee, the report or grievance will be managed by the Human Resources (HR) Office if needed.

## Formal Complaints

Formal Complaints also known as a formal grievance are typically filled by a victim seeking a full investigation, but can be filed by anyone else on behalf of a victim. [Formal Grievances](#) are submitted to the President's Office via the Complaint Coordinator or to the Office of Judicial Affairs via an [Incident Report Form](#). For more info on the formal complaint process please review the [Title IX Grievance Procedures](#) document.

## **4. Who Can I Talk to Report A Sexual Assault/Harassment?**

### A. "Professional and Pastoral Counselors"

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission *Professional and Pastoral Counselors are the only individuals that can offer confidential reporting to a victim on Lincoln University's campus.* Lincoln University has a counselor on staff with [Student Health Services](#) located at the Thompkins Health Center that can be reached at (573) 681-5167. The campus counselor is available during normal office hours on weekdays between 8:00am to 5:00pm (also see the counseling services section in the [Victims' Rights](#) document for additional confidential off-campus contact info). As August 2015, Lincoln University does not have any individual serving in the role of Pastoral Counselor.

### B. Women's Center and Male Initiative Staff

#### **These employees will explain upfront that:**

1. They can keep the information private, but cannot guarantee confidentiality when they make a report.
2. Reports given to the Title IX Coordinator not will contain information that would identify the victim or perpetrator but contain all other info (if they choose to make anonymous a.k.a John/Jane Doe report)
3. Disclosures to these employees will not trigger a formal University investigation into an incident against the victim's wishes (however, can go through a preliminary review to determine safety for the victim and the Lincoln University community at large).
4. Will remind victim of the option of confidential reporting.

#### **Theses employees must also explain to a victim that you have certain rights:**

1. Right to file a TIX complaint
2. Right to notify law enforcement for criminal investigations (LUPD for campus incident and extern law enforcement for off campus, offer to assist)

3. Right to make a confidentiality request to the Title IX Coordinator.
4. Right to request interim measures for safety and counseling (see “[Victims Rights](#)” for more info).

C. “Responsible Employees”

A “responsible employee” is a University employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty. Any employee (other than Professional and Pastoral Counselors) of the University who becomes aware of an act of sexual harassment (including sexual misconduct) or behavior which could be characterized as sexual harassment, when perpetrated against a member of the Lincoln University community is considered a "responsible employee" All Lincoln University Employees (*other than professional counselor women’s center, the Male Initiative, and their specific staff*) are considered Responsible Employees).

The following employees (or categories of employees) are considered “responsible employees” that can best assist an individual to appropriate resources:

| Employee Categories                             |         |
|-------------------------------------------------|---------|
| Title IX Coordinator, Title IX Deputies, & LUPD | Coaches |
| Directors, Supervisors, & Dept. Heads           | Deans   |
| Residential Life Staff                          | VPAA    |
| Specific Faculty & Staff <sup>1</sup>           | Faculty |

***1. Any faculty or staff member responsible for supervising any activities or programs that include direct contact with students outside of classroom (including faculty advisors to recognized student organizations)***

[List of Offices with Responsible Employees](#) that can help you access services and address safety issues at Lincoln University

Regardless of how a responsible employee is made aware of a situation (personal observation, direct information from the subject of the behavior, indirect information from a third party, etc.), a responsible employee **must report all** information to the Title IX Coordinator. Lincoln University should provide appropriate training to those employees likely to witness or receive reports of sexual harassment and violence. Responsible employees will let victims know that the University will take strong action against retaliation on reporting complaints and the option to speak to the campus counselor or other reporting options if confidentiality is requested.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. To the extent possible, information reported to a responsible employee will be shared only with people responsible

for handling the Lincoln University's response to the report (e.g. change in housing, academic accommodations, counseling services).

**All responsible employees must explain upfront to a victim that:**

1. You can keep the information private, but cannot guarantee confidentiality when a report is made.
2. You will have to make a report to the Title IX coordinator with all relevant details about the alleged sexual violence shared with them
3. You have the option of reporting confidentially to the counsel or reporting fact without identifying info to the Women's Center & Male Initiative staff.

This report will include all relevant facts, date, time, and specific location of the alleged incident in the report.

**All responsible employees must also explain to a victim that you have certain rights:**

1. Right to file a TIX complaint
2. Right to notify law enforcement for criminal investigations (LUPD for campus incident and extern law enforcement for off campus, offer to assist)
3. Right to make a confidentiality request to the Title IX Coor.
4. Right to request interim measures for safety and counseling (see "[Victims Rights](#)" for more info).

Regardless of the method used to report, LU faculty and staff will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules. Confidential reports can help keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses.

## **5. How Do I file a Complaint?**

### **A. Student on Student Complaints**

The responsibility for resolving student disciplinary matters and imposing penalties against students for violating University policy remains vested in the student disciplinary processes of the Student Conduct System managed by the Office of the Dean of Students. Students also have the option of filing a formal grievance

[Click Here](#) for a fillable version of the Student Code of Conduct Incident Complaint Form  
Student Conduct Judicial Officer:

Mr. Joseph Ward

Office of the Dean of Students

301A Young Hall

E-mail: [Wardj@lincolnu.edu](mailto:Wardj@lincolnu.edu)

Phone: (573) 681-5526

## B. Grievances

Formal Complaints (grievances) should be submitted to the Complaint Coordinator. The Complaint Coordinator will notify the Title IX Coordinator or Deputy Title IX Coordinator of the received complaint and request an investigation into the alleged sexual harassment, gender discrimination, or sex equity claim.

The University Title IX Coordinator welcomes an informal presentation of such allegations, and is available to address concerns through counseling, advice, and informal resolution, the University Title IX Coordinator is fully prepared to receive and address such allegations through formal grievance procedures. Although Lincoln University welcomes informal resolution of grievances when appropriate, it will not use mediation between a complainant and alleged perpetrator or any other informal resolution mechanism to resolve grievances pertaining to sexual violence.

Any grievance form that has not been signed and dated at the bottom will *not* be received as a

Formal Complaint (*form can also be used by Level 2 Responsible Employees or others to make a report that contains relevant information*).

Complaint Coordinator:  
Ms. Rose Ann Ortmeyer  
Executive Assistant  
Secretary to the Board of Curators  
201 Young Hall (President's Office)  
E-mail: [Ortmeyr@lincolnu.edu](mailto:Ortmeyr@lincolnu.edu)  
Phone: (573) 681-5044  
Fax: (573) 681-6074

Title IX Coordinator:  
Mr. Jim Marcantonio  
Human Resources Director/  
Equal Employment Opportunity Officer  
101 Young Hall  
Email: [MarcantonioJ@lincolnu.edu](mailto:MarcantonioJ@lincolnu.edu)  
Phone: (573) 681-5019  
Fax: (573) 681-5787

[Click Here](#) for a PDF version of the Lincoln University Grievance Form

C. Lincoln University Police Department (LUPD)  
1118 Chestnut Street, Jefferson City, Missouri 65102  
(573) 681-5555

## **False Complaints**

While the University encourages all good faith complaints of sex discrimination and sexual harassment, the University has the responsibility to balance the rights of all parties. Therefore, if the University's investigation reveals that a complaint was knowingly false, the complaint will be dismissed and the person who filed the knowingly false complaint may be subject to disciplinary action or sanctions from the Student Life Review Board or Human Resources.

## **6. What Happens After I File a Complaint?**

### **Formal Complaint Process**

1. Preliminary Review & Safety Assessment
2. Formal Investigation

3. Adjudication/Review
  - Student Conduct
  - Human Resources Review
4. Determinations
  - Notification of any resulting sanctions and the finding of facts from either process from step 3 are issued to both parties simultaneously
5. Remedies Put in Place to the University at large, if necessary (see the following examples)
  - Policy Updates to prevent reoccurrence
  - Provide Training or Workshops
  - Safety Improvements (i.e. lighting more security, more emergency phones....etc)

## **7. Will What I say Be Kept Confidential?**

Lincoln University encourages victims of sexual violence to talk to somebody about what happened – so victims can get the support they need, and so the University can respond appropriately. Different employees on campus have different abilities to maintain a victim's confidentiality.

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to [confidential resources](#).

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim's request for confidentiality.

When the University honors the request for confidentiality, a victim must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Please note that University may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students.

## **8. What Is A Title IX Grievance?**

If an individual and believes that he or she has been subjected to sexual harassment gender discrimination, the individual is advised to discuss the matter and seek resolution. Resolutions to the discrimination can be handled formally or informally based upon the individual preference.

### **Informal Resolution**

An individual can discuss the matter and seek informal resolution with one of the following; a campus security authority (a person who has the authority and the duty to take action or respond to particular issues on behalf of the institution). At the time of a complaint notification, the appropriate campus security authority needs to contact the Complaint Coordinator. The informal

resolution step is not a pre-requisite to filing a complaint of sexual harassment or gender discrimination and depending on the circumstances of the alleged occurrence might be bypassed in lieu of a formal complaint investigation especially if there is alleged criminal action. The University Official will attempt a voluntary and informal means of resolving the complaint if possible within 5-10 days of notification. If the informal resolution step is not successful, the complaint should follow the formal resolution step.

***Although Lincoln University welcomes informal resolution of grievances when appropriate, it will not use mediation between a complainant and alleged perpetrator or any other informal resolution mechanism to resolve grievances pertaining to sexual violence.***

### Formal Resolution Step

An individual may discuss the matter and seek formal resolution with the Title IX Investigator directly. An individual must submit a written statement to start the process of an investigation. A formalized written statement needs to include: a description of the alleged harassment or discriminatory action, the individual(s) involved, when it occurred, witnesses and evidence of the alleged action, and what recourse is requested. Once a formalized written statement of complaint matter is filed with the University's Complaint Coordinator, the Title IX Coordinator will be notified within 5 days of the receipt of the complaint and will conduct a fact-finding investigation.

The investigator will provide for the adequate, reliable and impartial investigation of complaints, including the opportunity for all parties involved to present witnesses and other evidence.

The investigator will conclude with a written report that summarizes the results and a finding. The conclusion could be a "substantiated" finding that could result in some type of corrective action by the University. The conclusion could be an "unsubstantiated" finding will result in no corrective action. The investigation outcome could be "inconclusive".

The investigator will submit the fact-finding summary report to the Complaint Coordinator within 10 days of the completion of the investigation; the Complaint Coordinator will notify the involved parties in writing as to the outcome of the fact-finding investigation, including any action to be taken within 10 days. The Complaint Coordinator will attempt to ensure timely processing of the complaint at all steps but may determine an extension of these timeframes is necessary.

## **9. Does it Make a Difference if the Sexual Misconduct Occurs On or Off Campus?**

**It does not make a difference.**

**On-Campus Violations:** The campus includes the geographic confines of the university, including its land, institutional roads and buildings, its leased premises, common areas at leased premises, the property, facilities and leased premises of organizations affiliated with the university.

**Off-Campus Violations:** Students should be aware that off campus violations that affect a clear and distinct interest of the university are subject to disciplinary sanctions.

As examples, sexual misconduct and harassment are within the university's interests when the behavior:

- Involves conduct directed at or by a university student or other member of the university community (e.g., private house party, outside employment);
- Occurs during university-sponsored events (e.g., field trips, social or educational functions, university-related travel, student recruitment activities, internships and service learning experiences);
- Occurs during the events of organizations affiliated with the university, including the events of student organization.
- Occurs during a Study Abroad Program or other international travel; or
- Poses a disruption or threat to the university community.

## **10. What Are My Rights If I am A Victim of Sexual Assault?**

<https://bluetigerportal.lincolnu.edu/web/police-department/victims-rights1>

## **11. What Are My Rights Under Title IX Investigation and Adjudication Process?**

### **A. Investigation Phase of a Formal Complaint**

- Both the complainants and respondent are afforded the following rights in this process:
- To be treated with respect, dignity, and sensitivity throughout the process.
- To seek support services at the University or referrals for support services off campus.
- To be informed of and receive a copy of the [\*Title IX Sexual Harassment, Sex Equity, and Gender-Based Discrimination Processes and Procedures, Title IX Grievance Procedures, & Victims' Rights in cases of Sexual Assault, Domestic Violence, Dating Violence, and Stalking\*](#)
- To provide statements and provide witnesses for the Title IX Coordinator investigation
- To an equitable, prompt, and thorough investigation of the allegations.
- To privacy and protection under the Family Education Rights and Privacy Act (FERPA), as applicable. *The University will make all reasonable efforts to ensure preservation of privacy, restricting information to those with a legitimate need to know.*
- To receive notice of the conclusions, determination of responsibility, and sanctions (if applicable)
- To appeal a decision by the Title IX coordinator or Student Life Review Board.

### **B. Disciplinary Proceedings of the SLRB**

In addition to the rights named above the complainant and the respondent are entitled to:

- the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice.
- Notification of any change to the results that occurs prior to the time that such results become final; and when such results become final.

## **12. Why Should I Seek Medical Attention When I Haven't Decided Whether I want to Report the Assault to the Police or the University?**

Seeking medical attention can help you in many ways. First, seeking medical attention can help you take care of your own health by checking for injuries, treating those injuries, and addressing the possibility of sexually transmitted infections.



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Second, a forensic medical exam can preserve evidence of the assault. This is important even if you are currently undecided about your next steps because you may later decide to pursue criminal charges or university disciplinary charges - that evidence can help in both situations. A medical exam is not, however, required before pursuing criminal or university disciplinary charges.

If victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted diseases. (See [Sexual Assault – The Rape Kit](#) & [What it is in A Rape Kit?](#)).

Sexual Assault Forensic Examination (SAFE) Program (See [RSMo 595.220](#))  
<http://dps.mo.gov/dir/programs/safe/>

The Sexual Assault Forensic Examination (SAFE) Program provides payment to cover the cost of gathering evidence during the forensic examination for victims of sexual crimes in Missouri. The medical provider is required to bill the SAFE Program for reasonable charges incurred during the forensic examination. Charges for medical treatment of any injuries are not eligible and may be billed to the patient. The patient may not be billed for any forensic examination charges. Eligible patients may seek funds via the Crime Victims' Compensation Program for any bill accrued for medical examination bills.

Crime Victims' Compensation Program (See [RSMo 595.015](#) & [RSMo 595.020](#))  
<http://dps.mo.gov/dir/programs/cvc/>

The Crime Victims' Compensation Program financially assists people who have sustained physical or psychological injury as a result of a violent crime by paying for reasonable medical and counseling expenses as well as lost wages if the victim was gainfully employed on the crime date.

Below are some, but not all, of the requirements that must be met in order to be eligible for reimbursement.

- The victim/claimant must file the application within two (2) years of the crime date, or in cases involving persons under 18, within two (2) years of discovery.
- The victim/claimant must have reported the crime to proper law enforcement within 48 hours of the crime unless good cause is shown, or in cases involving person under 18, within 48 hours of discovery. Note: A victim continually residing in a certified domestic violence shelter for up to five (5) days from the crime date may constitute good cause for delay in reporting the crime.
- The victim must cooperate with law enforcement and prosecution if an alleged offender is identified.
- The application must be signed and notarized.

## 13. Online Resources

- **Original Title IX Statute 1972**  
[Public Law No. 92-318, 86 Stat. 235](#) (June 23, 1972) (pages 139 -141)
- **Current Title IX Statute**  
[USC Title 20 Chapter 38 Section 1681-1688](#) "DISCRIMINATION BASED ON SEX OR BLINDNESS"

## Title IX Regulations

[Chapter 34 Subtitle B Part 106.1-106.171](#) "NON-DISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE" (Promulgated: August 30, 2000)

- Dept of Education Info on Title IX OCR  
<http://www2.ed.gov/about/offices/list/ocr/index.html>
- Dept. of Justice Title IX Website  
<http://www.justice.gov/crt/about/cor/coord/titleix.php>
- Not Alone  
<https://www.notalone.gov/>
- Know Your IX  
<http://knowyourix.org/>
- Its On Us  
<http://itsonus.org/>
- Changing Our Campus  
<http://changingourcampus.org>

## SPECIFIC DEPARTMENT OF EDUCATION TITLE IX RESOURCES

- Dept of Education Info on Title IX OCR  
<http://www2.ed.gov/about/offices/list/ocr/index.html>
- Questions and Answers on Title IX  
<http://www2.ed.gov/about/offices/list/ocr/docs/qa-201404-title-ix.pdf>
- 2011 Dear Colleague  
<http://www2.ed.gov/about/offices/list/ocr/letters/colleague-201104.pdf>
- 2001 Dept of Education Title IX Guidance  
<http://www2.ed.gov/about/offices/list/ocr/docs/shguide.pdf>
- Sexual Harassment: It's Not Academic (2008)  
<https://www2.ed.gov/about/offices/list/ocr/docs/ocrshpam.pdf>
- Know Your Rights  
<https://www.notalone.gov/assets/know-your-rights.pdf>
- Title IX Policy Checklist  
<https://www.notalone.gov/assets/checklist-for-campus-sexual-misconduct-policies.pdf>
- Confidentiality Policy  
<https://www.notalone.gov/assets/reporting-confidentiality-policy.pdf>