What is University policy on sexual harassment and sexual assault?
The University’s Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation policy prohibits sexual violence, including sexual harassment, and sexual assault. The policy also prohibits other forms of discrimination, stalking, and retaliation. Policy procedures describe the University’s response when it receives a complaint of discrimination, harassment, sexual misconduct, stalking, or retaliation. The policy also prohibits sexual misconduct which includes sexual assault, inducing incapacitation for sexual purposes, sexual exploitation, and relationship violence.

What is stalking as prohibited by University policy?
Stalking includes repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device, or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.

What is University policy on retaliation?
Retaliation against those who report or otherwise disclose alleged violations of University policy is prohibited by the Discrimination, Harassment, Sexual Misconduct, Stalking, and Retaliation policy and should be reported to the Title IX Coordinator. Anyone who participates in a University investigation or proceeding regarding sexual assault or other sexual harassment (e.g., as a witness) is also protected from retaliation under the University’s policy.

What are the options for pursuing a University investigation and grievance process versus filing a criminal complaint regarding sexual harassment, sexual misconduct, stalking and retaliation?
You always have the option to file a criminal complaint with University Police or local law enforcement, to pursue an investigation with the University Title IX Coordinator, or both simultaneously or at different times. The Title IX Coordinator can arrange interim measures, such as changes in class schedules or living arrangements, obtaining a no-contact directive, obtaining counseling, connecting with disability student services, or modifying test schedules or other class requirements temporarily. The Title IX Coordinator will explain the University policy and procedures, including the investigation process. A University investigation may result in University discipline, which could include a range of actions such as suspension or expulsion of the person found responsible under University policy, if it is more likely than not that a policy violation occurred.

A report to the Title IX Coordinator can help connect you with other resources such as medical care and counseling. The Title IX Coordinator can arrange interim measures, such as changes in class schedules or living arrangements, obtaining a no-contact directive, obtaining counseling, connecting with disability student services, or modifying test schedules or other class requirements temporarily. The Title IX Coordinator will explain the University policy and procedures, including the investigation process. A University investigation may result in University discipline, which could include a range of actions such as suspension or expulsion of the person found responsible under University policy, if it is more likely than not that a policy violation occurred.

Information you provide to the Title IX Coordinator is not absolutely confidential; however, the Title IX Coordinator will strongly support a request to keep information confidential. There might be situations in which the University’s obligations to protect community health and safety require some information to be disclosed. In such situations, the Title IX Coordinator will notify the reporting student what information is being disclosed and to whom it is being disclosed.

University of Montana Police Department (UMPD) can be contacted by calling 9-1-1 or the local campus emergency line (406) 243-4000. Calling law enforcement does not obligate you to file a police report, although you may do so if you wish. The police can provide immediate response for your protection, help you obtain medical care, and arrange a meeting with you for victim advocate services. A criminal investigation may result in a prosecution, trial, and sentencing under state laws.

University of Montana Office of Equal Opportunity & Affirmative Action/Title IX Coordinator can be contacted in several ways:
• Call (406) 243-5710 or email eaoo@umontana.edu
• Visit the office in University Hall, Room 020
• File a complaint or report on the form contained on the EO Website, www.umt.edu/EO.
• Mail a letter to the EO office: University of Montana, UH 020, Missoula MT 59812.
• Report to a trusted University faculty or staff member who will provide information you report to the Title IX Coordinator.
• Request UMPD to assist you with contacting the Title IX Coordinator.

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I want to report sexual misconduct to the University Title IX Coordinator, but I am afraid that I will be punished for drug or alcohol possession or consumption in connection with the incident.
The University strongly encourages students to report instances of sex-based discrimination, sexual harassment, and sexual misconduct, including sexual assault. Students who report such information will not be disciplined by the University for any violation of drug or alcohol possession or consumption policies in which they might have engaged in connection with the reported incident.

Where can I find out about additional resources and information about sexual misconduct?
More resources, including information about events, training, and related courses, are available on the University’s Sexual Misconduct Resources website, www.umt.edu/sexualmisconduct.

The University of Montana is committed to providing an environment that emphasizes the dignity and worth of every member of its community and that is free from harassment and discrimination based upon race, color, religion, national origin, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation.

Title IX Coordinator
UH 020
(406) 243-5710
www.umt.edu/titleix

Student Advocacy Resource Center (SARC)
634 Eddy Ave., Room 108
(406) 243-4429

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What does not automatically trigger the complaint investigation with the University Title IX Coordinator, or both simultaneously or at different times. The Title IX Coordinator can arrange interim measures, such as changes in class schedules or living arrangements, obtaining a no-contact directive, obtaining counseling, connecting with disability student services, or modifying test schedules or other class requirements temporarily. The Title IX Coordinator will explain the University policy and procedures, including the investigation process. A University investigation may result in University discipline, which could include a range of actions such as suspension or expulsion of the person found responsible under University policy, if it is more likely than not that a policy violation occurred.

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Title IX Coordinator
UH 020
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What is sexual harassment?

Sexual harassment encompasses unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature, and can involve persons of the same or opposite sex. Sexual harassment is prohibited when it creates a tangible environment of psychological or emotional intimidation, or physical force, or coercion are used. There is no consent if a person is mentally or physically incapacitated or impaired so they cannot understand the sexual situation; this includes impairment or incapacitation due to alcohol or drug consumption or being asleep or unconscious. Silence does not necessarily mean consent, and consent in the past does not mean consent to all future sexual activity.

Sexual assault can include:
- involvement in any sexual act when the victim is unable to consent;
- intentional and unwelcome touching, coercing, forcing, or attempting to coerce or force another to touch a person’s intimate parts;
- sexual intercourse without consent, including what is commonly termed “rape.”

Sexual assault is unwanted sexual activity; rape is unwanted penetration. Sexual assault and rape happen when a person does not have consent for what he or she is doing to the other person.

Examples of sexual assault

- Someone had sex with you while you were incapacitated from alcohol or drugs. You may have been asleep, passed out, too drunk to know what was happening, or too drunk to stop it.
- You agreed through words or actions to do one thing, but were forced to do more.
- You were kissing someone, and the physical intimacy escalated. You said no, but the other person continued. You did not consent and did not willingly participate. The other person had sex with you anyway.
- Your partner forced you to have sex when you did not want it.

What should I do if I have been sexually assaulted?

Contact the Title IX Coordinator in the Office of Equal Opportunity and Affirmative Action at (406) 243-5710 to discuss appropriate measures to stop sexual harassment such as an investigation that could lead to disciplinary action against the offender.

What is sexual assault?

Sexual assault is actual or attempted sexual contact with another person of the same or opposite sex without that person’s consent. Consent is informed, freely given, and mutual at the time of the act. There is no consent if coercion, intimidation, threats, physical force, or deception are used. There is no consent if a person is mentally or physically incapacitated or impaired so they cannot understand the sexual situation; this includes impairment or incapacitation due to alcohol or drug consumption or being asleep or unconscious. Silence does not necessarily mean consent, and consent in the past does not mean consent to all future sexual activity.

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What should I do if I have been sexually assaulted?

1. Immediately after an assault

Ask for help, make a call:
- Get to a safe place
- Call 9-1-1 or University Police at (406) 243-4000
- Talk to friends or family
- Contact Student Advocacy Resource Center (SARC) (406) 329-6559 (available 24 hours) or WWCA Pathways crisis hotline (406) 542-1944 or (800) 483-7858 (available 24 hours)

Get medical care:
- Curry Health Center (406) 243-4330 on campus
- First STEP Resource Center (406) 329-5776 (500 W. Broadway)
- St. Patrick Hospital (406) 543-7271 (500 W. Broadway)
- Community Medical Center (406) 728-4100 (2827 Fort Missoula Road)

These medical resources can provide help for physical injuries and screen for STDs and pregnancy. If possible, do not shower, clean up, or change clothes. Staff at First STEP can collect evidence using a rape kit. If you want to file a police report, you may call the police from any of these locations. Even if you are not able to get a medical examination right away, you can still proceed with a criminal report if you wish.

2. Days following an assault

Take care of your physical and emotional well-being. Try to eat well, and get enough sleep and exercise. Remember that it was not your fault and you are not alone.

Consider reaching out for assistance.
- The University’s Title IX Coordinator can assist in arranging interim measures such as changes in class schedules or living arrangements, obtaining a no-contact directive, obtaining counseling, connecting with disability student services, or temporarily modifying test schedules or other class requirements. The Title IX Coordinator can explain the University’s policy and procedures for pursuing an investigation and resolution through the grievance procedures. Contact the Title IX Coordinator at (406) 243-5710 or www.umt.edu/eo.
- University Police at (406) 243-4000 can explain the criminal reporting process and can also work with you and the Title IX Coordinator on safety planning.
- Student Advocacy Resource Center (SARC) can help connect you to health, counseling, and other resources. Information you provide to SARC will be kept confidential unless you request otherwise. SARC can be reached 24 hours a day at (406) 329-6559.
- Crime Victim Advocate Program provides free and confidential assistance to help you understand your options, such as a Civil Order of Protection, even if you’ve chosen not to report to law enforcement. Contact the Crime Victim Advocate Program at (406) 258-3830 or (866) 921-6995.

Learn about common reactions to trauma.

Everyone is different, but it is good to understand what you might expect and know that others have experienced similar reactions.

Let others help.

- Friends and family can offer support by listening to you, keeping you company, walking to class with you, or going with you to appointments.
- A Trusted University faculty or staff member can work with the Title IX Coordinator to provide you with academic support and resources. To ensure that the University does everything possible to foster a safe environment, all University employees, including student employees, are required to report allegations of sex-based discrimination, sexual harassment, and sexual misconduct involving students to the Title IX Coordinator within 24 hours of receiving the information.

3. Months after an assault

- Recovery is an ongoing and gradual process. Learn about common reactions after trauma. Some symptoms may appear months after an assault.
- Reach out to your friends and family, or find a support group. SARC is an excellent campus resource to assist in finding support groups.
- Talk to a counselor or psychologist who is experienced in helping individuals who have been sexually assaulted. They are familiar with the physiological and psychological effects caused by traumatic events. They can help you work through your emotions and teach you coping skills. Learn more about the type of help you might need.
- You can make a report to the Title IX Coordinator at any time, even months after an assault.