

# Policies & Regulations

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**Effective Date:** 10/27/06

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**Subject:** Sexual Misconduct

**Responsible Division/Department:** Administration and Finance/ Equal Opportunity and Diversity

**Check what type of Regulation this is:**

New Regulation

Revision of Existing Regulation

Repeal of Existing Regulation

Reaffirmation of Existing Regulation

## I. OBJECTIVE & PURPOSE

The University of North Florida ("University" or "UNF") is committed to providing all students, faculty, staff, vendors, visitors or others, an environment where they can work, study and interact with each other in a safe and dignified learning community free from any form of sexual misconduct. This regulation provides guidance regarding behavior that constitutes sexual misconduct, reporting responsibilities regarding such conduct, victim's rights and services, and information regarding complaint procedures to address alleged violations of this regulation.

## II. STATEMENT OF REGULATION AND AFFIRMATION

For purposes of this regulation, "sexual misconduct" means any sexual contact toward another without the person's consent as more fully defined below. Sexual misconduct violates University policy, federal civil rights and other laws and may subject offenders to criminal prosecution and disciplinary action. All University community members, students, faculty, staff, visitors, contractors and others who interact within our University community must comply with this regulation.

The University strives to provide programs, activities, services and educational opportunities to all who interact in our University community regarding sexual misconduct, reporting sexual misconduct and the services available at the University and in the community to assist individuals who are subjected to sexual misconduct. The University is also committed to promptly addressing allegations of sexual misconduct through the procedures discussed in this regulation.

The Director of the Office of the Equal Opportunity and Diversity ("EOD") has been designated by UNF as its Title IX Administrator and is charged with working with victims, University entities and others to

ensure compliance with this regulation. Additionally, Title IX Coordinators have been designated for each division within the University (i.e. – Student Affairs, Academic Affairs, Administration & Finance and University Development and Alumni Engagement). A listing of Title IX Coordinators can be accessed on UNF’s website at: [https://www.unf.edu/Title\\_IX/Title\\_IX\\_Committee.aspx](https://www.unf.edu/Title_IX/Title_IX_Committee.aspx).

## **A. Definitions**

1. "Sexual misconduct" is a broad term encompassing "sexual exploitation," "non-consensual sexual contact," "non-consensual sexual intercourse," "dating violence," "domestic violence", "stalking" and "sexual harassment" as defined in this regulation. Sexual Misconduct may constitute crimes (i.e. - sexual battery, rape and related sex crimes) and/or civil complaints (i.e. - sexual harassment) and can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct can be committed by men or by women, and it can occur between people of the same or different sex.

2. "Consent" means a knowing, voluntary informed affirmative act or statement by each person involved to engage in sexual activity. The following apply to this definition:

- It is the responsibility of each person involved in any sexual activity to ensure that they have the consent of the other or others to engage in sexual activity. Lack of protest, lack of resistance or silence does not mean consent.
- Consent cannot be obtained by force, threat, coercion, manipulation, reasonable fear of injury, intimidation, use of position of influence, or through one’s mental or physical helplessness or incapacity.
- Consent must be ongoing throughout a sexual activity and can be revoked at any time as long as the withdrawal is effectively communicated by the person withdrawing consent through words or actions.
- If a party to sexual activity falls asleep during the sexual activity they lack the capacity to provide consent to further sexual activity.
- Consent to one act by itself does not constitute consent to another act.
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.

3. "Dating Violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

4. "Domestic Violence" means violence committed by the victim’s current or former spouse, by a person who is or was a cohabitant with

the victim as a spouse or intimate partner, by a person with whom the victim shares a child in common, by a family member, or by any other similarly situated person under domestic or family violence law.

5. "Incapacity" means the physical and/or mental inability to make an informed or rational judgment. States of incapacity include, without limitation, disability, age, sleep, blackouts, and flashbacks. Where alcohol [or other drug] has been consumed, one does not have to be intoxicated to lack the capacity to provide consent to engage in sexual activity. Rather, incapacity is determined by how the alcohol or drug consumed impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. Because incapacity may be difficult to discern, individuals are strongly encouraged to err on the side of caution and should ensure the other person or persons provide consent before proceeding with sexual activity. Being intoxicated or under the influence of alcohol or drugs is not a defense to a complaint of sexual misconduct under this regulation as all parties involved in a sexual act must provide ongoing consent to engage in sexual activity.

6. "Non-consensual sexual contact" means sexual contact that occurs without consent.

7. "Non-consensual sexual intercourse" means vaginal, anal or oral sexual intercourse that occurs without consent.

8. "Responsible Employee" means an individual who is required as part of their job duties to promptly report allegations of sexual misconduct as defined in this regulation by or against any student, employee, contractor or visitor to the University's Title IX Administrator or any divisional Title IX Coordinator. If an individual alleges they have been subjected to sexual misconduct of a criminal nature, if the individual consents, a Responsible Employee should also contact the University Police Department. The term Responsible Employee for purposes of this definition includes all University faculty and staff, with full or part-time appointments including OPS employees. This definition excludes student employees except for those employed in the following positions or areas:

- Graduate Teaching Assistants and Graduate Research Assistants.
  - Those employed in the Athletics department.
  - Those employed in UNF Housing and Residence Life.
- Employees not included in this definition are those employed within the University's Women's Center including the Victim Advocacy Program, Student Health Services, the Counseling

Center and other mental health professionals at the University who learn of allegations of sexual misconduct while working in their counseling capacity.

- Employees within the University Police Department, in many cases will be limited by law regarding their ability to report sexual misconduct as defined in this regulation.

This definition does not absolve anyone with knowledge or reason to suspect child abuse, abandonment, or neglect of the responsibility to report relevant information to the Department of Children and Family Service in accordance with section 39.201, Florida Statutes, and Board of Governors Regulation 3.002.

9. "Campus Security Authority" or CSA, means a UNF employee occupying a position designated by the University for the purpose of complying with the Clery Act. A CSA must report sex crimes defined in this regulation or other crimes that occur on UNF's campus, UNF controlled property, or designated UNF sponsored travel to UPD. A CSA's only obligation is to report crimes to UPD and if the person alleging sexual misconduct seeks confidentiality, the CSA must honor that request and not provide information regarding the incident, or the person's identity to UPD. When a CSA is also a Responsible Employee, they must still fulfill their duties as described in this regulation for a Responsible Employee and promptly report allegations of sexual misconduct by or against any student, employee, contractor or visitor to the University's Title IX Administrator or any divisional Title IX Coordinator. For more information about the duties of a CSA and a complete listing of positions designated as a CSA, please see the Campus Safety and Security Reporting policy 1.0120P\_ [http://www.unf.edu/president/policies\\_regulations/01-General/1\\_0120P.aspx](http://www.unf.edu/president/policies_regulations/01-General/1_0120P.aspx).

10. "Sexual contact" means the deliberate intentional touching, either directly or through the clothing, of a person's intimate parts including their genitalia, anus, groin, breast, inner thigh, or buttocks, or using force or to cause a person to touch their own intimate parts or the intimate parts of others with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

11. "Sexual exploitation" means taking sexual advantage of another person without their consent, and includes, without limitation, causing or attempting to cause the incapacitation of another person in order to gain a sexual advantage over such other person; causing the prostitution of another person; recording, photographing or transmitting identifiable images of private sexual activity and/or the intimate parts (including genitalia, groin, breasts or buttocks) of another person; allowing third parties to observe private sexual acts; engaging in

voyeurism; and/or knowingly or recklessly exposing another person to a significant risk of sexually transmitted infection, including HIV.

12. "Sexual intercourse" means penetration (anal, oral or vaginal) by a penis, tongue, finger, or by any other object.

13. "Sexual harassment" means unwelcome sexual advances, requests for sexual favors, or other verbal (including written and electronic communications when such communications are not protected as freedom of speech) or physical conduct of a sexual nature from any person when:

- Submission to such conduct or request is made either explicitly or implicitly a term or condition of a student's status in a course, program, or activity; or of academic achievement; or
- Submission to such conduct or request is made either explicitly or implicitly a term or condition of an individual's employment, salary increase, position advancement, or other employment-related benefits; or
- Submission to or rejection of such conduct or request by an individual is used as the basis for an academic decision or employment decision affecting such individuals; or
- Such conduct is sufficiently serious (i.e., severe, persistent or pervasive) to deny or limit a student's ability to participate in or benefit from the University's educational programs or activities or such conduct is sufficiently severe or pervasive so as to alter the conditions of, or have the purpose and effect of substantially interfering with, a faculty or staff member's employment by creating an intimidating, hostile or offensive working environment.

14. "Stalking" means a person who engages in a course of conduct where they willfully, maliciously, and repeatedly follow, harass, or cyberstalk another person. A "course of conduct" means a pattern of conduct composed of a series of acts over a period of time, however short, which evidences a continuity of purpose; "harass" means to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose. Similarly, "cyberstalk" means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.

15. "Unwelcome Conduct" means behavior of a sexual nature that a person does not ask for and considers undesirable or offensive.

## **B. Additional Examples of Criminal Acts, when based on Sex, which May Constitute Sexual Misconduct**

1. “Hazing” means acts likely to cause physical or psychological harm or social ostracism when related to the admission, initiation, pledging and/or joining of a University group, club or organization when such behaviors are not protected as freedom of speech.
2. “Bullying/Cyberbullying” means repeated and/or severe aggressive behaviors with the intent to intimidate or harm another person, physically or emotionally, when such behaviors are not protected as freedom of speech. Examples of such conduct include stalking, harassment, and invasion of privacy.

## **C. Examples of Sexual Harassment**

The following are common examples of unwelcome conduct that, when sex-based, may rise to the level of sexual harassment as defined in this regulation. Actions that are sufficiently ***serious, severe, persistent or pervasive*** may be found to constitute Sexual Harassment.

- Inappropriate touching or brushing against the body of another including, but not limited to patting, fondling, massaging, caressing, pinching, attempted or actual kissing.
- Requesting sex or sexual acts in exchange for an occupational or educational benefit.
- Repetitive propositions, invitations or pressure for sexual activity by a party when the other party finds the propositions and invitations to be unwelcome.
- Suggestive or inappropriate sex-based communications, notes, letters, e-mail, text messages, contact through social media (i.e. – Facebook, Instagram, Twitter, etc.) or other written materials.
- Displaying, transmitting or sending sexually based suggestive or inappropriate photographs, videos, computer images, slides, calendars, cartoons or drawings through any medium.
- Sexual innuendo, comments, or remarks about a person's clothing, body, or activities which places an individual in fear of imminent physical or psychological harm or injury.
- Actual or implied sexual threats or intimidation which places an individual in fear of imminent physical or psychological harm or injury.

## **D. Actions that do not Constitute Sexual Misconduct**

A postsecondary educational environment is unique in that there must be the freedom to express ideas and to foster communication on

subjects that enhance the University's educational mission. Accordingly, while the University is committed to providing a learning environment that is free from sexual misconduct, the purpose of this regulation is not intended to abridge academic freedom or to interfere with free speech as guaranteed by the First Amendment. Pursuant to this regulation sexual misconduct, particularly sexual harassment does not include:

- The expression of ideas in an academic context to provoke thought or discussion on topics germane to the course and advancement of the University's educational mission.
- Engagement in debate or discourse over issues that society may find to be unpopular, offensive or disagreeable.
- Discussing, using or displaying views, words, symbols or thoughts in an academic setting which are germane to the course and which some persons may find to be offensive.

While the above is protected speech, faculty and students must be mindful that the courts have placed restraints on academic freedom at public institutions, such as UNF, and that while freedom of speech is highly protected in an educational setting, it is not unconditional and cannot limit or deny a student's ability to participate in or benefit from the University's educational programs or activities.

### **III. COMMUNITY MEMBERS ARE ENCOURAGED TO REPORT ACTS IN VIOLATION OF THIS REGULATION.**

Responsible Employees and those designated as a Campus Security Authority must report allegations of sexual misconduct as set forth in sections I.A (8) and (9) above. Additionally, as stated above, all who interact in our UNF community have a responsibility to comply with this regulation. As such, any student, contractor or visitor who is **not** designated as a Responsible Employee under this regulation, but who believes another community member is/was subjected to sexual misconduct in violation of this regulation is **strongly encouraged** to report the matter to anyone designated as a Responsible Employee, Title IX Administrator or any designated divisional Title IX Coordinator.

### **IV. ADDRESSING SEXUAL MISCONDUCT, REPORTING SEXUAL MISCONDUCT, RIGHTS OF VICTIMS AND RIGHTS OF ACCUSED.**

#### **A. Addressing Actions of Sexual Misconduct**

If an individual experiences acts that constitute sexual misconduct, there are steps that can be taken to address their concerns or experiences. For example, an individual who deems another's actions

as sexual misconduct is encouraged to advise the offending party that the conduct is unwelcome and to inform the offender(s) to cease the unwelcome behavior. An individual who feels uncomfortable and is fearful they may be subjected to sexual misconduct should also try to remove themselves from the offending situation and if necessary seek help from friends, colleagues or others, including those designated as Responsible Employees, as quickly as possible to assist them in addressing their concerns. However, individuals who wish to report sexual misconduct should never hesitate to do so.

It must be emphasized that failure for an individual to take affirmative steps to stop sexual misconduct in no way bars the individual from using University resources including the Women's Center, Victim Advocacy Program, Counseling Center, Student Health and other services the University may have to offer depending on the individual's status, for example student, faculty, staff, contractor or visitor. Similarly, not taking affirmative steps to stop sexual misconduct does not prevent the individual from seeking relief through filing a claim under this regulation. While the University encourages prompt reporting by an individual who feels that they have been a victim of sexual misconduct, it is the victims' option to, or not to, report and seek assistance from law enforcement and individuals designated in this regulation.

## **B. Reporting Sexual Misconduct**

Any individual covered by this regulation who is subjected to sexual misconduct or what they believe to be sexual misconduct should get to a safe place and report the offending conduct to a Responsible Employee, Title IX Administrator or any designated divisional Title IX Coordinator as designated in this regulation. All complaints will ultimately be reviewed by the Title IX Administrator to ensure compliance with the University's requirement to take prompt remedial action to address the allegations of Sexual Misconduct. If an individual who fears for their physical safety, and/or feels threatened while on UNF's campus should call the UPD from a safe location or by using any campus telephone by dialing 911 or using any "Code Blue" station.

Any student, faculty or staff who is subjected to sexual misconduct or what they believe to be sexual misconduct while off campus should contact law enforcement by dialing 911. If in Duval county or the surrounding area, individuals calling 911 will generally have their calls routed to the Jacksonville Sheriff's Office (JSO). Police officials at both the UPD and JSO have professionally trained personnel to assist with securing medical and other necessary assistance for individuals who have been subjected to sexual misconduct. While reports to UPD will

be shared with the Title IX Administrator, to the extent allowable by law, individuals reporting crimes off campus should all contact the Title IX Administrator or others identified in this regulation.

### **C. Victim's Rights**

An individual, other than a contractor or visitor, who believes they have been subjected to sexual misconduct in violation of this regulation, regardless of whether they report the sexual misconduct to a Responsible Employee, Title IX Administrator or any designated divisional Title IX Coordinator, is eligible to receive confidential services through UNF's Victim Advocacy Program, Counseling Center or Student Health Services.

Students, faculty and staff will receive an advocate who will assist the victim in assessing their options, such as reporting the sexual misconduct to UPD or the Student Conduct Office, as well as serving as the individual's liaison for on and off campus services. The victim also has a right to an impartial investigation of complaints, to have an advisor present and remain informed during all stages of the investigation, to present evidence and witnesses, to be notified of the outcome of any investigation and resulting disciplinary action, if applicable, and to appeal any outcomes.

A contractor or visitor who alleges they have been subjected to sexual misconduct in violation of this regulation, will generally be referred to off-campus resources discussed in Section X below. While the referral to off-campus services will generally be made, the University will provide the visitor or contractor any services that are deemed reasonable to promptly address the allegations of sexual misconduct.

The University will take prompt remedial action to address each complaint of sexual misconduct by taking immediate efforts to ensure the safety and security of all parties by making necessary accommodations, such as changes in campus housing, course enrollment changes or other measures deemed appropriate.

### **D. Rights of those Accused of Engaging in Sexual Misconduct**

UNF has a responsibility to take prompt remedial action to address sexual misconduct, but that does not include a rush to judgment of those accused of having engaged in conduct in violation of this regulation. Those accused of committing sexual misconduct will be provided due process in the investigation, review and potential disciplinary action relating to allegations of sexual misconduct. Similarly, accused individuals will have the same right to utilize campus services available to those who indicate they are victims of sexual

misconduct including utilization of the Counseling Center, Student Ombuds, etc. In the event a contractor or visitor is accused of engaging in sexual misconduct, they will be referred to appropriate off-campus resources. The University will take prompt remedial action to address the situation by making immediate efforts to ensure the safety and security of both parties by making necessary accommodations, such as changes in campus housing and course enrollment changes.

## **V. CONFIDENTIAL AND ANONYMOUS REPORTING**

The University will make all reasonable efforts to maintain the confidentiality of individuals involved in a sexual misconduct investigation. The University may release information about the assault without the victim's permission, in order to warn and protect the University community. A victim may also wish to report anonymously through UPD's "silent witness" procedure. An individual complaining of sexual misconduct has the right to not proceed with filing a complaint; however, the University has an obligation to take prompt remedial action by investigating the complaint and taking action as required. However, the University's ability to investigate and take all appropriate actions may be limited in such instances.

If a victim of sexual misconduct chooses not to report the incident to law enforcement or University officials or to file a report anonymously, all services described in Section X below, both on and off campus, are still available to the victim. At any time, a victim may obtain assistance from the University by calling the UNF Victim Advocacy Program, listed below. Assistance is available 24 hours a day, 7 days a week at (904) 620-1010. All information received by the UNF Victim Advocacy Program and its advocates remains confidential to the extent allowed by law.

## **VI. AMOROUS AND SEXUAL RELATIONSHIPS**

It is not uncommon for University community members who study, work or interact together to develop caring relationships. However, when persons in positions of unequal power engage in amorous or sexual relationships (e.g., between a supervisor and an employee, faculty member and student, or staff member and student) the person of greater power places themselves at risk of being accused of sexual harassment, either during the relationship or after the relationship ends. Accordingly, the University has adopted a policy prohibiting amorous or sexual relationships where one individual in the relationship is in a position to exercise authority such that it could impact the educational or work performance of the other individual. (See Amorous or Sexual Relationships Policy 1.0070P).

## **VII.COMPLAINT PROCEDURE**

Criminal complaints against students, faculty, staff, contractors or visitors will be handled by law enforcement, but will also be addressed concurrently by the University. Complaints filed pursuant to this regulation must be filed with the Title IX Administrator within sixty (60) calendar days after the alleged incident. The Title IX Administrator may process an alleged violation of this regulation outside of this time limitation if deemed necessary.

Alleged violations of this regulation by students, faculty, staff, contractors or visitors including the actual filing of a complaint of sexual misconduct, except as noted below regarding student complaints, will be addressed by the EOD Director/Title IX Administrator in accordance with the Non-Discrimination EOD Complaint and Investigation Procedure (1.0060P) which can be viewed at:

[http://www.unf.edu/president/policies\\_regulations/01-General/1\\_0040R.aspx](http://www.unf.edu/president/policies_regulations/01-General/1_0040R.aspx) and on EOD's website at:

<http://www.unf.edu/eod>. The EOD can be reached at 620- 2507. EOD is located in J.J. Daniels Hall in Suite 1201, 1 UNF Drive, Jacksonville, Florida.

Complaints against students will generally be investigated through the Office of the Dean of Students and if it is determined that there are grounds for pursuing disciplinary action, the matter will be addressed pursuant to the Student Code of Conduct which can be viewed at [http://www.unf.edu/president/policies\\_regulations/05-StudentAffairs/5\\_0010R.aspx](http://www.unf.edu/president/policies_regulations/05-StudentAffairs/5_0010R.aspx) However, in some situations, student complaints will be investigated through the complaint procedure available through EOD. If you have any questions regarding which procedure should be utilized, contact the Dean of Students or EOD. Complaints against or by contractors and visitors will be investigated through EOD.

## **VIII. RETALIATION**

Retaliation, or otherwise taking adverse employment or educational action, against a member of the University community because they in good faith reported sexual misconduct, or participated in an investigation or review regarding a complaint, is strictly prohibited. Those found to have violated this prohibition against retaliation will be subject to disciplinary action up to and including suspension or expulsion for students and termination for employees.

## **IX. VIOLATIONS AND ENFORCEMENT**

Students who are found to have violated the Sexual Misconduct Regulation will be subject to disciplinary action as set forth in the Student Code of Conduct. Faculty and staff who are found to have violated this regulation will be subject to disciplinary action pursuant to applicable collective bargaining agreements or UNF's Personnel Program.

Complaints against contractors or visitors will be investigated by EOD. If EOD determines that a contractor or visitor has engaged in conduct in violation of this regulation, the EOD Director/Title IX Administrator will make a recommendation to the appropriate University representative to bar the visitor from campus or in the case of a contractor, to discontinue business with the contractor's organization or to bar the specific individual from entering and conducting business on UNF's property.

When addressing complaints against faculty, staff, contractors or visitors, determining whether alleged conduct constitutes sexual misconduct or retaliation in violation of this regulation, the conduct will be evaluated from the perspective of a reasonable person in the alleged victim's position considering the totality of the circumstances, such as the nature of the alleged conduct and the context in which the alleged conduct occurred. For students, the determination of whether sexual misconduct has occurred will be handled according to the procedures set forth in the Student Code of Conduct.

## **X. ON- AND OFF-CAMPUS CONTACTS TO GET HELP**

***If fear of physical safety, threats, or assault is involved*** contact:

**University Police Department**

Martin P. Garris Police Building (Building 41)  
911 or (904) 620-2800

**UNF's Victim Advocacy Program** (located within the Women's Center)

Founders Hall (Building 2)  
Room 2100  
(904) 620-1010

**Jacksonville Sheriff's Office**

501 E. Bay Street  
Jacksonville, FL  
911 or (904) 630-0500

In addition to contacting the EOD, any of the following offices at the University may be contacted for information or assistance regarding matters involving sexual misconduct:

**Office of Academic Affairs**

J.J. Daniel Hall (Building 1)  
Room 2500  
(904) 620-2700

**UNF Counseling Center**

Founders Hall (Building 2)  
Room 2300  
(904) 620-2602

**Office of the General Counsel**

J.J. Daniel Hall (Building 1)  
Room 2100  
(904) 620-2828

**Office of Human Resources**

J.J. Daniel Hall (Building 1)  
Room 1101  
(904) 620-2903

**Lesbian, Gay, Bisexual, Transgender Resource Center**

Student Union East (Building 58)  
Room 1111  
(904) 620-4720

**Division of Student Affairs**

Student Union East (Building 58)  
Room 2309  
(904) 620-2600

**Office of Student Conduct**

Founders Hall (Building 2)  
Room 1011  
(904) 620-3979

**Office of the Student Ombudsman and Dean of Students**

Tom & Betty Petway Hall  
Building 57W  
Suite 2700  
(904) 620-1491

**UNF Women's Center**

Founders Hall (Building 2) Room 2100  
(904) 620-2528

In addition to the University's on-campus resources, any of the following off-campus/community resources may be contacted for information or assistance regarding sexual misconduct:

**Hubbard House**

(904) 354-3114

Provides 24-hour services to domestic and dating violence victims and survivors. Services include: emergency shelter, counseling, support groups, court advocacy, and information and referral. All services are free and confidential.

**Sexual Assault Forensic Exam (SAFE) Program****The Women's Center of Jacksonville's Rape Recovery Team**

(904) 722-3000

Provides crisis counseling for both the rape victim and victim's family. Forensic medical examinations are available to victims within 120 hours (5 days) of the assault regardless of whether the assault was reported to law enforcement. All services are free and confidential.

**Victim Services Center – City of Jacksonville**

(904) 630-6300

Provides comprehensive services to victims of crimes and their families. Services are designed to reduce trauma and facilitate recovery. Services include emergency funds, community education, crisis response, information and referral, support through the criminal justice system, support groups and counseling.

<sup>1</sup> Title IX requires that the University have a statement of policy and procedure for handling complaints of Sexual Misconduct. 20 U.S.C. 1092(1)(7) and 1681 (a). This Regulation constitutes that statement.

*Authority 1.001, Title VII of the Civil Rights Act, Title IX, Clery Act and Violence Against Women Act of 1994; Amended as approved by the Board of Trustees 01/12/16 and 10/11/18.*