**HOW TO MAKE AN ON-CAMPUS REPORT**

Any student who wants to know more about the CSB|SJU Sexual Misconduct Policy and Complaint Procedures can meet with the CSB or SJU Dean of Students. This can take place for the purpose of gathering information, understanding the process, and asking questions. The Dean of Students will provide a student with copies of the policy and procedures, appropriate reporting forms, and information about campus and community resources.

A student who decides he or she wants to file a report regarding an alleged violation of the Sexual Misconduct Policy can begin that process with any of the following people:

**Jody Terhaar Mike Connolly** **CSB Security** **SJU Life Safety**

CSB Dean of Students SJU Dean of Students Mary Commons Tommy Hall

Murray Hall 157 Sexton 210 (320) 363-5000 (320) 363-2144

(320) 363-5270 (320) 363-3171 Director Darren Swanson Director Shawn Vierzba

[jterhaar@csbsju.edu](http://www.csbsju.edu/Documents/SJU%20Student%20Development/Title%20IX/jterhaar@csbsju.edu) [mconnolly@csbsju.edu](http://www.csbsju.edu/Documents/SJU%20Student%20Development/Title%20IX/mconnolly@csbsju.edu) [dswanson@csbsju.edu](mailto:dswanson@csbsju.edu) [svierzba@csbju.edu](mailto:svierzba@csbju.edu)

**The On Campus Reporting Procedure consists of the following steps.** The full procedure is available at <http://www.csbsju.edu/sexualmisconductcomplaintprocedure>and what follows is a concise overview of the process. Throughout the complaint process, the complainant and respondent are encouraged to utilize the support and resources of the Counseling Center, the Dean of Students, and an Advisor of their choosing. The Dean of Students of the respective students involved in the complaints serves as a primary point of contact and resource throughout the process.

1. **Initiation of Complaint**

* Complainant makes a verbal or written report with the Dean of Students, CSB Security or SJU Life Safety.
* Deans of Students typically put a “No Contact Directive” in place between the complainant and respondent to prevent any further contact while investigation and complaint process are completed. At this time any necessary adjustments to class schedules, housing, etc., are reviewed and made to insure that contact between the individuals involved in the complaint will be avoided.

1. **Options for Resolution**
2. Informal Procedure and Resolution
   * 1. Informal resolution of complaints is possible in some limited circumstances.
     2. The informal resolution process must adequately address the concerns of the complainant, as well as the rights of the respondent and the overall intent of the institution(s) to stop, remedy, and prevent Policy violations.
     3. Either the complainant or respondent has the option to move the complaint to the Formal Procedure at any time.
     4. The informal resolution may include a variety of institutional responses or requirements including but not limited to the following: warning, behavioral contracts, community service hours, restitution, required attendance at educational programs, required assessment or counseling, mediation at the complainant’s request, restriction of privileges, inclusion in the respondent’s education record of a finding that the Policy was violated, parental notification and/or probation.
     5. If both parties agree to the recommended resolution, the case will be resolved. If both parties do not agree to the recommended resolution, the complaint will move to the formal procedure.
3. **Formal Procedure** 
   1. Investigation
      * + Investigation will be conducted by SJU Life Safety, CSB Security, or, at the discretion of the institution(s), an appointed outside investigator.
        + Investigator will interview the complainant, respondent, and/or other witnesses and may request additional information from the complainant, respondent, or others.
        + Both complainant and respondent can provide information about witnesses they believe should be interviewed and/or other evidence they believe should be reviewed by the investigator.
        + All interviews are recorded.
        + Both complainant and respondent shall receive timely notice of meetings at which the complainant or respondent or both will be present.
        + The investigator will prepare a written summary of the investigation and compile the investigation file. The investigator will present the facts gathered, but is not responsible for making credibility determinations or other evaluating the facts.
   2. Review of Investigation File
      * + The investigation file will be made available for review by the complainant and respondent and their designated advisors.
        + Both complainant and respondent may submit a statement containing any comments or additional information he/she would like Adjudication Panel to consider. This statement may not to exceed 4500 words.
        + Both parties may choose to review the statement and if desired, may submit a rebuttal statement not to exceed 1300 words.
        + Both parties have the opportunity to review the rebuttal statements, but no further statements may be submitted.
   3. Appointment of Adjudication Panel
      * + Upon completion of the investigation, a three-person adjudication panel comprised of individuals from the campus community (typically faculty and/or staff) will be appointed.
        + Either party may request the removal of an adjudication panel member on the grounds of personal bias or conflict of interest.
   4. Determination
      * + After review of all investigation materials, and the written statement(s) from the complainant and respondent, the Adjudication Panel will make a determination of “Not Established Responsible” or Responsible” in terms of the respondent’s responsibility for a policy violation.
        + If the respondent is found responsible, sanctions and other remedies as appropriate will be imposed.
        + The adjudication panel will use the standard of “more likely than not” in making their determination.
        + The respondent and complainant will receive simultaneous written notice of the outcome.
   5. Appeal
      * + Both parties have the option to request an appeal of the decision. Appeals may not exceed 1300 words and must be submitted within three (3) business days of receiving the notice of outcome.
        + Appeals can only be based on (1) new or newly discovered evidence that may substantially affect the outcome of the adjudication; or (2) there was a procedural error which substantially affected the outcome of the adjudication.

As noted previously, the information above is a concise summary of the procedure and process. The full policy and complete complaint procedures can be found online:

**Sexual Misconduct Policy:**<http://www.csbsju.edu/sexualmisconductpolicy>

**Procedures for Sexual Misconduct Complaints:** <http://www.csbsju.edu/sexualmisconductprocedures>

Students with questions can contact the Jody Terhaar, CSB Dean of Students or Mike Connolly, SJU Dean of Students for more information.

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| **Jody Terhaar**  CSB Dean of Students  Murray Hall 157 (320) 363-5270 jterhaar@csbsju.edu | **Mike Connolly**  SJU Dean of Students  Sexton 210  (320) 363-3171 mconnolly@csbsju.edu |