

Title IX- Sexual and Gender-Based Harassment Policy

Reporting Procedures for Staff, Faculty, and Administration

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Scope of Policy

Immaculata University prohibits harassment of and discrimination against any and all community members. This policy applies to all members of our community, including students, employees, volunteers, independent contractors, visitors, and any individuals regularly or temporarily employed, studying, living, visiting, conducting business, or having any official capacity at the University.

This policy provides the framework for eliminating sexual assault, sexual harassment, and other sexual misconduct from our community, preventing its recurrence and addressing its effects.

All community members have a responsibility to adhere to IU's policies, as well as local, state, and federal laws. This policy applies to conduct occurring on Immaculata's property or at University-sanctioned events or programs that take place off campus, including athletic events, study abroad, service trips, and internship programs. This policy also applies to off-campus conduct that is likely to have a substantial adverse effect on any member of the Immaculata community or the University.

Notice of Non-Discrimination

The University expressly prohibits any form of discrimination and harassment in any decision regarding admissions, employment, or involvement in a University program or activity in accordance with the letter and spirit of federal, state, and local non-discrimination and equal opportunity laws.

Discrimination on the basis prohibited by law, including sex, race, color, age, religion, national or ethnic origin, sexual orientation, gender identity or expression, pregnancy, marital status, medical condition, veteran status, disability, citizenship status or any other protected category is prohibited.

Reporting Obligation

All University employees are Mandatory Reporters with the obligation to report to either the Title IX Coordinator, Deputy Coordinator, or Campus Safety & Protection any incident or knowledge of sexual misconduct of which they are aware of, unless the employee has been designated as a confidential resource.

Prohibited Conduct and Definitions

PROHIBITED CONDUCT

Immaculata University prohibits the following forms of conduct:

- 1) Sexual Harassment
- 2) Sexual Assault
- 3) Sexual Exploitation
- 4) Intimate Partner Violence, including Dating Violence and Domestic Violence
- 5) Retaliation
- 6) Stalking
- 7) Gender-Based Harassment
 - a. Bullying and Intimidation

This prohibited conduct affects individuals of all genders, gender identities, gender expressions, and sexual orientations, and does not discriminate by racial, social, or economic background.

Some of these prohibited forms of conduct may also be crimes under Pennsylvania law.

If you believe that you have been the victim of a crime, the University can assist you with reporting criminal activity to law enforcement authorities and can also help to guide you with how to seek assistance with obtaining protective orders.

SEXUAL HARASSMENT

Sexual harassment is any unwelcome conduct of a sexual nature or based on sex or gender and can take many forms including, but is not limited to:

- unwelcomed sexual advances or request for sexual favors
- inappropriate comments
- jokes or gestures
- other unwanted verbal or physical conduct of a sexual nature

Sexually harassing behaviors differ in type and severity. Key determining factors are that the behavior is unwelcome, is sex or gender-based, and is reasonably perceived as offensive and objectionable under both a subjective and objective assessment of the conduct.

Sexual Harassment occurs when at least one of the following conditions are present:

- **Quid pro quo:** Submission to or rejection of such conduct is an explicit or implicit condition of, or the basis of an individual's employment, evaluation of academic work, or any aspect of a University program or activity.
- **Hostile environment:** Conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance that is:
 - Sufficiently serious, pervasive, or persistent, as to create an intimidating, hostile, humiliating, demeaning, or sexually offensive working, academic, residential, or social environment.
 - A single, isolated incident of sexual harassment alone may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to create a hostile environment, particularly if the harassment is physical.

SEXUAL ASSAULT

Sexual assault is intentional sexual contact with another person without that person's consent. Intentional is defined as knowingly and/or recklessly engaging in sexual contact without an individual's consent. Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual misconduct in any form and does not negate one's intent or diminish one's responsibility to obtain informed and freely given consent.

Sexual assault includes:

- *Non-consensual sexual touching* includes contact with the intimate parts of another, causing another to touch one's intimate parts, or disrobing or exposure of another without permission for the purpose of sexual gratification. Intimate parts may include the breasts, genitals, buttocks, groin, mouth, or any other part of the body that is touched in a sexual manner.
- *Non-consensual sexual penetration*- includes vaginal or anal penetration, however slight, with a body part (e.g., penis, tongue, finger, hand, etc.) or object, or oral penetration involving mouth-to-genital contact.

- *Incest* – Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- *Age of Consent* – a person who is under 13 years of age is legally unable to give consent in Pennsylvania. Individuals younger than 16 years of age can never consent to intercourse with a partner more than four years their senior.

SEXUAL EXPLOITATION

Sexual exploitation is an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose.

Examples of sexual exploitation include:

- observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
- non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
- prostituting another individual;
- exposing another's genitals in non-consensual circumstances;
- knowingly exposing another individual to a sexually transmitted disease or virus without that individual's knowledge; and
- inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Intimate-Partner Violence, including Domestic Violence and Dating Violence

INTIMATE-PARTNER VIOLENCE includes dating violence and domestic violence, as defined below.

DOMESTIC VIOLENCE is an act or series of acts, whereby one partner attempts to maintain power and control over another partner, through one or more forms of abuse that includes: physical, sexual, verbal, non-consensual sexual penetration, stalking.

A Partner is defined as:

- a current or former spouse
- sexual or intimate partner of the alleged victim
- a spouse who lived with the alleged victim, parents and children
- persons related by blood or marriage,
- a person with whom the alleged victim shares a child

DATING VIOLENCE includes physically, sexually, and/or psychologically abusive behavior that arises in the form of a direct violent act, or indirectly as acts that expressly or implicitly threaten violence.

Dating violence also occurs when one partner:

- Uses violence or the threat of violence in an attempt to maintain power and control over the other through one or more forms of abuse, including sexual, physical, verbal, and/or emotional abuse.
- Committed by a person who is, or has been, in a social relationship of a romantic or intimate nature with the Reporting Party/Complainant. The existence of such a relationship is determined based upon:

- the length of the relationship
- the type of the relationship
- the frequency of interaction between the persons involved in the relationship

RETALIATION

Retaliation is any act or attempt to retaliate against or seek retribution from any individual or group of individuals involved in the investigation and/or resolution of a sexual misconduct allegation. Retaliation can take many forms, including continued abuse or violence, threats, and intimidation. Any individual or group of individuals, not just a Reporting Party/Complainant or Responding Party/Respondent, can engage in retaliation.

STALKING

Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety, or the safety of others, or suffer substantial emotional distress.

A course of conduct is when a person engages in two or more acts that include, but are not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveys, threatens, or communicates to or about a person in a prohibited way, or interferes with a person's property.

Stalking includes the concept of cyberstalking, a particular form of stalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Gender-Based Harassment

Gender-based harassment is any act of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex/gender or sex/gender-stereotyping, even if the acts do not involve conduct of a sexual nature, if the harassment is based on gender, sexual orientation, gender identity or gender expression.

BULLYING AND INTIMIDATION

Bullying includes any intentional electronic, written, verbal, or physical act or a series of acts of physical, social, or emotional domination that cause physical or emotional harm to another person or group. Bullying conduct may not only cause a negative effect on individuals targeted, but also others who observe the conduct. Bullying conduct is severe, persistent, or pervasive and has the effect of doing any of the following:

- substantially interfering with a community member's education or employment
- creating a threatening or intimidating environment
- substantially disrupting the orderly operation of the University

Bullying is prohibited, and participating in such acts will result in disciplinary action.

Intimidation is any verbal, written, or electronic threats of violence or other threatening behavior directed toward another person or group that reasonably leads the person(s) in the group to fear for her/his physical well-being. Intimidation is prohibited and will result in disciplinary action.

Anyone who attempts to use bullying or intimidation to retaliate against someone who reports an incident, brings a complaint, or participates in an investigation in an attempt to influence the student or employee conduct process will be in violation of retaliation and will be subject to disciplinary action.

CONFIDENTIALITY

Confidentiality means that information shared with a designated confidential campus^[11] or community professional, cannot be revealed to any other individual without express permission of the individual.

Campus and community professionals, including mental health providers, and religious counselors, have legally protected confidentiality. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others or the disclosure is otherwise legally permitted or required. Non-identifying, aggregate data may be shared for statistical purposes consistent with the Clery Act.

Some medical providers may be required to notify law enforcement of a sexual assault under certain circumstances according to Pennsylvania law. The medical provider will share limited information with law enforcement, and the Reporting Party/Complainant may decline to speak with a law enforcement officer or participate in a criminal prosecution.

CONSENT

Consent is present when clearly understandable words or actions manifest a knowing, active, voluntary and present and ongoing agreement to engage in a specific sexual or intimate contact. 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.

If you have experienced Sexual Misconduct –

1. Go to a safe place – your office or supervisor’s office, Campus Safety, Title IX Coordinator’s office (VM 219)
2. Contact Options (See Appendix A)
 - a. Confidential Resources – CVC, EAP, Counselor, Therapist
 - b. Non Confidential Resources - Title IX Coordinator, Campus Safety & Protection
 - c. Medical Resources – Hospital, SANE Nurse
3. Preserve evidence – all electronic communications, such as text messages, pictures, and social networking pages. Consider going to the hospital to seek a medical exam since evidence on the body can dissipate quickly. If possible, collect all clothing and do not shower.
4. Interim Measures – you can request an Order of No Contact, and/or a temporary change of work, assignment, or office location by meeting with the Title IX Coordinator.

Filing a Complaint

Who to Contact

- Title IX Coordinator – Janelle Cronmiller, Ext 3982, VM 219, jcronmiller@immaculata.edu

- Deputy Title IX Coordinator – Dennis Dougherty, Lourdes Hall, Ext 5555, ddougherty1@immaculata.edu
- Office of Campus Safety & Protection – Ext. 5555, Lourdes Hall, Off-campus 610-854-2451 (available 24/7)

Review of Complaint

Upon receipt of notice of any allegation of sexual misconduct, intimate partner violence, or stalking committed by an Immaculata faculty or staff member, the Title IX Coordinator or designee will meet with the Reporting Party/Complainant to discuss the allegations; review the complaint resolution process and options for pursuing the matter, including reporting the incident to the police; review IU’s confidentiality and non-retaliation policies; provide information on available resources for support; and discuss any accommodations that may be appropriate.

Request to remain anonymous / Not to proceed with investigation

In cases where an individual reporting sexual misconduct requests anonymity or does not wish to proceed with an investigation, the University will attempt to honor that request, but in some cases, the Title IX Coordinator may determine that the University needs to proceed based on the concern for the safety or well-being of the broader University community. When the reporting party chooses not to proceed, the University will not compel that individual to participate.

Resolution Options

Informal Resolution is an option designed to officially resolve complaints without filing a formal complaint. Informal resolution requires the mutual approval of all parties involved.

Informal resolution may be used in certain complaints of sexual misconduct, however, it is never an option in complaints of sexual assault, domestic/ dating violence. There is NO process of appeal. Either party can end the process of informal resolution at any time, for any reason, and can begin the formal resolution process. Formal resolution cannot be initiated after the conclusion of the informal resolution.

Formal Resolution - Annually trained investigators oversee the investigation into all reports of sexual misconduct or other prohibited conduct. The investigation is a neutral, fact finding process. The Responding Party /Respondent is presumed to be **not** responsible during the investigation.

Formal Resolution Complaint Investigation Process

Notice - Both the Reporting and Responding Parties will be notified in writing of an alleged violation of the University’s Sexual Assault, Sexual Harassment, and Sexual Misconduct Policy, the specific violations, available interim measures, copies of no-contact orders if appropriate, available resources, and the option to have an Advisor present at all meetings. In addition, the notice will include options of informal and/or formal resolution and the University’s position on retaliation.

Investigation Process - The investigation includes interviews with the Reporting and Responding parties and appropriate witnesses, and the collection of all relevant evidence including electronic records such as texts, pictures, etc. Additional follow up questions may be requested to clarify information.

Students, faculty, and staff, third party witness, or a third party reporter may be asked to participate in an investigation, and when asked, are expected to find time to meet and share information with the investigator.

At the conclusion of the initial investigation, the Title IX Review Team will review the initial investigation report to determine if further information is required. This report will not include any recommended findings.

After this review, provided no additional information is requested by the Title IX Review Team, the initial report will be shared with both the Reporting and Responding Parties simultaneously. Both parties will have the opportunity to review the report, meet with investigators, submit additional comments and information, and identify any additional information before the determination of a policy violation.

The Title IX Review Team will make the final determination considering the initial investigation report and all additional information provided by the Reporting and Responding Parties.

The Title IX Review Team consists of the Title IX Coordinator, Deputy Title IX Coordinators, Investigators and others as applicable. The responsibilities of the Title IX Review Team include providing an independent review of the initial and final investigation reports, an evaluation of the reports for completeness, and to ensure there is no bias.

The final investigation report will include a summary of the relevant evidence and a recommendation as to whether there is sufficient evidence, by a preponderance of the evidence, to support a finding of responsibility of a violation of the University's policy. If the final report determines there was a violation of this policy, reports will be shared with University authorities empowered to act on violations of University policy.

Both the Reporting and Responding Parties will be notified, in writing, of the outcome of the investigation.

Discipline

At the conclusion of the investigation, reports are shared with the University authorities empowered to act on violations of University policy. The specific resolution process will be determined by the role of the Responding Party/ Respondent, as specified in the Sexual Assault, Sexual Harassment, and Sexual Misconduct Policy Updated January, 2019.

- Complaints of sexual misconduct, including sexual harassment, against any faculty member will be addressed under the faculty dismissal/corrective discipline procedures set forth in Volume IV of the Immaculata University Policy Manual.
- Complaints of sexual misconduct, including sexual harassment, against any administrator or staff member will be addressed under the discipline and termination of employment policies set forth in Volume III of the Immaculata University Policy Manual.

Definitions

Title IX Coordinator

The Title IX Coordinator oversees the University's centralized review, investigation, and resolution of reports of sexual misconduct and coordinates the University's Title IX compliance. The Title IX Coordinator can be contacted by telephone, email, or in person during regular office hours.

- **Title IX Coordinator, Janelle Cronmiller, Villa Maria 219, ext. 3982,**
jcronmiller@immaculata.edu

Deputy Title IX Coordinators

The Deputy Title IX Coordinator assists the Title IX Coordinator with various Title IX implementation activities that involve faculty, staff, and students. The Deputy Coordinator receives reports of sex discrimination and sexual misconduct and is a designated Title IX Investigator responsible for investigating complaints of sex discrimination and sexual misconduct.

- **Deputy Title IX Coordinator, Dennis Dougherty, Lourdes Hall, ext. 5555,**
ddougherty1@immaculata.edu

Advisors

Advisors, who have all received training on the University's conduct procedures, are available to assist an individual throughout the process. They are available only to inform both the Responding Party/Respondent and Reporting Party/Complainant about the process and assist with procedural questions.

The selection of an Advisor is up to each individual, provided that the Advisor is not directly involved in the investigation (as a complainant, respondent, or witness, for example).

An Advisor may be present only to provide assistance or consultation, and may not speak on behalf of the Reporting Party/Complainant and/or Responding Party/Respondent or otherwise be an active participant in any meeting.

Rights of Reporting and Responding Parties

Employees participating in a Title IX investigation are afforded the same rights of fundamental fairness which are part of the University's code of conduct:

- a. The right to have appropriate notice of concerns about specific behavior.
- b. The opportunity to be assisted by an Advisor of their choice.
- c. The right to present witnesses in support of or response to matters of fact.

Additional rights for the Reporting and Responding Parties (Complainant & Respondent) to a Title IX investigation include:

- a. Simultaneous written Notice of Investigation.
- b. Notice and attachment of Initial Report.
- c. Notice of Outcome of an investigation.
- d. Right to be informed of options for counseling and support.

In addition the Reporting Party is to be informed of options to notify law enforcement.

Standard of Proof

Consistent with the U.S. Department of Education's Office for Civil Rights requirements, Immaculata University uses the standard of "preponderance of the evidence" to determine responsibility for violations of our policies. This means that the Title IX Review Team will decide whether it is "more likely than Reporting Procedures for Staff, Faculty, and Administration Revised September 2019

not,” that the Responding Party (Respondent) is responsible or not responsible for a violation of this policy, based upon the information provided through the course of the investigation.

Retaliation

Retaliation is any act or attempt to retaliate against or seek retribution from any individual or group of individuals involved in the investigation and/or resolution of a sexual misconduct allegation. Retaliation can take many forms, including continued abuse or violence, threats, and intimidation. Any individual or group of individuals, not just a Reporting Party (Complainant) or Responding Party (Respondent) can engage in retaliation.

The Title IX Coordinator or designee will inform the Reporting and Responding Parties (Complainant & Respondent) that retaliation is prohibited by law under the Violence Against Women Act (VAWA) and University policy and that the University will take strong responsive action to protect the safety of any individual.

APPENDIX A

Employee Resources - On and Off Campus

The Title IX Coordinator and Deputy Coordinator

Title IX Coordinator, Janelle Cronmiller, Villa Maria 219, 610-647-4400 ext. 3982, jcronmiller@immaculata.edu

Deputy Title IX Coordinator, Dennis Dougherty, Lourdes Hall, 610-647-4400 ext. 5555, ddougherty1@immaculata.edu

Department of Campus Safety & Protection

Campus Safety officers are available 24/7/365 to respond to emergency/crisis incidents as well as non-emergency reports. Campus Safety & Protection Officers can assist with connecting students to services after hours and the on-call residence life professional. They can provide assistance with contacting East Whiteland Police Department to make a report to law enforcement or obtain a Protection from Abuse order.

Director	Dennis Dougherty	610-647-4400 ext. 5555 ddougherty1@Immaculata.edu
Assistant Director	Joe Kalin	610-647-4400 ext. 3598 jkalin@immaculata.edu
Shift Supervisor	Available 24 hours / 7 days week	On campus -Ext. 5555 Off campus -610-854-2451

Off Campus Confidential Counseling and Health Services Resources

For individuals who are seeking confidential consultation, there are several resources available to provide confidential support off campus. The trained professionals can provide counseling, information, and support under legally protected confidentiality.

Because these relationships involve privileged conversations, these confidential resources will **not** share information with the Title IX Coordinator or any other employee of the University.

Off-Campus Resources

Hospitals - Paoli Hospital, Chester County Hospital, Phoenixville Hospital, and Bryn Mawr Hospital can provide emergency and/or follow-up medical services and provide a forum to discuss any health care concerns related to the incident in a confidential medical setting. These are the current local hospitals, which identify as having Sexual Assault Nurse Examiners (SANE), who are registered nurses and have completed specialized education and clinical preparation in the medical forensic care of the patient who has experienced sexual assault or abuse.

Due to the limited availability of SANE nurses shared among the hospitals, it is recommended that the individual call the Crime Victims' Center of Chester County 24 hour hotline (610-692-7273) to locate which hospital a SANE nurse is on duty. A call can then be made to that hospital to confirm time of arrival to be sure the SANE nurse remains on duty for her or his arrival.

Paoli Hospital	484-565-1000
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Chester County Hospital	610-431-5000
Phoenixville Hospital	610-983-1222
Bryn Mawr Hospital	484-337-3000

Under Pennsylvania law, a medical provider may^[1] be required to notify law enforcement of a sexual assault under certain circumstances. The medical provider, however, will share limited information with law enforcement, and a Reporting Party/Complainant may decline to speak with a law enforcement officer or participate in a criminal prosecution.

Crime Victims' Center of Chester County offers free and confidential services for any crime, including sexual assault. Services include a 24/7 Hot Line to help sexual assault victims; advocacy; counseling services; accompaniment to hospital, police interviews, court hearings; legal and financial assistance. Their contact information:

- Sexual Assault 24 hour hotline 610-692-7273
- Other Crimes 24 hour hotline 610-692-7420
- CVC's phone number 610-692-1926
- Website www.cvcofcc.org

Domestic Violence Center of Chester County - provides intervention, education, outreach, advocacy, and programs to prevent, reduce, and remedy domestic violence in Chester County. Their contact information:

- Administration 610-431-3546
- 24 hour hotline 610-431-1430
- Website www.dvcc.com

East Whiteland Police Department, 610-647-1440

Health Advocate – EAP provides confidential counseling to employees and their family members. Their highly trained team of Licensed Professional Counselors offer confidential 24/7, short-term assistance and resource support for a full range of personal, family and work/life problems.

- **Contact information – 866-799-2728**

APPENDIX B

How to Respond to An Employee's Complaint of Sexual Misconduct

We all play a role in creating a healthy and safe campus community.

What is Prohibited Misconduct?

Immaculata University prohibits the following forms of conduct:

- 1) Sexual Harassment
- 2) Sexual Assault
- 3) Sexual Exploitation
- 4) Intimate Partner Violence, including Dating Violence and Domestic Violence
- 5) Indecent Exposure
- 6) Retaliation
- 7) Stalking
- 8) Other misconduct that is sex or gender-based, or in the context of an intimate partner relationship including:
 - a. Bullying and Intimidation
 - b. Physical Assault
 - c. Discrimination

On Campus Resources for Employees:

- 1) Title IX Advisor – Janelle Cronmiller, ext. 3982
- 2) IU Campus Safety & Protection – 610-647-4400 ext. 5555

Off Campus Resources for Employees:

- 1) Crime Victims Center of Chester County CVC – 610-692-7273.
- 2) Domestic Violence Center of Chester County – 610-431-3546
- 3) Call CVC for location of SANE nurse.
Hospitals with SANE nurses:
Chester County – 610-431-5000
Paoli – 484-565-1000
Phoenixville – 610-983-1222
Bryn Mawr – 484-337-3000
- 4) East Whiteland Police Dept. - 610-647-1440
- 5) EAP Health Advocate – 866-799-2728 (free for employees and family)
Healthadvocate.com/members

Are All Employees Mandatory Reporters? YES!

With the exception of those employees who have recognized confidentiality **all University employees, are Mandatory Reporters. This includes faculty, staff, administrators, and student employees who have responsibility for the welfare of other students, are required to share with the Title IX Coordinator any report of sexual misconduct about which they become aware.** These employees must promptly share all details of the reports they receive, including who, what, when and where.

Follow These 3 Steps:

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Step 1: CARE

- Listen without judgement
- Avoid questions that imply fault
- Offer your support
- Let the individual know you are a Mandatory Reporter and must notify the Title IX Coordinator
- Refer the individual to resources

Step 2: CONNECT

Connect with resources

Title IX Website:

<https://www.immaculata.edu/about/human-resources/title-ix-and-non-discrimination/>

Policy & Procedures:

Vol. II Section 2.1.16 of the IU Policy Manual

Step 3: CONTACT

Contact the Title IX Coordinator or Campus Safety & Protection

Title IX Coordinator Janelle Cronmiller, – ext. 3982 – jcronmiller@immaculata.edu

Director Campus Safety & Protection Dennis Dougherty – ext. 5555 – ddougherty1@immaculata.edu

Share all details of the incident: names, dates, location

Let the employee know they will be contacted or they can reach out to either Geri or Dennis.

What Do I Say?

Sexual assault or misconduct can be a difficult topic to discuss, particularly given your reporting responsibilities. Below is a suggestion for how you might approach the conversation:

“I appreciate what you have been able to share with me. Before you tell me more, I want to let you know that I will need to contact Geri Larsen, our Title IX Coordinator. She is the one person on campus whose responsibility is to know about incidents like this and she helps support employees and coordinates possible next steps. I can go with you to her office.

What if the employee wants to continue the conversation?

Listen and continue your non-judgmental support. Do not ask questions. Offer confidential resources and the option to contact or escort the employee to either Geri or Dennis. If the employee does not want to report the incident immediately, remind them reporting can be done at any time. However, all employees are Mandatory Reporters required to share the information with the Title IX Coordinator.

What do I do next? [Contact the Title IX Coordinator – Janelle Cronmiller, Ext 3982](#)

The Title IX Coordinator will contact the reporting individual to discuss the available resources and reporting options. Options can include informal measures or formal complaint. Individuals have no obligation to meet with the Title IX Coordinator or to pursue action. However, the Title IX Coordinator or designee will assess the report for safety threats and the University will take action when necessary to ensure campus safety. Individuals may decide to meet with the Title IX Coordinator at any point in the future, even if they have decided to decline initially.

APPENDIX C

How to Respond to A Student's Complaint of Sexual Misconduct

On Campus Resources for Students:

- 1) Title IX Advisor
- 2) IU Counseling Center – Bruder Center, 610-647-4400 ext. 3502
- 3) IU Student Health Services – Bruder Center, Elise Gerard, 610-647-4400 ext. 3500
- 4) Pastoral Counseling – Fr., 610-647-4400 ext. 3570
- 5) IU Campus Safety & Protection – 610-647-4400 ext. 5555

Off Campus Resources for Students:

- 1) Crime Victims Center of Chester
- 2) County – 610-692-7273
- 3) Domestic Violence Center of Chester County – 610-431-3546
- 4) Call for location of SANE nurse.
Hospitals with SANE nurses:
 - a. Chester County – 610-431-5000
 - b. Paoli – 484-565-1000
 - c. Phoenixville – 610-983-1222
 - d. Bryn Mawr – 484-337-3000
- 5) East Whiteland Police Dept. – 610-647-1440

Follow These 3 Steps:

Step 1: CARE

- Listen without judgement
- Avoid questions that imply fault
- Offer your support
- Let the individual know you are a Mandatory Reporter and must notify the Title IX Coordinator
- Refer the individual to resources

Step 2: CONNECT

Connect with resources

Title IX Website:

<https://www.immaculata.edu/about/human-resources/title-ix-and-non-discrimination/>

Policy & Procedures:

Vol. II Section 2.1.16 of the IU Policy Manual

Step 3: CONTACT

Contact the Title IX Coordinator or Campus Safety & Protection

Title IX Coordinator Janelle Cronmiller – ext. 3982 –
jcronmiller@immaculata.edu

Director Campus Safety & Protection Dennis Dougherty – ext. 5555 –
ddougherty1@immaculata.edu

Share all details of the incident: names, dates, location

Let the student know they will be contacted or they can reach out to either Janelle or Dennis.

What Do I Say?

Sexual assault or misconduct can be a difficult topic to discuss, particularly given your reporting responsibilities. Below is a suggestion for how you might approach the conversation:

“I appreciate what you have been able to share with me. Before you tell me more, I want to let you know that I will need to contact Geri Larsen, our Title IX Coordinator. She is the one person on campus whose responsibility is to know about incidents like this and she helps support students and coordinates possible next steps. If you would prefer to speak with someone confidentially, let me escort you to one of our counselors in the Bruder Center.

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What if the student wants to continue the conversation?

Listen and continue your non-judgmental support. Do not ask questions. Offer confidential and semi-confidential resources. Advise that you can keep the information Private, but not Confidential. However, you are required to share the information with only the Title IX Coordinator.

What do I do next? **Contact the Title IX Coordinator – Janelle Cronmiller Ext 3982**

The Title IX Coordinator will contact the reporting individual to discuss the available resources and reporting options. Options can include informal measures or formal complaint. Individuals have no obligation to meet with the Title IX Coordinator or to pursue action. However, the Title IX Coordinator or designee will assess the report for safety threats and the University will take action when necessary to ensure campus safety. Individuals may decide to meet with the Title IX Coordinator at any point in the future, even if they have decided to decline initially.

Key Terms:

The following are definitions of terms that may be used during an investigation of sexual misconduct:

- **Consent** is knowing, voluntary, and clear permission by word or action to engage in mutually agreed upon sexual activity; Consent must be active, not passive. It can be withdrawn at any time; silence or the absence of resistance alone is not consent.
- **Non-Consensual Sexual Intercourse** is any sexual penetration or intercourse, however slight, with any object by a person upon another person that is without consent and/or by force.
- **Mandatory Reporters** are all University employees. This includes faculty, staff, administrators, resident assistants, commuter assistants, and programming assistants who have responsibility for the welfare of other students, are required to share with the Title IX Coordinator any report of sexual misconduct about which they become aware. These employees must promptly share all details of the reports they receive, including who, what, when and where.
- **Privacy** means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those employees who “need to know” in order to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.
- **Confidentiality** means that information shared with certain individuals will remain confidential and will not be shared with anyone other than the individual who was given the report of alleged incident.
- **Retaliation** is any act or attempt to retaliate against or seek retribution from any individual or group of individuals involved in the investigation and/or resolution of a sexual misconduct allegation. Retaliation can take many forms, including continued abuse or violence, threats, and intimidation.