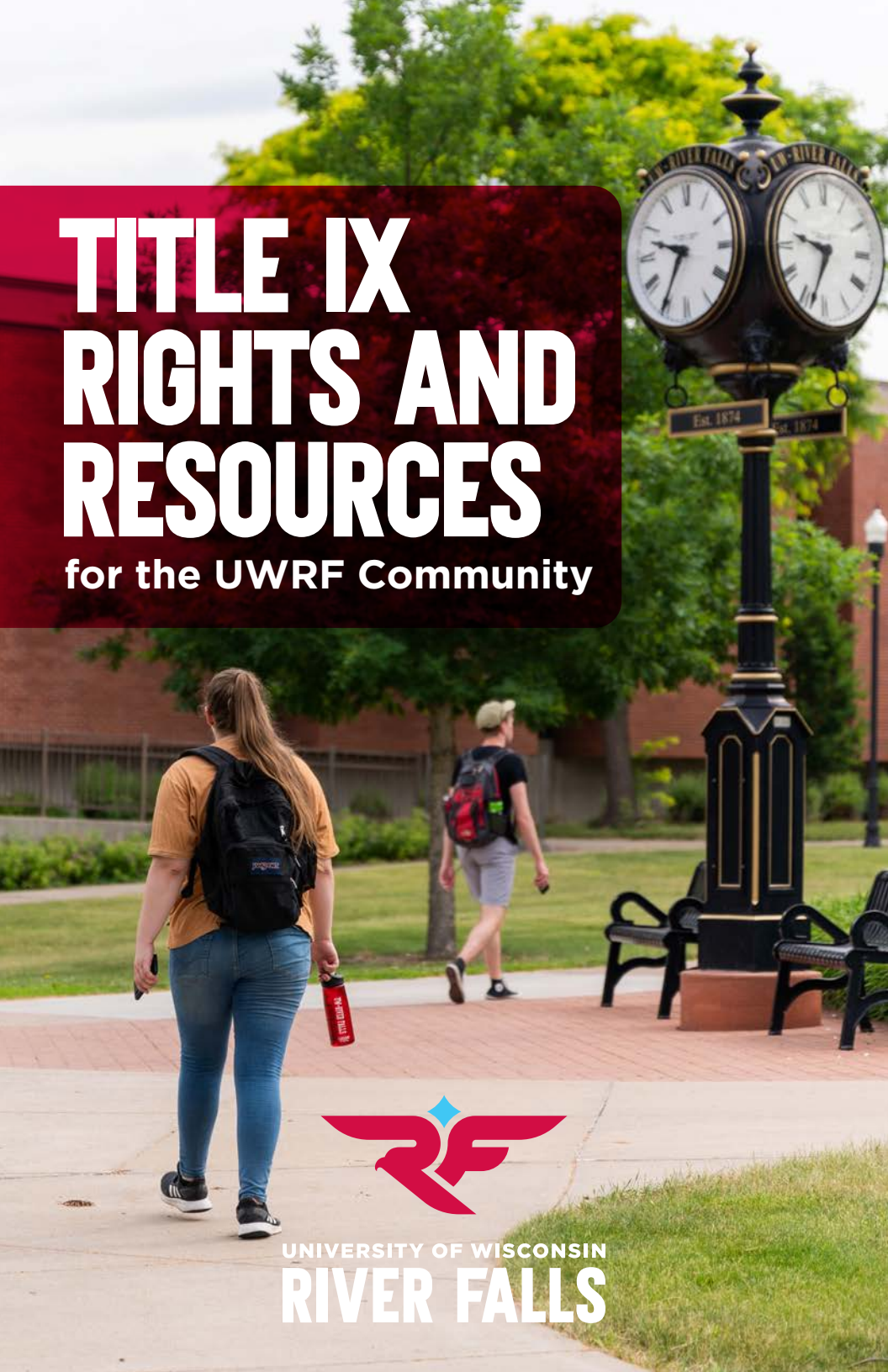
TITLE IX RIGHTS AND RESOURCES

for the UWRF Community



UNIVERSITY OF WISCONSIN
RIVER FALLS

A NOTE FROM THE TITLE IX COORDINATOR:

The University of Wisconsin-River Falls is committed to providing a campus community free from sex-based discrimination, sexual harassment, and sexual violence. Any alleged violation of UWRF's policy against these forms of discrimination is taken seriously and receives our immediate attention.

It's important for the UWRF campus community to understand their rights and resources in the sexual misconduct process. This guide can help those impacted by sexual misconduct decide which steps they would like to take. Regardless of whether an individual chooses to pursue a formal investigation or receive supportive resources, staff in the Title IX office are here to support you.

Working together, we can help make UWRF a safe and welcoming community for everyone. Please do not hesitate to contact me if you have any questions about my office or the services we provide.

April Chaney
Title IX Coordinator

WHAT IS TITLE IX?

Title IX is a federal civil rights law that prohibits sex-based discrimination in education programs and activities that receive federal assistance. Sex-based discrimination includes sexual harassment, sexual assault, dating violence, domestic violence, stalking, discrimination based on pregnancy, and the failure to provide equal opportunities in educational programs or activities, including athletics.

WHO IS PROTECTED BY TITLE IX?

Title IX's protection extends to all members of the campus community, including students (undergraduate and graduate), faculty, staff, and guests on UWRF's campus. Title IX protection applies to incidents that occur with UWRF's educational programs and activities. Incidents that occur outside of the scope of Title IX may be addressed via UWRF's sexual misconduct policy. Speak with the Title IX Coordinator to learn more about your options.

HOW IS TITLE IX UPHELD?

Title IX is a law, but it is upheld via regulations and directions from the Department of Education. These regulations define the different types of sexual misconduct and sex-based discrimination that fall under Title IX. They also set specific procedural requirements and restrictions for handling cases. Many universities, including those within the Universities of Wisconsin, prohibit additional forms of sexual misconduct that fall outside of Title IX, such as sexual exploitation.

SEEKING HELP

If you experienced a form of sexual misconduct, seeking help might feel overwhelming. There are supportive resources available for you at UWRF and within the River Falls community. The first thing you need to know about these resources is that they come in different forms: confidential and non-confidential. Many people find that starting with a confidential resource feels the most comfortable.

What is a Confidential Resource?

A confidential resource is a specially trained person with whom you can discuss your concerns about sexual misconduct. They can help you process the experience you've had, develop a plan of action, and connect you to offices on and off campus that can provide you further supportive measures. It is important to note that anyone who has not been designated a confidential resource cannot keep your information confidential, and they must file a report with the Title IX Coordinator or appropriate University office. This includes your professors, hall directors, academic advisors, and all other university employees.

Confidential Resources

Turningpoint Campus Victim Advocate
Rodli Hall 254
715-425-6751
1-800-345-5104 (24-Hour Crisis Line)
715-821-8626 (24-Hour Text Hotline)
serenityh@turningpoint-wi.org

UWRF Counseling Services
Rodli Hall 254
715-425-3293
uwrf.edu/StudentHealthAndCounseling

St. Croix Valley Sexual Assault Response Team (SART)
715-425-6443 (24-Hour Forensic Nurse Examinations)

M Health Fairview Clinic
319 Main Street
715-425-6701

Violence Prevention Coordinator
235 Rodli Hall
715-425-4351

University Reporting Resources

If you want to pursue additional supportive resources or a formal investigation, then filing a report with one of the designated university reporting resources is a good place to start. You can file your report online through the Report It! page, or you can file in person.

Filing a report does not mean that the university will automatically initiate an investigation. Complainants are empowered to decide whether they would like to pursue investigations, informal resolutions, or supportive measures. UWRF's Title IX investigation process is separate and distinct from law enforcement investigations. If you would like to initiate an investigation with the university, you will need to file a formal report with the Title IX Coordinator.

Title IX Coordinator
April Chaney
Rodli Hall 215
715-425-0720
titleix@uwrf.edu

Dean of Students Office
Rodli Hall 235
715-425-0720
deanofstudents@uwrf.edu

University Police Department
103 Regional Development Institute
715-425-3133

River Falls Police Department
125 East Elm Street
715-425-0909

SUPPORTIVE RESOURCES

UWRF is committed to supporting members of the campus community who experience sexual misconduct and violence. The Title IX office and multiple campus partners provide a wealth of services to help restore stability and safety both on and off campus. You do not need to participate in a formal investigation or informal resolution in order to receive supportive resources.

Mutual No-Contact Directive

A mutual no-contact directive is a supportive measure put into place by the Title IX Coordinator when a reporting or responding party requests it. This measure prohibits parties from having any type of contact with each other, including in person, phone, text message, social media, email, and contact via third parties. No-contact directives typically stay in place indefinitely while the parties attend UWRF, but there are limited instances in which it may be rescinded.

SANE Exam

A SANE (sexual assault nurse examiner) exam is a way to collect and preserve evidence following a sexual assault. SANE exams are available for anyone who has experienced a sexual assault, regardless of whether they choose to pursue criminal charges. The exam is performed by registered nurses who have undergone specialized training to care for sexual assault patients and to collect evidence of the assault.

In order to preserve the most evidence, it is recommended that SANE exams be performed within 72 hours of a sexual assault. In River Falls, SANE exams are provided by the RNs at the St. Croix Valley Sexual Assault Response Team in Hudson. If you need assistance connecting with SART, please contact the Title IX Coordinator at titleix@uwrf.edu or the University Police Department at 715-425-3133

Crisis Support

Experiencing any form of sexual misconduct can be very distressing. UWRF supports campus community members experiencing crisis by connecting them with Counseling Services and the Campus Victim Advocate.

Academic Assistance

UWRF recognizes that experiencing sexual misconduct has an impact on your ability to succeed in your educational program. The Title IX Coordinator can assist you with a wide range of academic accommodations, including, but not limited to, schedule changes, assignment extensions, and other options.

Emergency Living Accommodations

Many forms of sexual misconduct make remaining in your current residence hall difficult. The Title IX Coordinator works with Residence Life to promptly find new accommodations for complainants upon their request.

Food

Students experiencing food insecurity have access to Freddy's Pantry. Freddy's Pantry stocks perishable and non-perishable items, and some personal care items that students can take free of charge. Any UWRF student can access Freddy's Pantry at 268 Rodli Hall and the first floor of the Agricultural Sciences building.



SEXUAL MISCONDUCT COMPLAINT RESOLUTION OPTIONS:

UWRF is committed to providing the campus community a wide breadth of options for the resolution of complaints of sexual misconduct. Complainants and respondents are empowered to work toward a resolution in a manner that best suits their needs. The following options are available to members of the UWRF community who have experienced sexual misconduct.

Informal Resolution

An informal resolution is a process for resolving a complaint of sexual misconduct that doesn't involve a formal investigation or hearing. Typically, the complainant files a complaint with the Title IX Coordinator and requests an informal resolution of their complaint. The respondent is put on notice, and the Title IX office works with both parties to come up with an appropriate solution to which they mutually agree. Sample outcomes include educational activities, moving residence halls, and altering course schedules. Complainants and respondents may request to move to a formal investigation before a final agreement has been reached.

Formal Investigation

A formal investigation is a process for resolving a complaint of sexual misconduct that involves the assignment of one or more specially trained investigators and a hearing. Formal investigations commence when a complainant files a formal complaint, and the Title IX Coordinator signs off on the investigation. UWRF investigators aim to complete investigations in 90 calendar days, but they can request extensions. Once the investigation is complete, both the complainant and the respondent are given access to the investigative report and evidence in advance of the hearing. The complainant and respondent can request to move to an informal resolution at any time during a formal investigation until a final decision has been rendered.



COMPLAINANT RIGHTS

- Every complainant has the right to report prohibited conduct to the University, law enforcement, both, or neither.
- Every complainant has the right to request supportive measures regardless of their intent to file a formal complaint with the University.
- Every complainant has the right to an advisor of their choosing at any meeting with University Title IX personnel. Your advisor can be any person, including legal counsel.
- Every complainant has the right to request a formal investigation or informal resolution for complaints of prohibited conduct.
- Complainants have the right to participate in an investigation without concerns of retaliation. In the event retaliation is alleged, an investigation into those allegations will commence.
- If a complainant's complaint is dismissed, they have the right to prompt notification of the dismissal.
- Every complainant whose formal complaint moves to investigation has the right to a thorough, prompt, and unbiased investigation.
- Complainants have the right to equitable treatment at all stages of an investigation.
- Complainants have the right to review draft investigation reports and all evidence gathered during an investigation. Complainants may submit written responses before the report is finalized.

RESPONDENT RIGHTS

- Respondents have the right to a presumption of "not responsible" for alleged prohibited conduct. A determination of responsibility is not made until the hearing.
- Respondents have the right to request supportive measures throughout the investigation process.
- Respondents have the right to participate in an investigation without concerns of retaliation. In the event retaliation is alleged, an investigation into those allegations will commence.
- Respondents have the right to an advisor of their choosing at any meeting with University Title IX personnel. Your advisor can be any person, including legal counsel.
- Respondents have the right to request an informal resolution in lieu of a formal investigation.
- Respondents have the right to a thorough, prompt, and unbiased investigation.
- Respondents have the right to equitable treatment at all stages of an investigation.
- Respondents have the right to review draft investigation reports and all evidence gathered during an investigation. Respondents may submit written responses before the report is finalized.

DEFINITIONS TO KNOW

Sexual Harassment Defined

"Conduct on the basis of sex that satisfies any of the following:

(a) Unwelcome conduct of a sexual nature directed towards a student, an employee, or a person participating in an education program or activity of the university that when using the legal 'reasonable person' standard, is so severe, pervasive, and objectively offensive that it effectively denies the person equal access to the institution's education program or activity.

(b) Unwelcome conduct of a sexual nature directed towards an individual that, when using the legal 'reasonable person standard, is so severe or pervasive and objectively offensively that it has the purpose or effect of unreasonably interfering with an individual's academic or work performance or participation in a university sponsored or supported activity."

Sexual Assault

"An offense that meets any of the following definitions:

(a) Rape: The penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the complainant.

(b) Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the complainant, including instances where the complainant is incapable of giving consent because of temporary or permanent mental incapacity.

(c) Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law per s. 944.06, Stats

(d) Statutory Rape: Sexual intercourse with a person who is under the statutory ages of consent as per s. 948.02, Stats."

Dating Violence

"Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant; 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, and the frequency of interaction between the persons involved in the relationship."

Domestic Violence

"Felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a persons who is cohabitating with or has cohabitated with the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of Wisconsin, or by any other person against an adult or youth individual who is protected from that person's acts under the domestic or family violence laws of Wisconsin as per
ss.813.12 (1) (am) and 968.075, Stats."

Stalking

"Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of other; or suffer substantial emotional distress."

Sexual Exploitation

"Attempting, taking or threatening to take nonconsensual sexual advantage of another person. Examples include:

(a) Engaging in any of the following conduct without the knowledge and consent of all participants.

1. Observing, recording, or photographing private body parts or sexual activity of one or more complainants.
2. Allowing another person to observe, record, or photograph sexual activity or private body parts of one or more complainants.
3. Otherwise distributing recordings, photographs, or other images of the same of one or more complainants.

(b) Masturbating, touching one's genitals, or exposing one's genitals in complainant's presence without the consent of complainant, or inducing another person to do the same.

(c) Dishonesty or deception regarding the use of contraceptives or condoms during the course of sexual activity.

(d) Inducing incapacitation through deception for the purpose of making another person vulnerable to non-consensual sexual activity.

(e) Coercing the complainant to engage in sexual activity for money or anything of value.

(f) Threatening distribution of any of the following, to coerce the complainant into sexual activity or providing money or anything of value:

1. Photos, videos, or recordings depicting private body parts or sexual activity of one or more persons
2. Other information of a sexual nature, including sexual history or sexual orientation."

Consent

"Words or overt actions by a person who is competent to give informed consent, indicating a freely given agreement to engage in sexual activity or other activity referenced in the definitions of sexual assault and sexual exploitation. A person is unable to give consent if the person is in a state of incapacitation because of drugs, alcohol, physical or intellectual disability, or unconsciousness."

Incapacitation

"The state of being unable to physically or mentally make informed rational judgments and effectively communicate, and may include unconsciousness, sleep, or blackouts, and may result from the use of alcohol or other drugs. Where alcohol or other drugs are involved, evaluation of incapacitation requires an assessment of how the consumption of alcohol or drugs affects a person's decision-making ability; awareness of consequences; ability to make informed, rational judgments; capacity to appreciate the nature and quality of the act; or level of consciousness. The assessment is based on objectively and reasonably apparent indications of incapacitation when viewed from the perspective of a sober, reasonable person."

Retaliation

“Intimidation, threats, coercion, or discrimination against any individual for the purpose of interfering with any right or privilege secured in, 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 under this policy.”

Complainant

“Any individual who is alleged to be the subject of sexual harassment, sexual assault, dating violence, domestic violence, stalking, or sexual exploitation, as defined in policy.”

Respondent

“An individual who has been reported to be the perpetrator of sexual harassment, sexual assault, dating violence, domestic violence, stalking, or sexual exploitation, as defined in policy.”

For more relevant definitions, see Appendix B of **https://www.wisconsin.edu/regents/policies/sexual-violence-and-sexual-harassment/**