

SEXUAL HARASSMENT AND SEXUAL MISCONDUCT

RESOURCE GUIDE



SAINT VINCENT COLLEGE



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INTRODUCTION

Saint Vincent College is deeply committed to its strong tradition of respecting, preserving, protecting and enhancing the dignity of every member of its community and all whom we welcome as guests. This tradition embraces the notion that no member of the College community is, or should be, excluded from participation in, denied the benefits of, or subjected to discrimination in, any College program or activity on the basis of sex, sexual orientation or gender identity. This also includes having an environment free from sexual harassment and sexual misconduct (“Prohibited Conduct”). The College will take prompt and equitable action to eliminate sexual harassment and sexual misconduct, prevent its recurrence and remedy its effects.

As a recipient of federal funds, the College complies with Title IX of the Higher Education Act Amendments of 1972 which prohibits discrimination on the basis of sex in education programs or activities.

Title IX protects any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX’s prohibition on sex discrimination to include various forms of sexual harassment and sexual violence that interfere with a student’s ability to equally access our educational programs and opportunities.

This resource guide complements the College’s Sexual Harassment and Sexual Misconduct policy, both of which can be found on the web at <https://www.stvincent.edu/resources/title-ix/index.html>. It is intended to provide a broad overview and serve as a quick resource for students, faculty, and staff. More in-depth and detailed information can be found in the policy.

The College seeks to foster among all members of this community an attitude regarding human sexuality informed by the Catholic and Benedictine traditions, and guided by the search for a deeper spiritual understanding of life that each of us must undertake. Saint Vincent expects that all who are part of this community will share in a spiritual journey that recognizes the sanctity of the person of others and themselves.

For more information, or if you have any questions, please contact Title IX Office at titleix@stvincent.edu or **724-805-2897**.

WORKING TOGETHER

Collaborative prevention efforts across campus bring together various stakeholders, including students, faculty, staff, and administrators, to foster a culture of safety and respect. These initiatives often involve various offices (Title IX, Student Affairs, Residence Life, Athletics, the Wellness Center, and others) and student clubs and organizations, who partner together to address these efforts. Throughout the academic year, workshops, trainings, and awareness events and activities that address topics such as consent, bystander intervention, and healthy relationships are held on campus. By engaging the entire campus community in prevention efforts, these initiatives aim to create a supportive environment where everyone feels empowered to contribute to the prevention of sexual misconduct and the promotion of a culture of respect and consent.



PROHIBITED CONDUCT

Saint Vincent prohibits the discrimination on the basis of sex, which includes the following categories of conduct, collectively called Prohibited Conduct:

- sexual assault, sexual exploitation, dating violence, domestic violence, stalking, and sexual harassment;
- retaliation against an individual for the purpose of interfering with any right or privilege secured by law, or because the individual has made a report of Prohibited Conduct, filed a formal complaint, testified, assisted, or participated or refused to participate in an investigation, hearing, or resolution of an alleged violation of the College's Sexual Harassment Sexual Misconduct policy; and
- the exertion of power, supervision, or authority by one individual over another in relationships of a sexual or intimate nature.

The Prohibited Conduct must also affect a person's ability to participate in or have equal access to an education program or activity of the College.

Sexual Assault: sexual contact or sexual intercourse that occurs without consent. It includes rape, fondling, incest, or statutory rape.

Consent is an affirmative and willing agreement to engage in specific forms of sexual contact with another person. Consent requires an outward demonstration, through mutually understandable words or actions, indicating that an individual has freely chosen to engage in sexual contact. Consent is clear, coherent, willing and on-going. Consent is not present when an individual does not have the capacity to give consent due to age, alcohol, drugs, sleep or other physical condition or disability. Consent cannot be obtained through the use of coercion or force, or by taking advantage of the incapacitation of another individual.

Dating Violence: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant.

Domestic Violence: violence committed by a current or former spouse or intimate partner of the complainant or by a person with whom the complainant shares a child.

Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or which causes the complainant to suffer emotional distress.

Sex-based Harassment: includes (1) sexual harassment, which is conduct of a sexual nature; (2) other forms of harassment that are not or may not be sexual, but are nonetheless based on sex, such as harassment based on pregnancy, sexual orientation, gender identity, or sexual stereotypes.

Sexual Harassment: any unwelcome sexual advance, request for sexual favors or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical or otherwise, that is either classified as quid pro quo sexual harassment or hostile environment sexual harassment.

- *Quid pro Quo* – conditioning the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct.

- *Hostile environment* – unwelcome conduct on the basis of sex determined by a reasonable person to be so severe, pervasive and/or objectively offensive that it effectively denies a person equal access to Saint Vincent College’s education programs or activities.

A hostile environment exists when the conduct is sufficiently severe and/or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the College’s education or employment programs and/or activities. Conduct must be deemed severe and/or pervasive from both a subjective and objective perspective. In evaluating whether a hostile environment exists, the College will consider the totality of known circumstances, including, but not limited to:

- The frequency, nature, and severity of the conduct.
- Whether the conduct was physically threatening.
- The effect of the conduct on the complainant’s mental or emotional state.
- Whether the conduct was directed at more than one person.
- Whether the conduct arose in the context of other discriminatory conduct.
- Whether the conduct unreasonably interfered with the complainant’s educational or work performance and/or College programs or activities.
- Whether the conduct implicates concerns related to academic freedom or protected speech.

A hostile environment can be created by repetitious pervasive conduct or by a single or isolated incident. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove the presence of a hostile environment, particularly if the conduct is physical. A single incident of sexual assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

Examples of behavior that may constitute sexual harassment, if sufficiently severe and/or pervasive, include the following:

- Subtle pressure for sexual activity.
- Sexually suggestive gestures, notes, teasing, jokes.
- Deliberate and unwelcome touching, pinching, patting.
- Attempts to kiss or fondle.
- Pressure for dates, pressure for sex.
- Inappropriate and/or offensive personal remarks of a sexual nature.
- Sexually demeaning comments, sexual graffiti, or offensive illustrations.

- Requests for sexual favors in exchange for grades, salary increases or promotions.
- Embarrassing and sexually suggestive favoritism shown by an instructor toward a student(s) or a supervisor toward an employee.
- Disparaging remarks about one's sex, sexual orientation, gender identity or gender expression.

Regarding a hostile environment: The presence of a hostile environment, while commonly related to claims or allegations of sexual or gender-based harassment, is not exclusive to those categories of prohibited conduct, and can be present in other contexts. The College will review and assess whether a hostile environment exists or is created by the conduct reported. Where the conduct reported does not fall under the College's Sexual Harassment and Sexual Misconduct policy, it will be referred to the appropriate office – Human Resources, Student Conduct, or Academic Affairs – to be addressed.

Retaliation means any adverse action, intimidation, threat, coercion, or discrimination against an individual for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the individual has made a report or formal complaint of Prohibited Conduct, testified, assisted, or participated or refused to participate in any manner in any investigation, or proceeding under this policy. Retaliation includes such conduct through associates or agents of a complainant, respondent, reporting party or participant in any investigation or proceeding related to this policy.

Regarding retaliation: Adverse actions do not include petty slights or annoyances, such as a stray negative comment in an otherwise positive or neutral evaluation, "snubbing" someone, not talking to a student/employee, or negative comments that are justified by a student's or employee's poor academic or work performance or history.

The full definitions of these terms can be found in the Sexual Harassment and Sexual Misconduct Policy.



PRIVACY AND CONFIDENTIALITY

Saint Vincent is committed to making reasonable efforts to protect the privacy interests of a complainant, a respondent and/or other individuals involved in a report of sexual harassment or sexual misconduct.

Privacy generally means that information related to a report of Prohibited Conduct will only be shared with a limited number of individuals who “need to know” in order to ensure the prompt, equitable and impartial review, investigation and resolution of the report.

Confidentiality means that campus or community professionals with the statutorily granted ability to maintain information as privileged cannot reveal identifiable information shared by an individual to any other person without express permission of the individual, or as otherwise permitted or required by law. Those campus and community professionals who can maintain privileged communications and keep information confidential are referred to as Confidential Employees.

Due to a legal privilege granted under state law, some of these individuals must maintain confidentiality when they receive information in any of the above capacities unless:

- given permission to do so by the person who disclosed the information;
- there is an imminent threat of harm to self or others;
- the conduct involves suspected abuse of a minor under the age of 18; or
- as otherwise required or permitted by law or court order.

Further, the College will maintain as private any accommodations or protective measures provided to the Complainant to the extent that maintaining such confidentiality would not impair the College’s ability to provide the accommodations or supportive measures.

REQUESTS FOR ANONYMITY

Where the complainant requests that his or her identity not be shared with the respondent or that the College not pursue an investigation, the College must balance this request with its responsibility to provide a safe and non-discriminatory environment for all College community members. Saint Vincent will take all reasonable steps to investigate and respond to the report consistent with the request not to share identifying information or pursue an investigation, but its ability to do so may be limited by the request.

Requests for complete anonymity will take into account:

- The seriousness of the conduct.
- The respective ages and roles of the complainant and respondent.
- Whether there have been other reports of prohibited conduct involving the respondent.
- Whether the circumstances suggest there is a risk of the respondent committing additional acts of prohibited conduct.
- Whether the respondent has a history of arrests or records indicating a history of violence.
- Whether the report indicates the respondent threatened further sexual violence or other violence against the complainant and other individuals involved.
- Whether the reported conduct was committed by multiple individuals.
- Whether the circumstances suggest there is risk of future acts of prohibited conduct under similar circumstances.
- Whether the reported conduct was perpetrated with a weapon.
- Whether the College possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence).



OPTIONS

If you believe that you have experienced Prohibited Conduct, you have options, including:

- Speaking with an on or off campus confidential resource about your options. An on-campus confidential resource includes the Wellness Center counselors, Benedictine monks in Campus Ministry, the Title IX Coordinator, or a College-designated confidential support person. Off-campus confidential resources include licensed professional counselors or medical professionals, pastoral counselors or any other professionals that have been granted confidential privilege under the laws of the Commonwealth of Pennsylvania, such as the Blackburn Center or the National Sexual Assault Hotline.
- Seeking medical attention to treat any injuries, test for sexually transmitted infections, obtain emergency contraception (if needed) and/or perform a forensic rape examination (FRE). A forensic rape examination can be collected:
 - > Up to nine days after a sexual assault, regardless of whether someone has bathed or showered.
 - > Anonymously. Whenever the hospital is informed of an act of sexual violence, they have to call the police, but it is completely up to the victim whether or not they choose to speak with the police. Having evidence collected anonymously means that the hospital will still call the police, who will come to the hospital to pick up the evidence, but the police will not speak with the victim about the assault. Victims will be provided with information on how they could report the assault if they choose to do so in the future.
 - > At no cost to a victim or their insurance. The Pennsylvania Victim's Compensation Assistance Program can be billed directly for the actual exam, simply by asking the nurse collecting the evidence to "Check Option #1" on the FRE claim form.
- Contacting the Office of Public Safety to file a report. Public Safety officers are on duty 24/7 for emergency help in any situation. Victims can ask the Public Safety Office to help them report incidents of Prohibited Conduct to the College and/or to local law enforcement and secure any required assistance. Public Safety officers have the obligation to report incidents to the director of Public Safety and the Title IX coordinator. A report to Public Safety is not a report to local law enforcement.
- Contacting local law enforcement to file an official police report. The Pennsylvania State Police have criminal jurisdiction for incidents occurring on campus. The Pennsylvania State Police can generally be on the scene responding

to an emergency at the College within 15 minutes. Victims of sexual violence are encouraged to file a report with the State Police.

- Contacting the Title IX Office. The Title IX Office is located on the Second Floor, Alfred Hall. The Title IX Coordinator can be reached either in person or by phone (724-805-2897), Monday through Friday, from 9 a.m. through 4 p.m., or after hours by email at titleix@stvincent.edu.
- Preserving any physical evidence you have in case you decide to report the incident at a later date. Saint Vincent encourages individuals who have experienced Prohibited Conduct to preserve evidence to the greatest extent possible as this will preserve more options for them in the future. Some suggestions include:
 - > Preserve evidence of electronic communications, such as text messages, pictures and/or social networking pages, by saving them and/or taking screen shots.
 - > If there is suspicion that a drink may have been drugged, inform a medical assistance provider and/or police as soon as possible so they can collect evidence (e.g., from the drink, through urine or blood sample).
 - > Because evidence that may be located on the body can dissipate quickly, consider going to a hospital or medical facility immediately to seek a medical exam. If possible, do not shower, brush teeth, use the bathroom, or eat before going to the hospital or seeking medical attention. Do not wash clothes or bedding.

In addition, Saint Vincent can help you:

- Connect with on-campus and off-campus resources—including medical, counseling, immigration, student financial aid and legal resources.
- File a police report or a report/complaint with the College or both.
- Request supportive measures such as no-contact directives from the College, protective orders from a court, or housing, academic, working or other accommodations.

REPORTING

You may choose whether to report Prohibited Conduct to Saint Vincent, file a formal complaint with Saint Vincent, and/or report to law enforcement. An investigation by the College can occur at the same time as a police investigation. Saint Vincent can help you file a police report. They are two distinct and separate processes.

There is no time limit for reporting an incident to Saint Vincent. Ideally, reports should be made as soon as possible, as the passing of time makes a review of the evidence more difficult and the memories of involved parties may become less reliable. **Reporting to the College is not a report to local law enforcement.** Conduct that may also be criminal under state and/or federal law may also have statute of limitations implications.

UNDERSTANDING THE PRIMARY DIFFERENCES

College vs. Criminal

COLLEGE		CRIMINAL
Students, faculty & staff at educational institutions receiving federal funds.	Who does it apply to?	All states and all citizens.
Sexual harassment and sexual misconduct as defined by Title IX and institutional policies.	What is the scope of conduct?	Conduct as defined by the state's criminal statutes.
Violating the institution's policy against sexual harassment and sexual misconduct.	What is someone accused of?	Violating the state's criminal statutes relating to sexual assault, stalking, domestic violence, and harassment.
Provide support and assistance to the complainant. Community Safety. Addressing the conduct, remedying its effects, and preventing its recurrence.	What are the goals?	Community safety and maintenance of norms, punishment, and/or retribution.
Resolutions, remedies and sanctions.	What are the outcomes?	Verdicts, sentencing and restitution.

WHY REPORT?

Choosing to make a report and deciding how to proceed after making the report can be a process that unfolds over time. Some members of the community are required to report any suspected or known instance of Prohibited Conduct. Even in such cases, the College will – to the extent possible – respect an individual’s autonomy in making these important decisions and provide support that will assist everyone in determining the best next steps.

Reporting can provide safety and support for individuals affected by sexual misconduct and provide the complainant (the person who experienced the conduct) with options for response (e.g., investigation, counseling, etc.). It can also help create a safer campus community. Saint Vincent has a number of resources available to those who have experienced prohibited conduct. Getting information about the policies, procedures and your rights and options can help you to make an informed decision about reporting.

WHY DON'T PEOPLE REPORT?

There are many reasons why people do not make a report. However, a reason many students do not report rests with the fear of being punished for violating the school’s policies on drug and alcohol use. Saint Vincent provides amnesty in such cases.

- Alcohol and other drugs amnesty is intended to encourage students to seek assistance for themselves or someone else by reducing fear of facing disciplinary action for violating the College’s policy on alcohol and other drugs. It is an attempt to remove barriers that prevent students from seeking medical attention or other assistance that they need when prohibited conduct has occurred.
- The College does not have the authority to grant amnesty for criminal, civil or legal consequences for violations of federal, state or local laws. However, the health and safety of the College community is a primary concern and Saint Vincent may provide amnesty for students from violations of the College’s policy on alcohol and other drug use.

WHAT IS THE DIFFERENCE BETWEEN A REPORT AND A COMPLAINT?

One common misconception about the reporting process is that making a report will automatically lead to disciplinary action. While a report can become a formal complaint – initiated either by the complainant or the College – not every report becomes a complaint.

Making a Report: The act of notifying the Title IX coordinator or other College official of an incident of prohibited conduct. A report may be accompanied by a request for resources, no further action, remedies-based resolution and/or a formal request to initiate the formal complaint and grievance process.

Filing a Complaint: Making a formal request, which may need to be in writing, to initiate the College's formal grievance process Prohibited Conduct. A report may become a formal complaint, either initiated by the complainant or the College, depending on the outcome of the initial inquiry and assessment of the report, coupled with the complainant's wishes.

At the time a report is made, a complainant does not have to decide whether to file a complaint. The College recognizes that not every individual will be prepared to file a complaint with the College or with law enforcement, and individuals are not expected or required to pursue a specific course of action. More information regarding the specific requirements for filing a formal complaint can be found in the College's sexual harassment and sexual misconduct policy.

HOW DO I MAKE A REPORT?

- Contact the Title IX coordinator. The Title IX Office is located on the Second Floor, Alfred Hall. Office hours are 9 a.m. to 4 p.m. (Monday through Friday) and by appointment. The Title IX coordinator is also available by phone at 724-805-2897 during office hours, or via email during or after office hours at titleix@stivncent.edu.
- Contact the Office of Public Safety. Offices are on duty 24/7 and can be reached at 724-805-2911.
- Submit a report online through the College's Title IX webpage at <https://www.stivncent.edu/resources/title-ix/index.html>. Students and third parties who are not Saint Vincent employees can even make a report anonymously.
- Except for disclosures made to employees with reporting obligations, reports may be made anonymously. The easiest way to make an anonymous report is through the online reporting form. Saint Vincent will respond promptly and equitably to anonymous reports, but the response may be limited if the report does not include sufficient information and/or a description of the facts and circumstances.

WHAT HAPPENS ONCE A REPORT IS MADE

The Title IX Coordinator receives a report of sexual harassment, sexual assault, domestic violence, dating violence, or stalking.

The report is reviewed to determine if, after an initial assessment, it falls under the College's Sexual Harassment and Sexual Misconduct policy. If it doesn't fall under the College's policy, it will be referred to the appropriate office—Student Affairs, Human Resources, or Academic Affairs—to be addressed.

Outreach is made to the complainant. Intake meeting takes place.*

Supportive measures are offered to the complainant. The safety of the complainant is addressed, resources both on and off campus are offered. The Title IX Coordinator discusses the options for proceeding – no report, informal resolution, or formal complaint. If conduct is criminal, complainant is strongly encouraged to also report to local law enforcement.

Options for initiating the formal grievance process are discussed at this meeting.

**In case of a report made by a third party, outreach is made to the complainant. Information regarding supportive measures, safety, resources, and options for proceeding is provided in this outreach.*

Complainant chooses how they would like to proceed. Complainant can change their mind at any point in the process.

The College does not make decisions without the input and direction of the complainant.*

**In the case of an anonymous report, the College's ability to adequately respond or take action may be limited by the information provided in an anonymous report.*

Complainant chooses not to initiate the formal grievance process and continues to access supportive measures, resources, and accommodations. No further action is taken unless the complainant changes their mind in the future or seeks additional supportive measures.

Complainant chooses to initiate the formal grievance process and files a formal complaint. A written notice of allegations is sent to both parties describing the nature of the allegations and the parties' rights during the grievance process, including the right to an adviser.

In limited circumstances, the Title IX Coordinator may need to bring the complaint forward to protect the safety and welfare of the community.

Both parties agree to participate in the informal resolution process.

One or both parties decline to participate in the informal resolution process—either the complainant or it moves to the investigation and hearing process.

Complainant immediately initiates the formal complaint process that begins the investigation and hearing phase.

Informal resolution process is successful; matter is closed.

Informal resolution process is not successful or either party declines to participate further in the process.

Investigation and hearing process begins or case is dropped by the complainant.*

**Complainant can withdraw their formal complaint at any time, thus halting the grievance process.*

REPORTING RESPONSIBILITIES

Saint Vincent College faculty and staff have varying reporting responsibilities under the College's policies. Their obligations on reporting disclosures or knowledge of prohibited conduct are dependent upon their role at the college and in the prohibited conduct grievance process. They may be designated as a Confidential Employee, a Responsible Employee, or a Confidential Support Person.

Saint Vincent faculty and staff receive annual training, both in person and through online modules, on Title IX and the federal Violence Against Women Act (VAWA), as well as on state requirements, about their obligations under these laws. In addition, many Saint Vincent employees, including all coaches, assistant coaches, graduate assistant coaches, faculty and staff serving as advisors or sponsors to student clubs, organizations and academic societies, and trip leaders for academic conferences, study abroad, service learning and campus ministry trips, are also designated as Campus Security Authorities under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery), and participate in annual training on reporting requirements under the Clery Act.

Except for disclosures to Confidential Employees, as previously noted in this Guide, nearly all Saint Vincent employees are required to pass on information that involved incidents of suspected or actual prohibited conduct.

All incidents involving a minor (under the age of 18) must be reported in accordance with Pennsylvania's mandated reporter laws. There are no exceptions to this requirement.

Please refer to the Sexual Harassment and Sexual Misconduct Policy for more information regarding reporting and reporting responsibilities.

SUPPORTIVE MEASURES

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Supportive measures may include:

- academic assistance
- housing or workspace relocation
- dining arrangements
- time off from class or work
- financial aid arrangements
- transportation arrangements
- no-contact directives
- safety planning

Contact the Title IX Coordinator to request supportive measures. Such measures will be kept confidential to the extent possible. For more in depth information regarding Supportive Measures, please refer to the Sexual Harassment and Sexual Misconduct policy.



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COMPLAINT RESOLUTION

FORMAL COMPLAINT PROCESS

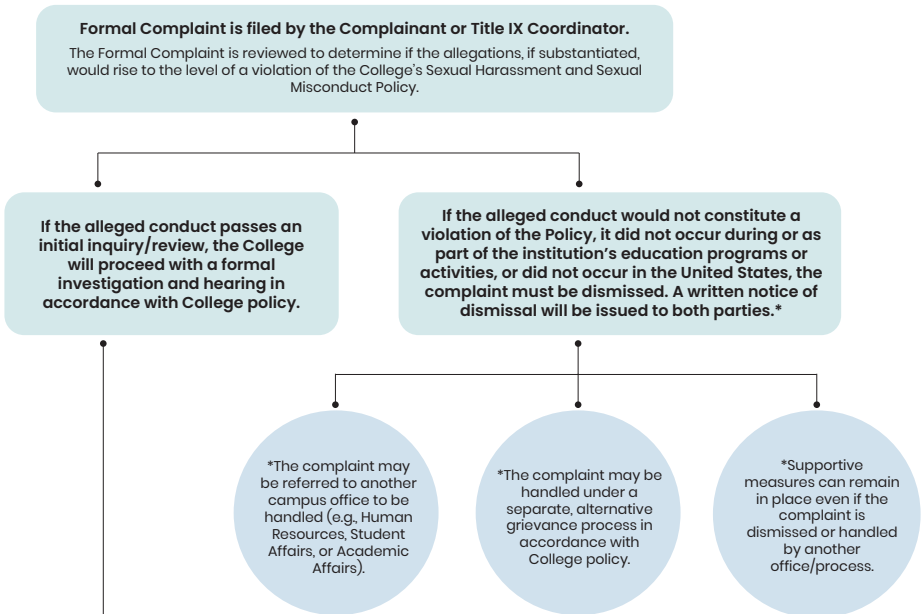
Upon the filing of a formal complaint, Saint Vincent will follow the process outlined in its policy to begin the formal grievance process. This includes notifying the parties of their rights, the allegations made, the ability to have a support person or advisor present in all meetings, interviews, and proceedings of the formal grievance process, as well as assigning an investigator to begin the investigation phase. The investigation phase may involve meetings with the complainant, respondent and witnesses and reviewing relevant evidence.

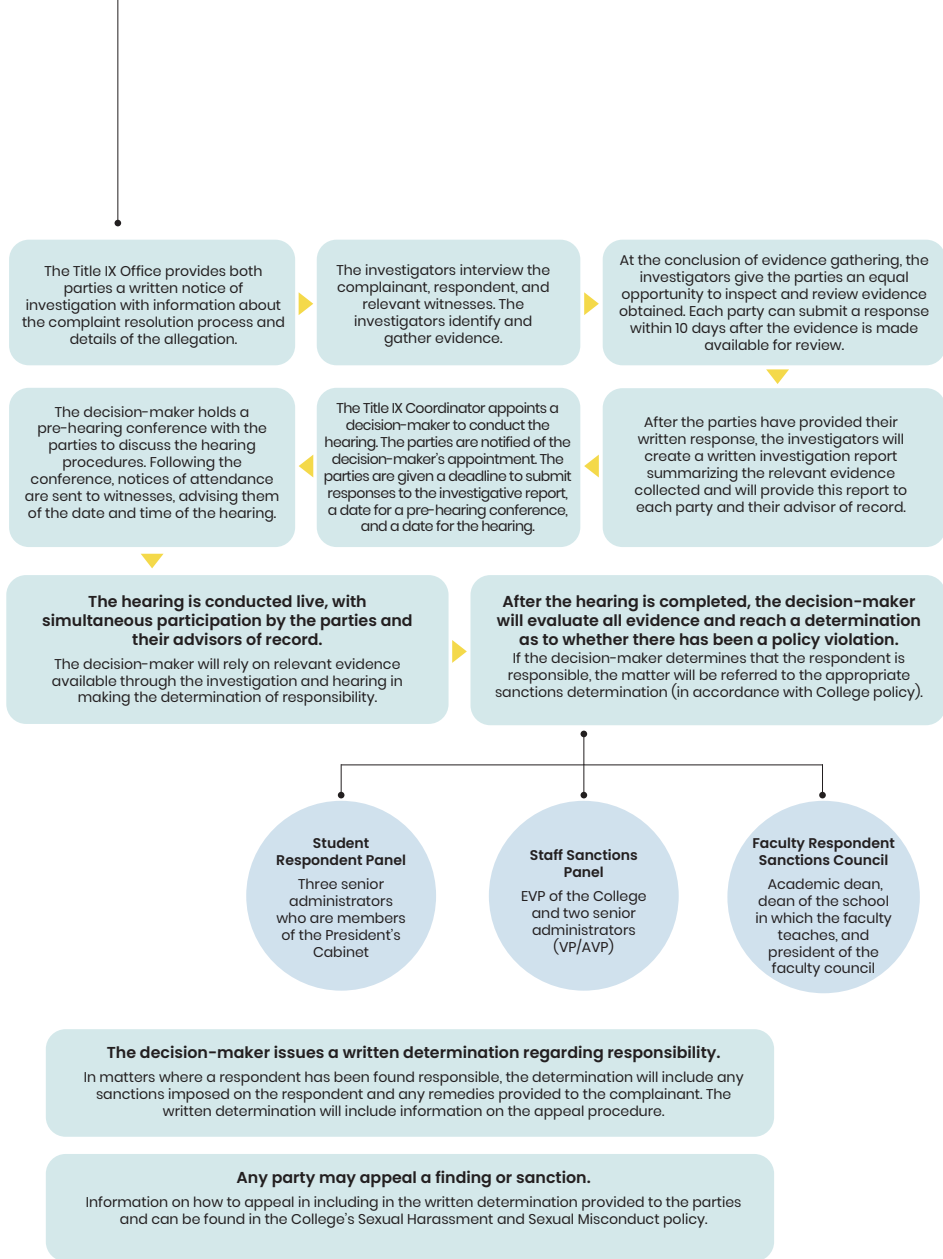
Following the investigation stage, the process then moves into the hearing stage, which proceeds in accordance with the policy to determine whether a policy violation occurred.

The College uses the preponderance of the evidence standard, which means that if the evidence shows that it is more likely than not that a violation of the College's policy occurred, the respondent may be found responsible.

Where a finding of responsibility has been made, sanctions and/or corrective action may be put into place. These actions may include required training or counseling, warning, probation, suspension, expulsion, demotion, termination, or revocation of tenure.

Both parties may appeal the decision, as well as the imposition of sanctions.





This flow chart is intended to provide a general overview of the process in effect at the time of this guide's printing. For the most up-to-date and complete information of the formal grievance process, please consult the Sexual Harassment and Sexual Misconduct policy which can be found at www.stvincent.edu/resources/title-ix/index.html

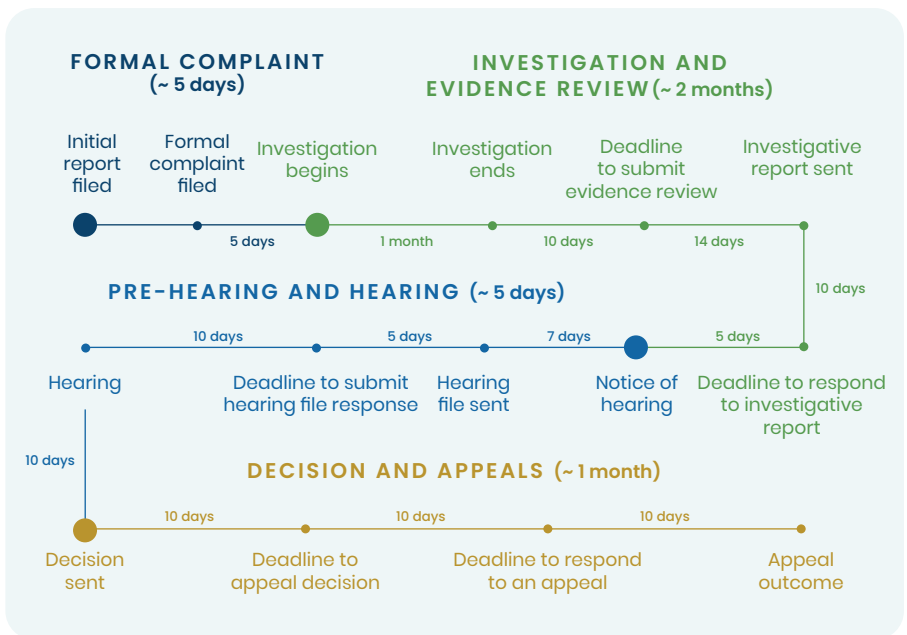
INFORMAL RESOLUTION

Informal resolution, including the use of remediation, may be used upon the agreement of all parties involved. Both parties must voluntarily agree to using the informal resolution process and can withdraw from it at any point up until an agreement has been reached.

TIMELINE

Though Saint Vincent strives to resolve all cases in a prompt and timely manner, the timeline varies based on the circumstances of each case. Additionally, the timeline for a case may be affected by breaks in the academic calendar, availability of the parties and witnesses (including due to leave of absence), scope of the investigation, need for interim actions and unforeseen or exigent circumstances. The parties will be updated on the status of their case. In cases where there is a simultaneous ongoing law enforcement investigation, the College may need to temporarily delay its investigation while law enforcement gathers evidence. However, Saint Vincent will generally proceed with its investigation and resolution of a complaint during any law enforcement investigation.

Although the length of each investigation will vary, the College strives to complete each investigation within 90 business days of the investigator's first interview with the complainant.



This timeline is intended to provide a general overview of an estimated timeline. Actual length of time varies and is dependent on the specifics of the case.

ADVISORS

An advisor is a person who is present to provide support to a complainant or respondent throughout the complaint resolution process. Complainants and respondents may be accompanied by an advisor during all stages of the process. The complainant and the respondent each have the opportunity to be advised by an advisor of their choice, including legal counsel at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing in which the complainant or the respondent is required to be present.

The role of the advisor is narrow in scope. The advisor may attend any interview or meeting connected with the grievance process, but the advisor may not actively participate in interviews and may not serve as a proxy for the party. During the formal complaint hearing, the advisor may take on a more active role as set forth in the Sexual Harassment and Sexual Misconduct policy, including cross-examination of the other party.

Any individual who serves as an advisor is expected to make themselves available for meetings and interviews throughout the investigation process, as well as the hearing, as scheduled by Saint Vincent. Advisors are also expected to behave appropriately and in accordance with the rules and policies set by the College. Saint Vincent (including any official acting on behalf of the College such as an investigator or a decision maker) always has the right to determine what constitutes appropriate behavior on the part of an advisor and to take appropriate steps to ensure compliance with this policy.

TRUTHFULNESS

All participants have the responsibility to be completely truthful with the information they share at all stages of the process.

For more in-depth details regarding the investigation and complaint process, please refer to the Sexual Harassment and Sexual Misconduct policy.

NOTICE OF RIGHTS

The following summarizes the rights granted to the parties, per the Saint Vincent College Sexual Harassment and Sexual Misconduct policy. For more information, please consult the policy.

Fair Process: The right to a fair and equitable investigation and resolution of all allegations after a Formal Complaint.

Respect: The right to be treated with respect throughout the grievance process.

Advisor: The right to an advisor of choice during all stages of the process.

Supportive Measures: The right to receive Supportive Measures regardless of whether a Formal Complaint is made. Supportive Measures include, not limited to, counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security, and monitoring of certain areas of the campus, and other similar measures.

Law Enforcement: The right to be informed of on and off-campus law enforcement options and to be assisted in reporting to law enforcement. Additionally, the right to not be forced, coerced, or pressured into reporting to law enforcement.

Presumed Not Responsible: The right for the Respondent to be presumed not responsible until a determination regarding responsibility.

Formal Complaint: The right for a Complainant to sign a Formal Complaint, or a Formal Complaint that is signed by the Title IX Coordinator.

Written Notice: The right to receive written Notice of Allegations which includes

- Notice of the party's rights and options
- Notice of the grievance process
- Notice of the informal resolution process and options
- Notice of the allegations including:
 - > The identities of the parties involved in the incident, if known,
 - > The conduct allegedly constituting Sexual Harassment, and
 - > The date and location of the incident, if known.
- Notice that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- Notice that the parties may have an advisor of their choice, who may be, but is not required to be an attorney, and that the advisor may inspect and review evidence as explained the Sexual Harassment and Sexual Misconduct policy.

- Notice that knowingly making false statements or knowingly submitting false information during the grievance process is a violation of the Saint Vincent College Student Code of Conduct.

Informal Resolution: The right to request an informal resolution (when the matter does not involve an employee Respondent and a student Complainant) after a Formal Complaint has been signed but not be pressured, forced, or coerced into an informal resolution process.

Sufficient Notice: The right to receive sufficient notice of any meeting or interview, including the names of individuals who will be in attendance at the interview or meeting and the reason for the meeting.

Provide Information and Witnesses: The right to provide investigator(s) with information to review and present witnesses for the investigator(s) to interview.

Inspect and Review Evidence: The right to inspect and review evidence and information directly related to the allegations and the opportunity to provide a written response in accordance with the Sexual Harassment and Sexual Misconduct policy.

Investigative Report: The right to be provided with an investigation report that fairly summarizes the relevant evidence obtained during the investigation in accordance with the Sexual Harassment and Sexual Misconduct policy.

Hearings: The right to a hearing for all formal complaints that have not been dismissed or resolved by informal resolution in accordance with the Sexual Harassment and Sexual Misconduct policy. At the request of either party, or at the discretion of the Title IX Coordinator, a live hearing may occur with parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the other party or witnesses answering questions.

Closed Meetings: The right for all meetings, interviews, and hearings to be closed to the public.

Challenge Impartiality or Bias of Title IX Officials: The right to challenge the impartiality or bias of the Title IX Coordinator, investigator(s), or decision-maker(s).

Preponderance of the Evidence: The right for the allegations to be resolved using a preponderance of the evidence standard.

Present: The right to be seen and heard in person, or via technology, during a hearing and including the right to see and hear the opposing party.

Questions: The right to ask questions of the opposing party and witnesses through an Advisor or through the submission of written questions at the hearing.

Written Determination: The right to receive a written determination after the hearing which includes:

- Identification of the allegations potentially constituting Sexual Harassment;
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of this policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions that Saint Vincent imposes on the Respondent, and whether remedies designed to restore or preserve equal access to Saint Vincent College's education program or activity will be provided by Saint Vincent to the Complainant; and
- The procedures and permissible bases for the Complainant and Respondent to appeal.

Final Resolution: The right to be informed when the determination becomes final.

Appeal: The right to appeal the written determination or the dismissal of a Formal Complaint.





HELP SOMEONE ELSE

HOW TO HELP SOMEONE WHO TELLS YOU ABOUT AN INCIDENT OF PROHIBITED CONDUCT

Individuals who have experienced Prohibited Conduct often respond in a variety of ways, including anger, sadness, confusion, or withdrawal.

Listen: Give the survivor your complete attention. Try not to interrupt or discuss your personal history.

Support: Survivors are often met with skepticism or disbelief. Offering nonjudgmental support and acknowledging the feelings of the survivor can help create a safe space for them to process the next steps.

Refer: You do not have to have all of the answers, and it is not your responsibility to fix the problem or determine what occurred. An important part of being helpful to a survivor is providing them with information about options and resources. Please refer survivors to the confidential resources and other options in this Resource Guide.

If required under the Reporting section of this Resource Guide, be sure pass on the necessary information as soon as possible.

THINGS TO DO

Tell the survivor, “This was not your fault. You have options.”

Give the survivor options:

- to sit or stand.
- to share or be silent.
- to call other resources or to have you facilitate the connection

Say that the survivor is not alone.

Tell the survivor that resources are available to help.

Take care of yourself. Get support if you need it.

THINGS NOT TO DO

Say that you know what the survivor is going through.

Ask questions that suggest blame, such as “Why were you drinking?” or “Why didn’t you get help sooner?”

Question whether the survivor is telling the truth.

Touch the survivor in any way without permission.

Panic. Take a deep breath and focus on the survivor.

TAKE CARE OF YOURSELF

Whether you are a complainant, respondent, witness, or someone just providing support to another who has experienced sexual harassment or sexual misconduct, taking care of yourself is vitally important. This is referred to as self-care, and is important for preserving and maintaining physical and mental well-being.

Self-care is the act of doing an activity you personally enjoy in order to preserve your mind and body. In the field of sexual violence, self-care is especially important to remember to fit into our schedules. The exposure to trauma and disclosures can lead to **vicarious trauma** or secondary trauma. Self-care is something you do for yourself, and it can look different for each of us.

Remember: you cannot best support others if you are not supporting yourself.

Vicarious, or secondary, trauma is defined by the U.S. Department of Health and Human Services as trauma-related stress reactions and symptoms resulting from exposure to another individual's traumatic experiences, rather than from exposure directly to a traumatic event.

WAYS YOU CAN PRACTICE SELF-CARE

1. Think about what you enjoy doing. This could be anything from a walk around the block during lunch to a weekend trip to the park.
2. Schedule a time to practice self-care each day, week, or however often you feel it is needed. Setting aside time that is dedicated to self-care on your calendar is a great way to remember to take care of you.



3. Think of ways to incorporate relaxing activities into your day-to-day schedule. This could be anything from closing your laptop while you eat your lunch to leaving your phone in your bag while you commute to work or school.
4. Spend time with those who make you happy. Surround yourself with people who are fun and supportive.
5. It's okay to say no. If you feel like your body or mind will not benefit from doing something, take a break to rest or do something that is both enjoyable and relaxing.
6. Take care of your body. If you are feeling tired, try to get to bed just a few minutes earlier each night.
7. Be mindful about why you are practicing self-care. Remember why you are taking time out of your day to do something that is not for work or school, but for you! An act of self-care not only helps us to recuperate from stressful or busy schedules, but also to be more productive afterwards.

If you are struggling and need assistance, help is available through the Saint Vincent Wellness Center, the Title IX Office, Campus Ministry and other offices on campus. Help is also available through off-campus resources such as the Blackburn Center and other community organizations. Please do not hesitate to reach out.



BYSTANDER INTERVENTION

Bystander Intervention is recognizing a potentially harmful situation or interaction and choosing to respond in a way that could positively influence the outcome.

Sexual violence has severe negative effects on an institution's campus culture. The negative effects of this violence does not only affect a victim, but it can also affect the number of students who graduate, decrease the feeling of safety on or off campus, and decrease the willingness of victims seeking services from the school or local community. An estimated 40% of rape victims suffer from severe emotional distress (requiring mental health treatment); 34.1% of students who have experienced sexual assault drop out, which is higher than the overall dropout rate; and an estimated 20–25% of undergraduate women are victims/survivors of sexual violence, but 90% or more do not report the violence.

We can all play a role in changing the culture on our campuses. By stepping in, both directly as well as indirectly, to situations to help our peers, we can make our campuses safer places to be and increase trust in the student body.

IDEAS FOR INTERVENING SAFELY

Use humor

- Using humor to distract someone who may be creating a risky situation so the person who is at risk has an opportunity to leave.
- Example: *Mary is talking to John and it looks like John feels stuck in a corner and unable to regain their personal space. Sally (active bystander) walks up and says, "Oh my gosh, I forgot my glasses today and totally thought you were my friend, [insert any name]! Sorry if I looked silly waving at you from the other side of the room!"*

Calling for help/authorities

- If a situation looks like it is escalating and may be risky but you do not feel 100% sure it is safe for you or another person to intervene, call the police.
- Example: *Bryan is walking out of a party with Katie, who looks very unwilling. Bryan is not listening to anyone asking them to leave Katie alone and they seem to be getting angry and aggressive.*

Causing a distraction

- If you witness a risky situation occurring, causing the aggressor to focus on something else, even for a small amount of time, can help the person at risk find an opportunity to exit the situation.

- Example: *Taylor is talking to Casey, and it looks like Casey feels stuck in a corner and unable to regain their personal space. Bailey (active bystander) walks over and tells Taylor you think their car might be getting towed.*

Getting other people involved with you to intervene

- It can be hard to intervene alone in certain situations. If you do not feel comfortable intervening for any reason, find another person who might be able to or who can come with you to intervene together.
- Example: *Blake is talking to Sam and it looks like Sam feels stuck in a corner and unable to regain their personal space. Quinn and Jamie (active bystanders) walk over to Blake and Sam to de-escalate the situation together.*

Code words

- What is this? Code words can be anything. They can be used to alert someone you feel uncomfortable and they can also be used to help someone who may be at risk.
- Example: *Noel and Kris go to a party and make a plan that if either of them feels uncomfortable, they can use a code word to ask the other person for help.*

Make it personal (*this can be problematic, but if it's effective, that's what's important*)

- What is this? If you feel it is safe to do so, tell someone they should walk away or head home because their behavior is making others feel uncomfortable.
- Example: *Pat is talking to Jackie and it looks like Jackie feels stuck in a corner and unable to regain their personal space. Jude (active bystander) walks up to Pat, asks to speak with them, and advises them to leave the event, party, or situation.*

Shift focus to yourself

- What is this? If you see a risky situation but are not sure how to approach those involved, shift the focus of the party to yourself to distract the person creating the risky situation and allow the other person to get out of the situation.
- Example: *McKenna (active bystander) is at a party or event and sees Kirby making Alex feel uncomfortable, so McKenna makes an announcement that they are starting a party-wide game of charades.*

Show support

- What is this? If you see someone telling another person they do not want to do something with them or go somewhere with them, go up to them and support the person saying no by standing with them and reiterating what they've said until the other person leaves.
- Example: *Blair (active bystander) is at a party or event and sees Colby making Cassidy feel uncomfortable, so Blair goes up to them and says, "They said they do not feel like taking another shot with you."*

RESOURCES

If you are subjected to Prohibited Conduct and are in need of immediate assistance, contact Public Safety by dialing 724-805-2911 or ext. 2911, or call 911. Additional resources and support are available both on and off campus.

ON CAMPUS

Public Safety (724-805-2911 or ext. 2911)

Public Safety officers are on duty 24/7 for emergency help in any situation. Public Safety officers can help report incidents of Prohibited Conduct and secure any requested assistance, including medical assistance and help from local law enforcement. Public Safety officers have the obligation to report incidents to the director of Public Safety and the Title IX coordinator.

Saint Vincent Wellness Center Counselors provided by WorkPartners LifeSolutions (724-805-2115)

The counselors in the Wellness Center are available for ongoing counseling support. The Wellness Center is in the Carey Center. Wellness Center counselors can provide complete confidentiality.

Campus Ministry (724-805-2350)

Pastoral counselors are available through Campus Ministry, which is located in the Carey Center. The Benedictine monks in Campus Ministry can provide complete confidentiality.

Residence Life Staff

Members of the Residence Life staff are available 24/7 for emergency help in any situation. Victims can ask Residence Life staff to help them report incidents of sexual misconduct and secure any required assistance. Residence life staff members are required to report the incident to the Title IX coordinator.

Title IX Coordinator (On-Campus)

The Title IX coordinator can be reached at the Title IX office on the second floor of Alfred Hall in the suite marked "Title IX Coordinator" Monday through Friday from 9 a.m. until 4 p.m. either in person or by phone at 724-805-2897. In addition, the Title IX coordinator may be reached by email at titleix@stvincent.edu, during or after office hours.

OFF CAMPUS

Blackburn Center (24/7 Hotline 1-888-832-2272)

Blackburn Center has numerous and wide-ranging resources available for victims of sexual and domestic violence. All services are available to children, women and men. The 24-hour, 7-days-a-week number is answered by trained staff and volunteers, ready to provide free and confidential support as needed.

Dr. Elizabeth Ventura, Licensed Professional Counselor (412-559-9152)

Pennsylvania State Police (911 or 724-832-3288)

The Pennsylvania State Police can generally be on the scene responding to an emergency situation at the College within 15 minutes. Victims of sexual violence are encouraged to file a report with the State Police.

Excelsa Health Latrobe Hospital

Those subjected to prohibited conduct, including sexual assault, are encouraged to seek medical treatment immediately in order to address any physical injuries that may have occurred, preserve any evidence for a criminal complaint, even when a report is not made to law enforcement. If you are on campus and need immediate medical assistance, please contact Public Safety at ext. 2911 or dial 911 to be connected with the Pennsylvania State Police.

National Sexual Assault Hotline (800-656-4673)

Created and operated by RAINN (Rape, Abuse & Incest National Network), the National Sexual Assault Hotline provides confidential, 24/7 support in partnership with more than 1,000 local sexual assault service providers across the United States. In addition to the hotline, an online chat hotline is also available at online.rainn.org. Additional national resources can be found on the RAINN website: <https://www.rainn.org/resources>.

PCAR Sexual Violence Legal Assistance Project

This program provides free and confidential trauma-informed legal advice and short-term legal representation to victims of sexual assault, abuse, and harassment. The project is designed to fill gaps where local community services are unavailable. Call 1-800-692-7445, ext. 190, Monday-Friday from 9:30 a.m.-4:30 p.m. to speak with a legal provider. For more information, go to www.pcar.org.

NOTICE OF NON-DISCRIMINATION

Saint Vincent College subscribes to a policy of equal opportunity in the classroom, workplace and programs. Saint Vincent does not discriminate on the basis of race, color, sex, religion, age, veteran status, national origin, marital status, genetic history or disability in its programs and activities as required by Title IX of the Educational Act Amendments of 1972, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964 and other applicable statutes and College policies. Saint Vincent prohibits sexual harassment, including sexual violence.

As Saint Vincent College is an educational community rooted in the tradition of the Catholic faith, the heritage of Benedictine monasticism and the love of values inherent in the liberal approach to life and learning, nothing in this equal opportunity policy shall require Saint Vincent to act in a manner contrary to the beliefs and teachings of the Catholic Church. This notice shall not be construed as a waiver either of Constitutional or statutory rights which Saint Vincent enjoys as a religiously-affiliated institution, nor does this abrogate the right of the College to specify as a qualification for employment an individual's willingness to fully embrace Saint Vincent's mission as a Catholic, Benedictine institution.

Any alleged violations of this policy or questions with respect to nondiscrimination or reasonable accommodations should be directed to the Coordinator for Academic Accommodations, Office of Academic Affairs, 300 Fraser Purchase Road, Latrobe PA 15650, (724) 805-2371, or academicsupport@stvincent.edu.

Questions specific to sex discrimination (including sexual misconduct and sexual harassment) should be directed to the Title IX Coordinator, 300 Fraser Purchase Road, Latrobe, PA 15650, (724) 805-2897, or titleix@stvincent.edu.

A person may also file a complaint with the Department of Education's Office for Civil Rights regarding an alleged violation by Saint Vincent in carrying out its responsibilities under Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or calling 800-421-3481. Inquiries about the application of Title IX to Saint Vincent College may be referred to Saint Vincent College's Title IX Coordinator, the United States Department of Education's Assistant Secretary for Civil Rights, or both.





SAINT VINCENT COLLEGE

Title IX Coordinator
Second Floor, Alfred Hall
300 Fraser Purchase Road
Latrobe, PA 15650-2690

724-805-2897 | titleix@stvincent.edu

Office hours are 9:00 a.m. to 4:00 p.m.
(Monday through Friday) and by appointment.

stvincent.edu/resources/title-ix/index.html

