

Statement of Policy

Definitions

For the purpose of this policy, sexual misconduct includes a range of behaviors used to obtain sexual contact against a person's will.

- x Sexual misconduct includes all sex offenses prohibited under North Dakota or federal law.
- x Sexual misconduct includes, but is not limited to, date rape, stranger rape, indecent exposure, and attempted sexual acts by use of verbal or non-verbal threats.
- x Sexual misconduct includes sexual contact without consent by an acquaintance or a stranger and includes:
 1. intentional touching without consent, either of the victim or when the victim is

filed under this policy instead of Title IX will be evaluated by the University to determine if the misconduct falls under Title IX and will be addressed accordingly.

What to Do If Y

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All reports of sexual misconduct are treated with respect to the privacy of the involved individuals. Incidents are reported as statistics without identifying information in the University's annual security report and daily crime log. The University shall advise the victim of his or her legal right to pursue criminal charges against the perpetrators.

The individual receiving the report shall advise the victim of his or her legal right to pursue criminal charges against the perpetrators.

Victim Assistance

The following are guidelines for university officials responding to a report of sexual misconduct:

1. If a medical emergency exists, appropriate action will be taken.
2. The victim will be informed of his or her right to make a report to appropriate law enforcement officials. Victims should be advised that the University is willing to assist and support them in reporting the incident to law enforcement officials. It is acknowledged that a victim may be undecided in reporting the misconduct to law enforcement authorities. In any case, the victim should be informed of the importance of evidence and encouraged to not destroy evidence. At the direction of criminal investigators, the University will assist in obtaining, securing, and maintaining evidence.
3. Regardless of whether a victim wishes to seek law enforcement officials, he or she should be encouraged to seek medical consultation to address physical problems, fear of injury, and sexually transmitted disease.
 - a. If a female victim of sexual assault believes or has reason to believe she may be pregnant, she is encouraged to reach out to the Women's Care Center by calling (701) 751-4575 or (877) 908-3241.
4. The University of Mary community actively supports sexual misconduct victims. Individuals who report being the victim of sexual misconduct will be notified of counseling and other services available. Employee assistance programs are also available for employees of the University.
5. A student who has been the victim of sexual misconduct will be notified of options to request changes in academic schedules and on-campus residence assignments to avoid further contact with the perpetrator or alleged perpetrator.

Investigation and Response

All reports of sexual misconduct will be addressed according to the policies and procedures set forth in the University's Conduct Grievance Procedure or Title IX Sex Nondiscrimination Policy, Grievance Procedure, and Process

Educational Programs

The University conducts several programs to prevent sexual misconduct and to make the university community aware of the potential for such crimes.

ResidenceLife staff provides the programming on this issue , and campus-wide programs are available through Student Development and as part of new student orientation. Additionally , ResidenceLife staff and the Student Health Clinic periodically provide educational programs concerning sexual misconduct awareness.

Approved

28 September 2020 by the President's Council
29 September 2020 by the President of the University
30 September 2020 by the Board of Trustees (EC)
22 October 2020 delivered to University Senate