

Title IX at Simmons University

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CONTENT WARNING

Please use self care.

Feel free to move around as needed.

Sexual Harassment Policy and Grievance Process



Simmons
UNIVERSITY

Definitions

Sexual Harassment

Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following:

1. A Simmons employee conditioning the provision of an aid, benefit, or service of Simmons on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Simmons' Education Program/Activity; and/or
3. Sexual Assault, Dating Violence, Domestic Violence, or Stalking (as defined below).

Also includes an incident of sexual violence that does not qualify as Sexual Assault (as defined by the Policy), gender-based violence, and/or violence based on sexual orientation or gender identity or expression. These forms of Sexual Harassment need not be on the basis of sex.

Educational Program/Activity

At Simmons, this includes all education and employment activities, locations, events, or circumstances over which Simmons exercises substantial control over both the Respondent and the context in which the Sexual Harassment occurs.

This also includes any building owned or controlled by a student organization that is officially recognized by the University.

Consent

Agreement which is **freely and actively given** through clear words or actions, and creates **mutually understandable permission** regarding the conditions of sexual activity.

Achieved only where each participant mutually understands what behavior the participant's partner consent to, and what behavior the participant's partner does not consent to, with regard to physical and sexual interactions.

Consent given at one time does not imply Consent for further sexual activity at another time.

Incapacitation

The inability to make informed, rational decisions due to the use of drugs or alcohol, due to being asleep or unconscious, due to injury that disables the ability to communicate, or due to an intellectual or other disability that prevents the individual from having the capacity to give Consent.

Someone who is incapacitated
cannot provide Consent to sexual activity.

Incapacitation- Drugs/Alcohol

Incapacitation is a state beyond a heightened state of drunkenness or intoxication.

Individuals who were in a “blackout” state will not be deemed to have given consent, even if they appeared to give consent.

The use of alcohol or drugs is never an excuse for failing to obtain Consent.

Questions?