

Approving University Officials: Provost; Executive Vice
President
Responsible

I. Policy

A. Policy Statement

Northwestern prohibits discrimination and harassment on the basis of race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, gender expression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, reproductive health decision making, or any other classification protected by law (referred to as “protected classes”) in matters of admissions, employment, housing, or services, or in the educational programs or activities Northwestern operates. Prohibited discrimination based on sex includes sexual misconduct, including but not limited to, sexual harassment, sexual assault, sexual exploitation, stalking, and dating or domestic violence. Such conduct violates Northwestern’s values and disrupts the living, learning, and working environment for students, faculty, staff, and other community members.

Pursuant to the Department of Education’s 2020 regulations implementing Title IX, the University has adopted an [Interim Policy on Title IX Sexual Harassment](#), which governs certain instances of sexual misconduct. Allegations of sexual misconduct that do not fall within the jurisdiction of the

processes stated therein. All other forms of sex-based discrimination are governed by this Policy, including sexual harassment, as defined in this Policy that does not rise to the level of Title IX Sexual Harassment as defined in the Interim Policy on Title IX Sexual Harassment.

Conduct that is initially raised through a formal complaint under the Interim Policy on Title IX Sexual Harassment may also be addressed under this Policy, in the University's discretion, when: (i) the conduct at issue, or some part of it, may constitute a violation of this Policy irrespective of whether it constitutes Title IX Sexual Harassment under the Interim Policy on Title IX Sexual Harassment; (ii) the formal complaint, or some part of it, has been dismissed under the Interim Policy on Title IX Sexual Harassment; or (iii) a final determination of a formal complaint has been made under the Interim Policy on Title IX Sexual Harassment and separate or additional action maybe necessary to enforce this policy. i926.9 TS30023.90J 3-52

Title IX Sexual Harassment, criminal and other applicable state laws may use different definitions of these terms.¹

1. **Discrimination and Harassment**

- a. Discrimination:** Prohibited discrimination is treating someone differently because of their race, color, religion, national origin, sex, pregnancy, sexual orientation, gender identity, genderexpression, parental status, marital status, age, disability, citizenship status, veteran status, genetic information, reproductive health decision making, or any other classification protected by law (referred to as “protected classes”) in matters of admissions, employment, housing, or services, or in the educational programs or activities Northwestern operates.

In determining whether discrimination occurred, the Office of Equity examines the following:

- Whether there was an adverse impact on the individual’s work or education environment; and
- Whether individuals outside of the protected class received more favorable treatment. If the first two conditions are met, the Office of Equity will consider whether there is a legitimate, non-discriminatory reason for the action.

Examples of discrimination can include:

- Refusing to hire or promote someone because of their membership in a protected class;
- Denying someone a raise or employment benefit because of their membership in a protected class;
- Reducing someone’s job responsibilities because of their membership in a protected class;
- Denying someone access to an educational program based on their membership in a protected class; or
- Denying someone access to a University facility based on their membership in a protected class.

- b. Harassment:** Prohibited harassment is verbal or physical conduct or conduct using technology based on a protected class that has the purpose or effect of:

- Substantially interfering with, limiting or depriving a member of the community.

In determining whether the conduct is sufficiently severe or pervasive so as to meet the above

consumption, medical condition or disability, or due to a state of unconsciousness or sleep. **When alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. When drug use is involved, incapacitation is a state beyond being under the influence or impaired by use of the drug.** Alcohol and other drugs impact each individual differently, and determining whether an individual is incapacitated requires an individualized determination.

Some indicators of a lack of capacity to give consent due to consumption of drugs or alcohol may include, but are not limited to:

- Lack of full control over physical movements (for example, difficulty

This includes, but is not limited to, the following actions (including when they are done via electronic means, methods or devices):

- Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person without that person's consent;
- Indecent or lewd exposure or inducing others to expose themselves when consent is not present³;
- Recording any person engaged in sexual or intimate activity in a private space without that person's consent;
- Distributing sexual information, images, or recordings about another person without that person's consent;
- Recruiting, harboring, transporting, providing, or obtaining another person for the purpose of sexual exploitation;
- Inducing incapacitation in another person with the intent to engage in sexual conduct, regardless of whether prohibited sexual conduct actually occurs.

- d. **Dating/Domestic Violence:** Dating violence is any violence (including but not limited to emotional, physical, sexual, and financial abuse or threat of abuse) between two people who are or have been in a social relationship of a romantic or intimate nature. The existence of such a relationship will depend on the length and type of the relationship and the frequency of interactions between the persons involved.

Domestic violence is violence between two people who are or have been in an intimate or romantic relationship, who share a child in common, or who live or have lived together as spouses or intimate partners. Violence against any person by that person's caretaker or guardian (such as abuse against an elderly, young, or disabled person) may also be considered domestic violence. Examples of domestic violence include but are not limited to physical, emotional, sexual, and financial abuse or threat of abuse.

- e. **Stalking:** Knowingly engaging in a course of conduct directed at a specific person that one knows or should know would cause a reasonable person to fear for their safety (or the safety of a third party) or suffer substantial emotional distress. "Substantial emotional distress" means significant mental suffering, anxiety or alarm.

Conduct that can amount to stalking may include two or more actions directed at another person⁴, whether done directly, indirectly, through others, via devices, or via any other methods or means (specifically including electronic means e.g. cyberstalking), including but not limited to:

- Following a person;
- Being or remaining in close proximity to a person;
- Entering or remaining on or near a person's property, residence, or

³ Breast-feeding a child is not indecent.

⁴ Please note that actions need not be sexual in nature to constitute stalking.

i. Reporting Incidents to the University

Any individual may report alleged or suspected discrimination, harassment or sexual misconduct to the Office of Equity. Reports to the Office of Equity may be made in person, by email, by regular mail, by phone, or electronically as explained below.

Individuals impacted by discrimination, harassment or sexual misconduct may contact the Office of Equity to receive support, resources, and information even if

Phone: (847) 491-6697
Email:

The Office of Equity provides information on contacting local and campus law enforcement and will assist an individual in doing so. However, the Office of Equity will not compel an individual to go to law enforcement.

The Northwestern University Police has a written [statement](http://www.northwestern.edu/up/your-safety/sexual-violence/university-police-guarantee.html) for sexual violence survivors (<http://www.northwestern.edu/up/your-safety/sexual-violence/university-police-guarantee.html>) that reflects its commitment to sensitivity and privacy. University Police

770.472.4300 (Toll-free) 773.233.3100 (Local) 773.233.4300 (Cell)

All University employees (including student employees) and graduate

escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, other changes to academic, living, dining, transportation, and working situations, honoring an order of protection or no contact order entered by a State civil or criminal court, and other similar measures. In providing Supportive Measures, the Office of Equity will make every effort to avoid depriving any student of their education or access to the University's program or activities. The Supportive Measures needed by each party may change over time, and the Office of Equity will communicate with parties to ensure that any Supportive Measures in place are necessary and effective based on the parties' evolving needs.

The University will maintain the confidentiality of Supportive Measures

for reporting an incident of discrimination, harassment or sexual misconduct or for participating, in any manner, in an investigation or hearing related to a report of discrimination, harassment or sexual misconduct. The University considers such actions to be protected activities in which all members of the University are protected.

- No-contact directive (with respect to an individual)
- Loss of privileges
- Loss of oversight, teaching or supervisory responsibility
- Probation
- Demotion
- Loss of pay increase
- Transfer (employment)
- Revocation of offer (employment or admissions)
- Disciplinary suspension
- Suspension with pay
- Suspension without pay
- Expulsion
- Termination of employment
- Revocation of tenure
- Termination of contract (for contractors)

The University may assign other sanctions as appropriate to the particular situation. Sanctions and corrective actions will be imposed in accordance with relevant policies and/or procedures and other requirements set forth in the applicable Staff Handbook, Faculty Handbook, Student Handbook, other policies or handbooks that may be developed over time, or contracts. In addition to imposing sanctions, the University may

H. Related Information

1. University policies and procedures

[Interim Policy on Title IX Sexual Harassment](#)[Faculty Handbook](#)

[Non-Retaliation](#)

[Policy on Minors at Northwestern](#)

[Policy on Consensual Romantic or Sexual Relationships between Faculty, Staff and Students](#)[Staff Handbook](#)

[Student Handbook](#)

2. Other information

[Department of Education Office for Civil Rights complaint forms](#)[EthicsPoint](#)

a response or intervention by the University. A person consulting with a Confidential Resource may later decide to make a report to the University and/or law enforcement.

The Medical Resources in Section II(B) are also confidential resources and are not obligated to disclose reports of sexual misconduct to the Office of Equity (under any circumstance) or law enforcement (except in very limited situations, such as when failure to disclose the information would result in imminent danger to the individual or to others or as otherwise required by law).

On-Campus Confidential Resources

Resource	Contact Information	Description
CARE: Center for Awareness, Response & Education^{6,7*}	Evanston Campus: 633 Emerson Street, 3rd Floor (847) 491-2054 care@northwestern.edu www.northwestern.edu/care	CARE is a confidential space for students impacted by sexual violence, relationship violence, or

	www.northwestern.edu/religious-life/	
Faculty Wellness Program*	Director Richard A. Carroll, PhD(312) 695-2323 rcarroll@nm.org http://www.northwestern.edu/provost/faculty-resources/work-life/faculty-wellness.html	Provides free consultations for faculty members to identify appropriate resources for personal and professional concerns. Resources may be offered over the phone, or faculty members can meet with the Faculty Wellness Program director for further discussion.
Employee Assistance Program	(855) 547-1851 (24 hours) https://www.northwestern.edu/hr/benefits/well-being/programs/employee-assistance-program/index.html	Provides confidential crisis intervention and short-term counseling for faculty and staff, as well as their household family members at no cost.
University Ombudsperson		

Off-Campus Confidential Resources

Resource	Contact Information	Description
Hotlines	Chicago Metro Rape Crisis Hotline (YWCA): (888) 293-2080 Chicago Domestic Violence Line: (877) 863-6338 Evanston Domestic Violence Line (YWCA): (877) 718-1868 RAINN: Rape, Abuse & Incest National Network (800) 656-HOPE https://hotline.rainn.org/ (online hotline)	All hotlines provide 24 hour (7 days/week) crisis counseling and information regarding sexual assault, dating violence, and stalking. Survivors and friends of survivors can call. <i>Note: the hotlines can also provide information on local hospitals, such as what hospitals will have a victim advocate or SANE (Sexual Assault Nurse Examiner) available.</i>
Center on Halsted (LGBTQ Services)	3656 N. Halsted St, Chicago (7 days a week, 8 a.m. to 9 p.m.) LGBTQ Violence Resource Line: (773) 871-2273 http://www.centeronhalsted.org/avp	Services include: counseling services; connecting individuals with professional help, law enforcement, agencies, services, and other providers.
in*power (LGBTQ Survivor Support Services)	4025 N. Sheridan Rd, Chicago (773) 388-1600 ext 3680 in.power@howardbrown.org http://www.howardbrown.org/inpower/	Services include: STI testing and treatment, short-term case management, linkage to community resources, holistic health referrals, support groups for young people and adults, legal advocacy

Resilience (Formerly known as Rape Victim Advocates)	Main Office: 180 N. Michigan Ave, Suite 600, Chicago (312) 443-9603 www.ourresilience.org	Services include: medical and legal advocacy, counseling services (individual and group). Services are free for survivors or friends/partners of survivors.
YWCA- Evanston	1215 Church St, Evanston (847) 864-8445 https://www.ywca-ens.org	Services include: counseling and support for survivors of dating/domestic violence, legal advocacy, and residential services (emergency shelter)
Life Span Center for Legal Services and Advocacy	70 E. Lake Street, Suite 600, Chicago (312) 408-1210 life-span@life-span.org www.life-span.org	Services include (for survivors of DV, SV, and stalking): legal services, legal advocacy (i.e. assistance with Orders of Protection, etc.), and counseling

Center for Contextual Change

enforcement (except in very limited situations, such as when failure to disclose the information would result in imminent danger to the individual or to others or as otherwise required by law).

1. Medical Services Available On or Near the Evanston and Chicago Campuses

Northwestern University Health Service⁸

Evidence collection kit cannot be provided; CARE staff can be contacted to provide support services, if desired. (See Section II(A) for more information on CARE.)

Evanston Campus: 633 Emerson Street, Evanston
Phone: (847) 491-8100 (RN call service available 24 hours)
Website: <http://www.northwestern.edu/healthservice-evanston/>
(for regular hours of operation and 24-hour emergency contact info)

Chicago Campus: 675 North St. Clair Suite 18-200, Chicago
Phone: (312) 695-8134
Website: <http://www.northwestern.edu/healthservice-chicago>
(for regular hours of operation and 24-hour emergency contact info)

NorthShore University Health System/ Evanston Hospital, Emergency Dept. (24 hours)

Evidence collection kit available at no charge; Evanston Police Victim Services advocate can be present to provide support services, if desired.

Location: 2650 Ridge Avenue, Evanston
Phone: (847) 570-2111 (emergency room)
Website: <http://www.northshore.org/locations/our-hospitals/evanston-hospital/>

(for more information see § 59 (g)d3.99.016 Tc - Tc -0.014 Tw 11.16 -36.1 (r)22.7 (th

Location: 355 Ridge Avenue, Evanston
Phone: (847) 316-4000
Website: <https://www.amitahealth.org/our-locations/hospitals/amita-health-saint-francis-hospital->

Many sexual misconduct offenses also are crimes in the state or locality in which the incident occurred. For that reason, survivors of sexual misconduct often have legal options that they can pursue. For example, a survivor may seek a protective order from a court against the perpetrator(s); pursue a civil

insurance or Illinois Public Aid will be covered by the Illinois Department of Healthcare and Family Services, and should not be billed to the patient.

- An individual who has been sexually assaulted and wishes to preserve evidence should, if possible, not shower, bathe, douche, ds0.024 Tcv-40.1m(u)slw7I.t v

Northwestern community” means current students, current faculty (as defined by the Faculty Handbook), current staff members, current student or employee groups, and current third-party affiliates who have a formal (including contractual) relationship with the University. Visitors to campus who are accused of discrimination, harassment or sexual misconduct are not entitled to the process set forth in this policy. The Office of Equity (“the Office”) is responsible for handling reports alleging discrimination, harassment and sexual misconduct. In addition, the Office may consolidate complaints

advisor may not also serve as a witness in the same matter.

No investigator, panelist, or appeal reviewer will make findings or determinations in a case in which they have a material conflict of interest or material bias. Any party who believes one or more of these University officials has a potential material conflict of interest or material bias must raise the concern to the Senior Associate Vice President for Equity within two (2) calendar days of discovering the perceived conflict so that the University may evaluate the concern and find a substitute, if appropriate. The Senior Associate Vice President for Equity or designee will determine whether a conflict of interest exists. The failure of a party to timely raise a concern of a conflict of interest or bias may result in a waiver of the issue for purposes of any appeal.

Standard of Evidence

The University uses the preponderance of the evidence standard in investigations of complaints alleging discrimination, harassment or sexual misconduct and any related violations. This means that the investigation determines whether it is more likely than not that a violation of the policy occurred.

Advisor/Legal Counsel

An advisor is a support person who may be present to provide support to a Complainant or Respondent throughout an investigation and/or sanctioning process. Complainants and Respondents may be accompanied by one advisor throughout the investigation and any sanctioning process, provided that their involvement of the advisor does not result in an undue delay of the process. It is the responsibility of each party to coordinate scheduling with their advisor for any meetings. An advisor may not speak, write, or otherwise communicate with an investigator, panelist, or appeal reviewer on behalf of the Complainant or Respondent. Advisors may not engage in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or individuals involved in resolving the complaint. Advisors who do not abide by these guidelines may be excluded from the process.

In any matter involving a complaint of sexual assault, stalking, or dating or domestic violence, the advisor may be any person of the party's choosing, including an attorney. However, an advisor may not also serve as a witness in the same matter, and the advisor's participation is limited to the supportive and non-participatory role described above. A representative from the University's Office of General Counsel may attend any proceeding where an attorney serving as an advisor for any party is present. In matters not involving a complaint of sexual assault, stalking, or dating or domestic violence, a representative from the University's Office of General Counsel may attend any proceeding where an attorney serving as an advisor for any party is present. In matters

Im() -55si(i)-
1.6 (s) 10.1 40s (y) 89.832.2 (d) 3
10/16/2019 10:08:21 AM (13/2/2019) TWL 5 TWL Q THE MO / REP NICH (6) DIC 21832.7 (y) 0.010

As a result of the initial inquiry, the Office of Equity may determine that the conduct reported falls under the scope of the University's Interim Policy on Title IX Sexual Harassment and proceed to apply the procedures of that policy.

If the Office of Equity determines that the conduct reported cannot fall under the scope of the Interim

withdraws from the restorative process, records from the restorative process will not be shared with those investigating the matter but may be maintained by the Restorative Justice Program. All parties will be asked to provide voluntary, written consent to the

may submit additional materials or information to the

Investigation Outcome

is limited to fifteen (15) pages. The relevant appeal reviewer may, in their discretion, adjust the time limit for the appeal and/or response.

Appendix A: Summary of Information on Reporting Sexual Misconduct and Receiving Support (including confidential support) and Resources at the NU-Q Campus

Options and Resources

How can Northwestern help?

Knowing what options and resources are available will be helpful if you or someone you know experiences sexual misconduct.

Persons who may have experienced sexual misconduct have options:

1. Seek Medical Attention
2. Speak with On-Campus Confidential Resources
3. Access Off-Campus Resources
4. Contact the Police
5. Contact the University's Office of Equity
6. Request Interim Measures
7. Preserve Evidence

More detailed information about each of these options is provided below.

1. Seek Medical Attention

In Qatar, if a survivor goes to the hospital, they may not retain sole discretion over whether to pursue criminal charges. Medical personnel at hospitals are required to alert the police when it appears that the person seeking treatment has sustained an injury as a result of a criminal offense, including sexual assault. The person seeking treatment then could be required to speak with the police. Survivors should visit a hospital or doctor with whom they feel comfortable. Survivors can talk to the NU-Q Chief Operations Officer for more information.

If the survivor chooses not to go to the emergency room, s/he should still consider seeing a private doctor or a clinician. Survivors are encouraged to inquire about and understand the extent of confidentiality healthcare providers can provide to the survivor.

Outpatient: Sunday-Thursday, 7:00 am – 4:00 pm
+974 4003 3333

There is also medical care available at the following location on campus:

Qatar Foundation Primary Healthcare Center (QF PHCC)
HBKU Student Center
+974 4454 1244 (call to inquire about hours of operation)

2. Speak with On-Campus Confidential Resources

These campus resources keep communications confidential except in very limited situations (e.g. minors, imminent danger).

Employee Assistance Program (EAP) (provides confidential support for employees and their families)

Contact: Colleen Johnston, Director, Sexual Misconduct Response and Resources
Email: colleen.johnston@northwestern.edu

Qatar Campus Contact

Pim Thukral, Chief Operations Officer Location: NU-Q 3-336

Phone: +974 4454 5008

Email: pim.thukral@northwestern.edu

Under Northwestern policy, all University employees

networking pages by saving them and/or taking screen shots.

If there is a suspicion that a drink may have been drugged, inform a medical assistance provider and/or police as soon as possible so they can collect evidence (e.g. from the drink, through urine or blood sample).

Because evidence that may be located on the body can dissipate quickly, consider going to a hospital or medical facility immediately to seek a medical exam. If possible, do not shower, brush teeth, or eat before going to the hospital or seeking medical attention, and do not washclothes or bedding.