

Procedures, Applications, and Guidance: Sexual Misconduct, Sexual Assault, Sexual Harassment, Stalking, and Intimate Partner Violence Involving Students Policy [\[policy\]](#)

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Iowa State University establishes this procedures, applications, and guidance document to assist it in carrying out its responsibilities in administering and enforcing applicable federal and state law and university and Board of Regent policies relating to sexual misconduct, sexual assault, sexual exploitation, sexual and gender-based harassment, sexual intimidation, intimate partner violence, stalking, complicity, and retaliation (collectively, “Prohibited Conduct”). This procedures, applications, and guidance document is intended to create a process for reporting, responding to, addressing, investigating, and adjudicating reports of Prohibited Conduct involving students. This procedures, applications, and guidance document should be read as a supplement to the university’s [Sexual Misconduct, Sexual Assault, Sexual Harassment, Stalking, and Intimate Partner Violence Involving Students policy](#). The policy and this procedures, applications, and guidance document are collectively referred to hereafter as the “Policy.”

In keeping with its commitment to offer a fundamentally fair process for all parties involved, ISU reserves the right to adapt certain aspects of the Policy in specific circumstances, in order to meet the interests of all involved parties, including the university.

In addition, the university reserves the right to extend the time limits described in the Policy, in its sole discretion, in order to ensure a fundamentally fair process and to meet the interests of all involved parties, including the university.

1. Prohibited Conduct - Definitions and Examples

Prohibited Conduct includes the following specifically defined forms of behavior: Sexual Misconduct, Sexual Assault, Sexual Exploitation, Sexual and/or Gender-Based Harassment, Sexual Intimidation, Intimate Partner Violence, Stalking, Complicity, and Retaliation. For purposes of the Policy, the below definitions apply to these terms.

In determining whether reported conduct violates this Policy, the university will consider the totality of the circumstances involved in the incident. Individuals of any sex and/or gender can commit any of the Prohibited Conduct defined in this Policy; individuals of any sex and/or gender can be victims of any of the Prohibited Conduct defined in the Policy; and Prohibited Conduct can occur between individuals of the same sex and/or gender or different sexes and/or genders.

A. Sexual Misconduct –

- i. General definition: Sexual misconduct is any unwelcome and unreasonable behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation, and as defined specifically below.

ii. Examples of sexual misconduct: Sexual misconduct may vary in its severity and consists of a range of behavior or attempted behavior. Sexual misconduct may include, but is not limited to, the following examples of Prohibited Conduct as further defined below:

- Sexual assault (see section 2B below);
- Sexual exploitation (see section 2C below);
- Sexual and/or gender-based harassment (see section 2D below);
- Sexual intimidation (see section 2E below);
- Intimate Partner Violence (see section 2F below);
- Stalking (see section 2G below).

B. Sexual Assault –

i. General definition: Sexual assault is any sexual penetration and/or sexual contact without consent. This may include force and/or nonphysical forms of pressure that compel individuals to engage in sexual activity against their will. For purposes of this Policy, “sexual contact” includes any intentional touching of a person’s sexual or other intimate body parts.

ii. Examples of sexual assault: Sexual assault may include, but is not limited to, the following behaviors when consent is not present:

- Sexual intercourse (anal, oral, or vaginal), however slight, meaning vaginal penetration by a penis, object, tongue, or finger/digit; anal penetration by a penis, object, tongue, or finger/digit; or oral copulation (mouth to genital contact or genital to mouth contact).
- Attempted sexual intercourse (anal, oral, or vaginal).
- Intentional touching of another’s breast, buttocks, groin, genitals, or other intimate body part. Touching may be over or under clothing and may include the respondent touching the complainant, the respondent making the complainant touch the respondent or another person, or the respondent making the complainant touch the complainant’s own body, as well as well as the emission of ejaculate by one person upon any part of the other person, clothed or unclothed.

- Engaging in sexual activity with a person who is unable to provide consent because of incapacitation by alcohol, drugs, or other condition.
- Inducing consent to sexual activity through alcohol, drugs, coercion, manipulation, threats, or force.

C. Sexual Exploitation –

- i. General definition: Sexual exploitation is any act where one person violates the sexual privacy of another or takes unjust or abusive sexual advantage of another without consent.
- ii. Examples of sexual exploitation: Sexual exploitation may include, but is not limited to, the following behaviors when consent is not present:
 - Distribution or publication of sexual or intimate information about another person without consent.
 - Electronically recording, photographing, streaming, or transmitting intimate or sexual utterances, sounds, or images without the knowledge and consent of all parties.
 - Voyeurism, including secretly observing another’s nudity or sexual activity without consent.
 - Exposing one’s genitals or inducing another to expose their genitals in non-consensual circumstances.
 - Intentionally, knowingly, or surreptitiously providing drugs or alcohol to a person for the purpose of facilitating sexual contact or exploitation.
 - Intentionally exposing another person to a sexually transmitted disease/infection without that person’s knowledge.
 - Intentionally removing a condom or other prophylactic during sexual contact without a partner’s consent.
 - Prostituting or trafficking another person.

D. Sexual and/or Gender-Based Harassment –

- i. General definition: Sexual and/or gender-based harassment is a form of discrimination, as defined in the university’s [Discrimination and Harassment policy](#). Sexual and/or gender-based harassment can include unwelcome behavior (verbal, written, physical) that is directed at someone because of that person's

sex, gender, sexual orientation or gender identity, and that meets any of the following criteria:

- The submission to, or rejection of, such unwelcome conduct is made an implicit or explicit term or condition of a person's instruction, academic standing, employment, or participation in any university program, activity or benefit.
- The submission to, or rejection of, such unwelcome conduct is used as a basis for academic, employment, and/or university program and activity decisions or evaluations.
- The unwelcome conduct creates a hostile, intimidating, or offensive environment, which exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives a person from participating in or benefiting from the university's educational, employment, and/or programs and activities when viewed through both a subjective and objective standard.

ii. Examples of sexual and/or gender-based harassment: Sexual and/or gender-based harassment may include, but is not limited to, the following behaviors:

- Physical conduct that, depending on the totality of the circumstances present, including severity, persistence, and/or pervasiveness, may constitute harassment includes, but is not limited to unwelcome intentional touching; or deliberate physical interference with or restriction of movement.
- Verbal conduct, whether oral, written, or symbolic expression, that depending on the totality of the circumstances present including severity, persistence, and/or pervasiveness, may constitute harassment includes, but is not limited to explicit or implicit propositions to engage in sexual activity; gratuitous comments, jokes, questions, anecdotes, or remarks of a sexual nature about clothing, appearance or bodies; gratuitous remarks about sexual activities or speculation about sexual experiences; gratuitous remarks about how persons should dress, act or behave based on sex and/or gender stereotypes; unwanted sexual or romantic attention; subtle or overt pressure for sexual favors; exposure to sexually suggestive visual displays such as photographs, drawing, posters, calendars, or other materials; and/or deliberate, repeated humiliation or intimidation based upon sex and/or gender.

E. Sexual Intimidation –

- i. General definition: Sexual intimidation involves threatening to commit a non-consensual sexual act upon another person or threatening physical violence against another person because of that person’s sex, sexual orientation, gender, or gender identity.
- ii. Examples of sexual intimidation: Sexual intimidation may include, but is not limited to, the following behaviors:
 - Threatening, expressly or impliedly, to commit a sexual act upon another person without that person’s consent.
 - Threatening, expressly or impliedly, to physically assault another person because of that person’s sex, sexual orientation, gender, or gender identity.

F. Intimate Partner Violence –

- i. General definition: Intimate partner violence is any act of violence or threatened act of violence that occurs between persons who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship.
- ii. Examples of intimate partner violence: Intimate partner violence may include, but is not limited to, the following behaviors:
 - Intimate partner violence includes “dating violence” and “domestic violence” as defined by the Violence Against Women Act (VAWA) and the State of Iowa Code (see Iowa Code § 236.2).
 - Consistent with Iowa law, “domestic violence” includes assault (as defined by Iowa Code § 708.1) between family or household members who resided together at the time of the assault; assault between separated spouses or persons divorced from each other and not residing together at the time of the assault; assault between persons who are parents of the same minor child, regardless of whether they have been married or have lived together at any time; assault between persons who have been family or household members residing together within the past year and are not residing together at the time of the assault.
 - Consistent with VAWA, the university will evaluate the existence of an intimate relationship based upon the complainant’s statement and taking

into consideration the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved.

G. Stalking –

- i. General definition: Stalking is a course of conduct (i.e., more than a single act) directed at a specific person that would cause a reasonable person (under similar circumstances and with similar identities to the complainant) to fear for their own safety or the safety of others or suffer substantial emotional distress.
- ii. Examples of stalking: Stalking may include, but is not limited to, the following behaviors:
 - Directly, indirectly, or through third parties, following, monitoring, observing, surveilling, threatening, or communicating to or about another person, or interfering with another person’s property.
 - Stalking may include “cyber stalking,” a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.
 - Following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by the complainant.
 - Direct physical and/or verbal threats against a complainant or loved ones of a complainant, including animal abuse.
 - Gathering of information about a complainant from family, friends, coworkers, and/or classmates.
 - Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the complainant.

H. Complicity –

- i. General definition: Complicity is any act taken with the purpose of aiding, abetting, facilitating, promoting, or encouraging the commission of an act of Prohibited Conduct by another person.
- ii. Examples of complicity: Complicity may include, but is not limited to, the following behaviors:
 - Attempting to coerce, compel, or prevent an individual from providing testimony or relevant information.

- Removing, destroying, or altering documentation/evidence relevant to an investigation.
- Providing false or misleading information to university officials who are involved in an investigation or resolution of a complaint, or encouraging others to do so.
- Assisting an individual in the commission of any act of Prohibited Conduct or assisting an individual in hiding or covering up the commission of any act of Prohibited Conduct.

I. Retaliation –

- General definition: Retaliation is any adverse action or threat of adverse action taken against a person or group of persons for making a good faith report under this Policy, for opposing in a reasonable manner an act believed to constitute a violation of this Policy, or for participating in an investigation or adjudication under this Policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from reporting Prohibited Conduct and/or from participating in any investigation or proceeding under this Policy. Retaliation is an independent violation of policy and may be present even where there is a finding of “no responsibility” on the underlying report of Prohibited Conduct. The University strictly prohibits retaliation, and will take steps to prevent retaliation, and will impose sanctions on anyone or any group who is found to have engaged in retaliation. Concerns about potential retaliation in connection with a report of Prohibited Conduct should be immediately reported to the [Title IX Coordinator](#).
- Examples of retaliation: Retaliation may include, but is not limited to, the following behaviors:
 - Any action that has a materially adverse effect on a person’s employment, including refusal to hire, demotion, suspension, discharge, compensation, work assignments, evaluations and/or benefits.
 - Any action that has a materially adverse effect on a person’s academics, including grades, evaluations, class selection, advancement, academic standing, reprimands, or participation in any university program, activity or benefit.
 - Retaliation can take many forms, including, adverse action or violence, verbal or physical abuse, threats, harassment, and intimidation.

- Retaliation may be taken directly against the person who engaged in protected activity and/or against that person’s close family.
- Retaliation can be taken against Complainants, Respondents, and/or witnesses, and may be conducted through others (see Complicity).

2. Important Terms, Concepts, and Guidance

The following information helps clarify important terminology and concepts as used throughout the Policy, as well as throughout the investigation and adjudication process of complaints brought under this policy.

A. Complainant, Respondent, Witness – This Policy uses the terms complainant, respondent, and witness as follows:

- i. Complainant – refers to an individual who reports experiencing any form of Prohibited Conduct described in this Policy, and is named in a complaint filed pursuant to this Policy. The university may serve as the complainant in a complaint filed pursuant to this Policy when the individual reportedly harmed by the prohibited conduct does not wish to participate and the university has determined that it must proceed in order to provide a safe and non-discriminatory campus environment.
- ii. Respondent – refers to an individual who is responding to a complaint filed pursuant to this Policy, and is the individual who has been accused of engaging in Prohibited Conduct.
- iii. Witness – refers to an individual who may have information relevant to a report of Prohibited Conduct. A witness may be a university student, faculty member, employee, or third-party.

B. Obligation to provide truthful information – All university community members are expected to provide truthful information in any report, investigation, or adjudication under this Policy. Knowingly providing false or misleading information in bad faith in connection with an incident of Prohibited Conduct is prohibited and subject to disciplinary action. This provision does not apply to reports made or information provided in good faith, even if the facts reported or stated are not later substantiated or no policy violation is found to have occurred.

C. Preponderance of the Evidence – The university applies the “preponderance of the evidence” standard in determining whether a respondent is responsible for violating this Policy.

- i. General definition: A finding of responsibility based on a preponderance of the evidence means that weighing all relevant evidence and reasonable inferences from that evidence, the greater weight of information indicates that it is more likely than not that the respondent violated policy.
- ii. Additional guidance: Not all evidence and information is equally helpful in determining whether the preponderance of the evidence standard is met. Evidence and information must be weighed, with the more credible, trustworthy, reliable, and probative evidence and information being given more weight.

D. Consent – This Policy mandates that each and every participant involved in sexual activity obtain and give consent in each instance and before each specific sexual act. The university defines consent as follows:

- i. General definition: Consent is an informed, voluntary, and active agreement expressed through affirmative words or actions, and mutually understandable to all parties involved, to engage in a specific sexual act at a specific time. Consent must be:
 - *Informed*: the individuals know about and understand the specific sexual activity that they are agreeing to;
 - *Voluntary*: the individuals agree to the specific sexual activity freely without coercion, intimidation, or undue influence; and
 - *Active*: the individuals communicate their agreement to engage in the specific sexual activity through affirmative words and/or actions that are reasonably recognizable, i.e., not silence, passivity, lack of resistance, or the absence of no.
- ii. Additional guidance: The presence or absence of consent will be evaluated on the basis of the totality of the circumstances, including the context in which the reported incident occurred. In evaluating whether specific sexual activity was consensual, the university will consider the presence of any force, threat of force, intimidation, or coercion; whether the complainant had the capacity to give consent; and, whether the communication (through words and/or actions) between the parties would be interpreted by a reasonable person (under similar circumstances and with similar identities) as a willingness to engage in a specific sexual act.

- iii. Consent cannot be obtained by force. Force includes the use of physical violence, threats, intimidation, and/or coercion.
- *Physical violence* is present when an individual exerts control over another through the use of physical force, including but not limited to, hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.
 - *Threats* are words or actions that would compel a reasonable person (under similar circumstances and with similar identities) to engage in unwanted sexual activity, including but not limited to, threats to harm a person physically, to reveal private information to harm a person's reputation, to harm a person academically or economically, to harm something or someone close to the person, including pets.
 - *Intimidation* is an implied threat that causes reasonable fear in another person, including but not limited to, using one's physical presence in an intimidating manner, blocking an exit, or withholding a person's car keys.
 - *Coercion* is the use of an unreasonable amount of pressure to gain sexual access. When a person makes clear a decision to stop sexual activity, or to not to participate in a specific form of sexual activity, continued pressure may be coercive. In evaluating whether coercion was present, the university will consider: the intensity of the pressure; the frequency of the pressure; the duration of the pressure; and the degree of isolation of the person being pressured. Generally, coercion is more than effort to persuade, entice, or attract another person to engage in sexual activity.
- iv. Consent cannot be obtained by taking advantage of a person who does/did not have the capacity to consent, where the person initiating sexual activity knew or reasonably should have known the other person lacked this capacity. Capacity means that a person has the ability to make informed, rational judgments about whether or not to engage in sexual activity. Under this Policy, the following people are considered to lack capacity and therefore are unable to consent to sexual activity:
- Persons who are asleep, unconscious, or involuntarily restrained physically.

- Persons who are incapacitated due to the influence of drugs, medication, and/or alcohol (see [Section 3\(E\)](#) below for additional information regarding incapacitation).
 - Persons who are unable to communicate consent due to a mental or physical condition.
 - Persons who have a bodily impairment or handicap that substantially limits the person's ability to resist or flee.
 - Persons who are not of legal age to consent according to Iowa Code (see Iowa Code § 709.4).
- v. Consent cannot be assumed, there must be an affirmative expression through words and/or actions that all parties involved consented to specific sexual activity at a specific time. Since individuals may experience the same interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity. Important points regarding consent include:
- Consent to one particular form of sexual activity does not constitute consent to any other form of sexual activity (e.g., consent to engage in kissing does not constitute consent to engage in intimate touching or fondling).
 - Consent on a prior occasion does not constitute consent on a subsequent occasion.
 - Consent to sexual activity with one person does not constitute consent to sexual activity with any other person.
 - The existence of a prior or current intimate relationship does not, in itself, constitute consent to any sexual activity.
 - Consent can be withdrawn or modified at any time, and sexual contact must cease immediately once consent is withdrawn.
 - Consent cannot be inferred from silence, passivity, or lack of resistance; and relying on nonverbal communication alone may result in a violation of this Policy.

E. Incapacitation – Individuals who are incapacitated cannot consent to sexual activity. Therefore, engaging in sexual activity with an incapacitated person is a violation of this Policy. The university defines incapacitation as follows:

- i. General definition: A person who is incapacitated is unable, temporarily or permanently, to understand the facts, extent, or implications of sexual activity because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition, being asleep or unconscious, or based on their age (generally, minors under the age of 16 pursuant to Iowa Code § 709.4).
- ii. Additional guidance: In evaluating the presence or absence of consent in cases of potential incapacitation, the university asks two questions: *one*, did the person initiating sexual activity know that the other person was incapacitated? And if not, *two*, would a sober, reasonable person in the same situation have known that the other person was incapacitated? If the answer to either of these questions is “yes,” consent was absent and the conduct is likely a violation of this Policy.
- iii. When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drugs. A person is not necessarily incapacitated merely as a result of drinking alcohol or using drugs. Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated involves an individualized assessment.
- iv. The university does not expect community members to be medical experts in assessing incapacitation. But, community members are expected to be aware of and look for common and obvious warning signs that suggest that a person may be incapacitated or approaching incapacitation. Factors to consider include but are not limited to:
 - Slurred or incomprehensible speech
 - Inability to stand, walk, or move without assistance
 - Inability to complete basic tasks such as use a smartphone, drink from a bottle or cup without spilling, hold objects without dropping, etc.
 - Combativeness, emotional volatility, or other unusual behavior
 - Vomiting and/or incontinence

- Inability to remove clothing without assistance
- Strong smell of alcohol around the person
- Presence of bloodshot eyes and/or the inability to maintain eye contact

(These factors and other relevant factors are always consider along with the totality of the circumstances present)

A person who is incapacitated or approaching incapacitation may not be able to understand some or all of the following questions:

- “Do you know where you are?”
 - “Do you know how you got here?”
 - “Do you know the date and time of day?”
 - “Do you know whom you are with?”
 - “Do you know what is happening?”
- v. The impact of alcohol and/or drug use on a person may change over a period of time based on a variety of subjective factors, including the amount of substance consumed, the type of substance consumed (i.e., beer versus hard liquor), the speed of consumption, tolerance level, interaction with other substance use, food consumption, body mass, hormones, and metabolism. Accordingly, one should be cautious before engaging in sexual activity when any party has been drinking alcohol or using other drugs. The use of alcohol or other drugs can lower inhibitions and create an atmosphere of confusion about whether consent is effectively sought and freely given. If there is any doubt as to the level or extent of one’s own or another person’s ability to understand the facts, extent, or implications of sexual activity, the advisable course of action is to forego all sexual activity.
- vi. A person’s voluntary intoxication or drunkenness is never an excuse for or a defense to Prohibited Conduct and it does not diminish the responsibility to determine that all participants to sexual activity provide consent.

F. Alcohol Use and Prohibited Conduct – National research studies have found that the majority of sexual assaults on college campuses involve a situation in which the respondent, the complainant, or both consumed alcohol, and that sexual assaults are more likely to occur in settings where alcohol is consumed. Accordingly, alcohol should be viewed as a risk factor for unwanted sexual advances and other forms of Prohibited Conduct.

The university is committed to reducing alcohol use and excessive drinking through comprehensive programs, including bystander intervention, guidance regarding healthy relationships, reducing alcohol availability, and eliminating high-risk drinking and drug use.

Lower-risk drinking involves:

- Thinking about whether you will drink and what you will drink before drinking
- Drinking only one drink per hour
- Knowing how you will get home safely before you go out
- Going out as a group and coming home as a group and not leaving friends behind
- Eating a meal before drinking
- Always knowing what you are drinking and knowing your limits
- Alternating alcohol free drinks throughout the evening
- Trust your instincts, if a situation doesn't seem right, leave or call law enforcement or someone else who can help

Higher-risk drinking involves:

- Chugging, drinking games, and taking shots
- Drinking to get drunk or to blackout
- Not knowing what is in your drink or leaving a drink unattended
- Drinking or going out alone or without a plan on how to return home safely
- Drinking anything out of a punch bowl, trough, hose, or funnel
- Driving after drinking or riding with someone who has been drinking
- Mixing alcohol with medicines/drugs

Iowa law and university policy prohibit underage alcohol consumption, providing alcohol to minors, and illegal drug use. Students under the age of 21 may not consume alcohol anywhere on campus. Any student found responsible for violating alcohol policy or law can face university sanctions and may be arrested by ISU and Ames police. Additional information concerning these issues may be found in the [Alcohol Use – Students and Student Organizations Policy](#) and the [Alcohol, Drugs, and Other Intoxicants Policy](#).

- G. Amnesty** – The university strongly encourages the reporting of Prohibited Conduct and values the full participation of all parties in the investigation process. As a result, the university generally does not hold Complainants, Respondents, and/or witnesses accountable for non-egregious student code violations (including alcohol or drug possession related violations) that may have occurred at the time of the reported Prohibited Conduct. Violations that placed the health or safety of others at risk, involve plagiarism or academic dishonesty, or are otherwise egregious are generally not afforded such amnesty.

In addition, to better ensure that minors at health risk as a result of alcohol or other intoxicant or who seek emergency safety protection receive prompt and appropriate attention, ISU provides health/safety amnesty to remove perceived barriers to calling for and seeking assistance. Underage individuals who seek emergency assistance for themselves or on behalf of another individual will not be charged with non-egregious student code violations (including alcohol or drug possession related violations) that may have occurred in relation to the emergency.

In addition, when individuals report Prohibited Conduct to the ISU Police Department and/or the Ames Police Department, these law enforcement agencies have a practice of not pursuing charges for improper use of alcohol or drugs against reporting parties.

- H. Academic Freedom and Freedom of Speech** – The university is committed to the principles of academic freedom and freedom of speech. As such, in determining whether Prohibited Conduct has occurred and what type of remedy, if any, might be appropriate in a given matter, the university will consider the fact that free intellectual inquiry, debate, and constructive dialogue are vital to the university’s academic mission and must be protected even when the views expressed are unpopular or controversial.

The definition of Prohibited Conduct in this Policy is meant neither to proscribe nor to inhibit discussions, in or out of the classroom, of complex, controversial, or sensitive matters, including matters involving sex, gender, sexuality, sexual orientation, sexual behavior, or gender identity, when in the judgment of a reasonable person they arise for legitimate pedagogical purposes. The mere expression of views, words, symbols or thoughts that some people find offensive, does not necessarily constitute a violation of this Policy. For additional guidance on these issues see the university’s Discrimination and Harassment Policy.

- I. Prevention and Awareness Training and Programing** – ISU is committed to the prevention of Prohibited Conduct through regular and ongoing education and awareness programs. All new students (freshman, transfer, and graduate) and new faculty and staff receive initial prevention and awareness programming as part of their orientation, and

returning students and current employees receive ongoing training and related education.

Educational programs include information on how and where to report incidents of Prohibited Conduct, resources and services available to all those impacted by Prohibited Conduct, how to prevent and identify Prohibited Conduct, as well as safe and positive options for bystander intervention. Special training is provided to those community members involved in receiving reports, investigating, adjudicating and otherwise responding to reports of Prohibited Conduct at the university.

ISU is also a proud institutional participant in the Green Dot program. Green Dot is built on the premise that in order to measurably reduce the perpetration of interpersonal violence, including sexual assault, intimate partner violence, and stalking, a cultural shift is necessary. In order to create such a cultural shift, a critical mass of people is needed to engage in a new set of behaviors that make violence less sustainable within the community. Each “new behavior” is a green dot, and includes any choice, behavior, word or attitude that promotes safety for everyone and communicates intolerance for interpersonal violence in our ISU community. Additional information about ISU’s Green Dot program is available [here](#).

J. Bystander Intervention – ISU promotes the Green Dot program. Green Dot is a comprehensive violence prevention strategy that address all forms of power-based personal violence such as sexual assault, dating violence, and stalking. Green Dot is any behavior, choice, word or attitude that promotes safety for everyone and communicates intolerance for violence. Bystanders play a critical role in the prevention of Prohibited Conduct. The university encourages all community members to take reasonable and prudent actions to prevent or stop acts of Prohibited Conduct. Each situation is unique and each person has different abilities when it comes to intervening. Intervention steps may include:

- Direct – Do something yourself by asking if the person needs assistance or calling out the behavior before it escalates
- Delegate – If you can’t do something, ask a friend for help, talk to someone that has more authority or ability to intervene in the moment (Police, CA, Coach, Faculty or Staff member, Peer, Bartender, etc.)
- Distract – If you don’t want to address the situation directly, think of a distraction that will defuse the situation or calm things down in the moment.

When considering intervention options, it is most important for individuals to make the safest choice available.

3. Privacy, Confidentiality, Requests for No-University Action, and Related Reporting Responsibilities

With respect to the university's processes and resources related to reports of Prohibited Conduct, it is important to consider the related issues of privacy and confidentiality. While these terms sound similar, they are distinct concepts. It is also important to understand the different reporting responsibilities that university employees and campus and community resources have. While all employees and resources are committed to respecting the privacy of all individuals involved in reports of Prohibited Conduct, only certain employees and resources (as identified in this Policy) are able to maintain complete confidentiality with respect to reports and information relating to Prohibited Conduct.

ISU is committed to protecting the privacy of all individuals involved in the reporting, investigation, and/or adjudication of incidents of Prohibited Conduct. ISU is also committed to providing assistance and resources to help all campus community members gain information about this Policy and make informed choices. In all cases, the university will share the details of reports of Prohibited Conduct only with university officials, law enforcement personnel, and other individuals who have a legitimate administrative or legal reason to be so informed, and records will not be disclosed outside the university unless required by law or legal subpoena.

Some resources, both on and off-campus are able with very limited exceptions to maintain complete confidentiality with respect to reports of Prohibited Conduct. This means that they will not share with anyone (including law enforcement, university officials, or anyone else) any information relating to reports of Prohibited Conduct, including information that identifies or might be used to identify persons related to reports of Prohibited Conduct, unless the speaker consents to the disclosure in writing, or where there is an imminent threat to the safety of the speaker or others, or the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18. These confidential resources are specifically identified in this Policy.

A. Privacy –

Privacy refers to the way in which the university will treat reports and information relating to Prohibited Conduct. Reports and information relating to Prohibited Conduct will be shared only with a limited circle of individuals who have a legitimate administrative or legal reason to be so informed in order to assist in the assessment, investigation, and/or resolution process. All campus community members who are involved in the university's response to reports of Prohibited Conduct receive training in how to protect private information in accordance with university policy and state and federal law.

The university will make reasonable efforts to investigate and respond to reports of Prohibited Conduct under this Policy, and information may be disclosed to participants in an investigation/adjudication as necessary to facilitate the thoroughness and integrity of the investigation/adjudication. In all such proceedings, the university will take into consideration the privacy of the parties to the extent reasonably possible.

B. Confidentiality –

Confidentiality refers to the protections provided to information disclosed within legally-protected or privileged relationships pursuant to university policy and/or federal and State of Iowa law, including communications with licensed medical and clinical care professionals, licensed mental health care providers and counselors, ordained clergy, personal attorneys, and certain victim counselors as defined by Iowa Code § 915.20.

These confidential resources can engage in confidential communications when the information is disclosed within the scope of that person's professional services. When an individual shares information with a confidential resource (on campus or in the community) as a confidential communication in the course of a protected relationship, the confidential resource cannot disclose the information (including any personally identifiable information) to any third party without the individual's written permission or unless required by ethical or legal obligations which compel the professional to reveal such information. For example, information may be disclosed when the individual gives written consent for its disclosure, there is an imminent concern that the individual will likely cause serious physical harm to self or others, or the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18. An individual's medical and counseling records are also considered confidential documents.

C. Requests for No-University Action –

If an individual reports to the university they have experienced an incident of Prohibited Conduct, but requests that the university not investigate the incident, requests that no disciplinary action be taken, requests that the reported perpetrator not be notified, requests that their name not be disclosed to the reported perpetrator, or makes any similar request, the university will normally be able to honor that request. However, there are situations in which ISU must override such requests in order to meet its legal and ethical obligations to provide a safe and non-discriminatory environment for the individual and the entire campus community.

It is important that individuals who request no-university action know that the university strictly prohibits retaliation (as detailed in this Policy), and that the university works hard to prevent retaliation and responds seriously if retaliation does occur. In addition, requests for no-university action may severely limit ISU's ability to respond fully to the

incident, including pursuing disciplinary action against the reported perpetrator. For example, a respondent is entitled to know the name of the complainant and information regarding the nature of the report in order to respond to formal complaints under this Policy. Accordingly, individuals who request no-university action will be asked to document their request in writing.

When a request for no-university action could undermine the safety of the individual and/or campus community, the Title IX Coordinator in consultation with the Title IX Response Committee, will evaluate the request to determine if it can be honored. In evaluating such requests, the university considers a range of factors, including:

- The seriousness of the reported conduct (e.g., force or violence present, use of a weapon to commit the offense, use of drugs to facilitate the offense, offense was committed by multiple perpetrators, offense involved a minor, etc.)
- Circumstances suggesting there is an increased risk of the reported perpetrator committing additional acts of Prohibited Conduct (e.g., past reports against same reported perpetrator, reported perpetrator has an arrest record or disciplinary history at other institutions for similar conduct in the past, the reported perpetrator threatened further acts of Prohibited Conduct or violence, etc.)
- Circumstances suggesting there is an increased risk of Prohibited Conduct occurring under similar circumstances (e.g., history of incidents occurring at a particular location or involving a particular group/organization)
- Whether the university possesses other means of obtaining relevant evidence (e.g., security cameras, other witnesses, physical evidence, etc.)

If the university determines that it can honor the individual's request for no-university action, the individual may still seek out on and off-campus support and resources, including non-disciplinary remedial measures. The university may also consider broader remedial action, as appropriate, such as increased monitoring, supervision, or security at locations where reported Prohibited Conduct occurred, and increased education and prevention efforts for targeted population groups.

In cases where the balance of factors compels the university to investigate the report and pursue disciplinary action in a manner that requires the disclosure of the reporting party's identity to the reported perpetrator, the reporting party will be told in advance, and the university will work with the reporting party to maximize their safety and privacy, as well as reiterating the university's non-retaliation policy with all parties. Under no circumstances will a reporting party be forced to participate in an investigation or

adjudication. If the reporting party does not wish to participate in an investigation or adjudication, the university may serve as the named complainant in the matter.

Individuals wishing to remain anonymous to all university personnel can make a report through the university's discrimination, harassment, and assault hotline at 515-294-1222, or through an anonymous email account to eooffice@iastate.edu. However, electing to remain anonymous may greatly limit the university's ability to stop the reported conduct, collect evidence, provide support, and/or take effective action against individuals or organizations accused of violating this Policy.

D. Responsibility to Report Prohibited Conduct –

ISU strongly encourages anyone who has experienced Prohibited Conduct to talk to a [resource](#) about what happened, to ensure they are informed of the available support, resources, and applicable complaint processes and to allow the university to respond appropriately. The information below explains the obligations of certain employees, so called "Responsible Employees," to report information brought to their attention regarding incidents of Prohibited Conduct to the appropriate university officials. It also explains that certain employees and resources (both on campus and in the community) are available to speak with individuals about incidents of Prohibited Conduct and maintain the individual's request for complete confidentiality, so called "Confidential and Campus Confidential Resources."

- i. Responsible Employees: Pursuant to Department of Education Office for Civil Rights guidance, a "Responsible Employee" includes those university employees who have the authority to take action to redress reported violations of this Policy; who have been given the duty of reporting potential violations of this Policy; or who a student could reasonably believe has such authority or duty.

At ISU, Responsible Employees include, but are not limited to:

- All instructors, including full-time professors, adjuncts, lecturers, adjunct instructors, and any others who offer classroom instruction or office hours to students;
- All advisors;
- All coaches, trainers, and other athletic staff that interact directly with students;
- All student affairs administrators;
- All residential hall staff;
- All supervisors and university officials; and

- All employees who work in offices that interface with students.

When an individual tells a Responsible Employee about an incident of Prohibited Conduct under this Policy, that individual has the right to expect the university to take prompt and appropriate steps to respond and address the report. Therefore, Responsible Employees have an obligation to report information they learn concerning Prohibited Conduct to the university's Title IX Coordinator or a Deputy Title IX Coordinator as explained below. In addition, Responsible Employees should assist the individual in understanding available resources on and off-campus, and in understanding their options in making an internal university complaint and/or a complaint to law enforcement.

Responsible Employees must report all known information, including the names of the individuals affected and reported perpetrators, any witnesses, the date, time and location, and any other relevant details to the Title IX Coordinator or a Deputy Title IX Coordinator. Responsible Employees should not discuss or share any information related to the incident with anyone other than those directly involved in handling the university's response, unless they received the individual's prior consent or in the event of an emergency or existing threat.

Responsible Employees cannot promise individuals confidentiality, anonymity, or withhold relevant information from the Title IX Coordinator. Accordingly, Responsible Employees should make every effort to ensure that all individuals, including students, understand that they are obligated by university policy to make a report to the Title IX Coordinator or a Deputy Title IX Coordinator in the event they are made aware of an incident of Prohibited Conduct. If an individual expresses hesitation in speaking with a Responsible Employee because of their reporting obligation, the Responsible Employee should inform the individual of Confidential and Campus Confidential Resources. Responsible Employees are not required to report information disclosed during public awareness events (e.g., "Take Back the Night," candlelight vigils, protests, "survivor speak-outs,") or information disclosed during an individual's participation as a subject in an Institutional Review Board-approved human subjects research protocol.

- ii. Confidential Resources and Campus Confidential Resources: Certain university employees – based on State of Iowa law, their professional licensure and/or the nature of their role on campus – are available to speak with individuals about incidents of Prohibited Conduct and maintain the individual's request for confidentiality (i.e., they will not share information with anyone else). Confidential Resources and Campus Confidential Resources will not disclose information about Prohibited Conduct unless the individual approves such

disclosure in writing or they are required to do so by law. In accordance with State of Iowa law, exceptions to confidentiality will be made in cases involving risk of serious harm to self or others and disclosures of child abuse.

- *Confidential Resources:* Under Iowa law and university policy, communications with certain individuals are considered completely confidential and/or privileged. This means that, with very limited exceptions, any information shared by a party may not be used against them or shared with others. Generally, confidentiality and/or privilege applies when a party seeks professional services from the following persons: psychological counselor (including counselors at ISU Student Counseling Services); health care provider (including medical professionals at ISU Thielen Student Health Center); personal attorney; religious/spiritual advisor; and victim counselors as defined by Iowa Code § 915.20 (including ACCESS counselors). Individuals should always discuss whether confidentiality and privilege in fact applies and the scope of any confidentiality and privilege with the person with whom they are seeking professional services.

Please note, faculty, staff and other employees who are licensed mental health workers or are licensed medical workers, but who are not working in that capacity, such as faculty members in psychology, social work, nursing, etc., are not confidential employees under this Policy.

- *Campus Confidential Resources:* By designation of university policy and based on the nature of their role on campus, Campus Confidential Resources are not Responsible Employees in relation to reports of Prohibited Conduct. This means that Campus Confidential Resources are not obligated to report Prohibited Conduct to the Title IX Coordinator or Deputy Title IX Coordinator, and will not testify in any formal university proceeding relating to a report of Prohibited Conduct.

Please note, Campus Confidential Resources are only recognized under university policy, and are not recognized under State of Iowa law as confidential or privileged. This means that information shared with a Campus Confidential Resource may be subject to legal subpoena and/or used as evidence in any external criminal or civil proceeding.

In speaking with a Campus Confidential Resource, an individual agrees that the Campus Confidential Resource will not disclose the contents of their conversation or disclose personally identifiable information, unless given express permission to do so or required by law. This agreement promotes

access to resources and support, and helps provide a safe and neutral place for discussing concerns of a sensitive nature. If an individual desires to put the university on notice of a potential policy or legal violation (including reports of Prohibited Conduct under this Policy), the individual should contact the Title IX Coordinator, a Deputy Title IX Coordinator, the ISU Police Department, or a designated Responsible Employee. Campus Confidential resources can assist individuals in connecting with these [reporting options](#).

E. Role of Law Enforcement –

The university encourages any individual who has experienced Prohibited Conduct to contact the ISU Police Department (ISU PD) and/or local law enforcement. ISU PD responds to emergency situations on the ISU campus and the immediate vicinity, and typically communicates and works with the Title IX Coordinator and Title IX Response Committee to assist in investigations and incident response.

Individuals with a possible criminal case who have not made their initial report to law enforcement will be provided with information about how to contact law enforcement. Individuals may also request assistance from campus authorities in requesting legal protective orders. Individuals may decide not to notify law enforcement authorities, and still proceed with a university investigation.

A university investigation under the procedures outlined in this Policy may be initiated and/or proceed simultaneously with a criminal case. The university will cooperate with law enforcement, and if requested by law enforcement, defer its fact gathering for a brief period during the evidence gathering stage of a criminal investigation. However, the university will not consider its investigation on hold pending a criminal investigation and will continue to communicate with individuals and address the need for any interim measures regarding safety and well-being, and resume its own fact gathering as soon as feasible—generally when it is determined that the university investigation will not unreasonably interfere or impede the criminal investigation.

The determination by law enforcement whether or not to prosecute a respondent or the outcome of a criminal proceeding does not determine whether a violation of university policy has occurred. Records of university proceedings may be subpoenaed for a criminal prosecution.

In some instances, based on a heightened threat, or potential threat to the safety of the individuals involved, or the larger university community, university officials may determine it is necessary to make a third party complaint to law enforcement, despite the

individual's decision not to do so. In such instances, the university will attempt to inform the individual prior to making a third party complaint.

F. Clery Act Reporting –

In adherence with the [Clery Act and the Violence Against Women Reauthorization Act](#), the university includes statistics about certain crimes in its annual security report and provides these statistics to the U.S. Department of Education. These acts also require the university to issue timely warnings about certain crimes that occur on applicable university property and represent a serious or continuing threat to the campus community. Consistent with these acts, the university does not include any names or other personally-identifiable information of complainants, when issuing timely warnings.

Certain employees, known as Campus Security Authorities (CSAs), have a legal obligation to file a report with the ISU Police Department concerning known or suspected criminal activity. Additional information about CSAs and the filing of Clery reports may be found at the [ISU Police Department's Clery webpage](#).

4. Accommodations and Interim Measures

ISU has many means of increasing safety, support, and accommodation for individuals impacted by Prohibited Conduct. These are accessible and available regardless of whether an individual files a complaint with the university or law enforcement, and are available to complainants, respondents, and witnesses. Upon receipt of a report or notice of Prohibited Conduct, the university will discuss reasonable and appropriate accommodations and interim measures designed to preserve the parties' educational experiences; protect the parties during an investigation; address possible safety concerns for the parties involved and for the broader community; maintain the integrity of the investigation/adjudication process; and deter retaliation. These measures may be remedial (i.e., measures designed to maintain continued access to educational opportunities) and/or protective (i.e., involving a restrictive action against a party). Questions and requests concerning such measures should be directed to the [Office of Student Assistance](#), 1010 Student Services Building, 515-294-1020, studentassistance@iastate.edu and/or the Title IX Coordinator.

Potential accommodations and interim measures may include, but are not limited to:

- Issuing "restricted contact notices" designed to restrict contact and communication between individuals
- University Housing/Residence/Dining modifications
- Academic modifications and support
- University work/employment modifications and support
- Referral to resources which can assist with financial aid, visa, and immigration concerns

- Transportation assistance, including the provision of escorts
- Safety planning
- Assistance in obtaining no contact orders or protective orders under Iowa law and honoring such orders
- Assistance in obtaining a sexual assault forensic exam
- Assistance in contacting and filing a report with local law enforcement
- Access to counseling, health, mental health, and medical services
- Referral to resources which can assist with advocacy and legal assistance

In addition, students accused of violating this Policy may be subjected to any protective measure set forth in the Student Disciplinary Regulations, except expulsion or restitution/fines, on an interim basis pending resolution.

Determinations and Implementation: The provision of accommodations and remedial measures will be determined based upon the totality of the circumstances involved in the specific matter. The university will consider a number of factors in determining which measures are reasonable and necessary, including the needs and requests of the individual seeking such measures; the severity and pervasiveness of the reported conduct; whether the complainant and the respondent share the same residence hall, academic courses, or job/activity locations; and whether judicial measures have been taken to protect the parties (e.g., legal protective orders).

The determination of whether to impose an interim suspension will be made by the Dean of Students Office in consultation with the Title IX Coordinator. The decision makers will consider whether the respondent's continued presence at the university pending the outcome of the investigation/adjudication creates a continuing danger to persons or property or constitutes an ongoing threat of disruption to the academic process. Students may request a reconsideration of any interim protective measure as described in [the Student Disciplinary Regulations \(Section 5.5\)](#).

The Director of the Office of Student Assistance and the Title IX Coordinator, in collaboration with the Title IX Response Committee, is responsible for assessing and ensuring the implementation of all other accommodations and remedial measures and coordinating the university's response with appropriate offices on campus. These decision makers have the discretion to impose and/or modify any non-suspension interim measure based on all available information. The university will maintain the privacy of any accommodations and remedial measures provided under this Policy to the extent practicable and will promptly address any reported violations of these measures.

Individuals with disabilities: The university will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations, to the extent necessary and available, to participate in and benefit from the university's processes. Student requests for

disability related accommodations must be made to the Student Accessibility Services, 1076 Student Services Building, 515-294-7220, accessibility@iastate.edu.

5. Summary of Rights of Complainants and Respondents in Investigations and Adjudications under this Policy

Complainants and respondents both have rights during the investigation and adjudication process of complaints of Prohibited Conduct under this Policy. These rights include:

- To be treated with respect by university officials throughout the process.
- To be informed of all applicable university policies and procedures as well as the nature and extent of all reported violations contained within the complaint.
- To have the university keep their name and other information as private as possible, generally only sharing information with officials who “need-to-know.”
- To receive assistance from the university in contacting law enforcement, if the individual so chooses.
- To be notified of available resources and services, including counseling, health, mental health, academic, housing, advocacy, legal, visa and immigration, and financial aid assistance.
- To request reasonable accommodations and interim remedial measures.
- To be accompanied and assisted by any two persons (advisor/support person) of the individual’s choosing at any meetings, interviews, and any necessary hearings. Ordinarily, advisors/support persons may not speak on behalf of the party or directly participate in the process, although they may provide support, consultation, and advice. An advisor/support person cannot be an individual who is, or may be, a party or witness to the circumstances surrounding the report.
- To receive proper notice of any investigation, hearing, decision, sanction, and/or appeal.
- To receive a fair, reliable, and impartial investigation and appropriate resolution of all reports of Prohibited Conduct.
- To have reports of Prohibited Conduct investigated by individuals who are properly trained to investigate and resolve such reports.
- To request that any individual with a conflict of interest not participate in the university’s investigation and adjudication process.

- To have the opportunity to participate equitably in any investigation or adjudication process, including the equal opportunity to identify witnesses, provide evidence, review and comment on the draft investigative report, participate in any hearing, provide an impact statement, and appeal final determinations and sanctions.
- To be protected from retaliation and harassment by any member of the university community for participating in the university process.
- To discuss experiences, including any concerns regarding the university's process with the Title IX Coordinator, a Deputy Title IX Coordinator, or someone external to the university.

6. Investigation and Adjudication Procedures for Reports of Prohibited Conduct Involving Students

ISU is committed to providing a fair, impartial, and prompt response to reports of Prohibited Conduct and to the education of the university community about the importance of responding to all forms of Prohibited Conduct. The university's process for addressing reports of Prohibited Conduct is grounded in fairness and support for all parties; includes procedural protections that ensure notice and meaningful opportunities to participate; and recognizes the unique dynamics involved in reports of Prohibited Conduct.

The university will provide all individuals involved in the university's process with reasonable and appropriate services, resources, and interim remedial measures. Throughout the process, the parties will have equal opportunities to participate in the investigation, be accompanied by advisors/support persons, identify witnesses, provide information and evidence, review a draft of the investigative report and provide comments, request a hearing, participate in the hearing, provide an impact statement, and appeal final determinations and sanctions, if applicable.

In all cases, the university will take prompt steps to investigate reports and stop, prevent, and remedy the impact of any Prohibited Conduct. The university cannot guarantee a definite timeframe for this process, but in all matters the university will make a good-faith effort to complete a fair, impartial investigation in a timely manner based on the totality of the circumstances present. Factors that could impede the timing of the process include the complexity and severity of the matter, the number and availability of witnesses, or the need to identify and acquire physical or other evidence.

A. Notice of Prohibited Conduct and Complaint Initiation: A university complaint of Prohibited Conduct may be initiated in one of the following three ways:

- i. A reporting party may file a written complaint with the university or a third party may file a written complaint on another's behalf. The reporting party may complete a Sexual Misconduct Complaint Form from the Office for Equal Opportunity, or may submit a written statement to the Office for Equal Opportunity via [email](#) providing sufficient information for the university to investigate the matter (including but not limited to the name of the person reportedly harmed by the Prohibited Conduct, the name of the reported perpetrator, and the date, location, and nature of the reported Prohibited Conduct, if known).
- ii. A reporting party may meet in person with the Title IX Coordinator, or other designated staff member in the Office of Equal Opportunity, to report Prohibited Conduct. In such a situation, the Title IX Coordinator will ask the reporting party to complete a Sexual Misconduct Complaint Form or submit a written statement.
- iii. The university may determine, based on the totality of the information it becomes aware of, that it is necessary or appropriate for it to initiate a complaint and investigate a report of Prohibited Conduct.

B. Complaint Assessment: When the university receives a report that involves potential Prohibited Conduct, the Title IX Coordinator (or designee in all instances) will request an initial assessment meeting with the person reporting the Prohibited Conduct and/or the person reportedly harmed to gain a basic understanding of the nature and circumstances of the report. At this meeting, the reporting party and/or the person reportedly harmed will be provided with information regarding university policies, investigation options (internal and law enforcement), available resources and services, and interim remedial measures.

- i. The Title IX Coordinator reviews the report, considering all available facts, and determines whether the report falls within the scope of the Sexual Misconduct Policy and whether the information provided, if true, rises to the level of a plausible violation of the university's Sexual Misconduct Policy.
- ii. If the Title IX Coordinator determines that the report does not fall within the Sexual Misconduct Policy and/or that the report does not plausibly describe a violation of the Sexual Misconduct Policy; the university's investigation process will not proceed at that time. The Title IX Coordinator will notify the person reportedly harmed in writing of the decision not to proceed with an investigation and provide the reason(s) why. The Title IX Coordinator will explain that if additional information/evidence becomes available, an investigation may then proceed. Appropriate and reasonable resources

and remedial measures will be provided to the person reportedly harmed regardless of whether an investigation proceeds.

- iii. If the person reportedly harmed by the Prohibited Conduct requests that the university not investigate the report and/or requests that their name not be disclosed to the person accused of engaging in Prohibited Conduct; the university will take all reasonable steps to respond to the report consistent with that request. However, the university must weigh such requests against its obligation to provide a safe and non-discriminatory environment for all community members. If the Title IX Coordinator determines that it must investigate a report despite such a request to the contrary, the Title IX Coordinator will inform the person reportedly harmed prior to contacting the accused and will implement all necessary remedial and protective measures.
- iv. Once a complaint is initiated, the individual who reports experiencing any form of Prohibited Conduct described in this Policy is referred to as the “**Complainant.**” The individual who is responding to the complaint and has been accused of engaging in Prohibited Conduct is referred to as the “**Respondent.**” Individuals who may have information relevant to the complaint are referred to as “**Witnesses.**”

C. Accommodations and Interim Measures: Pending the investigation and resolution of a complaint, the Title IX Coordinator, in collaboration with the Dean of Students and the Title IX Response Committee, may implement accommodations and interim measures (both remedial and protective) that may be reasonable and necessary to assure the safety and well-being of the Complainant and Respondent, to maintain an environment free from Prohibited Conduct, and to protect the safety and well-being of the overall university community. (See [Section 4](#) “Accommodations” above for more information).

D. Informal Resolution Option: If a complaint is filed and then accepted by the Title IX Coordinator, the Complainant may request (at any time before a notice of a hearing is delivered in accordance with Section (M) below) an *informal* resolution of the complaint after being fully informed of their rights and options. The Title IX Coordinator will determine whether the informal resolution process is appropriate considering the totality of the circumstances. If an informal resolution is pursued, the Title IX Coordinator will attempt to facilitate a resolution that is agreeable to both the Complainant and the Respondent. Any informal resolution must adequately address the concerns of the Complainant, as well as the rights of the Respondent, and the overall intent of the university to stop, remedy, and prevent Prohibited Conduct. Complaints involving reports of sexual assault are not ordinarily eligible for informal resolution absent extenuating circumstances.

- i. In all cases, the parties will be informed that participation in informal resolution is voluntary, and the Complainant and Respondent have the option to discontinue the informal process and request a formal investigation/adjudication. The university also

has the discretion to discontinue the informal process. If all parties accept the terms of the informal resolution process, the report is considered fully resolved and closed, absent the discovery of significant and previously unknown information or the failure to adhere to the terms of the informal agreement. Informal resolutions do not result in the creation of an official student disciplinary record.

- ii. Informal resolution options include, but are not limited to: referral of one or both parties to appropriate counseling programs; referral of one or both parties to appropriate and targeted Prohibited Conduct training; required exchange and reading of impact/responsibility statements; entering into restricted contact agreements; and/or any other agreed upon measure that is reasonably calculated to end the reported misconduct, prevent its recurrence, eliminate any hostile environment, and remedy its effects.
- iii. Appropriate and reasonable accommodations and interim measures may be implemented at any time during and following an informal resolution process.

E. Respondent's Acknowledgment of Responsibility: At any time prior to the date of a scheduled Hearing Board (as described in Section (M) below), a Respondent may elect to acknowledge and take responsibility for the reported Prohibited Conduct. In such a situation, the Title IX Coordinator and the Dean of Students (or designee in all instances) will propose sanction(s) for the Respondent. If the Respondent and the Complainant agree to such proposed sanction(s), the complaint will be resolved. If either party rejects the proposed sanction(s), then the investigation/hearing will proceed.

F. Formal Investigation: If a complaint is filed and then accepted by the Title IX Coordinator, the Complainant may request a *formal* investigation. In addition, as described above, the Title IX Coordinator may decide to initiate a formal investigation into reports of Prohibited Conduct. In these instances, the university will initiate a prompt, thorough, fair, and impartial investigation and resolution of the complaint.

- i. If a formal investigation is initiated, the Title IX Coordinator will assign the investigation to an appropriate administrator(s) and/or an experienced external resource ("investigator") who has been trained concerning working with and interviewing persons subjected to sexual violence; information on particular types of conduct that would constitute sexual violence, including same-sex sexual violence; the proper standard of review for sexual violence complaints (preponderance of the evidence); information on consent and the role drugs or alcohol can play in the ability to consent; the importance of accountability for individuals found to have committed sexual violence; the need for remedial measures for the Respondent, Complainant, and university community; how to determine credibility; how to evaluate evidence and weigh it in an impartial manner; how to conduct investigations; confidentiality;

the effects of trauma, including neurobiological change; and cultural awareness training regarding how sexual violence may impact students differently depending on their cultural backgrounds.

- ii. Both parties may request that the assigned investigator be recused because of a conflict of interest. This request must be made in writing to the Title IX Coordinator within three (3) calendar days of notice of the formal investigation and the identity of the investigator. The Title IX Coordinator will determine if such a conflict is present.
- iii. The university strives to complete any formal resolution process, up to and including an initial determination of responsibility and assignment of sanctions in a timely manner. Parties will be kept reasonably updated as to the progress of the resolution process and.

G. Notice of Investigation: The Title IX Coordinator will notify the Complainant and the Respondent, in writing, of the following information:

- i. the names of the complainant and the respondent;
- ii. the approximate date, time, and location of the reported conduct (if known);
- iii. the nature of the reported conduct;
- iv. the applicable potential policy violation(s);
- v. the name of the investigator;
- vi. information about the parties' rights and responsibilities;
- vii. the university's prohibition against retaliation;
- viii. a copy or link to ISU's [Sexual Misconduct Resource Guide](#); and
- ix. a copy or link to this Policy.

If the scope of the investigation broadens, the Title IX Coordinator will issue a supplemental notice.

H. Participation in the Process: Complainants and Respondents have the right to participate, and the right to decline to participate, in the university's investigation and resolution process. However, it is understood that if a party declines to participate, the university may proceed without their participation. A Complainant's report may be investigated and adjudicated, even if they decline to participate. A Respondent may be held responsible for violations and sanctioned, even if they decline to participate. The university will not draw any adverse inference from a Complainant's or a Respondent's decision not to participate; however, parties should be aware that declining to participate may impact the timing and outcome of a matter, and the university will render a decision based on the totality of the relevant information available. Parties may be required to meet with appropriate university officials

to receive notice of allegations and receive information about this Policy, applicable interim measures, and/or the resolution process. At such meetings, parties may elect to remain silent.

- i. The university recognizes that witnesses may be reluctant to participate in the process; nevertheless, any student or member of the faculty or staff who refuses to cooperate in the process may be subject to disciplinary action. Refusal to cooperate includes, but is not limited to, delaying or failing to acknowledge requests from university officials for information or delaying or failing to appear for scheduled meetings. Witnesses should know that the university is committed to protecting everyone involved in the process from retaliation.
 - ii. Any person who knowingly and intentionally interferes with an investigation or adjudication under this Policy is subject to disciplinary action. Interference with an investigation/adjudication may include, but is not limited to: attempting to coerce, compel, or prevent an individual from providing testimony; removing, destroying, or altering documentation relevant to the investigation; and/or providing false or misleading information to an investigator, or encouraging others to do so.
- I. The Investigation:** The investigation may include, but is not limited to, interviews with the Complainant, the Respondent, and witnesses identified as having information relevant to the report made; the examination of written statements by the parties; and the examination of all other relevant documents and evidence.
- i. The investigator will interview the Complainant and Respondent separately. Each party will be asked to participate in an initial interview and may be asked to participate in a follow up interview(s) as needed.
 - ii. The investigator will make a good faith effort to contact and interview any witness identified by the parties or in the documentation, including those no longer at the university. Generally, witnesses must have observed the acts in question or have information relevant to the incident and cannot be participating solely to speak about an individual's character. The investigator may also interview any other individual with potentially relevant information. The investigator will inform each witness that they are prohibited from retaliating against the Complainant and Respondent or other witnesses, and request that the witness respect the privacy of the parties and the integrity of the process.
 - iii. All parties to an investigation, including the Complainant, the Respondent, and witnesses may identify and provide evidence to the investigator that they believe is pertinent to the matter. Evidence includes any facts or information presented in support of an assertion and may include text messages, email exchanges, timelines,

receipts, photographs, physical evidence, police records, etc. The investigator may also consider any additional relevant evidence they collect from other sources.

J. Advisors & Support Persons: All parties to an investigation, including the Complainant, the Respondent, and any witnesses are entitled to be accompanied and assisted by any two persons of their choosing and at their own expense at both formal and informal meetings, investigation interviews, and any necessary hearings. These persons are referred to as advisors or support persons during the process.

- i. ISU has identified and trained a pool of staff and faculty members who are available to serve as support persons, but there is no requirement that advisors/support persons be chosen from this pool or be an individual from the ISU community. Parties may choose to be accompanied by family, friends, advocates, lawyers, etc. However, support persons/advisors cannot be an individual who is, or may be, a witness or party to the circumstances surrounding the report.
- ii. Support persons and advisors are limited to an advisory and supporting role only. While support persons/advisors may provide support and advice, they may not speak on behalf of the parties or otherwise directly participate in, or in any manner delay, disrupt, or interfere with the process. The university cannot unduly delay its process in order to convenience support persons/advisors. A support person/advisor's attendance may be disallowed by the university for cause.

K. Preliminary Investigative Report: At the conclusion of the investigation, the investigator will prepare a written Preliminary Investigative Report that summarizes the information gathered, and synthesizes the areas of agreement and disagreement between the parties and any supporting information or accounts. The investigative report may include summaries of interviews with the Complainant, Respondent, witnesses, and any other individuals with relevant information, photographs of relevant sites or physical evidence, electronic records, and forensic evidence. The investigative report will not include information that the investigator deems irrelevant, more prejudicial than probative, or immaterial, but the investigator may explain why they deemed certain evidence irrelevant. The Preliminary Investigative Report will not contain any findings or recommendations concerning responsibility/non-responsibility for the Prohibited Conduct.

- i. The Preliminary Investigative Report will be shared with the Complainant and the Respondent. Consistent with applicable privacy laws or safety concerns, identifying information about the Complainant or witnesses may be redacted at the discretion of the Title IX Coordinator. Within seven (7) calendar days, the Complainant and the Respondent may offer additional comment, clarify information previously shared, challenge assertions, suggest additional witnesses, and/or identify any other relevant information or evidence to assure the thoroughness and sufficiency of the

investigation. The Preliminary Investigative Report is considered confidential. Accordingly, the Complainant and Respondent may only share the Preliminary Investigative Report for the purpose of receiving counsel or advice. Inappropriate distribution of the Preliminary Investigative Report is grounds for discipline.

- ii. Once the parties have responded to the Preliminary Investigative Report, or the seven (7) calendar days have elapsed, the investigator will review and address any questions or follow-up submitted by the parties, as appropriate. This may include conducting additional investigation. The assigned investigator will then incorporate any necessary revisions or new information into a Final Investigative Report within seven (7) calendar days, if possible.

L. Final Investigative Report and Agreed Resolutions: The Final Investigative Report is delivered to the Title IX Coordinator, and the Office of Student Conduct (OSC). After receiving the final report, an OSC administrator meets individually with the Complainant and the Respondent to examine the final report, explain the adjudication/hearing board process, listen to the parties, and address any questions.

- i. If both parties are interested in exploring an Agreed Administrative Resolution to the matter, the OSC administrator may work individually with the parties in identifying such a resolution. Both parties must freely and voluntarily accept the terms of any resolution. The terms of the resolution will be documented in writing and signed by the parties, the OSC administrator, and the Dean of Students. The OSC administrator and the Dean of Students, in collaboration with the Title IX Coordinator, have final discretion concerning the reasonableness of the terms of the agreed resolution, considering the totality of the circumstances and the university's duty to end the reported misconduct, prevent its recurrence, eliminate any hostile environment, and remedy its effects. If all parties accept the terms of the agreed resolution, the report is considered fully resolved and closed, absent the discovery of significant and previously unknown information or the failure to adhere to the terms of the agreed resolution. Agreed resolutions become part of the Respondent's official student disciplinary record.
- ii. If one or both parties do not wish to pursue an Agreed Administrative Resolution to the matter, or a resolution cannot be reached, the OSC administrator will convene a Student Conduct Hearing Board (SCHB) to analyze the case and determine responsibility/non-responsibility and, if necessary, any sanctions, based on a preponderance of the evidence.

M. Notice of Hearing: The OSC will provide written notice of a hearing to both the Complainant and the Respondent. The notice of hearing will be sent to the parties at least seven (7) calendar days before the scheduled hearing. The notice of hearing should include the following information:

- i. The date, time, and location of the hearing;
- ii. The names of the SCHB members who will be hearing the matter;
- iii. The policy(s) reportedly violated and potential sanction range;
- iv. How to schedule an appointment(s) with OSC to review the Final Investigative Report;
- v. A copy or link to this Policy describing the hearing process;
- vi. A description of any interim measures/sanction(s) that are in effect pending the hearing and a reminder of the university's anti-retaliation policy;
- vii. Information concerning the parties' right to be accompanied by up to two advisors/support persons.

N. Student Conduct Hearing Board: The role of the SCHB is to review the totality of the information presented in the Final Investigative Report and to determine if the Respondent violated the university's Sexual Misconduct Policy and Student Disciplinary Regulations and, if yes, to determine an appropriate sanction. The role of the SCHB is not to re-investigate the case, but to review, assess, and weigh the totality of the relevant and material evidence. The OSC will deliver the Final Investigative Report to the sitting SCHB at least seven (7) calendar days in advance of the scheduled hearing. After receiving the report, the SCHB may submit questions to the investigator or request additional follow-up by the investigator. If new and relevant information is acquired by the investigator as a result of these questions, both parties will be permitted to review this new information and respond within an appropriate amount of time, to be determined within the discretion of the investigator. The scheduled hearing may be postponed in order to properly consider any additional information.

- i. The full SCHB is comprised of forty-five (45) members of the university community: ten faculty members; ten staff members; ten graduate students; and fifteen undergraduate students. The Title IX Coordinator and the Dean of Students will collaborate with the Office of the Senior Vice President and Provost, the Faculty Senate, the Division of Student Affairs, the Undergraduate Student Government, the Graduate and Professional Student Senate, and other interested constituents to identify the full SCHB. All appointments are subject to the approval of the Senior Vice President of Student Affairs. All appointments are for a one-year term and may be extended or reappointed if the member is willing to serve, unless the member has been removed by the appointing authority or otherwise leaves the university. If a vacancy occurs on the committee, the nominating authority will replace that member

with an interim member to complete the term. SCHB members receive appropriate annual and continuing training on issues related to Prohibited Conduct and university policies and procedures (see Section (F)(i) above). The composition of the full SCHB may fluctuate as necessary.

- ii. The SCHB for a specific matter is comprised of five (5) members selected from the full SCHB and must include: one faculty member, one staff member, two students (undergraduate or graduate), and a faculty or staff SCHB Chairperson. Both parties may request that a SCHB member be excused because of a conflict of interest. This request must be made in writing to the Dean of Students within three (3) calendar days of notice of the composition of the specific SCHB. The Dean of Students will determine if such a conflict is present.
- iii. Role of the SCHB Chairperson: the Chairperson is responsible for the administration of the hearing process, including procedural matters and decisions leading up to the hearing, determinations about information that will be considered or not, appropriate and inappropriate lines of questioning, and the overall decorum and conduct of the proceedings. Representatives from the OSC and/or the Office of University Counsel will be in attendance to help answer procedural and policy based questions, but will not offer opinions regarding responsibility/non-responsibility.

O. Participation in the Hearing: The hearing is closed to the general public. The Complainant and the Respondent are permitted and encouraged to attend and participate in the hearing. The parties need not be present in the same room together. Room dividers and/or remote video or audio access may be provided. The hearing is recorded. Deliberations by the SCHB, following the hearing, are not recorded.

- i. The Complainant and the Respondent may be accompanied and assisted by up to two advisors/support persons as described in section (J) above.
- ii. The Complainant and the Respondent may submit a written statement to the SCHB that contains their position concerning the matter and highlights the information that they feel is most relevant to the SCHB's deliberation regarding whether or not a policy violation has occurred. Written statements must be submitted to SCHB at least twenty-four (24) hours before the hearing.
- iii. In addition, the Complainant and the Respondent may submit a separate impact statement to the SCHB that describes the impact of the matter on them and/or requests certain sanctions be imposed. The SCHB will read and consider submitted impact statements only in making a determination as to recommend sanctions upon a finding that university policy has been violated. Impact statements must be submitted to the SCHB at least twenty-four (24) hours before the hearing.

- iv. The hearing may proceed without the participation/presence of either or both parties. The matter may be resolved in absentia of either party. The OSC and/or the SCHB will provide sufficient notice of the hearing to all parties (at least seven (7) calendar days) and may, in its discretion, reschedule hearings for extenuating circumstances.

P. Hearing Procedure: The structure of the hearing will generally proceed as follows:

- i. The investigator, or appropriate designee, will be present and will provide an overview of the investigation and Final Investigative Report. The SCHB may pose questions to the investigator; the Complainant may pose questions to the investigator; and the Respondent may pose questions to the investigator.
- ii. The SCHB may request to hear from one or more witnesses. The Chairperson has final discretion regarding the calling of witnesses. The presumption is that the investigator has identified and interviewed all relevant witnesses and supplied the information necessary for the SCHB to render its decision and determine sanctions. Accordingly, witnesses should appear before the SCHB only when a genuine need is identified. The Complainant may pose questions to any witness called; and the Respondent may pose questions to any witness called.
- iii. The Complainant and the Respondent may make a statement to the SCHB directly. This statement should summarize their position concerning the matter and highlight the information that they feel is most relevant to the SCHB's deliberation regarding whether or not university policy was violated. Impact statements and sanctioning suggestions should not be made at this time, but should instead be made during the sanctioning stage, if necessary. The SCHB may pose questions to any participating party. The Complainant may pose questions to a participating Respondent; and the Respondent may pose questions to a participating Complainant.
- iv. When the hearing convenes, no new information will be considered by the SCHB, unless the party offering the information can show that it was: (i) not reasonably available during the investigation phase of the process; and (ii) is relevant to establishing whether or not the Respondent is responsible for the policy violation. If the introduction of new information to the SCHB is allowed, the other party will have the opportunity to review and respond.

Q. Appropriate Lines of Questioning: As discussed in Section (P) above, both the Complainant and the Respondent may pose questions to the investigator, the other party, and/or any witness called by the SCHB. **ALL** questioning will be by and through the SCHB Chairperson. Proposed questions will be submitted to the SCHB Chairperson, who will review the proposed questions for relevance and appropriateness before they are posed to the intended recipient. In determining whether a suggested question is appropriate, the Chairperson will consider:

- i. Is the question relevant to establishing whether or not the Respondent is responsible for the policy violation?
- ii. Where there is evidence of a pattern of *substantially similar* prohibited conduct by a party, either before or after the conduct in question, regardless of whether there has been a prior finding of a policy violation, this information may be deemed relevant to the determination of responsibility and/or sanctioning.
- iii. A party's character or reputation with respect to other sexual activity is *not* relevant and will *not* be considered.
- iv. A party's prior or subsequent sexual activity is typically not relevant and will only be considered as evidence under limited circumstances. For example, prior sexual history may be relevant to explain the presence of a physical injury or to help resolve other questions raised by the report, and evidence of specific instances of sexual behavior may be relevant if offered to prove that someone other than the Respondent was the source of physical evidence or injury.
- v. Where the parties have a prior sexual relationship, and the existence of consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship, which may have bearing on whether or not consent was present.

R. Deliberations and Decisions: At the conclusion of the hearing, the SCHB will deliberate in private and make a decision of responsibility or non-responsibility, by majority vote, based on the preponderance of the evidence. No member of the SCHB may abstain.

- i. If, after deliberations, the SCHB determines that the information contained in the Final Investigative Report and gathered during the hearing, does not support by a preponderance of the evidence that the Respondent is responsible for a violation of the Sexual Misconduct Policy and/or the Student Disciplinary Regulations, the hearing panel will notify the Title IX Coordinator and the OSC by means of a written decision, setting forth its rationale.
- ii. If, after deliberations, the hearing panel determines that the information contained in the Final Investigative Report and gathered during the hearing, does support by a preponderance of the evidence that the Respondent is responsible for a violation of the Sexual Misconduct Policy and/or the Student Disciplinary Regulations, the hearing panel will notify the Title IX Coordinator and the OSC by means of a written decision, setting forth its rationale.
- iii. The written decisions described above will be delivered to the Title IX Coordinator and the OSC within seven (7) calendar days of the conclusion of the hearing, and will

contain the SCHB's rationale for its decision and any other necessary information. If the Respondent is found responsible, the SCHB will specify the specific type(s) of Prohibited Conduct, if any, for which the respondent is found "Responsible" (e.g., sexual assault, stalking, sexual harassment, etc.)

S. Sanctions: If the SCHB determines that the Respondent is responsible for one or more policy violations, it will recommend appropriate sanctions. Sanctions may include any of the sanctions identified in the Sexual Misconduct Policy and/or Student Disciplinary Regulations. In determining the appropriate sanctions to recommend, the SCHB will review and consider any impact statements submitted by the parties.

- i. Sanctions for a finding of responsibility depend upon the nature and gravity of the misconduct and any record of prior discipline for Prohibited Misconduct or other similar violation. The imposed sanction(s) should be designed to eliminate prohibited conduct, prevent its recurrence, and remedy its effects, while affirming the university's educational mission.
- ii. The SCHB will forward its recommendations regarding sanctions to the OSC who, in consultation with the Title IX Coordinator, will review the recommended sanctions. The OSC and the Title IX Coordinator will either accept the sanctions as recommended or make any changes deemed necessary to ensure the sanctions are appropriate, consistent with those issued in similar cases, and are reasonably designed to eliminate the conduct, prevent its recurrence, and remedy its effects.

T. Final Outcome Letter: As soon as practicable after receiving the SCHB's written decision, the OSC will issue a written notification letter (the "Final Outcome Letter") to the Complainant and the Respondent. The letter will set forth:

- i. the name of the Respondent;
- ii. the violations of the policy for which the Respondent was found responsible or a statement that the Respondent was found not responsible;
- iii. the rationale for the finding, as provided by the SCHB;
- iv. the sanctions/remedial measures imposed on the Respondent, if any;
- v. the individual services/resources available to the Complainant and Respondent (private with respect to each party); and
- vi. an explanation of the appeals process.

Appeal Process: The Complainant and the Respondent have the right to appeal final determinations of responsibility and/or the resulting sanctions based on limited grounds.

- vii. An appeal may be requested on the following limited grounds:
 - Substantial procedural error that materially affected the outcome;
 - The decision was arbitrary and capricious or constituted an abuse of discretion;
 - New evidence is presented that was not reasonably available at the time of the hearing and is relevant to establishing whether it is more likely than not that the Respondent is responsible for the violation; and/or
 - The sanctions imposed are outside the university's sanction range for such violations and/or not justified in light of the totality of the circumstances.
- viii. Requests for appeal, including the grounds for appeal and supporting material, must be submitted in writing to the Dean of Students within seven (7) calendar days following delivery of the Final Outcome Letter. Written requests for appeal submitted by one party will be shared with the other party. Each party may respond in writing to any appeal submitted by the other party. Written responses must be submitted within seven (7) calendar days following delivery of the request for appeal. The appeal panel will render its decision within twenty-one (21) calendar days following delivery of the initial request for appeal.
- ix. Appeals are heard by a separate three (3) member appeal panel drawn from the membership of the full SCHB. The appeal panel's responsibility will be strictly limited to determining whether any of the three grounds for appeal identified above are present. If any or all are found by the appeal panel, by majority vote, the appeal will be granted. If the appeal is denied, the matter is closed, and the original SCHB's decision is considered the final decision of the university.
- x. If the appeal is granted:
 - Due to substantial procedural error that materially affected the outcome: the original SCHB decision will be overturned, and a newly convened SCHB will re-hear the matter for determination of responsibility, and if necessary, sanctioning.
 - Due to the presentation of new evidence not reasonably available at the time of the initial hearing and relevant to establishing whether it is more likely than not that the Respondent is responsible for the violation: the matter will be

returned to the original SCHB which will determine responsibility, and if necessary, sanctioning, in light of the new evidence.

- Due to the sanctions imposed being deemed outside the university's sanction range for such violations and/or not justified in light of the totality of the circumstances: the Senior Vice President for Student Affairs or designee shall modify the hearing sanction as deemed appropriate.
- xi. In the event of reconsideration, the three-person appeal panel will provide instructions regarding the nature and extent of the reconsideration. The SCHB (or the Senior Vice President for Student Affairs) will act promptly to reconsider the matter consistent with those instructions. Following reconsideration, the finding of the hearing panel or the sanction imposed by the Senior Vice President for Student Affairs will be the final decision of the university.
- xii. The Complainant and the Respondent will be provided written notice of the appeal panel's decision. If the appeal is denied, the written notice will state that it is the final institutional action on the matter and reference the appeal procedures before the Board of Regents, State of Iowa (BOR) and shall state that such appeals are subject to deadlines. All interim sanctions in effect while the investigation/hearing were proceeding and/or any sanction imposed as a result of a hearing, may be imposed on an interim basis until the BOR appeal process is exhausted.

NOTE: All notices, meeting requests, updates, and other communications relating to the university's process will be provided electronically through ISU email accounts, as described in the university's [Email, University Communications](#) policy. It is expected that email will be received and read by the recipient within a reasonable amount of time, as email communications may be time-sensitive.

NOTE: The university will make arrangements to ensure that individuals with disabilities are provided appropriate accommodations, to the extent necessary and available, to participate in the steps and procedures outlined in this Policy. Student requests for disability related accommodations must be made to Student Accessibility Services (1076 Student Services Building; 515-294-7220; accessibility@iastate.edu; <https://sas.dso.iastate.edu/>). In appropriate circumstances, the university may utilize language translation services to assist in the investigation and/or hearing process.

7. Coordination with Other University Policies

This Policy addresses discrimination, harassment, and assault as it relates to sexual and gender-based harassment and other forms of sexual violence as defined above in more detail. Other forms of sex and/or gender discrimination (not based on harassment or violence), and discrimination and harassment based on race, ethnicity, pregnancy, color, religion, national origin, physical or mental disability, age, marital status, sexual orientation, gender identity, genetic information, status as a U.S. veteran (disabled, Vietnam, or other), or any other status protected by university policy or local, state, or federal law are governed by the university's [Discrimination and Harassment Policy](#).

In addition, the conduct of students, faculty, staff, and university affiliates are governed by the following related policies:

- [Student Disciplinary Regulations](#) (“Student Code of Conduct”)
 - Applies to all forms of student misconduct
 - Overseen by the Division of Student Affairs and the Office of Student Conduct
- [Alcohol, Drugs, and Other Intoxicants](#)
 - Clarifies the rules regarding possession, consumption, and distribution of intoxicants within university owned or operated buildings, property and grounds including administrative, instructional and research facilities.
 - Overseen by the Senior Vice President for University Services
- [Alcohol Use – Students and Student Organizations](#)
 - States ISU’s commitment to maintaining an environment conducive to healthy lifestyles, including the academic and personal development of all members of the university community
 - Overseen by the Division of Student Affairs
- [Drug Free Workplace](#)
 - States ISU’s commitment to providing a drug free workplace and promoting a safe, healthy, and pleasant work environment
 - Overseen by University Human Resources
- [Violence-Free University](#)
 - States ISU’s commitment to providing students, employees, and visitors with a safe, non-threatening environment
 - Overseen by the ISU Police Department
- [Non-Retaliation Against Persons Reporting Misconduct](#)
 - States ISU’s commitment to creating an environment that encourages the reporting of misconduct without fear of retaliation
 - Overseen by the Office of University Counsel

- [Jeanne Clery Act Reporting](#)
 - Explains ISU’s Clery Act annual reporting and timely warning notification process
 - Overseen by the ISU Police Department
- [Reporting Responsibility - Violations](#)
 - Explains the responsibility of students, employees, and visitors to report potential or suspected violations of policies, regulations, and laws.
 - Overseen by the Office of University Counsel
- [Faculty Handbook](#)
 - Sets the standards of personal conduct for ISU faculty members
 - Overseen by the Office of the Senior Vice President and Provost
- [Uniform Rules of Personal Conduct](#)
 - Sets the standards of personal conduct for members of the Board of Regents State of Iowa community members
 - Overseen by the Board of Regents for the State of Iowa
- [Statement on Ethics - Professional & Scientific Staff](#)
 - Sets the standards of personal conduct for ISU professional and scientific employees
- [Consenting Relationships](#)
 - States ISU’s policy concerning certain consensual relationships, explaining that consenting relationships between teachers and students, supervisors and employees, or colleagues when one is, or likely will be, involved in the evaluation of the other are inappropriate
 - Overseen by the Office of the Senior Vice President and Provost and University Human Resources
- [Volunteers](#)
 - Establishes rules and procedures relating to volunteers and their relationship with the university for the purpose of minimizing risk and providing protection for the interests of the broader community
 - Overseen by the Office of Risk Management
- [Youth Activities, Pre-Collegiate Programs and Camps](#)
 - States ISU commitment to the health, safety and well-being of youth involved in camps, pre-collegiate programs and other youth activities.
 - Overseen by the Office of Risk Management