

College of Saint Mary Title IX Policy
Sexual Violence, Sexual Harassment, and Violence against Women

Statement of Policy

It is the policy of College of Saint Mary (CSM) to provide equal employment and educational opportunities to faculty, staff, students, and applicants without regard to race, color, religion, gender, marital status, national origin, age, disability, citizenship, sexual orientation, veteran status, and any group protected by federal, state, or local statutes. Sexual violence and sexual harassment are prohibited by law and by CSM policy. CSM will not tolerate sexual violence, sexual harassment, or violence against women in any form, including but not limited to, sexual assault, stranger, acquaintance or date rape, stalking, domestic or dating violence, sexual cyber harassment or bullying. CSM will take appropriate action to prevent, correct, and discipline harassing or violent behavior that is found to violate this policy.

This policy provides guidance for what students or employees should do if they have been victims of sexual violence, sexual harassment, or other violence against women and what CSM will do if such violence or harassment occurs. A student alleged to have committed sexual violence or sexual harassment can be disciplined under the student Code of Conduct and/or prosecuted under the Nebraska criminal statutes. Employees alleged to have violated this policy may also be disciplined under other CSM policies found in Employee and Faculty handbooks and/or prosecuted under the Nebraska criminal statutes.

Title IX of the Education Amendments of 1972 prohibits sex discrimination in education programs and activities at universities that receive federal financial assistance. Independent undergraduate programs may be single-sex programs, and an exemption is contained for religiously affiliated colleges if a conflict exists between Title IX and their religious tenets. Title IX prohibits sex discrimination in both the educational and employment settings.

This policy applies to all CSM students, faculty, staff, and other members of the community to include contractors, vendors, and guests.

Complaints or inquiries about sexual harassment, sexual misconduct, or sex discrimination should be directed to the College's Title IX Coordinator and/or to the United States Department of Education's Office for Civil Rights:

On-Campus

Director of Human Resources
Title IX Coordinator
Walsh Administration Building
7000 Mercy Road
Omaha, NE 68106

(402) 399-2430
TitleIX@csm.edu

If the Title IX Coordinator is unavailable or has a conflict of interest, one of the Title IX Designees will respond. Members of this interdepartmental team include:

- Director of Safety and Security
- Assistant Dean of Students
- Chief Administration Officer
- Associate Dean of Academic Affairs

Off Campus

U.S. Department of Education
Office for Civil Rights
Lyndon Baines Johnson Department of Education Bldg.
400 Maryland Avenue, SW
Washington, DC 20202-1100

Telephone: 800-421-3481
FAX: 202-453-6012; TDD: 800-877-8339
Email: OCR@ed.gov

Campus Reporting

A student, faculty member, or staff member who has a complaint against a student, faculty member, or staff member, or other individual involving allegations of sex discrimination or sexual harassment should contact the Title IX Coordinator. A report can be received in person, by phone, or through email. In general, CSM employees do not have legally protected confidentiality. *Therefore, any employee who receives a report of sexual assault or harassment is required to share the report with the Title IX Coordinator.*

In all cases of reported sexual violence, stalking, or domestic/dating violence, the CSM President will be notified of the situation, however, all personally identifying information will be withheld.

Reporting Considerations

Timeliness and Location of Event

Complainants and third party witnesses are encouraged to report sexual assault and harassment as soon as possible in order to maximize the CSM's ability to respond promptly and effectively. CSM does not, however, limit the timeframe for reporting. If the respondent is no

longer a student or employee, the College may not be able to take action against the respondent, but it will still seek to meet its Title IX obligation by taking steps to end the harassment, prevent its recurrence, and address its effects.

This policy generally applies to incidences that occur on campus or at a CSM sponsored event. However, off-campus conduct that creates a hostile learning or working environment on campus may be covered under this policy.

Confidentiality/Counseling/Alternatives to Reporting

Requests for Confidentiality

Where a complainant requests that a name or other identifiable information not be shared with the respondent or that no formal action be taken, the College will balance this request with its dual obligations to provide a safe and non-discriminatory environment for the entire community and to afford a respondent fundamental fairness by providing notice and an opportunity to respond before action is taken.

CSM will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation or disciplinary action, but its ability to do so may be limited based on the nature of the request by the complainant.

If the University determines that it cannot maintain a victim's confidentiality, the University will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response.

The Department of Safety & Security will be notified of any reports of sexual violence occurring on campus. Pursuant to federal law, the University has a legal responsibility for documenting and providing statistics of reported incidences of sexual assault. All personally identifying information will be removed from the statistical report.

Anonymous Reporting

Any individual may make an anonymous report concerning an act of sexual assault or harassment. An individual may report the incident without disclosing one's name, identifying the respondent, or requesting any action. Anonymous reports can be provided by using the Human Resources mail box in the mail room on the Ground Floor of Walsh Hall. Another person may also report an assault anonymously on behalf of the victim. Depending on the level of information available about the incident or the individuals involved, anonymous reporting may impact the College's ability to respond, investigate, or take further action.

Counseling

While many victims of sexual assault are ready to file a formal complaint against an alleged offender right away – others want time and privacy to sort through their next steps. There are currently no CSM faculty or staff whose official role includes being available for confidential, professional counseling. However, CSM has partnered with Alegent Creighton Health to offer free, confidential, professional counseling to students and employees.

Students can utilize the College of Saint Mary Counseling Assistance Program (CAP) by calling (402) 398-5566 or (888) 847-4975.

Employees can utilize the Employee Assistance Program (EAP) by calling (402) 398-5566 or (888) 847-4975.

Women's Center for Advancement (WCA) also offers a hot line and free short term crisis counseling to survivors of sexual assault and domestic violence. They can be reached at 402-345-6555 (Business Hours) or 402-345-7273 (Evenings and Weekends).

Additional information on Title IX Procedures

More information on the Title IX Procedures, to include interim accommodations, investigations, and potential recommendations, can be found in MyCSM or contact the Title IX Coordinator at TitleIX@csm.edu.