

What is Sexual Violence*?

Sexual violence, which includes rape, is any unwanted physical contact with the intimate parts of a person's body for the purposes of sexual gratification, humiliation, or degradation. Sexual Violence can happen to anyone, regardless of gender.

What is Consent*?

Consent is defined by Seton Hall University as **clear, unambiguous and voluntary agreement between the participants to engage in specific sexual activity**. Past consent between the participants does not imply future consent. Silence or the absence of resistance does not imply consent. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another. Consent can be withdrawn at any time. Coercion, force, or threat of either invalidates consent. Someone who is incapacitated cannot give consent. Incapacitation may be due to the use of alcohol and/or other drugs, may be if a person is asleep or unconscious, or may be due to an intellectual or other disability that prevents the student from having the capacity to give consent.

What is Relationship Violence*?

Relationship violence (also known as, and can include, intimate partner violence, dating violence, and domestic violence) is a pattern of behavior in an intimate relationship used to establish power and control over another person through fear and intimidation. This can be verbal, emotional, and/or physical. Examples include: slapping, name-calling, damaging property, and threats of abuse or physical harm.

What is Stalking*?

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's personal safety or the safety of others or suffer substantial emotional distress.

*Please note that these definitions are contained within Seton Hall's Sexual Misconduct Policy, and may not be the same standard applied in a law enforcement proceedings.

Resources and Contacts

Confidential Resources

Counseling and Psychological Services (CAPS)
Phone: (973) 761-9500

Health Services
Phone: (973) 761-9175

Campus Ministry
Phone: (973) 761-9545

Off Campus Contact

South Orange Police Department
Phone: (973) 763-3000

Other Important Contacts

Office of the Dean of Students & Student Conduct
Phone: (973) 761-9076

Lori Brown
Director of EEO Compliance,
Title IX Coordinator
Phone: (973) 313-6132

Karen Van Norman
Associate Vice President & Dean of Students,
Deputy Title IX Coordinator
Phone: (973) 761-9076

Rachelle Paul
Sr. Associate Athletics Director, SWA,
Deputy Title IX Coordinator
(973) 761- 9494

Public Safety and Security
(973) 761-9300

For more information, please visit

www.shu.edu/titleix



FAQ's for Students Accused of Sexual Misconduct



Seton Hall University is committed to maintaining a positive learning, working and living environment. When sexual harassment or sexual violence has occurred and is brought to the attention of an administrator, steps will be taken to end the harassment or violence, prevent its reoccurrence, and address its effects. Within the University's processes, the person making the allegations is referred to as the **Complainant**. The person whom the allegations have been made against is referred to as the **Respondent**.

What do I do if I am accused of sexual violence and/or sexual misconduct?

DO NOT contact the Complainant. You may want to speak with someone in the campus community who can act as your support person. The Office of the Dean of Students can explain the University's conduct process for addressing sexual misconduct complaints. You may also want to seek confidential counseling through Counseling and Psychological Services (CAPS), a member of the priest community, or seek support through off campus services in the community.

Can I have someone with me throughout this process ?

Both the Complainant and the Respondent are permitted to have an adviser of choice. This adviser can be present during any meetings throughout the conduct process, and during any formal hearings, in an advisory and supportive manner. For full details on this policy, please see the Student Code of Conduct at <http://www.shu.edu/offices/student-life/community-standards/community-standards.cfm>

Can I be charged with something on campus and off campus?

Yes, the Complainant has the right to pursue both campus resolution of a complaint as well as civil and/or criminal resolution. It is up to the Complainant to decide how he/she wants to proceed. The University's processes will move forward regardless if there is criminal or civil legal action taken regarding the same incident.

What else should I be thinking about as this situation moves forward?

The University prohibits retaliation in anyway against an individual who has reported an allegation of sexual harassment or sexual violence or who has participated in the conduct process in response to such an allegation (see Policy below). Be mindful of your actions and behavior and avoid all direct and indirect contact with the Complainant.

We have a strict Non-Retaliation Policy

Retaliation against anyone who reports in good faith or who participates in the investigation process, is prohibited and is subject to disciplinary action. Retaliation is defined as an adverse action against an individual who has made a good faith report or complaint, or who has participated in the investigation of a report or complaint or otherwise exercised his/her rights under this policy or the law.

Student Conduct Process

If the Complainant files a complaint against the Respondent, the matter will be investigated and may go to a hearing board. Conduct proceedings are governed by the procedures set forth in the Seton Hall Code of Conduct (<http://www.shu.edu/offices/student-life/community-standards/community-standards.cfm>).

Throughout conduct proceedings, the Respondent and the Complainant will have:

*A prompt, fair, and impartial process from the initial investigation to the final result. This means a process that is completed within the timeframes laid out by our policy in a manner that is transparent, provides timely notice of meetings and equal access to information to both the complainant and the respondent, and conducted by officials without a conflict of interest or bias for either party that receive annual training on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

*Have others present during the any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an adviser of your choice.

*Notification, in writing, of:

- * The result of any institutional disciplinary proceeding from your report of dating violence, domestic violence, sexual assault, or stalking.
- * The procedures to appeal the results.
- * Any change to the results.
- * When the results become final.

For more information on student conduct proceedings, please contact the Office of the Dean of Students, (973)761-9076 or visit <http://www.shu.edu/offices/student-life/community-standards/community-standards.cfm>