Consent is a key factor in determining sexual misconduct. Consent implies words and/or actions that demonstrate a voluntary agreement to engage in mutually agreed upon sexual activity.

1. Both partners must clearly communicate their willingness and permission through mutually understandable words and/or actions. Consent is a “yes” - not the absence of the word “no”. Failure to resist sexual advances, silence, and/or prior dating or sexual relationship does not constitute consent. Both partners have the right to revoke their consent at any time during the sexual activity by actively (verbally or nonverbally) communicating their desire to stop the activity. Consent to one form of sexual contact does not constitute consent to any other form of sexual contact, nor does consent to sexual contact with one person constitute consent to sexual contact with any other person. Additionally, consent to sexual contact on one occasion is not consent to engage in sexual contact on another occasion. There is no requirement that an individual verbally or physically resist unwelcome sexual contact for there to be a violation of this policy.

2. Both partners need to be fully conscious and aware of their actions. A person is unable to give consent if they are asleep, drugged, intoxicated, unconscious, a minor, mentally impaired or incapacitated. Signs that a person is intoxicated, incapacitated, or otherwise unable to give consent include (but are not limited to) slurred speech, loss of coordination, passing out, vomiting and a verbalized feeling of being nauseous.

3. Both partners must be equally free to act. The decision to be sexually intimate must be made without coercion. Consent cannot be obtained by coercion or force or by taking advantage of one’s inability to give consent because of incapacitation or other circumstances. Coercion or force includes conduct, intimidation, and expressed or implied threats of physical or emotional harm, that would reasonably place an individual in fear of immediate or future harm and that is employed to persuade or compel someone to engage in sexual conduct.
Reporting a Complaint

A student or employee who believes herself/himself to be the subject of discrimination, harassment, sexual harassment, sexual violence or assault, or retaliation may report the complaint to one or more of the following offices:

To File a Criminal Complaint Call:
Campus Police: 513-244-4226 or dial “0” from any campus phone. Need additional information about reporting emergencies? Go to: www.msj.edu/student-life/public-safety-campus-police

To File an Institutional Complaint Call:
Title IX Coordinator
Linda Panzeca: 513-244-4393

Dean of Students
Janet Cox: 513-244-4466

Director of Human Resources
Ashley Terrell: 513-244-4979

Any Campus Security Authority (CSA)
CSA contact information can be found on the Campus Police website.

Misconduct Reporting and Inquiry Hotline: 855-244-3145

NOTE: Hotline is not intended for “911” for any safety/emergency situations. Report these to Campus Police for “911” for off campus emergencies.

What you can do

- You have the right to have an advisor or support person of your choice to be present during any internal disciplinary hearing as described in MSJU’s Policy on Prohibited Discrimination, Harassment and Related Misconduct.
- You have the right to be informed of the outcome of a disciplinary proceeding.

What are your rights?

- You have the right to be informed of your insurance with respect to your health care provider or other person’s express consent to release information or as otherwise required by law.
- You have the right to keep all communications confidential without a client’s express consent to release information or as otherwise required by law.
- You have the right to academic, housing, employment and/or extra curricular activity accommodations, no contact orders, escorts or other interim measures as deemed appropriate to prevent further unwanted contact with assailant.
- You have the right to speak with campus authorities in a private and confidential setting.
- You have the right to notify campus police, do so as soon as possible.
- You have the right to academic, housing, employment and/or extra curricular activity accommodations, no contact orders, escorts or other interim measures as deemed appropriate to prevent further unwanted contact with assailant.
- You have the right to have an advisor or support person of your choice to be present during any internal disciplinary hearing as described in MSJU’s Policy on Prohibited Discrimination, Harassment and Related Misconduct.
- You have the right to be informed of the outcome of a disciplinary proceeding.

No Retaliation

The University strives to protect those who complain of discriminatory, harassing or sexually violent conduct and prohibits intimidation or retaliation against any individual who reports discrimination, harassment, or sexually violent conduct or who participates in any investigation into allegations of such misconduct.

Tips for Friends and Loved Ones

- Remain calm and nurturing.
- Listen; believe what you are being told.
- Don’t pass judgment; don’t comment on what you would have done differently.
- Don’t blame the victim.
- Be supportive of any decisions made by the survivor.
- Encourage the victim to get psychological and legal assistance.
- Seek professional counseling for yourself if you are affected by the incident.

Not Ready to Report?

An individual may need medical or emotional support in the aftermath of an incident. The Wellness Center will be able to provide confidential medical assistance, resources and emotional support. Contact the Wellness Center (513-244-4949) to speak to a counselor, nurse or physician. These professionals are required by law to keep all communications confidential without a person’s express consent to release information or as otherwise required by law.

What should you do if you are assaulted?

1. Get to a safe place and talk to someone you trust (friend, relative, counselor, or an off campus sexual assault resource).
2. Seek medical attention.
3. Do not shower, change clothes, eat or drink anything before seeking medical assistance.
4. If you choose to notify campus police, do so as soon as possible.

Campus Resources

Campus Police: 513-244-4226 ("0" from inside line) Escort Service available

Dean of Students: Janet Cox 513-244-4466

Title IX Officer: Linda Panzeca 513-244-4393

Director of Human Resources
Ashley Terrell 513-244-4979

Confidential Student Support Services

Wellness Center Counseling and Health Services
Counseling appointments: 513-244-4949
walk-ins welcome M-F 8:30am-5:30pm

After hours crisis On-Call Phone 513-807-2516

Health Services
Nurse or Physician: 513-244-4796
Walk-ins welcome M-F 8:30am-4:30pm. Confidential medical services and/or referrals.