



DEPAUW  
UNIVERSITY  
Est. 1837

# TITLE IX

Student Information  
[depuw.edu/handbooks/student/](https://depuw.edu/handbooks/student/)

DePauw University is committed to providing an academic and work environment for our students, faculty and staff that is safe and nondiscriminatory. To this end, the University takes seriously reports of sexual misconduct, including sexual harassment, sexual assault and other forms of interpersonal violence, including stalking, domestic violence and dating violence. DePauw University seeks to keep all students, faculty and staff informed of the resources available to them to help prevent, report and respond to incidents of sexual misconduct.



# What Conduct is Prohibited?

- NON-CONSENSUAL SEXUAL CONTACT

- RAPE

- RETALIATION

- RELATIONSHIP VIOLENCE, INCLUDING DATING AND DOMESTIC VIOLENCE

- SEXUAL BATTERY

- SEXUAL AND GENDER-BASED HARASSMENT

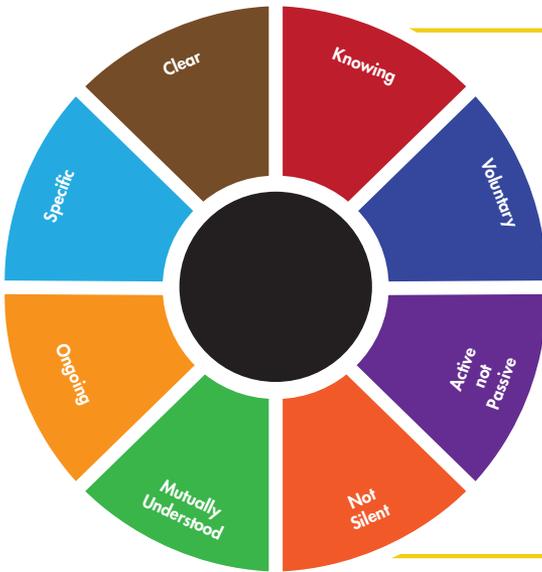
- SEXUAL EXPLOITATION

- STALKING

- VIOLATION OF NO-CONTACT DIRECTIVE

- VOYEURISM

# What is Consent?



## WHAT DOES IT MEAN?

Words or actions that create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

Consent to any one form of sexual activity does not automatically imply consent to any other forms of sexual activity. Previous relationships or prior consent do not imply consent to future sexual acts. Physically or mentally incapacitated persons cannot consent to any form of sexual activity.

## What is an incapacitated person?

People who are incapacitated lack the ability to make informed, rational judgments about whether or not to engage in sexual activity. Incapacitated persons may be:

- Unconscious
- Asleep
- In a state beyond drunkenness or intoxication
- Unaware that sexual activity is occurring

If one has doubt about either party's level of intoxication, the safe thing to do is to forego all sexual activity. The individual who initiates sexual contact has an obligation to obtain consent as described in this policy regardless of their own level of intoxication.

# What are my reporting options?

Reporting is NOT required to receive University services, but can be beneficial to you and the community. There are several options available for you to make a report if you choose to do so:

**You can report sexual misconduct to the Title IX team or DePauw Police Department.**

## Title IX OFFICE

### Title IX

**Julia Proctor**

**Deputy Title IX Coordinator for Students**

Office: 765-658-5473 • juliaproctor@depauw.edu

### Angie Nally

**Interim Title IX Coordinator**

Office: 765-658-6395 • adnally@depauw.edu

## DePauw Police Department

**Charlene Shrewsbury**

**Chief of Police and Director of Public Safety**

DePauw Police Department • 101 E. Seminary St. (lower level)

Greencastle, IN 46135

Office: 765-658-5555 • police@depauw.edu

## Confidential Reporting

You can report sexual misconduct to DePauw Counseling Services counselors, medical professionals at the DePauw Wellness Center, or any of the ordained clergy on campus. **These University employees are not required to report what you tell them to the Title IX Coordinator and can promise confidentiality.**

Reporting parties and witnesses will not be charged under the University's Community Standards process for a violation of the University's alcohol or drug policy involving personal consumption at the time of the alleged misconduct.

## **Non-Confidential Reporting**

You can also report to any faculty, staff (other than those listed above), administrators (including Student Affairs), and resident assistants. These University employees cannot promise confidentiality, and they are required to report to the Title IX Coordinator. If you share your experience with other faculty, staff (other than those listed above), Resident Assistants or Mentors, these employees cannot promise confidentiality and they are required to report to the Title IX staff.

## **Anonymous Reporting**

If you have concerns or uncertainties about reporting an incident, you can call a Sexual Assault Survivors' Advocate (SASA) for assistance. Generally, you can seek assistance and support from a SASA without triggering an investigation that could reveal your identity or that you have disclosed the incident. However, a SASA will report the nature, date, time and general location of an incident to the Title IX coordinator. You can ask a SASA any questions about confidentiality of discussions that you might have.





## Preserving Evidence

It is important to preserve all evidence related to any allegation of sexual misconduct, including but not limited to letters, notes, emails, text messages, social media and/or voicemails. The Title IX office will request that you provide this information during the investigation.

## What help can I get from the Title IX Office?

When a report of sexual misconduct is received, the University will take steps necessary to protect and consider the safety of the reporting and responding students as well as the University community, regardless of whether a formal claim is filed. Some measures that might be available include:

- Rearranging class assignments
- Assisting with local law enforcement
- No Contact Directives
- Changes to Housing Arrangements
- Adjustments to on-campus jobs and activities

Options for interim measures will be discussed with you when the report is received by the University, and your options will be outlined in writing.



# RIGHTS OF ALL STUDENTS

- To be treated respectfully and equitably by University staff and officials.
- To receive a prompt, fair, and impartial resolution process.
- To have disclosures responded to promptly and sensitively, which may include the provision of Supportive Measures and/or an investigation following a Formal Complaint.
- To have a Formal Complaint investigated appropriately, and addressed competently by trained individuals free from conflict of interest or bias.
- To have a support person or Advisor of one's own choosing present during any meetings, including the review of the case file and Decision Panel Meeting.
- To have an Advisor provided at the Decision Panel Meeting if the party does not have an Advisor.
- To be referred to campus and local mental health and counseling services.
- To obtain assistance in requesting an order of protection from the State if so desired.
- To receive assistance from University officials and staff with any Supportive Measures if such measures are reasonable and requested.
- To timely notice of a Formal Complaint and any meetings at which their presence will be requested or required, including sufficient details to prepare for such meeting.
- To be promptly notified, in writing, of decisions related to the investigation and determination regarding responsibility to the extent permitted or required by the law, regardless of whether or not one participates in the process.
- To have irrelevant prior sexual history and legally privileged information (unless waived by the person holding the privilege) be made inadmissible during any process to determine responsibility for prohibited conduct.
- To discuss the disclosed conduct under investigation with others to gather relevant evidence, to present witnesses and other evidence, and to ask relevant questions of the other party or witnesses through their Advisor, during any Decision Panel Meeting.

## **Rights of Reporting Students**

- To not be discouraged from disclosing to the University or reporting to law enforcement, whether on-campus or off-campus, and to be supported by University staff or officials in so doing.
- To meet with the Title IX Coordinator or Deputy Title IX Coordinator for Students to discuss the availability of Supportive Measures and the process for filing a Formal Complaint, to have their wishes considered with respect to Supportive Measures, and to receive reasonably available Supportive Measures with or without the filing of a Formal Complaint.
- To submit a written statement to be considered by the Decision Panel when determining sanctions, indicating the impact the disclosed conduct has had on them and hopes they may have for sanctions assigned to the Respondent.

## **Rights of Accused Students**

- To be presumed not responsible for the disclosed conduct until a determination regarding responsibility is made at the conclusion of a Title IX or University Process.
- To submit a written statement to be considered by the Decision Panel when determining sanctions, indicating any factors they would like the Decision Panel to take into consideration in imposing sanctions, if the Decision Panel finds the Respondent responsible for violating the Policy.

## INITIAL REPORT AND INTERVIEW

Sexual misconduct is reported to the Deputy Title IX Coordinator for Students or Title IX Coordinator.

Initial interview with reporting student and Deputy Title IX Coordinator for Students or Title IX Coordinator takes place.

## REVIEW FOR POTENTIAL POLICY VIOLATION

Information is reviewed by Deputy Title IX Coordinator for Students or Title IX Coordinator to determine whether the reported conduct could be a policy violation under the Sexual Misconduct and Interpersonal Violence Policy.

If reported conduct is not a policy violation, the University process concludes.

## INFORMAL PROCESS

Students who prefer an informal resolution can talk with Title IX staff to discuss their options.

## FORMAL PROCESS

Meet with Title IX Coordinator and file a formal complaint

## INVESTIGATION

Reporting and responding students are provided the opportunity to review the evidence and parties may submit written responses.

Parties provide additional evidence and final clarifications.

## CASE FILE REVIEW

Reporting and responding students are provided the opportunity to review the investigative case file, which includes all evidence obtained and witness statements being considered to make a determination of responsibility.

Parties provide additional evidence and final clarifications.

## DETERMINATION OF FINDINGS AND FINAL NOTIFICATION

Live Hearing is conducted with an appointed Hearing Panel. Panel determines responsibility using the preponderance of the evidence standard. If there is a finding of responsibility, the Hearing Panel also issues sanctions.

Notice of determination is sent to parties and University officials.

## APPEALS

Both parties have the opportunity to appeal findings or sanctions to the Vice President of Student Affairs.

# Investigation and Determination of Responsibility

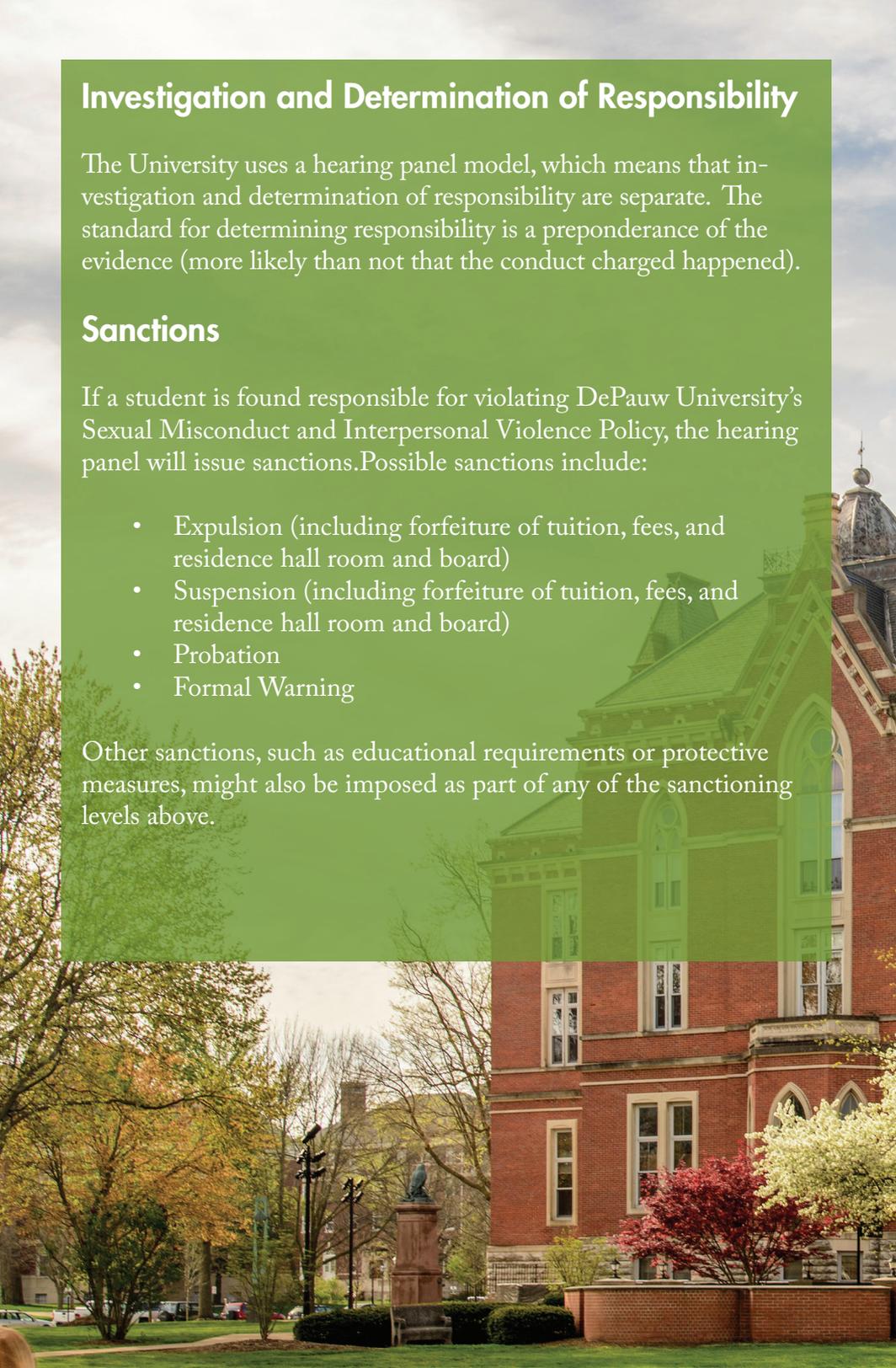
The University uses a hearing panel model, which means that investigation and determination of responsibility are separate. The standard for determining responsibility is a preponderance of the evidence (more likely than not that the conduct charged happened).

## Sanctions

If a student is found responsible for violating DePauw University's Sexual Misconduct and Interpersonal Violence Policy, the hearing panel will issue sanctions. Possible sanctions include:

- Expulsion (including forfeiture of tuition, fees, and residence hall room and board)
- Suspension (including forfeiture of tuition, fees, and residence hall room and board)
- Probation
- Formal Warning

Other sanctions, such as educational requirements or protective measures, might also be imposed as part of any of the sanctioning levels above.





## Appeals

Both the reporting student and responding student have the right to appeal the determination of responsibility, or sanctions imposed for a limited number of reasons (new evidence, procedural error or appropriateness of sanction).

Appeals are made to the Vice President for Student Affairs. If the other party files an appeal, you will be notified and have a chance to respond.

# RESOURCES

DePauw Police Department	765-658-5555
Counseling Services	765-658-4268
Sexual Assault Survivors' Advocates (SASA)	765-658-4650
Women's Center	765-658-4173
Sexual Assault Nurse Examiners	765-658-4555
Deputy Title IX Coordinator for students	765-658-5473
Sexual Assault Education and Prevention	765-658-1087
Greencastle Police	765-653-2925
Putnam County Sheriff	765-653-3211
Putnam County Hospital	765-301-7300
Putnam County Family Support Services	765-653-4820
Sexual Violence Hotline (RAINN)	1-800-656-HOPE(4673)