

Title IX Sexual Harassment, Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Effective Date: August 14, 2020

Contact: [Office of Equal Opportunity](#); [Division of Student Affairs](#); [Office of the Executive Vice President and Provost](#); [University Human Resources](#)

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Introduction

Iowa State University is committed to creating a welcoming and respectful educational, work, living, and campus environment that is free from all forms of sexual harassment, sexual assault, dating violence, domestic violence, and stalking. All members of the university community are proscribed from engaging in such prohibited conduct. The university will respond promptly and effectively to reports of prohibited conduct and will take appropriate action to stop, eliminate, remedy, and prevent prohibited conduct. The university provides comprehensive support, education, and reporting mechanisms to all members of the university community to address these critical issues.

This policy and the accompanying procedures, applications, and guidance document (collectively referred to hereafter as the “policy”) defines specific conduct prohibited by this policy, sets forth the services and resources available to community members, and explains the internal administrative procedures the university uses to respond, investigate, and adjudicate reports of prohibited conduct. As detailed in the policy, the university provides a prompt, fair and impartial investigation and resolution process for complaints filed under this policy and, where appropriate, administers supportive measures and disciplinary action. The severity of any disciplinary action, up to and including termination or expulsion of persons found responsible for violating this policy, depends upon the totality of the circumstances.

Policy Statement

Iowa State University (“ISU” or the “university”) does not tolerate sexual harassment, sexual assault, dating violence, domestic violence, or stalking in its education programs or activities. In this policy, these unacceptable behaviors are collectively referred to as “Prohibited Sexual Harassment” and are specifically defined within the policy and guidance. An individual alleged to have engaged in Prohibited Sexual Harassment is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the applicable adjudication process. Individuals who alone, or in concert with others, are found responsible for engaging in Prohibited Sexual Harassment will be subject to disciplinary action by the university, up to and including expulsion or termination, notwithstanding any action that may or may not be taken by civil or law enforcement authorities. The university may also implement reasonable and appropriate supportive measures or other interim measures prior to the conclusion of an investigation/hearing following an individualized assessment of the matter.

ISU strongly urges students, faculty, staff, and visitors to promptly report all incidents of Prohibited Sexual Harassment to the university's Title IX Coordinator. Responsible Employees of the university are responsible for promptly reporting incidents of Prohibited Sexual Harassment to the university's Title IX coordinator. ISU will respond in a reasonable manner to all reports of Prohibited Sexual Harassment. As described in this Policy, in appropriate cases, ISU will conduct a prompt, fair, and impartial investigation and hearing of complaints and, where appropriate, issue interim and/or final remedial measures. The standard of evidence that will be used in investigating and adjudicating complaints made under this Policy is the "preponderance of the evidence" standard. This standard is met if the reported conduct is deemed more likely to have occurred than not at the conclusion of the adjudication process.

Retaliation, including intimidating, threatening, coercing, or discriminating against any individual for the purpose of interfering with any right or privilege secured by Title IX or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing is strictly prohibited and may constitute a separate and independent violation of university policy.

All ISU students, employees, and campus community members have access to "Confidential Resources" that may be accessed regardless of whether they make a report to the university or participate in a university or law enforcement investigation or hearing process. The university also provides, when appropriate and reasonable, supportive measures to individuals which are designed to restore or preserve equitable access to the university's education programs and activities.

In addition to violating university policy, Prohibited Sexual Harassment described in this Policy may also constitute criminal activity. Individuals who have experienced Prohibited Sexual Harassment are strongly encouraged to contact law enforcement authorities. It is important that evidence is collected and maintained immediately by law enforcement authorities. Normally, individuals may inform law enforcement authorities about Prohibited Sexual Harassment and discuss the matter without making a criminal complaint. However, in cases of domestic violence, law enforcement authorities may be mandated to make an arrest of the primary physical aggressor when there is sufficient evidence of an assault and a physical injury has occurred.

The university will make this Policy and related educational opportunities readily available to all students and other members of the university community. Specifically, the university provides initial and appropriate follow-up training to all students and employees regarding Prohibited Sexual Harassment and this Policy. Special training is also provided to the Title IX Coordinator, investigators, decision-makers, and other administrators who facilitate this Policy. In addition, members of the campus community may contact the Title IX Coordinator with questions regarding this Policy or to request more information. By engaging as active and responsible community members, all members of the university community contribute to a respectful, safe, and inclusive environment.

Scope of Policy

This policy applies anytime a student, faculty member, employee, or visitor reports alleged Prohibited Sexual Harassment within a university education program or activity in the United States. University education programs and activities in the United States include locations, events, or circumstances over which ISU exercises substantial control over both the individual(s) alleged to have engaged in the Prohibited Sexual Harassment and the context in which the alleged Prohibited Sexual Harassment occurs, and also includes any building owned or controlled by the university or a student organization that is officially recognized by the university. Recognized student organizations may be held responsible for violating this policy in accordance with the Student Code of Conduct, § 3.8.

Important: The definitions, processes, procedures and guidance detailed in this policy apply only to reports of or matters involving allegations of Prohibited Sexual Harassment within a university education program or activity in the United States. The university maintains additional policies and codes of conduct that impose conduct expectations on university students, faculty, staff, and visitors that are distinct from the conduct expectations and mandates detailed in this policy. ISU students, faculty, staff and visitors are expected to comply with all applicable university policies and codes of conduct. In addition, even when an individual alleged to have engaged in Prohibited Sexual Harassment is not affiliated with the university in any way, the university may be able to provide appropriate and reasonable resources and support to impacted parties.

On-campus / Off-campus conduct: This Policy may apply to on-campus conduct and off-campus conduct, as described below:

Whether Prohibited Sexual Harassment occurs or allegedly occurs within a university education program or activity in the United States is a fact specific inquiry focusing on whether the university exercises(ed) substantial control over the individual(s) alleged to have engaged in the Prohibited Sexual Harassment and the context in which the alleged Prohibited Sexual Harassment occurs. There is no bright-line geographic boundary, and off-campus Prohibited Sexual Harassment is not automatically excluded from this policy. In assessing whether alleged Prohibited Sexual Harassment is subject to this policy, the university may consider several factors, including but not limited to, whether the university funded, promoted, or sponsored the event or circumstance; and whether the event or circumstance was in connection with an academic course assignment, internship, practicum, field trip, student teaching, research, or other university program or activity. No single factor is determinative and each matter is assessed independently.

Timeliness: To promote timely and effective review and response, the university strongly encourages individuals to come forward as soon as possible with their inquiries, reports, and complaints relating to Prohibited Sexual Harassment and to seek assistance from the Title IX Coordinator. Delays in reporting may impact the university's ability to respond fully to the matter, including pursuing disciplinary action. ***There is no strict period of limitations for notifying the university's Title IX Coordinator of Prohibited Sexual Harassment, and individuals are encouraged to seek assistance from the university at any time regardless of how much time has elapsed.*** However, a formal complaint filed pursuant to this policy, must be filed by a person participating in, or attempting to participate in, the university's education programs or activities at the time of filing. This requirement may impact the timeliness of complaints under this policy. The university is always available to assist individuals in contacting law enforcement authorities or in contacting other resources.

Resources and Reporting Options

In an emergency call 911. 24/7 crisis support is available at 1-800-203-3488 (ACCESS Hotline).

ISU offers a range of resources to students, faculty, staff, and community members dealing with incidents of Prohibited Sexual Harassment. Individuals have many options, including seeking assistance and guidance from confidential resources, contacting and requesting assistance from local law enforcement authorities, and/or contacting and requesting assistance from the university's Title IX Coordinator. These resource and reporting options are detailed below, and identified as either campus reporting resources, law enforcement resources, confidential/privileged resources, or campus confidential resources. Additional information regarding privacy and confidentiality may be found in the [Procedures, Applications, and Guidance document](#).

Campus Reporting Resources (respect privacy but not confidential)

The university encourages all individuals to report potential incidents of Prohibited Sexual Harassment to the university's Title IX Coordinator who works within the Office of Equal Opportunity. Individuals can make a report and/or seek guidance from the Title IX Coordinator and Office of Equal Opportunity staff in person, by telephone, by email, or online.

Title IX Coordinator – Margo Foreman Office of Equal Opportunity

Coordinates the university's comprehensive response to incidents of Prohibited Sexual Harassment

3410 Beardshear Hall

515-294-7612; Hotline: 515-294-1222

Email: eooffice@iastate.edu; mforema@iastate.edu

<https://www.eoc.iastate.edu/>

The Title IX Coordinator may delegate responsibilities under this policy to designated administrators or external professionals, who will have appropriate training and experience. When used in this policy, the term Title IX Coordinator may include appropriate designees.

In addition to the Title IX Coordinator and the Office of Equal Opportunity, individuals may seek guidance from these university offices:

Office of Student Assistance

Provides assistance in navigating processes and procedures at the university, and helps administer support and resources to students

1010 Student Services Building, First Floor

515-294-1020

studentassistance@iastate.edu

<http://www.studentassistance.dso.iastate.edu/>

Office of Student Conduct

Provides information on the student code of conduct and hearing processes, and information regarding restricted contact notices

1010 Student Services Building, First Floor

515-294-1020

<http://www.studentconduct.dso.iastate.edu/>

In addition to the Title IX Coordinator and the offices identified above, individuals may seek guidance from university Deputy Title IX Coordinators:

Adrienne Lyles, Senior Deputy Title IX Coordinator

Associate Director of Equal Opportunity

3410 Beardshear Hall, Ames, IA 50011

Phone: 515-294-0044

Email: alyles@iastate.edu

Charles Small, Deputy Title IX Coordinator for Athletics

Senior Associate Director of Athletics

2157G Hixson Lied, Ames, IA 50011

Phone: 515-294-3662

Email: csmall@iastate.edu

Dawn Bratsch-Prince, Deputy Title IX Coordinator for Academic Affairs

Associate Provost

1550 Beardshear Hall, Ames, IA 50011

Phone: 515-294-6410

Email: deprince@iastate.edu

Monica Howard-Martin, Deputy Title IX Coordinator for Veterinary Medicine

Director of Student Programs
2270B Vet Med, Ames, IA 50011
Phone: 515-294-0391
Email: mohoward@iastate.edu

Sara Kellogg, Deputy Title IX Coordinator for Student Affairs

Assistant Dean and Director of Student Conduct
1010 Student Services Building, Ames, IA 50011
Phone: 515-294-1021
Email: skellogg@iastate.edu

Laura Bestler, Deputy Title IX Coordinator for Staff

CELT Program Coordinator II
3024 Morrill Hall, Ames IA 50011
Phone: 515-294-4533
Email: bestler@iastate.edu

Disability and accessibility accommodations are available to help students report Prohibited Sexual Harassment, participate in the investigation and hearing process, and otherwise participate in the university's programs and activities. In compliance with applicable law, the university will provide reasonable accommodations for individuals with disabilities. Requests for disability related accommodations must be made to:

Student Accessibility Services

Supports students with disabilities and promotes equitable access to education and university programs, activities and services. Administers the university's procedures for providing reasonable accommodation for qualified students with disabilities.

1076 Student Services Building, First Floor
Phone: 515-294-7220

Email: accessibility@iastate.edu / website: <https://sas.dso.iastate.edu/>

University Human Resources

Supports employees with disabilities and promotes workplace related accommodations

3810 Beardshear Hall, 515 Morrill Rd.

Phone: 515-294-4800

Email: UHRdar@iastate.edu / website: <https://www.hr.iastate.edu/tools-for-employees>

Law Enforcement Resources (respect privacy but not confidential)

Individuals who have experienced Prohibited Sexual Harassment have the right to report, or decline to report, such conduct to law enforcement. Consistent with its objective to stop, eliminate, remedy, and prevent Prohibited Sexual Harassment, ISU strongly encourages individuals to report such conduct to law enforcement as soon as possible. Expedited reporting may be critical in collecting and preserving any physical evidence. In addition, law enforcement agencies have unique authorities, including the power to execute search warrants, collect forensic evidence, make arrests, and assist in acquiring legal protective orders. University processes and law enforcement processes operate independently of one another, although the university coordinates responses with the ISU Police Department. Upon request, the university will assist individuals in contacting law enforcement and may assist in seeking legal protective orders.

Campus and local law enforcement authorities include:

Iowa State University Police Department

Assistance in emergency situations, help in exploring and filing criminal charges, and assistance in navigating the criminal process for on-campus incidents

Armory Building, Room 55

Emergencies: 911

Non-Emergencies: 515-294-4428

<http://www.police.iastate.edu>

City of Ames Police Department

Assistance in emergency situations, help in exploring and filing criminal charges, and assistance in navigating the criminal process for off-campus incidents

515 Clark Avenue, Ames, Iowa

Emergencies: 911

Non-Emergencies: 515-239-5133

<https://www.cityofames.org/government/departments-divisions-i-z/police>

Story Country Attorney's Office

Assistance in exploring and filing criminal charges, assistance in navigating the criminal justice process and court procedures, and victim/witness assistance

Ames Office

126 S. Kellogg

Suite 203

Ames, IA 50010

515-232-4185

<http://www.storycountyiowa.gov/index.aspx?NID=90>

Confidential / Privileged Resources

Under Iowa law and university policy, communications with certain individuals are considered confidential and/or privileged. This means that, with very limited exceptions, confidential resources may not and will not disclose information shared with them to anyone unless the individual holding such privilege has waived it. Generally, confidentiality and/or privilege apply when a party seeks professional services from the following persons:

- Psychological and mental health counselor, including counselors at ISU Student Counseling Services and the Employee Assistance Program (EAP) as defined by Iowa Code § 228.8 and 622.10;
- Health care provider, including medical professionals at ISU Thielen Student Health Center, as defined by Iowa Code § 622.10;
- Victim counselor/advocate, including advocates from ACCESS as defined by Iowa Code § 915.20A
- Personal attorney, as defined by Iowa Code § 622.10;
- Religious/spiritual adviser, as defined by Iowa Code § 622.10

Individuals should always confirm whether confidentiality/privilege applies to their communication and the scope of any confidentiality/privilege with the individual with whom they are seeking professional services. Exceptions to confidentiality may be made in cases involving imminent threat to the safety of the individual or others, or the information concerns conduct involving suspected abuse or neglect of a minor child under the age of 18. The university's processes do not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the individual holding such privilege waives it.

At ISU and in the local community, the following resources are recognized as Confidential / Privileged Resources:

ACCESS (Assault Care Center Extending Shelter & Support)

Provides assistance and advocacy to victims of sexual abuse and domestic violence

Ames, Iowa (and other locations throughout Iowa)

Sexual Assault Crisis Line (24/7): 515-292-5378 or Toll Free 800-203-3488

Domestic Abuse Crisis Line (24/7): 515-292-0519 or Toll Free 855-983-4641

Housing/Sheltering Crisis Line (24/7): 515-292-0543 or Toll Free 855-696-2980
<https://www.assaultcarecenter.org/>

ISU Student Counseling Services

Provides counseling and mental health services to all ISU students free of charge
Student Services Building, Third Floor
515-294-5056
<http://www.counseling.iastate.edu/counseling>

ISU Thielen Student Health Center

Provides general medical treatment and psychiatry services to all students
2647 Union Drive, Iowa State University
515-294-5801
<http://www.cyclonehealth.org/>

ISU Employee Assistance Program (EAP)

EAP provides all benefit eligible ISU employees (faculty, P&S, merit and pre/post doc.), as well as immediate family members, with free access to confidential, professional services for help with issues affecting your day-to-day performance and health
Call anytime, 24/7: 1-800-327-4692
<https://www.hr.iastate.edu/benefits/addlbenefits>

Mary Greeley Medical Center

Provides emergency medical treatment and in-patient services
1111 Duff Avenue, Ames, Iowa
515-239-2011
<http://www.mgmc.org>

ISU Student Legal Services

Provides legal advice and assistance to students in a variety of areas. Not able to represent students in controversies involving the university or other ISU students, but may help students connect to other resources
Memorial Union, Office 0367
515-294-0978
<https://www.studentlegal.dso.iastate.edu/>

The Legal Aid Society of Story County

Provides legal assistance in civil matters to individuals who cannot afford to hire an attorney in private practice
937 6th Street, Nevada, Iowa 50201
515-382-2471
<http://www.legalaidstory.com/>

Campus Confidential Resources

By designation of university policy, Campus Confidential Resources are not Responsible Employees, and are therefore not responsible for notifying the Title IX Coordinator about reports of Prohibited Sexual Harassment. By speaking with Campus Confidential Resources, individuals agree that the Campus Confidential Resource will not disclose the contents of their conversation, disclose personally identifiable information, or testify in any formal university proceeding, unless given express written permission by the individual to do so. This agreement promotes access to resources and support, and helps provide a safe and neutral place for discussing and navigating concerns of a sensitive nature.

Exceptions to confidentiality may be made in cases involving imminent threat to the safety of the individual or others, or the information concerns conduct involving suspected abuse or neglect of a minor child under the age of 18. In addition, Campus Confidential Resources are not protected under Iowa law as confidential/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 judicial or administrative proceeding. Individuals should always confirm whether confidentiality applies to their communication and the scope of any confidentiality with the individual with whom they are seeking services.

ISU has designated the following two offices and their staff members as Campus Confidential Resources:

Center for LGBTQIA+ Student Success

Provides programs, services, referrals and resources focused on sexual orientation and gender identity/expression for students at Iowa State University

Student Services Building, Office 1064

515-294-5433 // <https://center.dso.iastate.edu/>

Margaret Sloss Center for Women and Gender Equity

Provides support and information through educational outreach, appropriate referral services, and a safe space

Sloss House on the ISU Campus

515-294-4154 // <https://sloss.dso.iastate.edu/>

Individuals wishing to remain anonymous to all university personnel can make a report through the university's discrimination, harassment, and sexual assault hotline at 515-294-1222, or through an anonymous email account to eooffice@iastate.edu. It is important to note that electing to remain anonymous may greatly limit the university's ability to stop the reported conduct, collect evidence, and take effective action against individuals or organizations accused of violating this policy. Generally, formal disciplinary action is not feasible based solely on an anonymous report. In addition, anonymous reporting does not satisfy a university Responsible Employee's responsibility to report Prohibited Sexual Harassment to the Title IX Coordinator.

Concerns about the university's application of this or other non-discrimination related policies, Title IX, and/or the Clery Act may be addressed to the university's [Compliance and Ethics Hotline](#) (at 515-294-7119); the university's [Office of Equal Opportunity](#) (at 515-294-7612 or eooffice@iastate.edu); the United States Department of Education, Clery Act Compliance Division (at clery@ed.gov); the United States Department of Education, Office for Civil Rights (at OCR@ed.gov or 1-800-421-3481); the United States Equal Employment Opportunity Commission (at info@eeoc.gov or 1-800-669-4000); and/or the Iowa Civil Rights Commission (at 1-800-457-4416).

Procedures, Applications, and Guidance

For important guidelines and procedures on the application of this policy, see the online [Procedures, Applications, and Guidance](#) document.

Resources

Links

- [Student Code of Conduct](#)

Files

- [Procedures, Applications, and Guidance: Title IX Policy 2020-08-14 \[PDF\]](#)
- [Sexual Misconduct Policy PRIOR VERSION 2019-10-15 \[PDF\]](#)