

SEXUAL MISCONDUCT REVIEW

ACADEMIC YEAR 2016-2017

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OVERVIEW

Duke is committed to promoting a culture of equality, responsibility, and support where all students have an opportunity to thrive. The publication of an annual review with information about reported incidents of sexual misconduct committed by students, and resources to educate and prevent future incidents, is part of the overall commitment to engage the Duke community in eliminating sexual misconduct.

This review is intended to provide transparency about Duke's efforts to respond to sexual misconduct, providing information about the type of reports involving sexual misconduct received by the [Office of Student Conduct \(OSC\)](#) and the procedures and resources available to address them. This review includes the number of reports and the type of resolution involved with each report, but it does not contain any additional details related to the reports because of the importance of privacy for those involved in the complaints. This annual review includes all the reports of sexual misconduct that were brought to [OSC](#) from May 2016 to May 2017. During this time [OSC](#) received a total of 139 reports of sexual misconduct.

Duke is taking the issue of sexual misconduct seriously and committing additional resources to increase support for victims. While continuing to provide supports for students reporting sexual misconduct and maintaining a fair and balanced complaint process, it has increasingly invested in resources for education and prevention of sexual violence. This has included increased trainings and awareness through the [Women's Center](#), the [Office of Gender Violence and Prevention \(OGVPI\)](#), and [DuWell](#). During the year, [OGVPI](#) held a number of [Prevention Act Challenge Teach \(PACT\)](#) trainings for general sign-up and for specific organizations such as fraternities and sororities. [PACT](#) is an interactive, student-facilitated training sponsored by the [Women's Center](#) that aims to engage everyone in preventing gender violence on Duke's campus. Starting in August 2016, Haven Plus, a new on-line training program, was offered to incoming graduate and professional students. These activities and more are described in Duke's [Sexual Misconduct Prevention and Response](#) page.

DUKE'S COMMITMENT TO ADDRESSING SEXUAL MISCONDUCT

Duke University is committed to encouraging and sustaining a learning and living community that is free

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from harassment, violence, and prohibited discrimination. In that regard, and consistent with federal laws, Duke has developed a comprehensive [Student Sexual Misconduct Policy \(SSMP\)](#), applicable to sexual misconduct by any student enrolled in any Duke program. Further, Duke conducts extensive and ongoing education and awareness programs with the goal of preventing and discouraging sexual/gender violence and other forms of sexual misconduct.

Duke is proactive in its efforts to address and reduce instances of sexual harassment and related misconduct. The [SSMP](#) prohibits all forms of sex/gender-based harassment, sexual/gender violence, sexual exploitation, relationship violence (domestic violence and dating violence), and stalking. Collectively, these terms are referred to as “Sexual Misconduct.” The [SSMP](#) serves three principal purposes. First, it establishes conduct standards—namely, prohibited sexual misconduct—for all Duke students. Second, it outlines reporting, investigation, and complaint resolution procedures in cases where it is alleged that a Duke student has engaged in sexual misconduct. Third, it describes resources available on campus and in the community to assist students in dealing with the impact of sexual misconduct, whether it happened recently or in the past.

[OSC](#) is primarily responsible for implementing these procedures; the [Office for Institutional Equity \(OIE\)](#) assists by investigating reports that [OSC](#) refers to it. Anyone with concerns about a possible violation of the [SSMP](#) by a student is encouraged to contact [OSC](#) at 919-684-6938, conduct@duke.edu, or through the [online reporting system](#).

The [SSMP](#) refers to the individual who is the alleged victim of the behavior(s) in question as “**complainant**” and the student alleged to have committed the violation of the policy as “**respondent**.” Duke is committed to treating the complainant and the respondent fairly and with respect throughout the process.

A student may confidentially discuss an alleged violation of this policy (i.e., without the information being reported to [OSC](#)) with: (1) [Student Health staff](#), (2) [CAPS staff](#), (3) [Women’s Center staff](#), (4) clergy who are acting as such in their professional role at Duke, and (5) the [Ombudsperson for students](#).

Students should be aware that, with the exception of these confidential resources, all employees who become aware of conduct that might fall under this policy are expected to notify [OSC](#) with the names of the parties involved and the details of the report. Students who serve in an ongoing peer-advising role (such as Resident Assistants) are also expected to file such reports with [OSC](#).

Duke offices providing services to complainants and/or respondents include, but are not limited to, [OGVPI](#) in the [Women’s Center, Counseling and Psychological Services \(CAPS\)](#), [Student Health](#), [DuWell](#), [DukeReach](#), [Duke Police](#) (for possible criminal conduct), the [Ombudsperson for students](#), the [Dean of Students](#), resources in each of the Colleges and Schools such as the [Harassment Prevention Advisors \(HPAs\)](#), [Center for Sexual and Gender Diversity](#), administrative actions arranged or issued by [OSC](#) and [OIE](#), and the [Office of the Vice President for Student Affairs](#).

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DUKE'S POLICIES ON SEX DISCRIMINATION

WHAT IS TITLE IX?

[Title IX of the Education Amendments of 1972](#) (“[Title IX](#)”) prohibits sex discrimination in educational programs receiving federal funds. Duke’s policies implementing Title IX protect all students from sexual harassment, regardless of sex, sexual orientation, gender, gender expression, or gender identity and regardless of who is the harasser. The [Violence Against Women Act \(VAWA\)](#) is another federal law that, among other things, requires colleges and universities to have procedures in place to address complaints of sexual assault, relationship violence, and stalking and to offer educational programs about such conduct. Duke University is covered by [Title IX](#) and the [VAWA](#) and is responsible for ensuring compliance by demonstrating that our education programs and activities are operated in a manner consistent with Title IX and its regulations and guidance. Duke has two policies to address harassment based on sex or gender: (1) the [SSMP](#) and (2) the [Duke Harassment Policy](#).

PROTECTIONS FROM SEX DISCRIMINATION AT DUKE

The [SSMP](#) is implemented by [OSC](#) and applies to any instance in which any student enrolled in any Duke program is alleged to have engaged in sexual misconduct against anyone (e.g., a student, employee, or third party such as a visiting athlete, guest speaker, or contractor). The university will respond to any complaint of sexual misconduct, including conduct alleged to have occurred during breaks, leaves of absence, or periods of dismissal, whether on or off campus. The disciplinary process is available as an option while a respondent remains a student at Duke. With the agreement of the Vice President for Student Affairs and the dean of the respondent's college or school, disciplinary action may be taken against a student who has graduated and is alleged to have committed a violation while a student.

The [Duke Harassment Policy](#) applies to all persons who are enrolled at or employed by Duke University and Duke University Health System and is implemented by [OIE](#). It applies to sexual misconduct (and other types of harassment) committed by faculty, staff, and third parties. Both policies also prohibit retaliation against anyone for reporting sexual misconduct or participating in the investigation/adjudication of a report.

WHY DOES DUKE INVESTIGATE ALLEGATIONS OF SEXUAL MISCONDUCT?

In addition to complying with [Title IX](#) and [VAWA](#), Duke is committed to ensuring all students have access to educational opportunities and are protected from harassment and discrimination. Investigations of sexual misconduct by students are based on reports of alleged violations of the [SSMP](#). An investigation for a violation of the [SSMP](#) is completely separate from a criminal investigation. Sexual misconduct reports are investigated because sexual misconduct can interfere with a student’s ability to participate in or benefit from Duke’s programs and activities. Additionally, sexual misconduct investigations are conducted to ensure the safety and well-being of the entire Duke community. Duke is committed to encouraging and sustaining a learning and living community that is free from harassment, violence, and prohibited discrimination.

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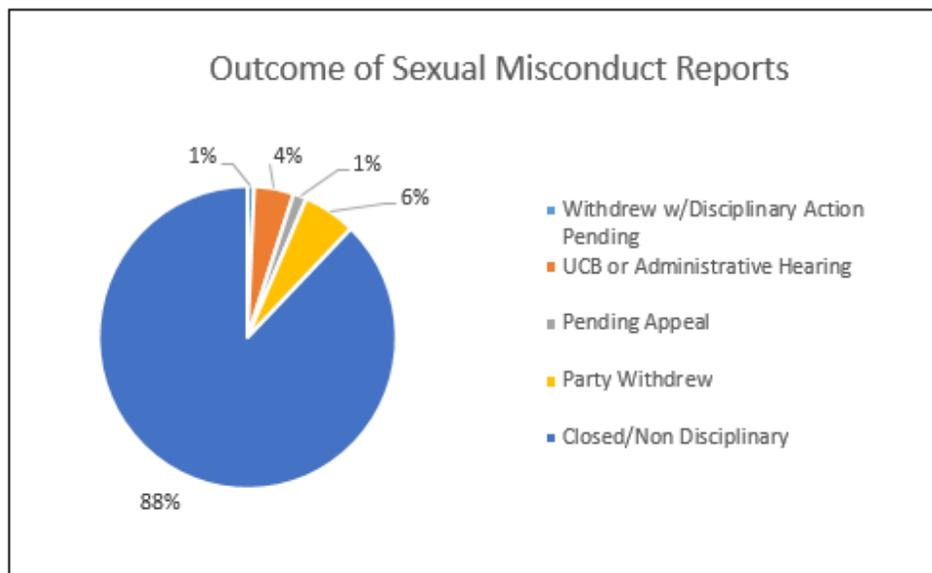
This review of sexual misconduct provides different information than what is included in Duke's most recent [Annual Clery Security Report \(ASR\)](#). For example, the information in this review is from the 2016-17 academic year, while the [ASR](#) includes information on calendar years 2014, 2015, and 2016. Another difference is the types of incidents included. This review includes all forms of sexual misconduct, including sexual harassment and sexual violence, dating violence, domestic violence, and stalking. The [ASR](#) also covers dating violence, domestic violence, and stalking, however, it only includes information on sexual assault rather than all forms of sexual harassment. Finally, this review addresses any incident of sexual misconduct reported against a student, whether on-campus or off-campus; the [ASR](#) focuses on incidents reported within the geographical boundaries established by the Clery Act, including incidents involving employees.

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OFFICE OF STUDENT CONDUCT

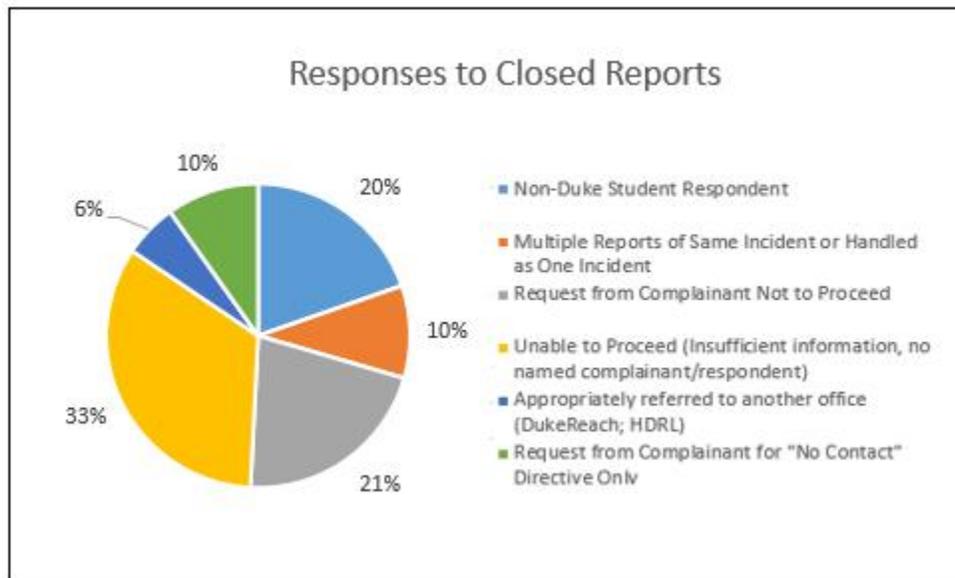
OUTCOME OF SEXUAL MISCONDUCT REPORTS

The [SSMP](#) is implemented by [OSC](#). [OSC](#) will evaluate and respond to all reports of possible sexual misconduct to ensure that the educational environment is free of sexual harassment or other forms of sexual misconduct and to prevent the recurrence of any such misconduct. Depending on a number of factors, including the specificity of the information provided, the nature of the alleged conduct, and the wishes of the complainant, the report may result in interim measures and supports (discussed below), other non-disciplinary measures, or a disciplinary investigation and possible hearing. If there is a determination that a respondent engaged in sexual misconduct in violation of the [SSMP](#), the respondent will be sanctioned and the complainant will be provided with appropriate remedies to address the effects of the conduct and help restore the complainant's sense of safety and well-being.



[OSC](#) received 139 reports of sexual misconduct under the [SSMP](#) in the 2016-2017 academic year. The chart presents a breakdown of reports submitted to [OSC](#) by outcome. Out of those reports, 17 were referred for investigation: seven resulted in final decisions through either an administrative or panel hearing; one was pending appeal the date this review was issued; one did not proceed because the respondent withdrew with pending disciplinary charges; six did not proceed because the complainant withdrew the complaint; and two cases were dismissed because [OSC](#) determined that the information gathered during the investigation was not sufficient to conclude that a policy violation may have occurred. The remaining 122 were closed or resulted in non-disciplinary action.

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CLOSED/NON-DISCIPLINARY OUTCOMES

This category includes the following:

- Twenty-four reports where the respondent was not a student at Duke and could not be held accountable for violations to the [SSMP](#). However, complainants were still able to receive support services.
- Twelve reports where multiple reports were received for the same incident or when the same behavior was reported by multiple people originating from the same person, with the reports consolidated or merged for resolution where possible.
- Twenty-six reports had a request from the complainant not to proceed. [OSC](#) assessed the impact of the alleged conduct on the environment for all students, including the complainant, and determined that it could honor the requests.
- Forty-one reports were unable to proceed to an investigation due to insufficient information, e.g., no named complainant or respondent.
- Seven reports were referred to the appropriate office ([DukeReach](#) and [Housing, Dining and Residence life](#)) for response.
- Twelve reports where the complainant requested interim measures or a “no contact” directive only and [OSC](#) could honor the request based on an assessment of the allegation’s impact on the environment for all students, including the complainant.

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Where possible, [OSC](#) provided non-disciplinary response(s) in conjunction with the above reports, e.g., through conversation or training on behavioral expectations for students and appropriate interactions with other students. Additionally, [OSC](#) maintains records of reports and non-disciplinary resolutions, and if the behavior continues or more reports are filed involving the same student(s), then there could be additional action taken, including disciplinary action. In some cases, the complainant may want an investigation or adjudication to proceed but not want to participate or want to remain anonymous. The investigation or adjudication may proceed if there is sufficient information to suggest the possibility of a policy violation **and** there is enough information to allow the respondent to provide a meaningful response to the allegations. However, it may not be possible in other cases to move forward without the participation of the complainant. In some cases, the complainant asks [OSC](#) to not investigate or stop proceeding with an investigation. [OSC](#) will respect the wishes of the complainant except in extraordinary circumstances e.g., when [OSC](#) feels the investigation/adjudication is necessary to proceed for the safety of the campus community.

INTERIM MEASURES

[OSC](#) will provide reasonable and appropriate interim measures, regardless of whether a report results in disciplinary action, when necessary to promote the safety of the parties or witnesses involved. Interim measures are temporary actions taken by the University to ensure equal access to its education programs and activities and foster a more stable and safe environment during the process of reporting, investigation, and/or adjudication. Interim measures may be available to the complainant, the respondent, and other involved individuals as appropriate to promote their safety and well-being. Interim measures may be requested by the parties or arranged by the University at any time, regardless of whether any particular course of action is sought by the complainant.

RESULTS OF INVESTIGATIONS/ADJUDICATIONS

Sanctions for a finding of responsibility include, but are not limited to, expulsion, suspension, disciplinary probation, recommended counseling, and/or other educational sanctions. The hearing body determines sanctions by first considering whether expulsion (permanent removal) from the university is appropriate. While expulsion is the starting point for consideration, a hearing body has discretion to decide that (a) different sanction(s) is (are) appropriate. Factors that can affect the determination of the sanction include, but are not limited to, the nature of the conduct at issue (e.g., a more severe sanction may be appropriate for sexual violence than for at least certain types of sexual harassment), prior disciplinary history of the respondent (shared with a panel only upon a finding of responsibility for the allegation), previous university response to similar conduct, and university interests (e.g., in providing a safe environment for all).

Expulsion is dismissal and permanent removal from the university without possibility of readmission or reinstatement. A permanent notation to that effect is made on the student's permanent academic record.

Suspension is an involuntary dismissal from the university for a specified period of time, which may include the current semester and such additional semesters as deemed appropriate by the hearing panel.

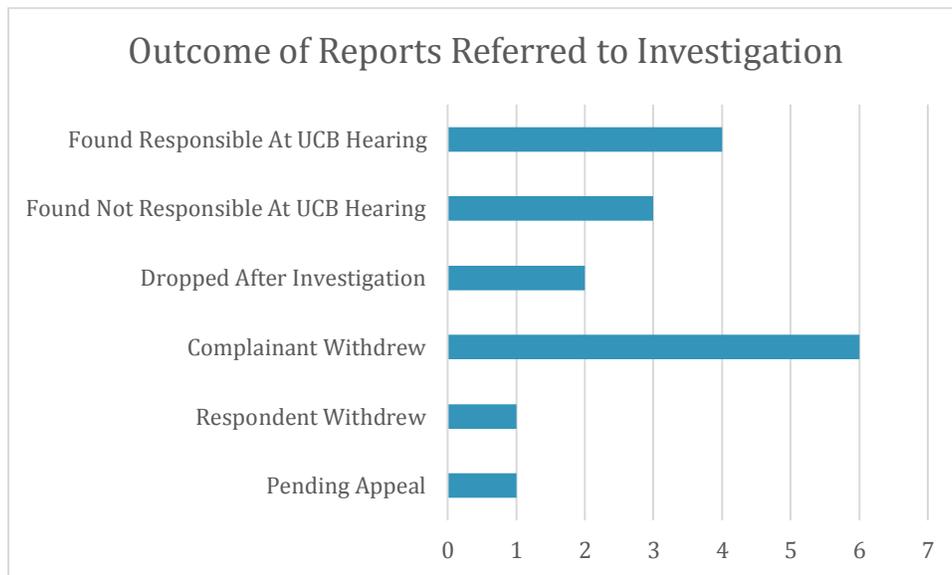
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Disciplinary Probation is a status imposed on a student for a specific period of time during which another violation of university policy or violation of any of the conditions of the probation shall result in an augmented disciplinary action, including the possibility of suspension. Disciplinary probation restricts a student's ability to study away from Duke through the [Global Education Office for Undergraduates](#), participate in [DukeEngage](#), and be released early from the three-year residency requirement. It also may impact other opportunities in which a student's disciplinary record is considered as a criterion for participation.

BREAKDOWN OF SANCTIONS

Of the 17 reports formally investigated, eight resulted in a hearing. Of the eight reports that went to a hearing, four resulted in a finding of sufficient information to establish a policy violation and three resulted in a finding of insufficient information; the finding in the remaining report was pending appeal as of the date of this review.

Out of the four students found responsible for a violation of the [SSMP](#), three were found responsible for sexual violence; of these three students, two were issued expulsion and one was suspended. One student was found responsible for sexual harassment and was placed on disciplinary probation. The students who were suspended or placed on probation also received additional sanctions, including probation on return from suspension and/or educational sanctions.



Student Resources for Support

Complainants can seek support through resources such as the [OGVPI](#) in the [Women's Center](#), the [Ombudsperson for students](#), [Student Health](#), [Duke Police](#) (for possible criminal conduct), resources in each of the Colleges and Schools such as the [Harassment Prevention Advisors](#), and the [Durham Crisis Response Center](#). Respondents can seek support through [CAPS](#), [DukeReach](#), and other university and local resources. Both complainants and respondents can seek support through the [Dean of Students](#) and the [Office of the Vice President for Student Affairs](#).

[OGVPI](#) offers confidential services to students who have experienced sexual misconduct. Graduate and undergraduate students of any gender who may have experienced sexual misconduct--sexual assault, rape, sexual harassment, intimate partner violence, stalking--can get information and support about their options including, but not limited to:

- Trauma-focused therapy
- Housing and academic accommodations
- Filing a formal report with [OSC](#)
- Referrals and accompaniment for medical assessment and treatment
- Assistance with law enforcement and obtaining a protective order
- Safety assessment and planning
- Assessment of the need for additional social and emotional support

[Here is a document](#) to help one know what to expect when contacting [OGVPI](#) regarding an experience with gender violence. Services include:

Counseling & Case Management

Therapy for survivors of gender violence, including sexual assault, sexual harassment, rape, stalking, and dating violence is available to undergraduates and graduate students who are enrolled at Duke as full-time students. Two licensed clinical social workers provide clinical interventions to assist the student in resolving symptoms of anxiety, depression, and post-traumatic stress disorder (PTSD).

Medical Care Accompaniment

A trained staff person will accompany a survivor of sexual assault to seek medical care after an assault. If the survivor chooses, this care may include a forensic examination to collect evidence of the assault or follow-up appointments for sexually transmitted infections, prophylaxis and pregnancy testing. Throughout the process, we will be there to answer questions and offer support, as desired.

Legal Accompaniment

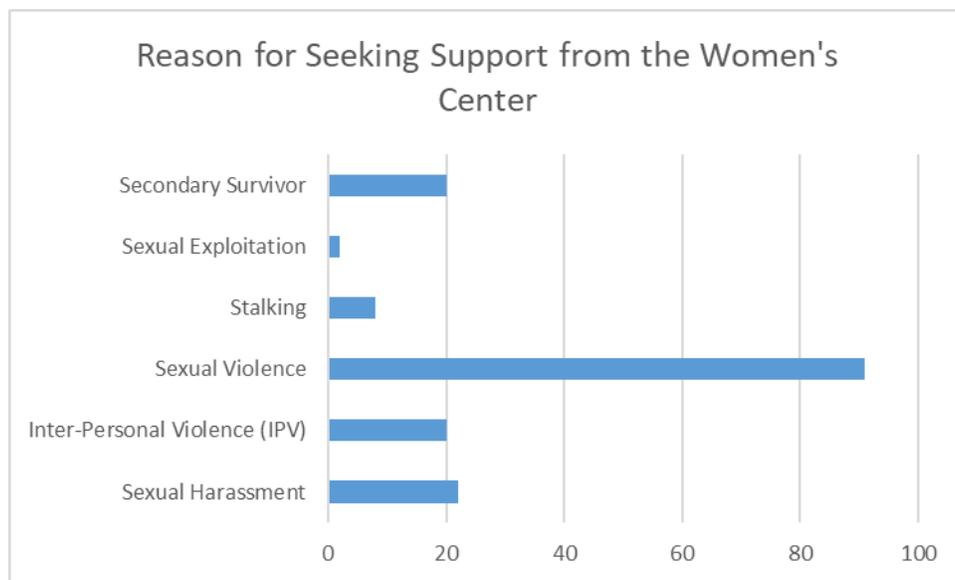
Staff will accompany a survivor of gender violence to report a crime to police, obtain a protective order or attend court if criminal or civil actions are pursued. Duke Police can also take a report from a student and/or explain the student's options.

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STUDENTS WHO RECEIVED SUPPORT SERVICES FROM OGVPI

During the 2016-2017 academic year, [OGVPI](#) had contact with 226 students, providing clinical services to 167 of them and outreach-only services to 59.

Of the 167 students, 81% reported they were undergraduates and 19% reported they were graduate or professional students. Students sought services for a variety of reasons.



Note that some students were seeking support for more than one type of victimization.

Overall, the most common reason students sought support at the [OGVPI](#) was rape or sexual assault. Out of the 167 students provided face-to-face services, 91 of those reported having experienced sexual violence. However, these 91 reports also included instances where the reported sexual violence occurred prior to the 2016-2017 academic year, incidents not involving another Duke student or during times the student was on a break (summer or holiday periods), and incidents that occurred prior to attending Duke.

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PREVENTION, EDUCATION, AND TRAINING OPPORTUNITIES

OGVPI

[OGVPI](#) in the [Women's Center](#) is committed to the prevention and intervention of gender violence on campus. It provides a variety of education and awareness programs. Faculty, staff, students and student groups may request educational programs and trainings on a variety of topics, including:

PACT

[PACT](#) is an interactive, student-facilitated training sponsored by the [Women's Center](#) that aims to engage everyone in preventing gender violence on Duke's campus. [PACT](#) training helps students identify situations of concern, and provides knowledge and tools to encourage safe and successful interventions.

Adapted from a training developed at the University of New Hampshire, [PACT's](#) goal is to reduce the incidence of sexual and relationship violence on campus by training participants to intervene in safe and creative ways, rather than standing aside as passive bystanders. The five-hour, interactive training is comprised of two sessions. The sessions are led by peer facilitators, who present Duke-specific scenarios, lead discussions, and help participants develop strategies for identifying and minimizing risk, as well as responding compassionately to victim-survivors of all forms of gender violence.

The Women's Center's prevention efforts call for taking a wider community approach rather than simply targeting individuals as potential perpetrators or victims. Although most of us in the University community will not be survivors nor perpetrators of sexual violence, each of us will certainly be a bystander or witness inappropriate behavior at some time.

Data collected since 2011 demonstrates that [PACT](#) training increases students' pro-social intervention behaviors, reduces their acceptance of common rape myths, and increases their confidence in being able to intervene with strangers and acquaintances as well as with friends.

PACT Topics:

- Types of gender violence (sexual assault, intimate partner violence, stalking, sexual harassment)
- Meaning of consent ("Only an enthusiastic yes means yes!")
- Healthy, positive sexual communication
- Consent and the use of alcohol and drugs
- Rape culture
- Common scenarios of concern
- Building empathy for victims
- Supporting victim-survivors after an incident of gender violence
- Common perpetrator characteristics
- Gender violence "red flags"
- Practical and safe intervention techniques

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The Women's Center has expanded the impact of its traditional [PACT](#) Program by empowering student participants to become PACTivists. Now, students who successfully complete the five-hour [PACT](#) training will be empowered to promote a healthier campus culture as they take action against gender violence and serve as a resource for victim/survivors within their communities. Specifically, PACTivists will champion the programming goals of [PACT](#) in the following ways:

- Informing students of gender violence and the prevalence of it.
- Acting as a knowledgeable and helpful resource within the campus community, while advocating against gender violence.
- Providing Duke University and community resources for gender violence.
- Actively engaging in healthy dialogue about gender violence; specifically, rape culture and healthy masculinity.
- Eradicating bystander apathy and providing the knowledge and tools necessary for successful intervention.
- Acknowledging the importance of intersectionality and diverse narratives in the fight against gender violence.
- Acknowledging the importance of addressing potentially dangerous and questionable behavior among peers, including the overconsumption of alcohol and drugs and situations potentially involving sexual assault.

This augmented activist component of [PACT](#) extends the engagement of students who desire to unlearn harmful behavior and social stereotypes by equipping these to appropriately use the information and training they learned in every part of their lives. The Women's Center will begin including the PACTivist component in the all of its [PACT](#) training sessions throughout the remainder of the academic year.

LET'S TALK CONSENT!

Want to learn more about how you can prevent and respond to sexual violence on campus and learn more about consent? [Let's Talk Consent](#) tackles some of the key points of sexual violence and gives an opportunity to discuss and practice consent. The training fosters meaningful discussion of sexual violence and consent through fun, engaging activities.

50 SHADES OF...AN UNHEALTHY RELATIONSHIP

Want to learn more about how you can prevent and respond to intimate partner violence and stalking on campus? [50 Shades of...An Unhealthy Relationship Training](#) provides an opportunity to learn more about unhealthy relationships and the many signs and red flags that may show up in a relationship. The training fosters meaningful discussion of intimate partner violence and stalking.

Faculty, staff, students, and student groups may request these or other educational programs and trainings from the Women's Center on a variety of additional topics, including:

- Understanding Gender Violence
- Enthusiastic Consent & Sexual Communication

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- Stalking on Campus
- Sexual Misconduct Policy on Campus
- Intimate Partner/Dating Violence
- Sexual Harassment
- Self-protection
- Mandatory Reporting of Sexual Misconduct

If you are interested in getting more information on PACT or other trainings at the [Women's Center](#) please check the website for [upcoming events](#).

HAVEN AND HAVEN PLUS

All incoming students are required to take HAVEN (undergraduate) or HAVEN PLUS (graduate and professional) on-line training. The training addressed the critical issues of sexual assault, relationship violence, stalking, and sexual harassment – among students, faculty, and staff.

UASK DUKE

Put your safety first. Download the UASK Duke app for real-time personal security. This invaluable tool for any undergraduate, graduate, and professional student at Duke includes two **panic buttons**, one that immediately calls local emergency personnel, and the other directly to Duke campus police; the ability to **alert friends** with notification and emergency messages, and **campus resources** in the event you have experienced sexual violence. Click one of the links below or search "U ASK Duke" on the iTunes App Store or Google Play Store.



DUWELL

[DuWell](#), Duke's wellness center, offers a number of educational programs dealing with alcohol use and sexual health. There are many programs throughout the year that address issues related to sexual health, healthy relationships and wellness. Here are a couple examples of programs offered:

ALCOHOL EDU

[AlcoholEDU](#) is an online alcohol prevention program for college students that provides detailed information about alcohol and its effects on the body and mind. The goals of the course are to help students make well-informed decisions about alcohol and to provide students with skills to deal with their peers use of alcohol.

PARTY MONITOR TRAINING

[Party Monitor Training](#) was developed at the request of student leaders on campus and is coordinated through [DuWell](#) in conjunction with the [Women's Center](#). The training is a chance for students to talk with other student leaders and learn skills regarding:

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- The goals of hosting events
- The roles of the Party Monitor
- The risks associated with alcohol and other drug use
- How to promote safe social behaviors
- Resources and support for your group
- Develop skills to address potentially dangerous and questionable behavior among your guests, including overconsumption of alcohol and drugs and situations potentially involving sexual assault.

IT'S YOUR MOVE!

[It's Your Move](#) is Duke's bystander intervention training initiative that began Fall 2012. This training helps trainees reduce barriers that keep individuals from intervening with problem or concerning behaviors. With a focus on taking action, bystander intervention training helps participants understand what a bystander is, provides options for taking action, and teaches skills for effective interventions. The training addresses a range of potentially harmful situations from medical emergencies to the emotional injury of discrimination. Topic areas covered include: academics and unethical behaviors, disordered eating, depression and other mental illnesses, hazing, sexism/gender violence, homophobia, substance use, sexual health and safety, suicide, and racism.

CONTACT INFORMATION

REPORT SEXUAL MISCONDUCT

[OSC](#): Report a violation of the [SSMP](#) by contacting [OSC](#) at 919-684-6938, conduct@duke.edu, or through [OSC's online reporting system](#).

[OIE](#): Report a violation of the Duke Harassment Policy by contacting [OIE](#) at (919)-684-8222.

CAMPUS RESOURCES FOR SUPPORT

[CAPS](#)

[Center for Sexual and Gender Diversity](#)

[Dean of Students](#)

[Duke Police](#)

[DukeReach](#)

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[HPAs](#)

[OGVPI](#)

[Ombudsperson for students](#)

[Student Health](#)

[DuWell](#)

[Office of the Vice President for Student Affairs](#)

[Women's Center](#)

DEFINITIONS

Complainant: the individual who is the alleged victim of the behavior(s) in question.

Investigation: process for discovering information related to a violation of the [SSMP](#). A complainant and respondent have an equal opportunity to present witnesses and other evidence.

Office of Student Conduct (OSC): charged with adjudicating reports of violations of the [SSMP](#).

Respondent: the student alleged to have committed the violation of the policy.

Relationship Violence: any act of violence or pattern of abusive behavior in an intimate relationship that is used by one partner to gain or maintain power and control over another partner. Includes dating and domestic violence.

Retaliation: words or acts taken in response to good faith reporting of sexual misconduct, participation in Duke's complaint process or the follow up to a complaint, or otherwise opposing what the individual reasonably believes to be sexual misconduct.

Sexual Exploitation: taking non-consensual, sexual advantage of another for one's benefit or the benefit of another party.

Sex/Gender-Based Harassment. Sex- or gender-based harassment may take two forms:

One form of harassment is unwelcome verbal or physical conduct based on sex that, because of its severity and/or persistence, creates a hostile environment by interfering significantly with an individual's work or education, or adversely affecting an individual's living conditions.

The other form of harassment is a student's use of a position of authority (e.g., as a TA, RA, team captain, or officer in a fraternity or sorority) to engage in unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature

Sexual Misconduct: all forms of sex/gender-based harassment, sexual/gender violence, sexual exploitation, relationship violence (domestic violence and dating violence), and stalking.

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Sexual Violence: a particularly severe form of harassment defined as any physical act of a sexual nature based on sex and perpetrated against an individual without consent or when an individual is unable to freely give consent.

Student Sexual Misconduct Policy (SSMP): University policy that establishes conduct standards and prohibited sexual misconduct for all Duke students. The policy outlines reporting, investigation, and complaint resolution procedures in cases where it is alleged that a Duke student has engaged in sexual misconduct. The policy also describes resources available on campus and in the community to assist students in dealing with the impact of sexual misconduct, whether it happened recently or in the past.

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STUDENT CONDUCT PROCESS FOR SEXUAL MISCONDUCT ALLEGATIONS

