

Title IX and Campus SaVE Policy at Mount Mercy University

Mount Mercy University is committed to fostering an environment that promotes student self-understanding, clarifies students' personal values and encourages student responsibility to the world community.

The university expects everyone within our community — students, faculty and staff — to treat others equally and does not tolerate hostile behavior toward others. Behavior that is considered hostile may be defined as (but is not limited to) sexual harassment, sexual assault, stalking, dating or domestic violence, and hate crimes based on gender, gender identity, and/or sexual orientation.

Title IX also prohibits retaliation for asserting claims of sex discrimination.

As a Catholic university, Mount Mercy is committed to fostering an environment where students develop mature, nurturing and healthy relationships that are expressed in ways that are consistent with their own moral values and respectful of the moral values of others. Drawing from our Catholic understanding of human sexuality, we encourage abstinence for students who are not married. In order to make good sexual decisions, students need to develop an informed conscience that serves as a compass and learn to communicate clearly with others about comfort level and boundaries.

Consent:

For individuals to engage in sexual activity of any type with each other there must be clear consent.

Consent is permission. Consent can be given by word or action, but nonverbal consent is less clear than talking about what you want and what you don't. Silence — without actions demonstrating permission — cannot be assumed to show consent.

There is a difference between seduction and coercion. Coercing someone into sexual activity violates this policy just as much as physically forcing someone into sex. Coercion is the use of pressure to compel another individual to initiate or continue a sexual activity against a person's will. Coercion can include a wide range of behaviors including intimidation, manipulation, threats and blackmail.

When alcohol or other drugs are being used, someone will be considered unable to give valid consent if that person cannot appreciate the who, what, when, where, why or how of a sexual interaction. Individuals who consent to sex must be able to understand what they are doing.

You will do well to keep in mind that, under this policy, "No" always means "No," and "Yes" may not always mean "Yes."

RISK REDUCTION TIPS:

If you choose to initiate sexual activity, you owe respect to your potential partner. These suggestions may help you reduce your risk for being accused of sexual misconduct:

1. Don't make assumptions about consent, someone's sexual availability, whether the person is attracted to you, how far you can go, or whether the person is physically and mentally able to consent to you.
2. Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
3. If you are at all confused about whether your partner consents, you should step back, defuse the tension and communicate with your partner.
4. Don't take advantage of someone's drunkenness or drugged state.
5. Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
6. Understand that consent to some forms of sexual behavior does not necessarily imply consent to other forms of sexual behavior.
7. On this campus, you cannot interpret silence and passivity as an indication of consent. Read your potential partner carefully, paying attention to verbal and nonverbal communication and body language.

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

1. Make your limits known before things go too far.
2. Tell a sexual aggressor "No" clearly and loudly, like you mean it.
3. Try to extricate yourself from the physical presence of a sexual aggressor.
4. Ask for assistance from others nearby.
5. Be responsible for your alcohol intake/drug use and realize that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
6. Watch out for your friends and ask that they watch out for you. Friends tell you if you are about to make a mistake. Respect their input.

BYSTANDER INTERVENTION

Because every member of our community contributes to the respectful and safe environment at Mount Mercy University, we encourage everyone to engage in healthy behaviors within their own relationships, which include:

RESPECT, TRUST AND SUPPORT

HONESTY AND ACCOUNTABILITY

SHARED RESPONSIBILITY

NEGOTIATION AND FAIRNESS

NON-THREATENING BEHAVIOR

For more information on aspects of healthy relationships and warning signs of unhealthy relationship dynamics or signs of violence in your relationship, go to www.mtmercy.edu/counseling-services

BYSTANDER INTERVENTION

However, your responsibility as a member of our community does not end there. We also encourage members of our community to intervene if they recognize potentially harassing or violent behaviors happening in their community. Your intervention could include:

Saying something directly:

“Hey, that behavior is not okay. Stop it!”

Distracting from a situation:

“Hey, did you notice that your friend just arrived? Let’s go say hi!”

Involving someone else to intervene:

Telling a university official or Public Safety.

REPORTING OPTIONS

To file a complaint report:

Dr. Danielle Rudd
Title IX Deputy Coordinator — Students
University Center – Student Life Suite
319-363-1323 ex. 1857
drudd@mtmercy.edu

LEGAL DEFINITIONS:

Sexual Misconduct

- 1. Sexual Harassment**
Sexual harassment is unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive that it unreasonably interferes with, denies or limits someone’s ability to participate in or benefit from the university’s educational program and/or activities. In some instances it is based on power differentials (quid pro quo), creates a hostile environment, or retaliation.
- 2. Non-Consensual Sexual Contact** (or attempts to commit same)
Intentional contact with the breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.
- 3. Sexual Assault**
Sexual Assault is a form of sexual misconduct and represents a continuum of conduct from forcible intercourse to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will.
- 4. Sexual Exploitation**
Occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses.
- 5. Stalking**
Stalking is conduct directed at a specific person that would cause a reasonable person to feel fear and that significantly disrupts the person’s work, educational performance, on-campus living, or participation in a university activity on or off campus.
- 6. Relationship/Domestic Violence**
Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - * The length of the relationship
 - * The type of relationship
 - * The frequency of interaction between the persons involved

Domestic Violence is violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

LOCAL RESOURCES:

Mount Mercy University Counseling Services

Set an appointment on main campus or
Olson Marriage and Family Therapy Clinic (Grad Center)
counselor@mtmercy.edu | 319-363-1323 x6493

RiverView Center | 319-540-0080 | info@riverviewcenter.org

Waypoint Services | 319-363-2093 (24/7 Crisis and Support Line)
<http://waypointservices.org/>