

The University of Saint Francis is committed to fostering a safe and supportive environment conducive to academic achievements and healthy personal development. Sexual assault, sexual discrimination and other forms of sexual misconduct on the part of students is clearly inconsistent with these purposes, and can be a violation of state and federal law.

Sexual assault and misconduct may take many forms, including but not limited to:

- Inappropriate sexual behavior.
- Unwanted verbal (including telephone), written (including electronic media), pictorial, or physical conduct of a sexual nature which a reasonable person would consider intimidating, hostile, offensive, or which adversely affects the learning or living environment of any student.
- Non-consensual touching of any sexual or intimate part of the body.
- Unwanted forceful sexual contact; the use of force may include, but is not limited to, use of body weight, pushing or hitting, coercion or threats.
- The use of force (body weight, hitting or pushing, use of a weapon, threats to kidnap or kill, for example) to overcome earnest resistance to engage in sexual intercourse. Earnest resistance may be verbal, physical or lack of express consent.
- Sexual intercourse with an individual under the age of 16 with or without consent.
- Sexual intercourse when the victim is incapable of consent by reason of mental incapacitation or physical helplessness and force is not used.

Commentary on Consent

“Unwanted” sexual contact and/or exploitation means against a person’s wishes or without consent, and includes those instances in which the individual is coerced or unable to give consent because of sleep, unconsciousness, impairment, or intoxication. A “no” or absence of resistance is not required to prevent sexual contact whereas a verbal or nonverbal “yes” is required to permit sexual contact.

Because sexual misconduct between students often occurs in the context of the use of alcohol or other controlled substances, it is important to stress the critical significance of clear communication and levels of responsibility for behavior while under the influence. Under theories of consent, when an individual is intoxicated to the point of physical helplessness, and is unable to communicate consent or lack thereof, that individual can no longer be responsible for himself/herself and the other individual must assume the responsibility not to have sexual contact. Therefore, if an individual is severely intoxicated and unable to consent or indicate lack of consent, having sexual contact will be considered sexual assault/misconduct by the university.

Sexual Harassment

The University of Saint Francis affirms the principle that its students, faculty and staff have a right to be free from sexual discrimination and other forms of sexual misconduct by any member of the campus community. Sexual harassment is defined as an attempt to coerce an unwilling person into a sexual relationship, to subject to unwanted sexual attention, to punish a refusal to comply, to create a sexually intimidating, hostile or offensive working or educational environment. Sexual harassment is understood to include a wide range of behaviors, from the actual coercing of sexual relations to the unwelcome emphasizing of sexual identity. This definition will be interpreted and applied consistent with accepted standards of mature behavior, academic freedom and freedom of expression.

Reporting Complaints of Sexual Harassment

Students experiencing problems with or aware of sexual misconduct, including sexual harassment, are encouraged to report the problem as soon as possible. The Vice President for Student Life-Dean of Students has been designated by the university to meet with students to discuss their concerns, and receive informal and formal verbal and written complaints. The circumstances of the alleged offense will be investigated to the extent necessary to make a determination as to whether the allegations contained in a complaint constitute a violation of the university’s policies.

Appropriate corrective action will be taken if an allegation is confirmed. The Student Handbook outlines actions that may be taken. Retaliation against individuals for bringing a harassment complaint to the attention of the university is explicitly prohibited.

If an Assault Occurs

In the event that a sex offense does occur, report the incident promptly. Students should immediately notify the Associate Dean of Students, Vice President for Student Life-Dean of Students or a Security Officer. Resident students may also report an incident to their Hall Director or the Director of Residential Life and Housing. Assistance for the victim may include providing contact information for reporting incidents to local police, and guidance in obtaining medical and counseling assistance.

Accommodation

In cases of harassment, stalking, assault, or fear of reprisals, the university will assist the victim in changing academic and living arrangements, upon request, with any alternatives that are reasonably available.

Programs

All campus informational programs and resident student-specific programs are presented for the purpose of promoting awareness of sexual assault, date rape and other types of sexual misconduct. Assistance from Student Life staff and counseling is available to students.

Counseling and Assistance

The university offers professional counseling in helping to overcome the trauma of a sexual assault. To set up an appointment, call the Office of Student life at 399-7700 x 6747. These counseling services are provided for students at no charge.

Student may also contact a local resource for assistance at the Fort Wayne Women's Bureau Rape Crisis Hotline at 426-7273.

It is a violation under Title IX of the Education Amendment of 1972 for any person to engage in discrimination or harassment based on several criteria including sex. The university has appointed Sharon Mejeur, Vice President for Student Life-Dean of Students, as the Title IX Compliance Officer to coordinate the university's efforts to comply with Title IX and its regulations. Anyone who believes that the university is not in compliance with Title IX and its regulations or wishes to discuss concerns or file an informal or formal complaint should contact the Title IX Compliance Officer, Sharon Mejeur, in Trinity Hall, room 133 or by telephone at 399-7700 x 6745.