



2023-2024

---

# KNOW YOUR RIGHTS & RESOURCES

A guide for students responding to allegations of discrimination, discriminatory harassment, sexual violence, intimate partner violence, stalking, sexual harassment, and other civil rights-based offenses.

---

**Santa Clara University Office of Equal Opportunity and Title IX**  
titleixadmin@scu.edu  
408-551-3043  
Loyola Hall, Suite 140

Page 3. A Letter from the Director

Page 4. Scope of the EO/Title IX Policy

Page 5. Connecting with Services & Resources

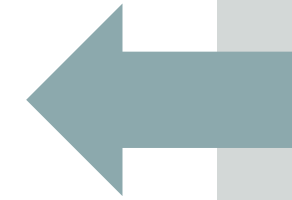
- On-Campus Support & Resources
- Mental Health Services
- Academic, Housing, & Work Assistance
- Culturally Relevant Services & Social Support
- Safety & No Contact Directives

Page 12. EO/Title IX Processes

- How are EO/Title IX Reports Resolved?
- Formal Resolutions (& Investigations)
- Rights of the Parties
- Responding to a Formal Complaint
- Informal Resolutions

Page 21. Advisors & Legal Assistance

Page 23. Confidentiality, Privacy, and Records



CLICK ON A PAGE  
HEADING TO  
NAVIGATE TO THAT  
SECTION

**CONTACT:**

408.551.3043

titleixadmin@scu.edu

Loyola Hall, Suite 140



Scan the QR  
code to learn  
more.

# A LETTER FROM THE INTERIM DIRECTOR AND TITLE IX COORDINATOR

---

Santa Clara University is committed to providing a safe living, learning, and working environment. This guide provides an overview of care, support, and options for students who have been accused of misconduct that may fall within the University's [Policy on Discrimination, Harassment, and Sexual Misconduct](#), which will be referred to as “the Policy” in this document.

Individuals who have been accused of misconduct are presumed not responsible for the allegations, have the right to seek supportive measures, and have the right to due process, including the ability to respond to the allegations in a formal complaint. Knowing what options, rights, and resources are available can help you determine your best path forward. This guide:

- Provides an overview of on-campus resources and services, including confidential support.
- Provides an overview of supportive measures, like changes in housing, class schedules, and mutual restrictions on communication between two individuals.
- Outlines the EO/Title IX processes and what is involved in an investigation.
- Provides information on your rights, including your right to an Advisor and support person.
- Introduces additional resources and services in the broader community.

If you have questions or suggestions regarding this guide, please contact me at any time.

Office of Equal Opportunity  
and Title IX

408-551-3043  
titleixadmin@scu.edu

For a list of staff and the  
office location, visit our  
[Staff](#) page.

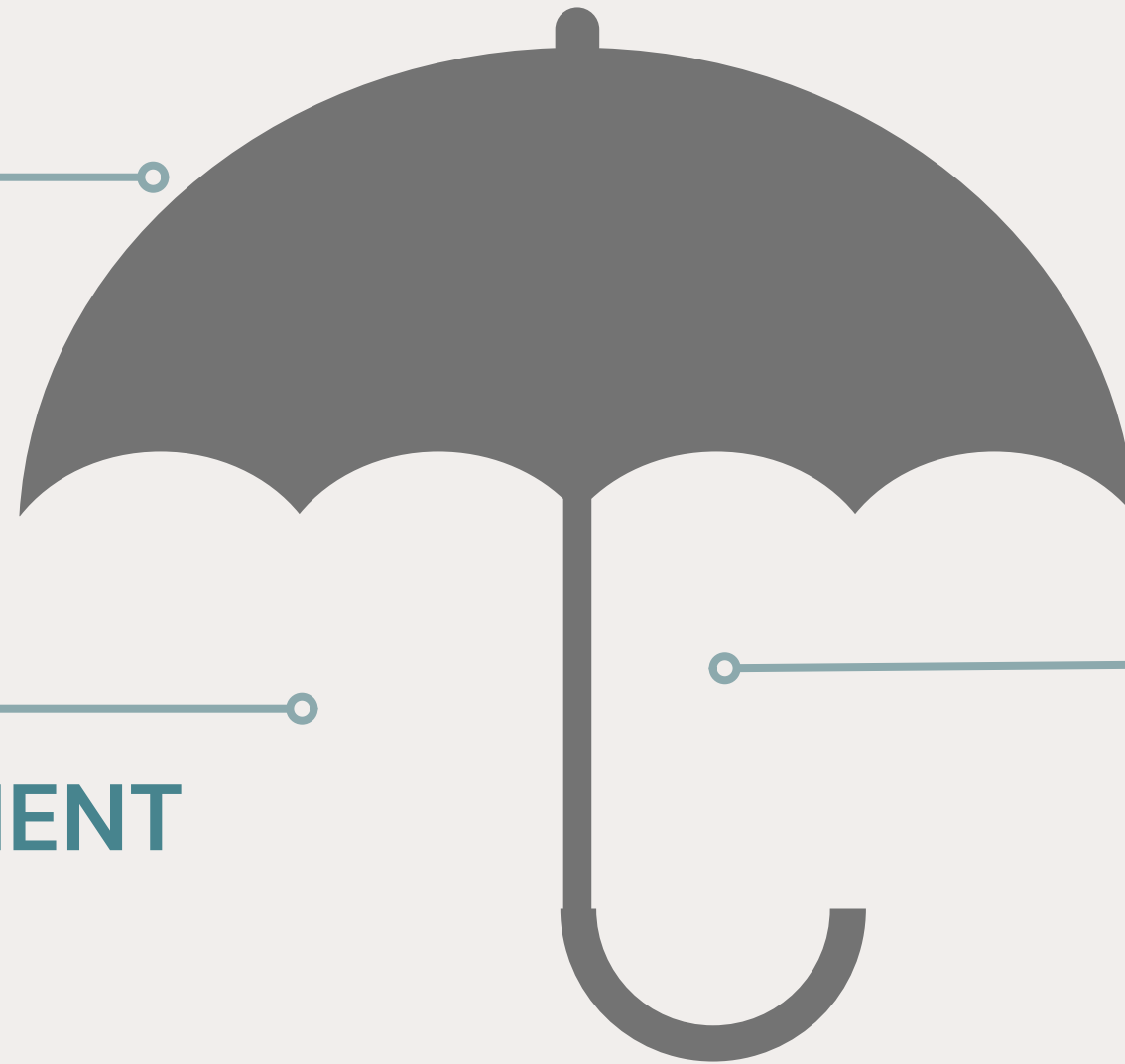
*Brandi Williams*  
Interim Director & Title IX Coordinator

# SCOPE OF THE POLICY



## DISCRIMINATION

The umbrella category for all conduct prohibited by the Policy.



## TITLE IX

## SEX-BASED HARASSMENT

Sexual harassment  
Stalking  
Sexual assault  
Dating Violence  
Domestic Violence

## OTHER PROTECTED CLASS DISCRIMINATION

Intimidation  
Hazing  
Bullying/Cyberbullying  
Extreme verbal, emotional, or psychological abuse  
Coercion  
Sexual Exploitation  
Discriminatory Harassment

## RETALIATION

---

# CONNECTING WITH SERVICES AND RESOURCES

---




On-Campus  
Support &  
Resources



Mental  
Health  
Services



Academic,  
Housing &  
Work  
Assistance



Culturally  
Relevant  
Services &  
Social  
Support



Safety &  
No Contact  
Directives

SUPPORTIVE MEASURES ARE INTENDED TO HELP RESTORE OR PRESERVE ACCESS TO SCU'S EDUCATIONAL, LIVING, & WORKING ENVIRONMENTS.

# ON-CAMPUS SUPPORT & RESOURCES

- [SCU's Counseling and Psychological Services \(CAPS\)](#) has a team of licensed therapists, graduate-level psychological trainees, and mental health professionals dedicated to promoting students' well-being through confidential short-term therapy and crisis support. Groups & workshops and workshops are also available. At CAPS, they are dedicated to providing mental health services that are open to and accepting of every student they serve.
- [SCU Campus Ministers](#) are available for confidential one-on-one conversations about life, questions, spirituality, and faith, as well as regular spiritual direction.
- [SCU's EO/Title IX Office](#) can coordinate supportive measures such as temporary academic and housing modifications, mutual no contact directives, interpretation/translation or other accommodations, or other logistical challenges. They can also assist you with finding an Advisor.
- [Campus Safety Services \(CSS\)](#) supports an inclusive University community in a manner that fosters safety and belonging, and that encourages student learning and success.

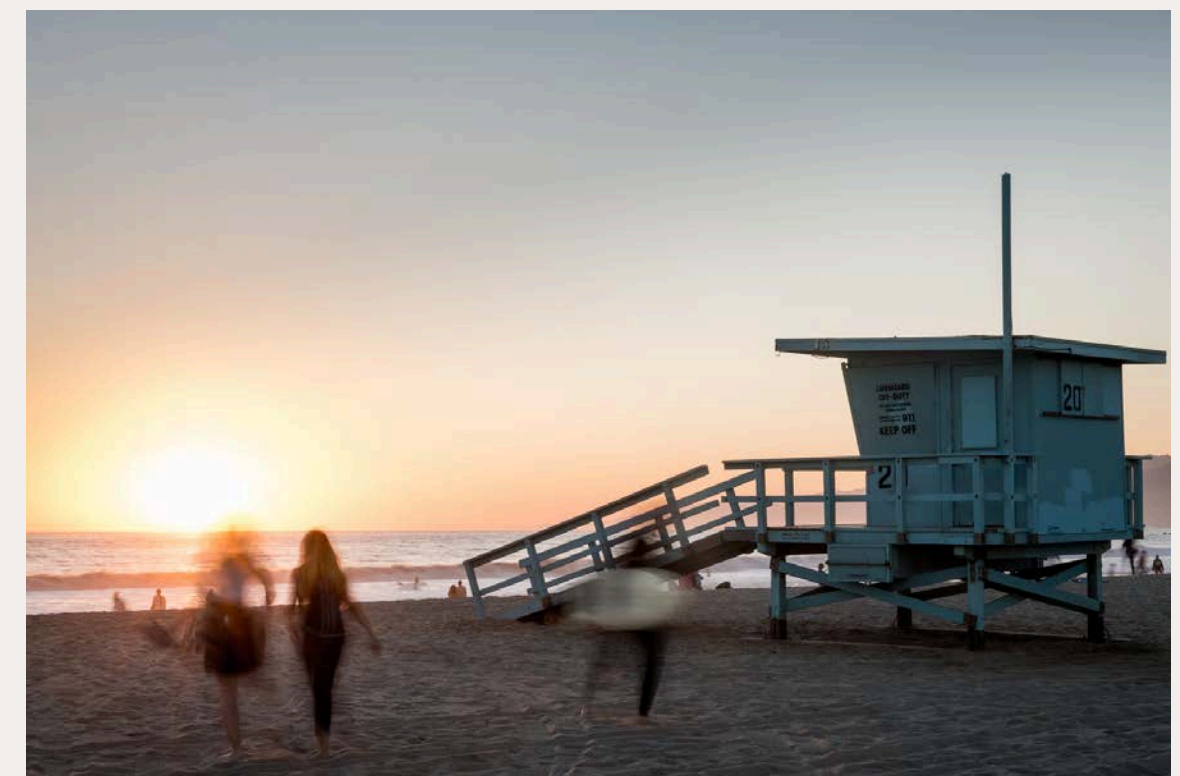
## Confidential Resources for Students

### CAMPUS MINISTRY

Benson Center, Room 105 | (408) 554-4372

### CAPS

Cowell Center, Bldg. 701 | (408) 554-4501



# MENTAL HEALTH SERVICES

## On Campus & Virtual:

### COUNSELING AND PSYCHOLOGICAL SERVICES (CAPS @ COWELL CENTER)

- 24/7 Support Line:
  - (408) 554-5220
- Crisis appointments:
  - (408) 554-4501
- Free teletherapy 24/7:
  - <https://app.uwill.com/>

## Off-Campus:

### MENTAL HEALTH PROVIDERS

- [www.scu.thrivingcampus.com](http://www.scu.thrivingcampus.com)
- JST Contact: Asst. Dean  
Jenny Girard Malley at (510)  
549-5018

### SUICIDE AND CRISIS LIFELINE

- Text 988

## INDIVIDUALIZED CASE MANAGEMENT

Case managers at the Cowell Center support SCU students in connecting with on- and off-campus referrals to therapy, psychiatry, support groups, neurological testing, and medical services. Since CAPS usually provides only short-term care, case managers can assist students in finding long-term or specialty care off-campus. Case managers can help you find an off-campus therapist well-suited to your individual needs, better understand your insurance benefits, and much more.

---

To schedule a case management appointment with CAPS, please by call the Cowell Center at (408) 554-4501 during business hours (Monday through Friday, 8:30 a.m. to 5:00 p.m.) or email our Case Manager [Jessica Kas-Osoka](mailto:jkasosoka@scu.edu) at jkasosoka@scu.edu. Appointments with the case manager are typically 30-45 minutes long.

# ACADEMIC, HOUSING & WORK ASSISTANCE

The EO/Title IX Office can work with you to explore academic supportive measures related to your classes, professors, deadlines, grades, and schedules. The EO/Title IX Office can also assist you with support related to University housing changes and space usage.

If you are a student worker, the EO/Title IX Office can assist you with communicating with your supervisor and HR to explore options related to your work schedule, location, etc.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate and as reasonably available, without fee or charge. They may not unreasonably burden the other party.

Office of Equal Opportunity  
and Title IX

408-551-3043  
titleixadmin@scu.edu

For a list of staff and the office location, visit our [Staff](#) page.



# CULTURALLY RELEVANT SERVICES & SOCIAL SUPPORT

## BIPOC & AAPI STUDENTS:

- [Office of Multicultural Learning](#) (OML)
  - 832 Market Street (across from Swig)
  - (408) 551-7168
- [Multicultural Center](#) (MCC)
  - Shapell Lounge (across from Bookstore)
- [BIPOC Student Support and Empowerment Group \(Cowell Center\)](#)
  - Facilitator: Dr. Miri Choi, Staff Psychologist, [mchoi@scu.edu](mailto:mchoi@scu.edu)

## LGBTQ+ STUDENTS:

- [Office of Multicultural Learning](#) (OML)
  - 832 Market Street (across from Swig)
  - (408) 551-7168
- [Rainbow Resource Center](#)
  - Benson Center 11
  - (408) 551-3397
- [SCQ @ SCU \(Santa Clara Queer\)](#)
  - Facilitator Clarise Ballesteros, MSW, LCSW, Staff Therapist, [cballesteros@scu.edu](mailto:cballesteros@scu.edu)
- [The Trevor Project](#)
  - 24/7 Support Line:
  - 1-866-488-7386 or Text "START" to 678-678

# CULTURALLY RELEVANT SERVICES & SOCIAL SUPPORT

## UNDOCUMENTED STUDENTS:

- [SCU's Undocumented Students Working Group and LEAD Scholars Program](#)
  - Contact: Erin Kimura-Walsh
  - (408) 554-2129

## VETERANS:

- Veteran Crisis Line: Text 838255
- [SCU Veteran Support Services](#)
  - Contact: Ray Plaza at (408) 551-3383

## INTERNATIONAL STUDENTS:

- [Office of Global Engagement](#)
  - Aloysius Varsi Hall
  - Email: [iss@scu.edu](mailto:iss@scu.edu)

## [JST STUDENT SERVICES](#)

## [LAW STUDENT SERVICES](#)

## SPIRITUAL/ RELIGIOUS SUPPORT:

- [Campus Ministry](#) (Confidential Staff)
  - Benson Center 105
  - (408) 554-4372
- [Religiously Affiliated Student Groups](#)
  - Acts 2 Christian Fellowship
  - College Catholics
  - Jewish Student Union
  - Klesis Christian Fellowship
  - Mindfulness at SCU
  - Muslim Student Association
  - New Life On Campus
  - Sikh Student Association

## STUDENT WORKERS:

- HR Manager Victoria Pinjani, (408) 554-5488

## PREGNANT & PARENTING STUDENTS:

- [www.scu.edu/title-ix/pregnancy/](http://www.scu.edu/title-ix/pregnancy/)

# SAFETY & NO CONTACT DIRECTIVES

## CAMPUS SAFETY SERVICES (24/7, 365 SUPPORT)

Campus Safety Services (CSS) can provide anonymous and non-anonymous 24/7 support via the Guardian App or by calling (408) 554-4444 in an emergency. They also offer ongoing safety support and advice, including escorts on campus, safety audits, and other interventions. Contact the EO/Title IX Office (408-551-3043) or CSS (408-554-4441) for more information and assistance. In an emergency, call or text 911 without delay.

## NO CONTACT DIRECTIVES (NCD)

Mutual No Contact Directives are a supportive measure intended to prevent two people from communicating with one another and are not intended to discipline, punish, or prevent anyone from accessing their educational, residential, or workplace environments. If you are interested in an NCD, please contact the EO/Title IX Office.



The Office of Equal Opportunity and Title IX is a neutral office that offers supportive measures, conducts investigations of formal complaints, and oversees resolutions of cases.

# EO/TITLE IX PROCESSES

# How are Reports to the EO/Title IX Office Resolved?

## Option #1: Supportive Measures



## Option #2: Informal Resolution\*



*\* Sexual violence cases and faculty-on-student sexual harassment cases may not be resolved informally. An informal resolution may take place at any stage of an investigation.*

## Option #3: Formal Resolution



*\*\* Before formal disciplinary action can be taken, a University investigation must occur, and a respondent must be found responsible for violating the Policy.*

# FORMAL RESOLUTIONS

The investigation and adjudication of alleged misconduct is not an adversarial process between the complainant, the respondent, and the witnesses, but rather a process for the University to comply with their obligations under existing law. The complainant does not have the burden to prove, nor does the respondent have the burden to disprove, the underlying allegation(s) of misconduct.

A card with a light beige background and a semi-transparent white box containing the text "Process Overview". The background image shows a mountain range at sunset.

Process  
Overview

A card with a light orange background and a semi-transparent white box containing the text "The Investigation". The background image shows a beach at sunset.

The  
Investigation

A card with a light blue background and a semi-transparent white box containing the text "Rights of the Parties". The background image shows waves crashing against a rocky shore.

Rights of the  
Parties

A card with a light teal background and a semi-transparent white box containing the text "Responding to a Formal Complaint". The background image shows a calm blue ocean.

Responding  
to a Formal  
Complaint

Remember: It is a violation of the Policy to retaliate against an individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy. If you believe you have experienced retaliation, please report it to the EO/Title IX Office immediately.

# Overview: Formal Resolution Process



**Formal Complaint:** A Complainant may choose to file a formal complaint which initiates an investigation. It is a written request for a University investigation which includes a summary of the alleged facts and misconduct. A formal complaint may be withdrawn at any time.



**Impartial, Trauma-Informed Investigation:** The assigned investigator gathers evidence and conducts interviews of anyone who has relevant information. An investigation can take weeks or months as the investigator must ensure a thorough and fair process for all individuals.



**Hearing:** A hearing is a proceeding led by a neutral three-member panel in which testimony is presented to determine if it is more likely than not the alleged prohibited conduct occurred. The panel and the parties' advisors are allowed to question the parties and witnesses.



**Sanctioning, if applicable:** If the respondent is found responsible for a policy violation, sanctions can include loss of privileges, disciplinary probation, educational assignments, suspension for one or more quarters, or dismissal from the University.



**Appeal, if applicable:** Either party may request an appeal of the hearing panel's determination. There are limited grounds for granting a request for an appeal. A separate, neutral three-member panel will decide whether an appeal is granted or denied.

# INVESTIGATIONS

Impartial, Prompt, Thorough

- Respondent must be affiliated with SCU
- Parties and witnesses are interviewed
- Trauma-informed interviewing techniques
- Evidence collected by investigator and reviewed by both parties
- Investigative report reviewed by both parties





# RIGHTS OF THE PARTIES

(COMPLAINANT & RESPONDENT)

*A complete list of the parties' rights can be found on pages 55-57 of the Policy. The EO/Title IX Office can explain your rights and refer you to campus and community resources.*

- Supportive Measures
- Advisor and Support Person
- Equitable, thorough investigation
- Identify witnesses & provide evidence
- Propose questions to other party during investigation and during hearing via Advisor
- Receive, review, and respond to report and evidence
- Respondent is presumed not responsible, unless proven otherwise
- Complainant is presumed to have reported in good faith, unless proven otherwise
- Privacy & Respect

# Responding to a Formal Complaint

A formal complaint initiates an investigation. It is a written request for a University investigation which includes a summary of the alleged facts and misconduct. The EO/Title IX Director, students, employees, and others have the right to make a formal complaint for any conduct believed to be a violation of SCU's Discrimination, Harassment, and Sexual Misconduct Policy.

The Respondent will receive a Notice of Investigation and Allegations at the start of an investigation and will have an opportunity to respond to the contents of the Notice during their interview(s).

In addition to what is provided here, the EO/Title IX Office can explain and clarify the University's investigation and hearing procedures. Please do not hesitate to reach out for assistance as needed.



## CONTACT:

For more information, contact Summer Reid at 408-551-3043 or [titleixadmin@scu.edu](mailto:titleixadmin@scu.edu).

# RESPONDING TO A COMPLAINT

---

Even if you believe someone has falsely accused you of sexual misconduct, discrimination, harassment, or retaliation, do not confront or try to dissuade the Complainant. The EO/Title IX Office will conduct a thorough, impartial investigation and provide the information to the Equity Hearing Panel to determine whether the facts show that you were falsely accused.

If someone deliberately and/or maliciously makes false accusations or knowingly provides false or misleading information, tampers with or destroys evidence, or deliberately misleads the investigator, their actions may result in disciplinary action under University policies. This does not include allegations that are made in good faith but are ultimately shown to be erroneous or do not result in a policy violation determination.

Is a formal complaint connected to a police report?

No. A formal complaint and university investigation are separate from and not connected to a police report or criminal prosecution.

# Overview: Informal Resolutions



Formal Complaint + Notice to Respondent (NOIA)



Either party may request an informal resolution following a formal complaint and NOIA. Informal resolutions may take the form of mediation, negotiations, facilitated dialogue, education, or restorative practices.



The Director assesses whether the complaint is suitable for an informal resolution, which mechanism may be appropriate and available, and whether the parties are willing to engage in an informal resolution. The parties must agree in writing that they wish to resolve the matter through an informal resolution before proceeding, and no one will be pressured to participate.

*The University generally will not pursue Informal Resolution in cases of sexual assault, domestic or dating violence, and stalking. Sexual violence cases may not be mediated. Any faculty-on-student sexual harassment will also not be informally resolved.*



Either party may withdraw from the informal resolution process once initiated. All parties must agree to the final terms and conditions, and it must be approved by the Director.

## Advisors:

As a Respondent, you have a right to an Advisor of your choice. This may be an attorney at your own expense, advocate, friend, classmate, professor, or family member. You may also request that the University appoint you an Advisor. Advisors are not confidential resources.

This Advisor is meant to assist you through the investigation and adjudication process. They may attend interviews and are tasked with questioning the other party at a hearing.

Advisors are *not* to:

- speak on behalf of their Advisee to the Investigator or Decision-Makers
- make judgments about whether the Policy was violated
- confront the other party
- interfere with or delay the investigation or hearing

### CONTACT:

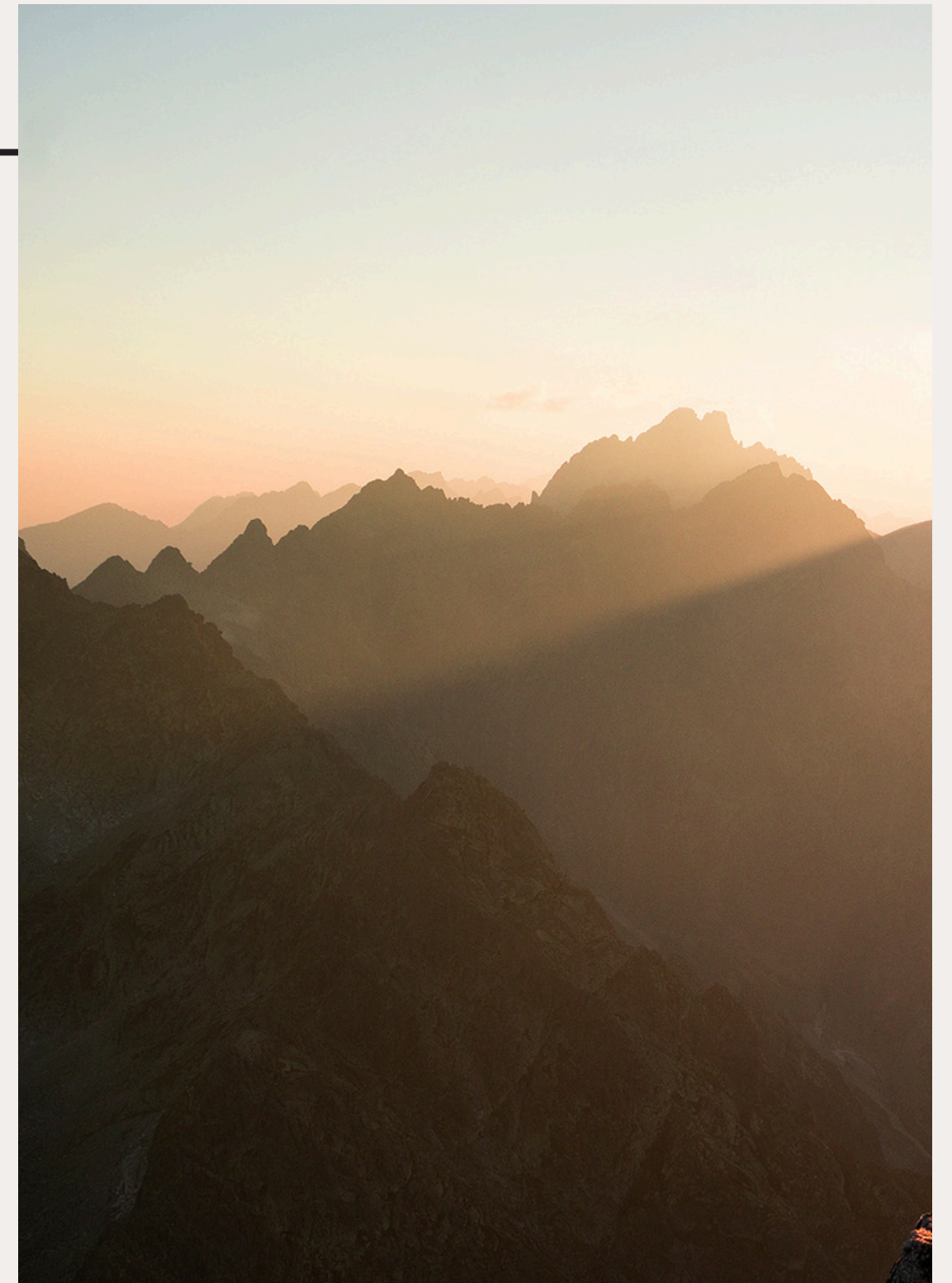
To request an Advisor, contact Summer Reid at 408-551-3043 or [titleixadmin@scu.edu](mailto:titleixadmin@scu.edu)

# LEGAL ASSISTANCE

---

You are free to seek out legal assistance or representation at your own expense. Whether you should hire a lawyer to be your Advisor is a very personal decision. The University does not require you to retain an attorney.

- The Santa Clara County Bar Association Lawyer Referral Service can be reached at [sccbba.community.lawyer](https://sccbba.community.lawyer) or (669) 302-7803.
- For JST students, the Alameda County Bar Association Lawyer Referral Service can be reached at [www.acbanet.org/need-a-lawyer/](https://www.acbanet.org/need-a-lawyer/) or (510) 302-2222.
- [Avvo.com](https://www.avvo.com) provides a directory of lawyers in the Santa Clara area who specialize in education, discrimination, and Title IX- related matters.



## PRIVACY AND CONFIDENTIALITY

The University profoundly respects the need for privacy and discretion in the handling of all reports.

The University encourages the parties, witnesses, Advisors, and Decision-Makers to respect the privacy of all involved.

The University seeks to protect the privacy of those who report and/or participate in investigations of discrimination or sex- and gender-based violence and harassment per applicable state and federal laws. It balances this practice with the need to address prohibited behaviors, prevent their recurrence, and remedy their effects.

## CONFIDENTIALITY, PRIVACY, AND EDUCATIONAL RECORDS

- **Confidential** offices and employees have legally protected confidentiality and will only share information with the individual’s permission or when required by law.
- **Private** (not confidential) offices and employees strive to safeguard the privacy of individuals but may share information with those who have a business need to know to address reports, assess safety concerns, or comply with legal requirements.
- Some information relevant to EO/Title IX reports, complaints, investigations, and adjudications may be protected from disclosure by law. If information is requested through a valid subpoena, court order, or warrant, the University may be required to disclose it.
- The Family Educational Rights and Privacy Act (FERPA) is a federal law protecting the privacy of student educational records. An EO/Title IX process may become part of the University’s administrative recordkeeping.
- Healthcare information is protected by the Health Insurance Portability and Accountability Act.

Role or Office	Confidential	Private (not confidential)
EO/Title IX Staff and Investigators		X
Campus Safety		X
Wellness Center Advocates	X	
Mental Health Providers	X	
Medical Providers		X
Clergy/ Campus Ministers	X	

### Clergy Reporting

The University must report campus crime statistics, including those relevant to EO/Title IX incidents, to comply with its obligations under the Clery Act. Personally identifiable information is never disclosed in this context.





2023-2024

---

**PLEASE CONTACT THE OFFICE  
WITH ANY QUESTIONS**

---

Santa Clara University Office of Equal Opportunity and Title IX  
titleixadmin@scu.edu  
408-551-3043  
Loyola Hall, Suite 140

