Sexual Assault Prevention & Response
Resource Information Guide

Updated August 1, 2017
INTRODUCTION
Stephen F. Austin State University strives to provide an educational and work environment that affirms the rights and dignity of each individual. It is the policy of the university, in accordance with federal and state law, to prohibit unlawful discrimination on the basis of race, color, religion, national origin, sex, age, disability, genetic information, citizenship and veteran status. Additionally, Stephen F. Austin State University prohibits discrimination on the basis of sexual orientation, gender identity, and gender expression. Unlawful discrimination based on sex includes discrimination defined as sexual harassment.

The Discrimination Complaints policy (2.11) and the Sexual Misconduct policy (2.13) outline the university’s commitment and detail the procedures used to investigate reported violations (www.sfasu.edu/policies). It is the responsibility of the university president to ensure that SFA and all its constituencies comply with the provisions of this policy and with all federal and state laws, executive orders and regulations regarding non-discrimination.

The university prohibits and will not tolerate sexual misconduct because such behavior violates the university’s institutional values, adversely impacts the university’s community interest, and interferes with the university’s mission. The university also prohibits retaliation against any person who, in good faith, reports or discloses a violation of this policy, files a reported violation, and/or otherwise participates in an investigation, proceeding, reported violation, or hearing under this policy. Once the university becomes aware of an incident of sexual misconduct, the university will promptly and effectively respond in a manner designed to eliminate the misconduct, prevent its recurrence, and address its effects.

REPORTING OPTIONS FOR SEXUAL MISCONDUCT AND HARASSMENT
All administrators, faculty, staff, students, and third parties are strongly encouraged to immediately report any incidents of Sexual Misconduct and Other Inappropriate Sexual Conduct to the Title IX coordinator or one of the deputy coordinators. Reporting options, including the ability to file a report anonymously, and online reporting forms can be found at the following website: www.sfasu.edu/lumberjacks-care. In addition, a link to reporting information is maintained on the university home page.

Following are the options to initiate an investigation:
- Report the incident to a Title IX Coordinator listed in the following section.
- File a criminal report with the SFA Department of Public Safety*, located at 232 E. College St., Nacogdoches, Texas, (936) 468-2608 (non-emergency, from land line), (936) 468-2608 (emergency, from cell phone), 911 (emergency, from landline).
- Pursue student discipline by contacting the SFA Office for Student Rights and Responsibilities (OSRR) at (936) 468-2703.

* If the incident occurred off-campus, a report may be filed with the appropriate law enforcement agency. No matter the location of the incident, SFA University Police can assist the reporting party in filing a report with the appropriate law enforcement agency.
CONFIDENTIAL RESOURCES

**Students**
SFA Counseling Center
*Rusk Building - 3rd Floor*
Monday through Friday, 8 a.m.-5 p.m.
(936) 468-2401
counseling@sfasu.edu

Student Health Clinic
*Corner of Raguet and East College Streets*
Monday through Friday, 8 a.m.-5 p.m.
(936) 468-4008
healthservices@sfasu.edu

**Students and Staff**
Family Crisis Center of East Texas - SFA Office
*Inside the Student Health Clinic*
Monday, Wednesday, Thursday and Friday, 8 a.m-5 p.m
Tuesday 1-5 p.m.
Closed from noon to 1 p.m. daily
(936) 468-SAFE (7233)
24 hour crisis Line (800) 828-7233
www.familycrisiscenterofeasttexas.com/sfasu-campus-office

**TITLE IX COORDINATORS**

The Title IX Coordinator is the SFA official with responsibility for coordinating the university's efforts to comply with and carry out its responsibilities under Title IX and implementing Title IX regulations, including the investigation of Title IX reported violations.

SFA Title IX Coordinator
Dr. Michael Walker
Rusk Building, Room 301
P.O. Box 13032 Nacogdoches, TX 75962-3032
TitleIX@sfasu.edu
(936) 468-8292
Fax: (936) 468-6638

Deputy Title IX Coordinator for Students
Dr. Hollie Smith
Assistant Dean of Student Affairs
WHAT TO DO IF YOU OR SOMEONE YOU KNOW HAS EXPERIENCED SEXUAL MISCONDUCT

If you are concerned about someone’s safety or need medical attention, call 911 or go to a medical facility of your choice. The following options are on or near campus:
Steps to Consider

Seeking Medical Attention As Soon As Possible
   If you go to a medical facility, the trained professionals can collect necessary physical evidence. Even if you do not opt for forensic evidence collection, health care professionals can treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections.

Preserving Evidence
   It is important to preserve physical evidence of an assault even if you do not yet know whether you want to report the assault or pursue filing a reported violation. Evidence is best collected as soon as possible or at least within 72 hours of the incident. Do not shower to avoid washing away evidence. You can also preserve evidence by saving text messages, instant messages, and other communications that may be useful to investigators.

Reporting the Sexual Misconduct
   Although the university strongly encourages all members of the community to immediately report sexual misconduct to law enforcement, you have a choice whether to make such a report, and you can decline to involve the police. Refer to the Options for Reporting Sexual Misconduct section for more information.

Reports may be made by:
   • An individual who has experienced sexual misconduct;
   • Anyone who receives a report from someone who experienced sexual misconduct; and/or
   • Anyone who witnesses or otherwise has information that sexual misconduct may have occurred.

The university encourages individuals to immediately report incidents of sexual misconduct, but we recognize that some individuals may be reluctant at first. Although there is no specific time limit, we recommend reporting as soon as possible.

REPORTING AND INVESTIGATION OVERVIEW
(contact information for reporting options can be found on page3)
Assessment of Reported Violation

The Title IX coordinator or designee will conduct a preliminary assessment of the reported violation and recommend courses of action in consultation with the Complainant.

Notification of University Offices Offering Assistance

After receiving a report, the Title IX coordinator or deputy coordinator shall inform the Complainant of available resources and assistance.

INFORMAL RESOLUTION OF CERTAIN SEXUAL MISCONDUCT COMPLAINTS (OPTIONAL)

Informal resolution may be appropriate:

a) With a report not involving Sexual Violence as defined in this policy; and
b) When both parties are categorically similar (i.e. employee/employee or student/student).

If informal resolution is deemed appropriate by the Title IX coordinator or designee, then the individual will be provided assistance with informally resolving the alleged Sexual Misconduct. Assistance may include, depending on the reported policy violation, providing the Complainant with strategies for communicating with the offending party that the behavior is unwelcomed and should cease, directing a university official to inform the offending party to stop the unwelcomed conduct, or other informal resolution designed to stop, remedy, and prevent future incidents. However, the university may take more formal action, including disciplinary action, to ensure an environment free of Sexual Harassment or Sexual Misconduct. A Complainant may end this informal process at any time and proceed with a formal report and investigation.

Timeframe

Informal resolutions should be completed no later than 10 business days after the Title IX coordinator receives the request for informal resolution. Should an informal resolution take longer, a justification for the delay will be provided to the parties by the Title IX coordinator.

Confidentiality and Documentation

The university will document informal resolutions. The Title IX coordinator will retain the documentation. If the Complainant or reporting party wishes to remain anonymous, the university’s ability to establish facts and eliminate the alleged misconduct will be limited. The university will attempt to find the right balance between the Complainant’s desire for privacy and confidentiality and its responsibility to provide an environment free of Sexual Misconduct.

INTERIM MEASURES AND ONGOING ASSISTANCE

In addition to the services provided by on- and off-campus providers, the university will take immediate and interim measures to assure the safety and well-being of the Complainant, to maintain an environment free from harassment, discrimination, or retaliation, and to protect the safety and well-being of community members.
For example, if the accused is an employee, interim action may include reassignment and/or suspension. If the accused is a student, interim action may include suspension, no contact orders, changing living arrangements, modifying the course schedule, or modifying other aspects of the educational environment.

Interim action may also include allowing the Complainant to move to a new residence hall, change work schedules, alter academic schedules, and withdraw from or retake a class without penalty. Moreover, the university may be able to provide additional accommodations for a Complainant while an investigation is pending.

At the outset of an investigation, students alleging policy violations involving violence, including but not limited to Sexual Assault, Domestic Violence, Dating Violence, or Stalking, and who are enrolled in the same course with a Respondent, may withdraw from the course without any academic penalty as an interim measure. This same option is available to the Respondent.

**FORMAL COMPLAINT AND INVESTIGATION**

** Formal Complaint**

To begin the investigation process, the Complainant should submit a signed, written statement setting out the details of the conduct that is the subject of the reported policy violation, including the Complainant’s name, signature, and contact information; the name of the person(s) directly responsible for the alleged violation; a detailed description of the conduct or event that is the basis of the alleged violation; the date(s) and location(s) of the occurrence(s); the names of any witnesses to the occurrence(s); the resolution sought; and any documentation or information that is relevant to the reported policy violation. The university may initiate an investigation regardless of the manner in which a reported policy violation is received; however a detailed written complaint may enhance the investigation. If the complaint is not in writing, the investigator should prepare a statement of what they understand the reported violation to be after the initial interview and ask the Complainant to verify that statement.

**Investigation and Findings**

A. An investigator will be assigned to investigate the reported policy violation.

B. As part of the investigation process, the Complainant and the Respondent will be provided notice of the reported policy violation and be allowed five (5) business days to respond in writing. If the Complainant or Respondent has evidence that there is a conflict of interest or other bias between them and the Title IX coordinator or investigator assigned to the investigation, such individual should describe and provide the evidence of the conflict of interest or bias in their response. Substantiated conflicts of interest or other bias will be handled in accordance with Section 8.3 of the SFA Sexual Misconduct policy (2.13).
C. As part of their response, the Complainant and the Respondent may present any document or information that is believed to be relevant to the reported policy violation.

D. Persons thought to have information relevant to the reported policy violation will be interviewed and those interviews will be appropriately documented. Both the Respondent and the Complainant may recommend witnesses for interview and suggest questions that should be asked. Neither the Complainant nor the Respondent will normally attend these interviews or the gathering of evidence; however, if either one is permitted to attend, the other shall have the same right.

E. After the investigation is complete, a written report will be issued to the Title IX coordinator and the appropriate administrator. The appropriate administrator will depend on the status of the Respondent (i.e., student, faculty, employee, or third party). The report shall include a summary of the reported policy violation and investigation, factual findings, and a conclusion regarding whether a policy violation occurred (based on a Preponderance of the Evidence standard).

F. After the written report is completed, the Complainant and Respondent shall be informed concurrently in writing of the finding(s). Each will be allowed to inspect the report or, at the university’s discretion, be provided letters summarizing the findings in the report in keeping with FERPA and Texas Education Code, Section 51.971 to the extent applicable.

G. If the Respondent is found responsible for violation of this policy, after the appeal process in Section 7.6 of the SFA Sexual Misconduct Policy has concluded, the matter will be referred to the appropriate administrator who will impose disciplinary action or sanction(s) in accordance with applicable policies and procedures dependent on the status of the Respondent (i.e. student, faculty, or employee).

Provisions Applicable to the Investigation

Assistance
During the investigation process, a Complainant or Respondent may be assisted by an advisor of their choosing, however, the advisor may not actively represent the Complainant or Respondent in any meeting or interview. Failure to abide by this policy may result in the advisor being dismissed from the meeting or interview.

Documentation
The university shall document reported policy violations and their resolution and retain copies of all materials in accordance with state and federal records laws and university policy.

Conflicts of Interest
In the event a conflict of interest (or related bias) exists between a Complainant/Respondent and a university official responsible for any part of the investigation or disposition of the
reported policy violation, the university will determine if a conflict of interest (or other related bias) exists, and, if so, make appropriate substitutions for that individual’s role in the process.

**SELF CARE DURING THE INVESTIGATION PROCESS**

Going through the investigation process can be a stressful experience. Gathering and presenting documentation, writing a response, identifying witnesses, being interviewed, reviewing the report or letter once a decision is made, and waiting can all have an impact on one’s stress level and daily functioning. The following information is offered to help you manage any stress you may be feeling during the process.

**Consider talking to someone.** Confiding in a trusted friend or family member can be very helpful at a stressful time. This person would be someone who would not share your information with anyone else, who makes you feel believed and supported, who will not ask you a lot of questions, and who can be an excellent, empathic listener. Your friends want to support you at a time like this so do not be concerned about burdening them. Students can also contact SFA Counseling Services (936.468.2401) and schedule an appointment. All information shared is confidential.

**Surround yourself with positive, supportive people.** Even those who do not know about your experience can be a source of support or discouragement during this process. Spend time with people that help you feel optimistic and hopeful. Also, limit your social media exposure to only those sites that are positive and uplifting.

**Learn more about resources.** Talk to the Family Crisis Center advocate at SFA to learn more about what to expect from the process and the services they can provide to support you (936.468.7233).

**Consider having a confidential advisor with you at meetings or interviews.** While your confidential advisor will not actively participate in the process, their presence can be comforting and supportive during the experience. An advisor can be anyone you choose such as a trusted friend or family member.

**Attend to your physical wellness.**

- Do what you can to get enough sleep. It might be difficult but engaging in a supportive sleep ritual can help in the restoration and maintenance of your body and mind.
- Healthy and well-balanced meals. Even if you do not have an appetite, do what you can to nourish your body.
- Consider engaging in some form of physical activity. Physical activity is one of the best things one can do for stress management. Walking, gentle stretching, or yoga can be enough to encourage the release of stress management neurotransmitters in the brain.
- Stick with your routine. What were your start of day and end of day habits before the investigation process? Try to maintain those habits in your daily life.
Limit or eliminate alcohol or drug use. Alcohol and other drugs (including caffeine, nicotine, and sugar) can seem like an escape but can, in fact, contribute to greater feelings of stress, anxiety, and depression.

**APPEAL**
Each party will have five (5) business days from the date the report/letter is issued via e-mail to each party to submit a written appeal of the finding(s) using the “Sexual Misconduct Appeal of Investigation Findings” online form to the Title IX coordinator. An appeal is not intended to re-hear or re-argue the matter and is limited to the following grounds:

a) substantive procedural error that resulted in preventing a fair, impartial, or proper investigation. Deviations from the designated procedures will not be a basis for sustaining an appeal unless material harm or prejudice results;

b) discovery of substantial new evidence that was unavailable at the time of the investigation and which reasonably could have affected the findings of the investigator; and/or

c) finding(s) not supported by the evidence.

If an appeal is filed, the other party will have two (2) business days to file a response to the appeal.

Appeals will be reviewed within seven (7) business days after being received. The Title IX coordinator will submit all appeal materials to an appeal panel consisting of three (3) members from a pool of trained individuals, typically deputy Title IX coordinators or investigators not affiliated with the matter. The appeal panel may:

a) Affirm or uphold the determination,

b) request further investigation into the reported violation, or

c) take such other action as may be warranted under the circumstances.

The Complainant and the Respondent shall be informed concurrently in writing of the decision.

**Standard of Proof**
All investigations under this policy will use the Preponderance of the Evidence standard to determine violations of this policy.

**Timelines**
Barring any unforeseen and reasonable delays, the university will endeavor to resolve reported policy violations under this policy no later than sixty (60) calendar days after the initial report was received by the Responsible Employee. If the investigation and resolution exceeds sixty (60) calendar days, the university will notify all parties in writing of the reason for the delay and the expected time frame adjustment. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

At the request of law enforcement, the university may defer its fact-gathering until after the initial stages of a criminal investigation. The university will nevertheless communicate with the Complainant
regarding their rights, procedural options, the status of the investigation, and the implementation of interim measures to ensure the safety and well-being of the Complainant. The university will also communicate with the Respondent regarding their rights, procedural options, and information regarding the status of the investigation as they relate to the Respondent. The university will promptly resume its fact-gathering as soon as law enforcement has completed its initial investigation, or if the fact-gathering is not completed in a reasonable time.

The university will not wait for the outcome of a concurrent criminal or civil justice proceeding to take action. The university has an independent duty to investigate reported policy violations of Sexual Misconduct.

The filing of a complaint under this policy does not excuse the Complainant from meeting time limits imposed by outside agencies. Likewise, the applicable civil or criminal statute of limitations will not affect the university's investigation of the reported policy violation.

**Remedies**

In addition to sanctions that may be imposed pursuant to the appropriate disciplinary policy, the university will take appropriate action(s), including but not limited to those below to resolve reported policy violations of Sexual Misconduct, prevent any recurrence and, as appropriate, remedy any effects:

- a) Imposing sanctions against the Respondent, including attending training, suspension, termination or expulsion;
- b) Ensuring the Complainant and Respondent do not share classes, working environments, or extracurricular activities;
- c) Making modifications to the on campus living arrangements of the Respondent or Complainant (if the Complainant requests to be moved);
- d) Providing comprehensive, holistic support services including medical, counseling, and academic support services, such as tutoring;
- e) Providing the Complainant extra time to complete or re-take a class or withdraw from a class without academic penalty, and minimizing any financial implications to the extent permitted by applicable law or regulation;
- f) Determining whether Sexual Misconduct adversely affected the Complainant’s university standing;
- g) Conducting, in conjunction with university leaders, a university climate check to assess the effectiveness of efforts to ensure that the university is free from Sexual Misconduct, and using that information to inform future proactive steps that the university will take;
- h) Providing targeted training for a group of students or employees if, for example, the Sexual Misconduct created a Hostile Environment in a residence hall, department, student organization, or on an athletic team. Bystander intervention and Sexual Misconduct prevention programs may be appropriate;
i) Issuing policy statements or taking other steps to clearly communicate that the university does not tolerate Sexual Misconduct and will respond to any incidents and to any individual who reports such incidents.

These remedies are separate from, and in addition to, any interim measures that may have been provided before the end of the university’s investigation. If the Complainant did not take advantage of a specific service (e.g., counseling) when offered as an interim measure, the Complainant should still be offered, and is still entitled to, appropriate final remedies that may include services the Complainant declined as an interim measure. A refusal at the interim stage does not mean the refused service or set of services should not be offered as a remedy.

**Sanctions and Discipline**

Disciplinary action against faculty and employees will be handled under the university’s policies for discipline and dismissal of faculty and employees. Disciplinary actions may include, but are not limited to, written reprimands, the imposition of conditions, reassignment, suspension, and dismissal. The vice president for university affairs, or designee, will impose disciplinary action, if any, against a student under the university’s student disciplinary procedures. Student disciplinary actions may include, but are not limited to, probation, suspension, or expulsion.

In accordance with federal law, when disciplinary action is commenced because of a violation of this policy, both parties will have equal opportunities in all aspects of the sanctioning process including notices and advisor assistance. Further, the standard of proof in determining the outcome will be the Preponderance of the Evidence, as defined in this publication.

**ADDITIONAL CONDUCT VIOLATIONS**

**Retaliation**

Any administrator, faculty member, student, or employee who knowingly and intentionally engages in any retaliatory action or behavior against any individual(s) involved in a case or investigation is subject to disciplinary action up to and including dismissal or separation from the university. Individuals considered involved in a case or investigation include, but are not limited to, the Complainant(s); Respondent(s); any witness(es); and anyone who has submitted a reported violation, provided information in connection with a violation, and/or participated in an investigation or disciplinary process of a reported violation.

**Interference with an Investigation**

Any person who knowingly and intentionally interferes with an ongoing investigation conducted under this policy is subject to disciplinary action up to and including dismissal or separation from the university. Interference with an ongoing investigation may include, but is not limited to:

a) attempting to coerce, compel, or prevent an individual from providing testimony or relevant information;

b) removing, destroying, or altering documentation relevant to the investigation; or

c) providing false or misleading information to the investigator, or encouraging others to do so.
No Effect on Pending Personnel or Academic Actions Unrelated to the Reported Violation
The filing of a report under this policy will not stop or delay any action unrelated to the report, including: (1) any evaluation or disciplinary action relating to a Complainant who is not performing up to acceptable standards or who has violated university rules or policies; (2) any evaluation or grading of students participating in a class, or the ability of a student to add/drop a class, change academic programs, or receive financial reimbursement for a class; or (3) any job related functions of a university employee. Nothing in this section shall limit the university’s ability to take interim action.

False Reports
A charge of filing a false report may be made by the university against any person who knowingly and intentionally files a false report under this policy. An individual found responsible is subject to disciplinary action up to and including dismissal or separation from the university. A finding of non-responsibility does not indicate a report was false.

Complete details regarding the reporting and investigation process can be found in the Sexual Misconduct policy (www.sfasu.edu/policies). SFA is committed to creating an environment free of all forms of gender discrimination. Should you have any questions about your rights and responsibilities under this policy, you may contact the Title IX coordinator or go to www.sfasu.edu/Lumberjacks-care for more information.

DEFINITIONS-POLICY 2.13

Complainant – refers to the individual(s) who are alleged to have been impacted by a violation of this policy.

Respondent – refers to the individual(s) who is accused of violating this policy.

Consent – involves a voluntary, ongoing, mutual understanding among all participants that indicates a willingness through words or clear unambiguous actions that demonstrate a knowing, intentional agreement to engage in each instance of sexual activity. Knowledge of Consent is the responsibility of each person involved in every instance of sexual activity and Consent can be withdrawn at any time.

Examples of Ineffective or Absence of Consent
The following list provides examples of when Consent has not been obtained or is not effective. This list is not exhaustive:

Consent is not effective when any participant in the sexual activity is unsure if a knowing, intentional, voluntary agreement to engage in each act of sexual activity has been demonstrated.
Consent is not effective if one person knew or reasonably should have known that another person involved was incapacitated.

Consent to one act does not imply Consent to another.

Past Consent does not imply future Consent.

Consent to engage in sexual activity with one person does not imply Consent to engage in sexual activity with another.

Any expression of an unwillingness to engage in any instance of sexual activity establishes a presumptive lack of Consent.

Consent is not effective if it results from: (a) the use of physical force, (b) a threat of physical force, (c) intimidation, (d) Coercion, (e) Incapacitation or (f) any other factor that would eliminate an individual’s ability to exercise their own free will to choose whether or not to have sexual activity.

A current or previous dating or sexual relationship, by itself, is not sufficient to constitute Consent. Even in the context of a relationship, there must be a voluntary, mutually understandable agreement that clearly demonstrates a willingness to engage in each instance of sexual activity.

The definition of Consent for the crime of Sexual Assault in Texas can be found in Section 22.011(b) of the Texas Penal Code.

**Preponderance of the Evidence** – The greater weight of the credible evidence. Preponderance of the Evidence is the standard for determining allegations of Sexual Misconduct under this policy. This standard is satisfied if the action is deemed more likely to have occurred than not.

**Sexual Misconduct** – A broad term encompassing a range of non-consensual sexual activity or unwelcome behavior of a sexual nature. The term includes Sexual Assault, Sexual Exploitation, Sexual Intimidation, Sexual Harassment, Domestic Violence, Dating Violence, Stalking, and Other Inappropriate Sexual Conduct. Sexual Misconduct can be committed by men or women, strangers or acquaintances, and can occur between or among people of the same or opposite sex.

**Sexual Assault** – Refers to any sexual contact or intercourse with a person without the person’s Consent, including sexual contact or intercourse against the person’s will or in a circumstance in which the person is incapable of Consenting to the contact or intercourse and includes but is not limited to any offense that meets the definition of Rape, Fondling, Incest, or statutory Rape:

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 person.
b) Fondling: The touching of the private body parts of another person for the purpose of sexual gratification without the Consent of the person, including instances where an individual is incapable of giving Consent because of the person’s age or because of a 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.

d) Statutory Rape: Sexual intercourse with a person who is under the statutory age of Consent.

**Sexual Exploitation** — Occurs when an individual takes non-consensual or abusive sexual advantage of another for their own benefit, or to benefit anyone other than the one being exploited. Examples of Sexual Exploitation include, but are not limited to, engaging in voyeurism; forwarding of pornographic or other sexually inappropriate material by email, text, or other channels to non-Consenting students/groups; and any activity that goes beyond the boundaries of Consent, such as recording of sexual activity, letting others watch consensual sex, or knowingly transmitting a sexually transmitted infection (STI) to another.

**Sexual Harassment** — Unwelcome conduct of a sexual nature including but not limited to unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, when submission to such conduct is made either explicitly or implicitly a term or condition of a person’s student status, employment, or participation in university activities; such conduct is sufficiently severe or pervasive that it interferes with an individual’s education, employment, or participation in university activities, or creates an objectively Hostile Environment; or such conduct is intentionally directed towards a specific individual and has the effect of unreasonably interfering with that individual’s education, employment, or participation in university activities, or creating an intimidating, hostile, or offensive environment. Sexual Harassment is a form of sex discrimination that includes:

a) Sexual Violence, Sexual Assault, Stalking, Domestic Violence and Dating Violence as defined herein.

b) Physical conduct, depending on the totality of the circumstances present, including frequency and severity, including but not limited to:

i. unwelcome intentional touching; or

ii. deliberate physical interference with or restriction of movement.

c) Verbal conduct not necessary to an argument for or against the substance of any political, religious, philosophical, ideological, or academic idea, including oral, written, or symbolic expression, including but not limited to:

i. explicit or implicit propositions to engage in sexual activity;

ii. gratuitous comments, jokes, questions, anecdotes or remarks of a sexual nature about clothing or bodies;

iii. gratuitous remarks about sexual activities or speculation about sexual experiences;

iv. persistent, unwanted sexual or romantic attention;

v. subtle or overt pressure for sexual favors;

vi. exposure to sexually suggestive visual displays such as photographs, graffiti, posters, calendars, or other materials; or
vii. deliberate, repeated humiliation or intimidation based upon sex.

Coercion - the practice of compelling another party to act by use of intimidation or threats.

Dating Violence– includes abuse or violence, or a threat of abuse or violence, against a person with whom the actor has or has had a social relationship of a romantic or intimate nature. The existence of such a relationship shall be determined by the individual subjected to the violence with consideration of the following factors:
   a) The length of the relationship;
   b) The type of relationship; and
   c) The frequency of interaction between the persons involved in the relationship.

Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of domestic violence.

Domestic (Family) Violence– includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the individual subjected to the violence, by a person with whom the individual subjected to the violence shares a child in common, by a person who is cohabitating with or has cohabitated with the individual subjected to the violence as a spouse or intimate partner, by a person similarly situated to a spouse of the individual subjected to the violence under the domestic or family violence laws of the state of Texas, or by any other person against an adult or youth subjected to the violence who is protected from that person’s acts under the domestic or family violence laws of the state of Texas.

Stalking – Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress. For the purposes of this definition
   a) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
   b) Reasonable person means a reasonable person under similar circumstances and with similar identities to the person subjected to the Stalking behavior.
   c) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Required Student Training
In the spirit of the SFA Way and to promote a culture of respect and understanding all incoming students are required to complete an online training that covers a variety of topics including awareness and prevention of sexual assault, dating violence, collegiate wellness issues, the impact and risks of alcohol use, and bystander intervention techniques.
To access this and other trainings, please follow these instructions:

1. Please use a desktop or laptop computer, NOT a mobile device

2. Go to www.sfasu.edu on your web browser (we recommend you use Google Chrome or Firefox)

3. Click on My SFA at the top right hand side of the page

4. Enter your user name and password and click login to access your My SFA account

5. Once you have logged in, scroll down the page to the Student Training section on the right side

6. Click on the red Student Training link, which will open another website.

7. Click the Student Empower Plus link to start the training.

Additional Information

More information about Title IX at SFA:
www.sfasu.edu/Lumberjacks-care

The complete Sexual Misconduct policy (2.13):
www.sfasu.edu/policies

The complete Discrimination Complaint policy (2.11):
www.sfasu.edu/policies

University Police Department:
http://www.sfasu.edu/dps/
(936) 468-2608 (non-emergency)

Lumberjack Guardian Mobile App:
http://www.sfasu.edu/dps/lumberjack-guardian.asp

Family Crisis Center of East Texas:
24 hour crisis Line (800) 828-7233
**National Resources**

The National Domestic Violence Hotline  
1-800-799-7233  
1-800-787-3224 (TTY)

The Rape, Abuse, and Incest National Network  
[https://www.rainn.org/](https://www.rainn.org/)  
1-800-656-4673

Learn About Dating Violence  