

# LINDENWOOD

## ***NOTIFICATION OF SURVIVOR'S RIGHTS AND OPTIONS***

- **REPORTING OR NOT REPORTING SEXUAL MISCONDUCT**
  - The university does not limit the period for reporting.
  - A reporting party may choose to make a report to the university and may choose to make a report to law enforcement. The reporting party may pursue either or both of these options at the same time. When making a report, a reporting party need not know whether to request any particular course of action, nor how to label what happened or the violation. Choosing to make a report and deciding how to proceed after making the report can be a process that unfolds over time.
  - A reporting party is under no obligation to report any incident of sexual misconduct to the university.
  - **Privacy**
    - Regardless of whether a party is designated as a confidential or private resource, the university seeks to respect the privacy of all parties involved. The university will treat information that it receives in a manner that respects both the reporting party and the accused party. Recognizing that sexual misconduct can include criminal acts that violate the entire campus community, however, there may be instances where the university has a responsibility to investigate and/or disclose information regarding the circumstances related to a specific incident. Individual and community safety considerations will be balanced with the privacy interests of all involved, as well as the applicable legal requirements, when making decisions regarding such investigations and disclosures.
  - **Campus Confidential Reporting Methods**
    - The only university resources that afford complete confidentiality (assuming no other conditions require mandatory disclosure, i.e., suspected child abuse or neglect or imminent risk of harm to self or others) are
      - Disclosure to a licensed counselor at the **Student Counseling and Resource Center**;

- Disclosure to a **medical professional** in the context of the **physician-patient relationship**; and
    - Disclosure to a **member of the clergy** when the communication is made in the clergy member's professional capacity of giving religious or spiritual advice.
  - Speaking confidentiality with a licensed counselor in the Student Counseling and Resource Center (or any other confidential resource) does not require a report to Public Safety, the Title IX Coordinator, the Deputy Title IX Coordinator, or any other reporting body, without the consent of the reporting party.
- **Community Confidential Reporting**
  - **Call for Help, Inc. Sexual Assault Victims Care Unit**, 9400 Lebannon Rd., East St. Louis, IL 62203, (618)397-0975, <http://callforhelpinc.org>
  - **The St. Louis Anti-Violence Project**, Serving the Lesbian, Gay, Bisexual, and Transgender Community, P.O. Box 15067, St. Louis, MO, Hotline: (314) 503-2050
  - **YWCA – St. Louis Regional Sexual Assault Center**, 140 N. Brentwood Blvd., St. Louis, MO (314) 726-6665, (314) 531-7273 (24-hour access)
  - **Alternatives to Living in Violent Environments (ALIVE)**, (314) 993-2777 (24-hour access/crisis line)
  - **Safe Connections**, (314) 531-2003 (crisis hotline), (314) 646-7500 (counseling and support services)
- **REPORTING CONTACTS**
  - **Title IX Coordinator, Kelly R. Moyich**  
St. Charles Campus,  
LARC, Room 209  
636.255.2275  
[kmoyich@lindenwood.edu](mailto:kmoyich@lindenwood.edu)
  - **Deputy Title IX Coordinator, Annie C. Reis**  
Lynx Arena Athletic Offices  
2600 W. Main Street, Belleville, IL 62226  
618.239.6037  
[areis@lindenwood.edu](mailto:areis@lindenwood.edu)
  - **Student Counseling and Resource Center**  
2025 Main Street, Belleville, IL 62226  
618.239.6161
  - **Call for Help, Inc.**  
Sexual Assault Victims Care Unit  
9400 Lebannon Rd., East St. Louis, IL 62203

618.397.0975

<http://callforhelpinc.org>

- **Belleville Campus Security**  
U.S. Senator Alan J. Dixon Center, D100  
2600 W. Main Street, Belleville, IL  
618.978.9797
- **Belleville Police Department**  
800 W. Main Street, Belleville, Illinois 62223  
618.394.2070

- **REPORTING TO A LAW ENFORCEMENT AUTHORITY**

- The university will encourage the reporting party to report sexual misconduct to law enforcement. However, the reporting party will not be required to do so. If the reporting party chooses to file a complaint with law enforcement, the university will do its best to assist law enforcement where possible and, if the reporting party wishes, the university can help him or her in notifying law enforcement. However, should the matter be subject to both the formal investigation process and law enforcement, the university will complete its own independent investigation and will not rely solely upon law enforcement investigations and/or conclusions.

- **REQUEST FOR INTERIM OR PROTECTIVE MEASURES**

- After a report of sexual misconduct, the university will offer reasonable and appropriate measures to protect a reporting party and facilitate the reporting party's continued access to university programs and employment. The university offers a wide range of remedial and protective measures for students and employees, whether as reporting parties or accused parties, to provide support and guidance throughout the university's response to a report of sexual misconduct. These measures may be both remedial (designed to address a reporting party's safety and well-being and continued access to educational opportunities) or protective (involving action against an accused party). Remedial and protective measures may be imposed on an interim basis or may be extended permanently.
- Remedial and protective measures are available regardless of whether a reporting party pursues a report or investigation under this policy. The university will maintain the privacy of any remedial and protective measures provided under this policy to the extent practicable and will promptly address any violation of the remedial or protective measures.

- The university will also provide reasonable remedial and protective measures to third parties as appropriate and available, taking into account the role of the third party and the nature of any relationship with the university.
  - Potential remedial and protective measures include, but are not limited to
    - Imposition of a No Contact Order, which prohibits the accused party and/or the reporting party from communicating through any manner or medium with the other. parties will be notified of such orders in person or via their university email accounts, and failure to comply with such orders may result in disciplinary action;
    - Suspension from athletic teams;
    - Rescheduling of exams and assignments;
    - Change in class schedules, including the ability to transfer course sections or withdrawal from a course;
    - Change in seating assignment;
    - Change in an employee's work schedule or job assignment;
    - Change in a student's university-sponsored or controlled housing, dining, transportation or working situations;
    - Assistance from university support staff in completing housing relocation;
    - Limit of an individual's or organization's access to certain university facilities or activities pending the outcome of the matter;
    - Leaves of absences;
    - Providing an escort to ensure safe movement between classes and activities;
    - Providing access to medical services;
    - Providing academic support services;
    - University-imposed administrative leave or separation;
    - Interim suspension or leave;
    - Assistance in obtaining a civil protection order;
    - Honoring an Order of Protection or No Contact Order entered by a state civil or criminal court; and/or
  - Any other remedy, which can be tailored to the involved individuals to achieve the goals of this policy.
- **ASSISTANCE WITH RESOURCES**
    - At the survivor's request, the university will help the survivor get to a safe place and assist him or her in contacting law enforcement, seeking immediate medical treatment, and accessing crisis counseling resources and will assist the party in taking steps to preserve evidence.
    - For emergency assistance, reporting parties are strongly encouraged to contact Lindenwood University-Belleville Public Safety & Security ("Public Safety"), the local police department, and emergency medical or counseling services.

- Anonymous reports can also be submitted on the university website at: <http://www.lindenwood.edu/belleville/student-life/campus-security/reporting-a-crime/>. Sexual misconduct submitted through the anonymous website will be shared with the Title IX Coordinator and/or Title IX Coordinator.
- **University Resources**
  - Student Counseling and Resource Center, 2025 W. Main Street, Belleville, Illinois (618) 239-6085
- **Medical Services in the Community.**
  - St. Elizabeth's Psychiatry, 211 S. 3rd Street, Belleville, Illinois (618) 264-2120
  - St. Louis Medicine Institute, 521 W. Main Street, Belleville, Illinois (618) 825-0051
  - Metro East Behavioral Health Care, 12 N. 64th Street, Belleville, Illinois (618) 398-5127
- **Additional Confidential Resources in the Community**
  - Call for Help, Inc. Sexual Assault Victims Care Unit, 9400 Lebanon Rd., East St. Louis, Illinois 62203 (618) 397-0975
    - <http://callforhelpinc.org>
  - The St. Louis Anti-Violence Project, Serving the Lesbian, Gay, Bisexual, and Transgender Community, P.O. Box 15067, St. Louis, MO, Hotline: (314) 503-2050
  - YWCA – St. Louis Regional Sexual Assault Center, 140 N. Brentwood Blvd., St. Louis, MO (314) 726-6665, (314) 531-7273 (24-hour access)
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- **SUMMARY OF COMPLAINT RESOLUTION PROCEDURES**
  - If a survivor chooses to move forward with a formal complaint under our policy, the following is a brief overview of the process that follows:
    - Discuss and decide remedial and protective measures that need to be put into place
    - Notify accused party
      - Notification is in writing and includes date, time and location of incident; specific violation and name of accusing party
      - Provide outreach to accused party to discuss policy and resources
    - Formal investigation commences
      - Trained public safety officers conduct interviews of parties, witnesses and gather any relevant information and/or evidence

- After investigation complete, officers prepare reports of investigation
    - Investigator summarizes investigation
    - Investigator provides non-binding recommendation on whether or not evidence supports policy violation
  - Investigative reports, summary, recommendation and any other relevant evidence is prepared for hearing officer and Title IX Coordinator
  - Investigations are attempted to be finalized within 25 days unless good cause
    - An example of good cause may be due to cooperating with local law enforcement who is simultaneously investigating the incident
  - Both the survivor and the accused have a right to an advisor
    - Advisor can be present for any stage of the process
  - Determination Procedure
    - Hearing officer provided with binder prepared by investigator hearing officer with report
    - Survivor and accused will have equal access to the binder but will NOT receive a copy of the binder
      - Either party will make arrangements with the Title IX Coordinator to view binder
  - After report review, hearing officer may contact parties/witnesses if hearing officers has questions
  - Title IX Coordinator will schedule hearings with each party separately
  - At hearings
    - Either party may provide written statement
    - Either party may provide written statement in lieu of hearing
    - Either party may provide questions to be asked of the other party
      - These must be submitted in writing to Title IX Coordinator before hearing date
  - Advisor may be present but cannot speak on party's behalf
  - Allowed breaks at any point of hearing
- After hearings, officer makes determination
  - Parties received simultaneous written notice of outcome in form of a determination letter
  - If policy violated, hearing officer may impose sanctions which will be included in the determination letter
- Appeal Process
  - Any party may appeal
  - Appeals are due, in writing to the Title IX Coordinator within 5 business days of the
  - Grounds for appeal

- Material deviation from procedures contained in policy
  - New or relevant information not available at time of investigation or determination that significantly impacts the outcome of the case
- Other parties have 3 days to respond to appeal
  - Unless good cause, appeals will be resolved within 7 days
  - Appeal officer's decision is final

\*this is merely an overview of the procedure; for information that is more detailed please review Lindenwood University's Sexual Misconduct Policy.