



Marymount University Sexual and Interpersonal Misconduct Information and Resources



MARYMOUNT
UNIVERSITY

WHAT IS SEXUAL ASSAULT?

Engaging in sexual intercourse or any of the sexual activities listed below with another person without that person's consent. Sexual assault includes, but is not limited to, rape, sexual battery, anal intercourse, oral copulation or penetration of a body cavity by a foreign object. Sexual intercourse includes the penetration, however slight, of the vagina or anus with any object or body part and/or object in a sexual manner.

WHAT IS SEXUAL VIOLENCE?

Sexual Violence is defined by Virginia statute as "physical sexual acts perpetrated against a person's will or against a person incapable of giving consent."

WHAT IS INTERPERSONAL MISCONDUCT?

Engaging in dating violence, domestic violence, or stalking is considered interpersonal misconduct. In accordance with reauthorization of the Violence Against Women Act, Dating Violence, Domestic Violence, and Stalking are defined below.

Dating Violence is violence committed by a person:

1. Who is or has been in a social relationship of a romantic or intimate nature with the victim:

AND

2. Where the existence of such a relationship shall be determined based on consideration of the following factors:
 - A. the length of the relationship,
 - B. the type of the relationship, and
 - C. the frequency of interaction between the persons involved in the relationship.

Domestic Violence is a felony misdemeanor crime of 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 or intimate partner, by a person similarly situated to a spouse of the victim under Virginia law or by any other person against an adult or youth victim who is protected from the person's acts under Virginia law.

Stalking is engaging in a course of conduct directed at a specific person(s) that would cause a reasonable person under similar circumstances and with similar identities to the Complainant to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

WHAT IS CONSENT?

Consent is the informed, voluntary and willing participation or cooperation in action, behavior or attitude that is commonly understood to be consistent with the exercise of free will. Consent requires participants who 1) are fully conscious, equally free and legally competent to act; 2) have clearly communicated their willingness, cooperation or permission to participate in the specific sexual activity engaged in; and 3) are positive and clear about their desires and are able to cease ongoing consensual activity at any time. A person who wants to engage in a specific sexual activity is responsible for obtaining consent for that activity. A lack of resistance, or silence and/or passivity, do not constitute consent. A refusal to consent, or withdrawal of consent, does not have to be verbal; it can be expressed with clear gestures, body language or attitude. Prior sexual history between participants by itself does not constitute consent to future sexual activity. Consent must be given for every sexual encounter and sexual act.

WHAT IS RETALIATION?

Retaliation is any adverse non-permitted action taken in response to an action, injury or protected activity.

IF SEXUAL OR INTERPERSONAL MISCONDUCT HAPPENS TO YOU

♦ **Go to a safe place as soon as you can.**

♦ **Call 911 (if off-campus)**

- If on-campus, call Marymount University's Office of Campus Safety at 703-284-1600.

♦ **Preserve all physical evidence**

- Do not wash your face or hands, bathe, brush your teeth, drink or eat, douche, or change your clothes. Preserve as much physical evidence as possible, should you later decide to press charges.

♦ **Keep a log**

- Write down important incident information including date, time, what happened, and the names of any witnesses.

♦ **Seek emergency medical treatment**

- The Student Health Center is open Monday – Friday 8:00 am – 5:00 pm.
- Inova Fairfax Hospital has a Sexual Assault Nurse Examiner (SANE) and an Intimate Partner Violence nurses program. The hospital is located at 3300 Gallows Road, Falls Church, VA 22042, 703-776-6666, and has 24-hour emergency services.
- The University offers transportation vouchers to the hospital. You may contact the Student Counseling Center, Student Health Center, or Office of Campus Safety for assistance obtaining a transportation voucher.

♦ **Confidential support on campus**

- Student Counseling Center: 703-526-6861
Monday – Friday 9:00 am – 5:00 pm.
- Student Health Center: 703-284-1610
Monday – Friday 8:00 am – 5:00 pm.
- *After hours, call the Office of Campus Safety at 703-284-1600.*

♦ **Confidential support off campus**

- Employee Assistance Program: 888-267-8126, offers 24/7 connections to a professional counselor.
- Doorways 24-hour Sexual Violence Hotline: 703-237-0881.
Doorways also offers sexual assault accompaniments for hospital visits and SANE exams upon request.
- Fairfax County Domestic and Sexual Violence Hotline: 703-360-7273
- Rape, Abuse and Incest National Network (RAINN): 800-656-4673

CONFIDENTIALITY

Title IX requires all universities to identify “responsible employees” as those who are required to report all details of an incident, including the identities of those involved, to the Office of Campus Safety whenever the information is made known to the employee. Responsible employees at MU include faculty, staff, and some student employees.

Responsible employees do not include the following:

- 1. Student Counseling Center Staff**, (703-526-6861), are not required to report any information regarding alleged sexual or interpersonal misconduct to the Office of Campus Safety, Title IX Coordinator, or any other reporting body without first obtaining consent from the student.
- 2. Pastoral Counselors**, such as the University chaplains, are not required to report any information regarding alleged sexual or interpersonal misconduct to the Office of Campus Safety, the Title IX Coordinator or any other reporting body without consent from the student provided they receive the information in performance of their pastoral duties.
- 3. Student Health Center Staff**, (703-284-1610), are not required to report any information regarding alleged sexual or interpersonal misconduct to the Office of Campus Safety, the Title IX Coordinator or any other reporting body on campus without consent from the student. However, the Student Health Center staff is required to report signs of physical or sexual abuse to Arlington County Police when there is use of a weapon.

YOU HAVE THE RIGHT TO

STUDENTS

- ◆ Make a complaint to the Office of Campus Safety or the Title IX Coordinator.
- ◆ File a police report and take legal action separate from and/or in addition to filing a Student Conduct Code complaint seeking disciplinary action.
- ◆ A Support Advisor of your choosing, including a friend, mentor, family member, attorney or any other supporter, who will assist you through the process.
- ◆ Be informed of the disciplinary finding (responsible or not responsible).
- ◆ Refuse any/all of the above.

FACULTY/STAFF

- ◆ Make a complaint to the Office of Campus Safety or the Title IX Coordinator.
- ◆ File a police report and take legal action.
- ◆ A Support Advisor of your choosing; however, the Advisor may not be a witness, legal counsel, and/or a parent or guardian of the complainant or respondent.
- ◆ Be informed of the disciplinary finding (responsible or not responsible).
- ◆ Refuse any/all of the above.

WHAT SHOULD I DO?

Only you can decide the best course of action for yourself. MU provides 24-hour resources and services to assist you. Do not blame yourself and do not be afraid to ask for help.

STUDENTS

Students who have experienced sexual or interpersonal misconduct may seek assistance from a therapist at the Marymount University Student Counseling Center and will be seen without an appointment during regular business hours or students may also seek support from Pastoral Counselors at Campus Ministry. After hours the Counselor-on-Call may be reached 24/7 through the Office of Campus Safety at 703-284-1600.

FACULTY/STAFF

Faculty and staff who have experienced sexual or interpersonal misconduct may seek assistance from the Marymount University Employee Assistance Program at 888-267-8126 for a 24/7 connection to a professional counselor.

HOW TO HELP SOMEONE WHO HAS EXPERIENCED MISCONDUCT

- ◆ Talk, listen, respect and be emotionally available to the person.
- ◆ Understand and accept the fact that the assault/abuse occurred.
- ◆ Do not blame the survivor. Understand it is not the person's fault.
- ◆ Suggest options and actions (medical, psychological and other assistance), but let the person decide what action to take.
- ◆ Let the person talk about the incident, but do not force a discussion.
- ◆ Give the person time to heal. Be patient and understand that the healing process takes time.
- ◆ Encourage and accompany the person to obtain medical attention.
- ◆ If the person wishes to seek criminal action, it should be done as soon as possible after the incident.

HOW TO FILE A COMPLAINT WITH THE OFFICE OF CIVIL RIGHTS

If you believe that Marymount University does not respond appropriately to your allegations of sexual assault, violence, and misconduct after you have filed a report with the Office of Campus Safety, Residential Life, or the Title IX Coordinator, you have the right to file a complaint with the Office of Civil Rights.

You may file a complaint in person, online, or by mail

In person: via telephone
1-877-292-3804

Online: via email
education@usdoj.gov

By mail: write a letter to
**U.S. Department of Justice Civil Rights Division
950 Pennsylvania Avenue, N.W.
Educational Opportunities Section, PHB
Washington, D.C. 20530**

For more information about filing a complaint please visit:

<https://www.notalone.gov/students/#how-do-i-file-a-complaint-about-my-school-and-then-what-happens>

MU RESOURCES

Office of Campus Safety

703-284-1600

<http://www.marymount.edu/Student-Life/Health-Wellness/Campus-Safety>

Student Counseling Center

703-526-6861

<http://www.marymount.edu/Student-Life/Health-Wellness/Counseling-Center>

Student Health Center

703-284-1610

<http://www.marymount.edu/Student-Life/Health-Wellness/Student-Health-Center>

Campus Ministry

703-284-1607

<http://www.marymount.edu/Student-Life/Activities-Leadership/Campus-Ministry>

Title IX Coordinator

703-526-6940

Division of Student Affairs Office

703-908-7517

COMMUNITY RESOURCES

Arlington County Police/Rape Report

703-228-4300

<http://police.arlingtonva.us/prevention-safety/rape/>

Doorways 24-hour Sexual

Violence Hotline

703-237-0881

<http://www.doorwaysva.org>

Fairfax County Police

703-691-2131

<http://fairfaxcounty.gov/police>

Fairfax County Domestic and
Sexual Violence Hotline

703-360-7273

Virginia State Bar Lawyer

Referral Services

804-775-0500

1111 East Main Street, Suite 700

Richmond, Virginia 23219-3565

EMERGENCY SERVICES

Inova Alexandria

703-504-3000

<http://www.inova.org/patient-and-visitor-information/facilities/inova-alexandria-hospital/index.jsp>

Inova Fairfax Hospital

703-776-6666

<http://www.inova.org/patient-and-visitor-information/facilities/inova-fairfax-hospital/index.jsp>