

WMU COMMUNITY RESPONSE GUIDE

FOR DISCRIMINATION & SEXUAL MISCONDUCT



WESTERN MICHIGAN UNIVERSITY
Institutional Equity

Alt text: "Western Michigan University logo: Gold "W" on a brown circle with a gold outline.

Western Michigan University encourages all community members to promptly report any behavior that may violate the Sexual Misconduct or Non-Discrimination policies to Institutional Equity. Prohibited conduct involving WMU community members, whether occurring on or off campus, including during study abroad, may impact education or employment. Reporting helps connect individuals to supportive measures and enables the University to address potential hostile environments. Faculty, staff, and students should report conduct they witness or learn about through verbal, written, or electronic communication.

LISTEN

Listen and receive what is shared with you. Do not investigate, provide counseling, or make judgments. Your role is to listen as a trusted support. Recognize that people respond to trauma in different ways. Clearly explain that you are required to share the information with someone who can help. Reassure the individual that their privacy will be respected and that sharing the information is intended to connect them with safety options, resources, and support toward resolution.

Mandated Reporters have the responsibility to report disclosures to the Title IX Coordinator. Failure to report is prohibited by Policy. If after understanding your reporting obligation the individual no longer wants to continue their disclosure, inform them of the available confidential resources.

If you are ever unsure of what to do about a disclosure, contact Institutional Equity for assistance.

SUPPORT

If there is concern for anyone's immediate safety, contact Public Safety at 911. Ask how you can help and encourage the individual to seek support through appropriate resources, which may include the following:

General Resources:

Confidential counseling and support through Sindecuse Health Center at (269) 387-3287 or HelpNet Employee Assistance Program at (269) 372-4500 or (800) 523-0591.

Sexual Misconduct-Specific Resources:

Confidential medical care, including forensic exams, medication, and testing for STIs and pregnancy, is available at no cost through the YWCA Sexual Assault Program at (269) 385-3587 or Bronson Battle Creek Sexual Assault Services of Calhoun County at (888) 383-2192. Both offer 24-hour crisis lines and recommend seeking care within 120 hours of an assault.

Confidential student peer support is available through the FIRE Place Resource and Support Center in the Office of Health Promotion and Education at (269) 387-2990.

Assistance with safety and supportive measures is available through Institutional Equity at (269) 387-6316.

REPORT

Share all known details of the incident (date, time, location), the names of the parties involved, and a brief description of the incident through an online report form at wmich.edu/equity or QR code below. Individuals reporting an incident will receive confirmation that the office received their report. To protect privacy, confidentiality and due process, Institutional Equity will only update involved parties about the investigation.

If criminal behavior is involved, ask if the person would like you to call the police. If so, contact WMU Public Safety at (269) 387-5555, or the police agency where the incident occurred.

There are certain provisions for amnesty regarding alcohol and drug use. Parents of WMU Students are not notified of reports made to Institutional Equity.

Incident reporting form



Alt text: QR code linking to the incident reporting form at wmich.edu/equity. "W" logo in the center.

AFTER THE REPORT

Institutional Equity will contact the harmed party via their WMU email to request a meeting. If the request is declined, the case will be assessed for whether action is needed based on the nature of the allegation; if not, the case will be closed.

If the harmed party meets with Institutional Equity, they may bring a support person and/or advisor. Staff will review available safety measures, resources, and resolution options, which may include an informal or formal resolution.

During an investigation, Institutional Equity will gather evidence and meet with involved parties separately. If a policy violation is found, sanctions or disciplinary action may be imposed through Student Rights and Responsibilities, Human Resources, or the Office of the Provost, as appropriate.

If a potential crime is involved, filing a police report and pursuing a separate criminal process will be discussed.

**Please note that the harmed party has a say in how the matter is handled and can receive supportive measures even if they do not wish to engage in a resolution process.*

Institutional Equity has the responsibility to promptly, effectively, and equitably assess and/or investigate, stop the behavior, remedy the effects and prevent the recurrence of any reported allegation of discrimination or sexual misconduct.

Key Definitions as defined in the WMU Non-Discrimination & Sexual Misconduct Policies

Protected Characteristic: characteristic that is legally shielded from discrimination in accessing either education, employment, or facilities. Includes: race, traits historically associated with race, color, religion, national origin, sex, pregnancy and related conditions, sexual orientation, gender identity, age, protected disability, protected veteran status, genetic information, height, weight, familial status or marital status. In some cases, the legal protections extend to people who are perceived as having a Protected Characteristic. This definition is subject to change based on legislative, regulatory, or legal changes.

Consent: knowing, voluntary, and clear permission, by word or action, to engage in sexual activity.

Prohibited Behaviors as defined in the WMU Non-Discrimination & Sexual Misconduct Policies

Dating Violence: Violence, on the basis of Sex, committed by a Respondent, who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.

Discrimination: Any Intentional differential treatment of a person or persons that is based on an individual's actual or perceived Protected Characteristic, or a policy/procedure or practices that has a disproportionate impact on a Protected Class group or person that: (1) excludes an individual from participation in; (2) denies the individual benefits of; or (3) otherwise adversely affects a term or condition of an individual's participation in a WMU program or activity.

Discriminatory Harassment: Unwelcome conduct on the basis of actual or perceived Protected Characteristic(s), that based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from WMU program or activity.

Domestic Violence: Violence, on the basis of Sex, committed by a Respondent who is a current or former spouse or intimate partner of the Complainant; or with whom the Complainant shares a child in common; or who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner.

Failure to Comply/Process Interference: Intentional failure to comply with the reasonable directives of a Grievance Process administrator in the performance of their official duties.

Retaliation: Taking or attempting to take materially adverse action, by intimidating, threatening, coercing, harassing, or discriminating against any individual, for the purpose of interfering with any right or privilege secured by law or Policy, or because the individual has made a report or complaint, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the policy and associated Civil Rights Grievance Procedures.

Sexual Assault

- **Non-consensual sexual contact:** Intentional touching of the clothed or unclothed genitals, buttocks, groin, breasts, or other body parts of an individual, without consent of that individual for the purpose of sexual degradation, gratification, or humiliation.
- **Non-consensual sexual intercourse:** Penetration, no matter how slight, of the vagina or anus with any body part or object, without consent. Oral penetration by a sex organ of another person, or by a sex related object, without consent.
- **Incest:** Sexual intercourse, between persons who are related to each other, within the degrees wherein marriage is prohibited by Michigan law.
- **Statutory Rape:** Sexual intercourse, with a person who is under the statutory age of consent of 16 years old.

Sexual Exploitation: Taking non-consensual or abusive sexual advantage of another (that does not constitute Sexual Harassment as defined below) for one's own advantage or benefit or for the benefit or advantage of anyone other than the one being exploited.

Sexual Harassment: Unwelcome verbal, written, graphic and/or physical conduct that is severe or pervasive or objectively offensive on the basis of Sex that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities.

Stalking: A course of conduct directed at another individual, on the basis of sex, in a manner that would cause a Reasonable Person to fear for the person's safety, or the safety of others; or suffer substantial emotional distress.

Unauthorized Disclosure: Distributing or otherwise publicizing materials created or produced during the Grievance Process without authorization or consent.

Learn More:

For resources, complete definitions, and to view the policies, visit wmich.edu/equity. Online training for faculty, staff, students, and student employees is available through Vector Solutions in the Awareness and Prevention Training application on GoWMU.

CONTACT:

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phone: 269-387-6316

website: wmich.edu/equity

campus location: 1220 Trimpe