



Faculty & Staff Sexual Misconduct Resource

As Loras College faculty and staff you are uniquely positioned to assist students who have experienced sexual misconduct because you often see the warning signs first, including absence from class or work, decreased productivity, lower grades, or social withdrawal. Students typically tell people who they trust, so you may be one of the first people a student confides in. Below is some information to assist you in responding.

TYPES OF SEXUAL MISCONDUCT: Examples of sexual misconduct may include, but are not limited to the following examples of unwelcome acts:

Verbal: Insults, threats, jokes or derogatory comments based on gender; sexual innuendo or suggestive comments; sexual propositions or advances; pressure for sexual favors; corruption of a minor; importuning or public indecency

Nonverbal: Posting of sexually suggestive or derogatory pictures, cartoons or drawings; making suggestive or insulting noises, leering, or whistling; making obscene gestures; corruption of a minor; importuning; voyeurism or public indecency

Physical: Touching, pinching, squeezing, patting or brushing against the body; impeding or blocking normal work or movement; coercing sexual intercourse or assault, rape or sexual battery; sodomy or assault with an object; corruption of a minor; importuning; public indecency; felonious penetration including oral penetration, penetration with a body part, or penetration an object not matter how slight; or prostitution

Sexual Abuse/Sexual Assault/Rape: Any sexual act between any persons is sexual abuse by either party when the act is performed with the other participant in any of the following circumstances:

- The act is done by force or against the will of the other, including but not limited to rape or attempted rape.
- If the consent or acquaintance of the other is procured by threats of violence toward any person
- If the act is done while the other is under the influence of a drug-induced sleep or is otherwise in a state of unconsciousness
- When the victim is incapable of giving consent because he or she suffers from a mental defect or incapacity
- When the victim lacks the mental capacity to know the right and wrong of conduct in sexual matters
- When the other person is a child

Please note that this includes non-consensual sexual intercourse (rape), non-consensual sexual contact (sexual assault) and sexual exploration). The college defines rape as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ of another person without their consent. This includes the touching of an unwilling person's intimate parts (defined as genital, groin, breast, buttocks, or the clothing covering these areas or forcing an unwilling person to touch another's intimate parts.

Sexual Exploitation: Sexual exploitation is taking sexual advantage of another person without consent for one's own advantage or benefit or for the advantage or benefit of anyone other than the person

being exploited or engaging in sexual intimidation. Examples of sexual exploitation may include but are not limited to the following:

- 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
- Electronically recording, photographing or transmitting identifiable utterances, sounds, or images of private sexual activity and/or the intimate body parts (including genitalia, groin, breast, or buttocks)
- Allowing third parties to observe private sexual acts of a participant without the participant's consent
- Voyeurism (spying on others who are in intimate or sexual situations)
- Threatening to sexually assault another person
- Stalking, including cyber-stalking
- Engaging in indecent exposure

Sexual Harassment: Sexual Harassment includes, but is not limited to unwelcome sexual advances; requests for sexual favors; sexually motivated physical contact or other verbal, non-verbal or physical conduct or communication of a sexual nature when:

- Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining employment or education; or
- Submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- That conduct or communication has the purpose or effect of substantially interfering with an individual's employment or education, or of creating an intimidating, hostile or offensive employment or educational environment.

Dating Violence: Dating Violence is defined as the intentional use of physical, sexual, verbal, or emotional abuse by a person to threaten, harm, intimidate, or control another person in a dating relationship. Violent behavior is unacceptable in our community, and all cases involving violence will be referred to the College Hearing Board for review. The College Hearing Board hears cases where the outcome may include suspension or expulsion.

Domestic Violence: Domestic violence is defined as felony or misdemeanor behavior with a current or former spouse, domestic or intimate partner, someone who shares custody of a child, someone who cohabitates, or someone who is situated as a spouse. (Please note: roommates are not considered a domestic relationship unless they are involved in a relationship defined as domestic above). Violent behavior is unacceptable in our community, and all cases involving violence will be referred to the College Hearing Board for review. The College Hearing Board hears cases where the outcome may include suspension or expulsion.

Stalking: Loras College is determined to provide a campus atmosphere free of violence for all members of the campus community. For this reason, Loras College does not tolerate stalking, and will hold students who engage in stalking behaviors accountable through the college's judicial system and will report students who engage in stalking behaviors to the local authorities. Loras College is also committed to supporting victims of stalking through available campus counseling and health services, and can assist with referrals to community-support services. This policy applies to all members of our campus community. The College defines stalking as a course of conduct directed at a specific person

that would cause a reasonable person to feel fear/significant emotional distress. Stalking behaviors may include but are not limited to:

- Non-consensual communication including in-person communication, telephone calls, voice messages, text messages, email, social networking site postings, instant messages, postings of pictures or information on websites, written letters, gifts or any other communications that are undesired and/or place another person in fear • Following, pursuing, waiting or showing up uninvited at a workplace, place of residence, classroom or other locations frequented by a victim
- Surveillance and other types of observation, whether by physical proximity or electronic means
- Trespassing • Vandalism
- Non-consensual touching
- Direct physical and/or verbal threats against a victim or a victim's loved ones
- Gathering of information about a victim from family, friends, co-workers and/or classmates
- Manipulative and/or controlling behaviors such as threats to harm oneself or threats to harm someone close to the victim Defamation or slander against the victim. Victims of stalking have the right to learn the outcome of their case, including any recommended sanctions.

STATE OF IOWA STATUTES REGARDING CONSENT The State of Iowa defines incapacitation as meaning a person is disabled or deprived of ability as follows:

- "Mentally incapacitated" means that a person is temporarily incapable of apprising or controlling the person's own conduct due to the influence of a narcotic, anesthetic or intoxicating substance.
- "Physically helpless" means that a person is unable to communicate an unwillingness to act because the person is unconscious, asleep or is otherwise physically or mentally limited.
- "Physically incapacitated" means that a person has a bodily impairment or handicap that substantially limits the person's ability to resist or flee.

Here are 4 steps that you should be taken, if a student discloses a form of sexual misconduct:

Step 1: Care for the student. Ensure that they are safe. Provide non-judgmental support

Step 2: Connect students with resources

SEXUAL ASSAULT ADVOCACY AND COUNSELING RESOURCES

Loras College Counseling
Center Alumni Campus Center Room 473
855 Loras Blvd.
Dubuque, IA 52004
563.588.7024 563.588.7100 (Emergency)

Title IX Coordinator
Nancy Fett
401 Hennessy Hall
563.588.7029

Rape Victim Advocacy Program
(800) 284-7821 (State Wide Hot Line)

Riverview Center, Inc. Sexual Assault Prevention and Intervention Services
2600 Dodge St. Dubuque, IA 52003
563.557.0310

Catholic Charities
1229 Mt. Loretta
Dubuque, IA 52003
563.588.0558

Crisis Line
563.588.4016

YMCA/YWCA Domestic Violence Program
35 N. Booth
Dubuque, IA
563-556-1100

<https://www.notalone.gov/>: Online resource that connects survivors with information about support and resources in their area.

Step 3: Explain Student's Reporting Options Reporting Alleged Violations of Sexual Misconduct

Anyone who believes he or she has been the subject of, has been notified about or has observed sexual misconduct as defined by this policy, should report the alleged conduct. To report an incident of sexual misconduct, an individual may:

- Contact a resident advisor (RA), area coordinator (AC), security officer (563.588.7100 or 0 from a campus phone), or the Title IX Coordinator, who can assist you in reporting the incident, or file a report online at https://loras-advocate.symplcity.com/public_report/index.php/pid981070
- Survivors have the right to choose to remain anonymous or keep a report confidential when reporting an incident.
- Contact the Loras College Counseling Center or Health Center to receive assistance and access to counseling resources from a trained advocate. Please note: Sexual misconduct reports made to the Counseling Center or Health Center will be kept strictly confidential unless the student releases information to other authorities.
- Contact law enforcement authorities by calling the Dubuque Police Department if the assault occurred within the City of Dubuque. If the assault occurred in another area of Dubuque County, call the Dubuque County Sheriff's Department. Both Departments can be reached by dialing 911. Loras College officials will assist the survivor with reporting an assault if you request assistance.
- Contact the Title IX Coordinator, who at Loras College is Nancy Fett. She can be reached at her office, 401 Hennessy Hall, or via phone at 563.588.7029. In the role of Title IX coordinator, she will coordinate all matters related to sexual misconduct at the College and will coordinate the

efforts of the college to comply with Title IX Law. As the Title IX Coordinator, she is responsible for:

- Ensuring both the complainant and respondent are aware of the seriousness of the complaint
- Explaining Loras College's sexual misconduct policy and procedures
- Exploring various means of resolving the complaint
- Making referrals to the Counseling Center or other resources if appropriate
- Discuss with the complainant the option of notifying police if criminal activity was reported
- Conduct or arrange an investigation of the prohibited conduct
- Preparing or overseeing any reports, recommendations, or remedial actions that are needed or warranted to resolve any prohibited conduct
- Assess each complaint individually

CONFIDENTIAL REPORTING: A person may speak confidentially with certain persons in legally protected roles at Loras College including the following:

- Counselors in the Loras Counseling Center (563-588-7024); after hours emergencies by calling the Information Desk and asking for the on-call counselor at (563-588-7100)
- Nursing staff at the Student Health Center (563-588-7142)
- Loras College Clergy (563-588-7104) A confidential report will not result in a report to law enforcement or a College investigation. It will not be reported to the Office of Student Life.

Step 4: Report As a responsible employee of the college, federal laws require

you to report information to the Office of Campus Safety at (563)588-7114 or at https://loras-advocate.symplicity.com/public_report/index.php/pid981070 so the college can provide the appropriate support and response.

WHAT DO I SAY? Sexual assault can be a difficult topic to discuss, particularly given your reporting responsibilities.

Below is a suggestion for how you might approach the conversation:

"I appreciate what you have been able to share with me. Before you tell me more, I want to let you know that as a responsible employee of the college, I need to report this information to the Campus Safety Office. It is the office's responsibility to know about incidents of sexual assault and to help support students and coordinate possible next steps."