

# **DRURY UNIVERSITY**

## **RIGHTS & OPTIONS IF YOU ARE ACCUSED OF SEXUAL MISCONDUCT**

Eff. 6-1-15, Rev. 9-1-16, Rev. 8-1-18, Rev. 9-27-22

- SEXUAL HARASSMENT
- SEXUAL VIOLENCE
- DOMESTIC VIOLENCE
- DATING VIOLENCE
- STALKING

This handout explains what rights and options are available if you or a friend is accused of sexual assault; rape; dating or domestic violence; sexual harassment; or stalking. Contact information for various on-and off- campus resources for support are provided below.

Drury's Title IX – Sexual Misconduct Policy may be accessed at:

<https://www.drury.edu/hr/title-ix-policies-and-resources/>

Please contact the Title IX Coordinator or a Deputy Coordinator if you have any questions about the content of this document or if you want to request more information about the investigation and resolution process that is used at Drury when there is a complaint of sexual misconduct.

- Title IX Coordinator:  
Director of Human Resources (417) 873-7266
- Deputy Title IX Coordinators:  
EVP of Student Affairs and Dean of Students, (417) 873-7215  
Dean of Communication and Fine and Performing Arts and Associate Provost,  
(417) 873-7291

## **UNIVERSITY OBLIGATIONS**

The university is required by federal law to investigate allegations of sexual misconduct and take any remedial action deemed necessary to preserve the complainant's safety and that of the university community, whether or not a formal complaint is made. The university is obligated to conduct its investigation, regardless of whether or not external law enforcement is investigating the incident.

The fact that a complaint has been filed against you does not mean that the University has reached any conclusions about whether the alleged conduct has occurred.

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## WHAT ARE MY RIGHTS?

### **You have the right to privacy to the extent possible.**

The privacy of both parties will be respected to the fullest extent possible, and the complaint information will only be shared with members of the university community with a need to know, such as those involved in investigating the incident, those responsible for providing necessary resources, remedies and interim measure; and those responsible for ensuring the safety of the university community.

### **You have the right to a fair and impartial internal investigation process.**

- If there is a complaint with the university or if the university undertakes an investigation based on other circumstances, you have a right to a prompt, impartial, and equitable investigation and resolution of the complaint.
- The Title IX Coordinator will ensure both the complainant and accused receive equal treatment. Both parties have a right to provide witnesses and evidence as part of the investigation.
- Both the accuser and accused are entitled to have a support person/advisor of their choice present during an internal disciplinary proceeding as well as any related meeting. A support person/advisor does not serve as an advocate and may be dismissed if he or she becomes disruptive. If you desire to have a support person/advisor but cannot find someone that you are comfortable with, please contact the Title IX Coordinator for assistance in doing so.
- The investigation and adjudication will be conducted by officials who receive annual training on issues related to sexual misconduct and stalking as well as how to conduct an investigation process that protects victim safety and promotes accountability.
- At any time during the investigation, the University may impose interim remedies or protections for the parties or witnesses and to ensure equal access to the University's educational programs and activities. These may include separating the parties, placing limitations on contact between the parties, suspension, or making alternative living, class-placement, or workplace arrangements.
- If there is a finding that violation of the University's Sexual Misconduct Policy has occurred, sanctions may include counseling or training, separation of the parties, and/or discipline of the accused, including written reprimand, probation, suspension, demotion, termination, or expulsion.
- For information and details on the complaint resolution process, please refer to the Title IX – Sexual Misconduct Policy at: <https://www.flipsnack.com/druryuniversity/drury-university-staff-policy-handbook/full-view.html>

**You have the right to be free from retaliation.**

Under no circumstances will Drury University tolerate any retaliation against an individual for making a complaint of sexual misconduct or for participating in an investigation.

**You have the right to written notification of the outcome of the process.**

You and the complainant will both be notified simultaneously in writing of the outcome of the investigation. The determination is based on a “preponderance of the evidence” standard; meaning that the decision was based on whether it was “more likely than not” that the violation occurred. The notice will also contain an explanation of the parties’ rights to appeal the decision.

**Both parties have a right to appeal the determination.**

If an appeal is filed, both parties will be notified in writing of the final outcome after the appeal is resolved.

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**OPTIONS FOR CONFIDENTIAL CRISIS COUNSELING AND SUPPORT**On-Campus:

The University recognizes that having a complaint filed against you, and the circumstances underlying the complaint, may cause elevated levels of stress and confusion. There are two resources at Drury where you can seek confidential counseling and support to help you navigate this difficult time.

- Drury Student Counseling Center  
Findlay Student Center, Room 114  
(417) 873-7624
- Drury University Chaplain  
Pearsons Hall, 308  
(417) 873-7231

**OTHER INFORMATION**

- It is extremely important that you preserve evidence showing the circumstances surrounding the allegations and complaint. This can include physical evidence (notes, calendars, receipts, etc.) as well as evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.).
- Free or low cost legal assistance may be available through Legal Services of Missouri (<http://www.lsmo.org/>).