



**SEXUAL BEHAVIOR & HARASSMENT  
POLICIES and PROCEDURES**

*2020-2021*

## **SEXUALITY AND RELATIONSHIPS POLICY**

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Messiah University's foundational documents articulate the institution's mission and identity as a Christian university. Because of that mission, we hold to beliefs and practices that are rooted in our understanding of scriptural teaching and the historic teaching of the Christian church, both broadly and of our founding denomination (Brethren in Christ) specifically. Therefore, we affirm Christian marriage to be the union of one man and one woman and that human sexuality should be understood within this framework. Because of this affirmation, premarital and extra marital intercourse and forms of same-sex sexual expression fall outside of God's design for sexual expression. As we embrace these theological truths that are foundational to our understanding of the gift of sexuality, we also recognize that applying these truths to a specific set of behavioral expectations for our community is challenging, but necessary.

### **SEXUAL BEHAVIOR EXPECTATIONS**

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It is expected that married students will honor their marriage vows by remaining faithful to their spouse.

While it may be appropriate for committed male/female couples to hold hands and even kiss, care should be given to avoid more intimate behaviors such as heavy making out or oral sex. Any intimate sexual behavior that would put individuals on a path toward intercourse should be avoided, rather preserving that for marriage. In this vein, it is never appropriate to 'hook up' or practice promiscuous sex.

Students who experience same-sex attraction or identify as LGBT+ are expected to refrain from "same-sex sexual expression" as it is embodied in culturally contextual practices (e.g., identifying as a couple or exhibiting expressions of physical intimacy).

Students are also expected to refrain from using and/or distributing pornographic material. The University desires and is prepared to help students who are struggling with pornography. Students in need of help should contact the Engle Center for Counseling and Health or University Ministries for confidential assistance and support.

Students who are victims of sexual abuse are encouraged to seek help from a counselor or other appropriate person. If someone at the University has

been the abuser, the University would like your assistance in dealing appropriately with that person (see Messiah University Title IX website at [www.messiah.edu/TitleIX](http://www.messiah.edu/TitleIX))

Students who are finding it difficult to uphold the sexual behavior expectations or who have follow up questions concerning the sexuality and relationships policy and sexual behavior expectations are encouraged to speak with the Vice Provost for Student Success and Engagement, Dean of Students, University Pastor, Director of Counseling, Associate Dean of Students, Director of Residence Life, Residence Director or other educators within the Student Success and Engagement Division.

## **AMOROUS RELATIONSHIPS BETWEEN STUDENTS AND EMPLOYEES**

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Amorous relationships between employees and students are prohibited. An exception to this policy may be an existing amorous relationship which predates an employee's or student's affiliation with the University. When Human Resources is informed of a failure to abide by this policy, such failure will be cause for disciplinary action, which may include termination of employment.

## **PREGNANCY**

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When an unmarried student becomes pregnant, the University seeks to respond redemptively. Both the father and the mother of the child are to be treated equally and both are encouraged to remain in school. Proper medical care is considered essential, as are appropriate emotional and spiritual support. Students who are dealing with a pregnancy are encouraged to discuss the pregnancy with a counselor or other appropriate person. Responsible decisions for the care of all parties involved are encouraged and supported.

## **INTERPERSONAL VIOLENCE & SEXUAL MISCONDUCT**

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This policy addresses a range of inappropriate gender-based behavior for which the common element is nonconsensual sexual contact or violence, often including the use of coercion, force or threat of force to overpower another individual, or pursue contact against his or her will. Such conduct includes stalking, harassment, sexual assault, dating violence, and domestic violence. The act of leveraging one's power over another

individual is in itself an act of violence, regardless of the behavior used. Messiah University policies prohibit all forms of power-based violence.

### **Legal Context**

Title IX of the Education Amendments of 1972 prohibits sex discrimination – which includes sexual violence – in educational programs and activities. Students, staff and faculty are free to pursue education, including athletic programs, scholarships and other activities free from sex discrimination, including harassment, stalking, sexual misconduct, and sexual violence.

The Violence Against Women Act of 1994 (VAWA) is a federal law addressing the need for increased standards of investigation, prosecution, restitution and victim support resources in the event of a violent crime. Alongside the Clery Act of 1990—responsible for requiring thorough documentation, reporting criteria and publicized crime statistics for university campuses—VAWA and Title IX are federal mandates that support our institution’s care for our community members.

Messiah University takes its responsibilities under these federal regulations seriously. Therefore, those who have questions about Title IX, VAWA or Clery (or wish to file a related complaint) may contact the Title IX Coordinator or one of the Title IX Deputy Coordinators listed below:

Title IX Coordinator  
Amanda Coffey, Vice President for  
HR & Compliance  
Old Main 2nd Floor  
[ACoffey@messiah.edu](mailto:ACoffey@messiah.edu),  
717-796-5300

Title IX Deputy Coordinator  
Doug Wood, Associate Dean of  
Students  
Eisenhower Campus Center 205  
[DWood@messiah.edu](mailto:DWood@messiah.edu),  
717-796-1800 ext. 3200

Title IX Deputy Coordinator  
Cindy Burger, Director of Safety  
Greenbriar Building  
[CBurger@messiah.edu](mailto:CBurger@messiah.edu),  
717-691-6005

Title IX Deputy Coordinator  
Brooke Good, Head Field Hockey  
Coach  
Sollenberger Sports Center 162  
[good@messiah.edu](mailto:good@messiah.edu),  
717-796-1800 ext. 7359

### **Our Community Standard**

Messiah University prohibits the offenses of interpersonal violence—including dating or domestic violence, harassment, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Toward that end, Messiah University issues this statement of policy to inform the campus community of our programs to address interpersonal violence, harassment, sexual assault and stalking.

Messiah University also affirms this statement of procedures for institutional disciplinary action in cases of alleged interpersonal violence,

harassment, sexual assault and/or stalking, to be followed regardless of whether the incident occurs on or off campus when it is reported to a University official. Messiah University's responsibilities to address such behavior are broader than the law enforcement classifications of crimes and therefore our policy uses broader definitions. A list of definitions is available online here: [Appendix A Definitions](#).

These behaviors are demeaning and interfere with the rights of others to pursue their education in an atmosphere that is safe and respectful. Messiah University observes and protects the rights to and resources of safety and support measures available to every Messiah student—regardless of age, gender, race, ability or disability, orientation or religion. While this policy obviously addresses overt acts of violence, any sexual contact without consent and any gender-based violence are strictly prohibited. Examples of violent and unacceptable behavior include, but are not limited to:

- Sexual contact without consent
- Sexual contact while a person is incapacitated
- Sexual exploitation of another person, such as posting sexual pictures on social media
- Coercion for sexual contact
- Stalking
- Threatening or intimidating a person for sexual contact

Messiah University seeks to provide a consistent, caring, and timely response when a sexual assault or any violation of this policy occurs within our university community. Specifically, this policy defines the coordinated campus-wide efforts to provide an appropriate and effective institutional response to incidents of harassment, stalking, sexual misconduct, and/or sexual violence. Our protocol is designed to do the following:

- Establish and cultivate community involvement in sexual interpersonal violence prevention
- Create a university environment that expedites and encourages the prompt reporting of interpersonal violence
- Facilitate the recovery of a victim of interpersonal violence by providing prompt and compassionate support services. The University provides crisis intervention, advocacy and referral services to students impacted by interpersonal violence
- Investigate reports of interpersonal violence, harassment, sexual assault and/or stalking promptly and thoroughly
- Take timely and effective steps reasonably calculated to end the interpersonal violence, harassment, sexual assault and/or

stalking, prevent its recurrence, and as appropriate, remedy its effects

- Where appropriate, assist local law enforcement

## **PROCEDURES FOR VICTIMS OF INTERPERSONAL VIOLENCE, HARASSMENT, SEXUAL ASSAULT AND/ OR STALKING**

All victims of interpersonal violence, harassment, sexual assault and/or stalking are encouraged to contact a support person of their choosing or an advocate (can be contacted at the YWCA Carlisle or Harrisburg) for support during any of the following processes. Advocates are free, confidential resources trained and available to meet victims at the hospital or on campus; advocates are equipped to explain procedures and rights within the medical examination and criminal investigation process to assist victims in choosing a course of action.

After an incident of interpersonal violence and/or sexual assault, victims should consider seeking medical attention as soon as possible at any of the following hospitals: Harrisburg Hospital, West Shore Pinnacle Hospital, Carlisle Regional Medical Center or Holy Spirit Hospital. All four hospitals have trained professional staff who specifically handle sexual assaults. In Pennsylvania, evidence may be collected even if you chose not to make a report to law enforcement.

Cumberland County, which includes Upper Allen Township and the area the university encompasses, has established an anonymous reporting protocol for victims of sexual assault. “Anonymous Reporting” is the name for the forensic evidence collected during a sexual assault examination for a victim who chooses to remain anonymous. An Anonymous Report enables a victim to have forensic evidence collected without revealing identifying information. Victims are given a code number they can use to identify themselves if they choose to report later and they are not required to cooperate with law enforcement or criminal justice authorities.

“Anonymous Reporting” is an avenue for victims to seek services and to have evidence collected without immediately deciding whether or not to report to the police. This way the evidence is properly preserved and may be used in a physical evidence-based prosecution when/if the victim becomes ready to report to law enforcement. The Cumberland County District Attorney’s office manages the County’s anonymous reporting protocol. More information on the County’s anonymous reporting protocol is available through the Title IX Coordinator.

It is important that a victim of sexual assault not bathe, wash, douche, smoke, change clothing, or clean the bed/linen/upholstery/area where the assault took place if the offense occurred within the past 96 hours. This is so that evidence may be preserved. Preserving evidence may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order.

Health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections in circumstances of sexual assault, even if victims do not opt for forensic evidence collection.

Victims of interpersonal violence, harassment, sexual assault and/or stalking are also encouraged to save text messages, instant messages, social networking pages, other communications, pictures, letters, logs, or other copies of documents that would be useful to University adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses to not make a complaint regarding an incident, he or she should still consider preserving evidence in the event that he or she decides to report the incident to law enforcement or the University at a later date.

## **THE INSTITUTION'S RESPONSIBILITIES AND VICTIM RIGHTS TO PROTECTIVE MEASURES**

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Messiah University complies with Pennsylvania State law in recognizing orders of protection. Any person who obtains an order of protection from Pennsylvania or any reciprocal state should provide a copy to the Department of Safety and the Title IX Coordinator. A victim may then meet with the Department of Safety to develop a Safety Action Plan, which is a plan to reduce the risk of harm while on campus or coming and going from campus.

This plan may include, but is not limited to: escorts, special parking arrangements, changing work site location, changing classes or working with Academic Advising on alternative class possibilities, allowing a student to complete assignments from home, allowing an employee to

develop a flexible work schedule, etc. Messiah University cannot apply for a legal order of protection, no contact order or restraining order for a victim from the applicable jurisdiction(s); this is the victim's responsibility.

In Pennsylvania, a victim of interpersonal violence, sexual assault and/or stalking has the right to file a petition with the courts requesting protection through the following: Protection from Abuse Orders (PFA's), Sexual Violence Protection Orders (SVPO's), and/or Protection of Victims of Sexual Violence or Intimidation (PSVI's), which could include the following:

- An order restraining the abuser from further acts of abuse
- An order directing the abuser to leave your household/place of residence
- An order directing the abuser to refrain from stalking or harassing you or other designated persons
- Other protections based on issues related to cohabitation, residency, employment, and child custody

When an abuser is not a present or past member of the victim's household or family, adults and minors can petition for a Sexual Violence Protection Order (SVPO). For example, an SVPO could be granted for a victim who is sexually assaulted by a coworker and who has no other relationship with the coworker – is not now or never was a family relation, spouse, dating partner or member of the same household.

The Department of Safety will assist victims via referral to local courts/District Attorney or Domestic Violence Services. The most efficient way to obtain a PFA is to use a resource such as the Domestic Violence Services of Cumberland and Perry Counties. The Department of Safety will assist victims who are interested in pursuing a PFA, PSVI, or SVPO. Any student or employee who obtains a protection order from Pennsylvania or a reciprocal state should provide a copy to the Department of Safety. The Department of Safety will help facilitate the reporting of PFA violations to the local police.

### **Campus Issued Protection and Accommodations**

While not the same as a state-mandated protection order, the University can issue a "No Contact Directive". This includes, but is not limited to, written, verbal and/or physical communication. Written communication includes all electronic means of communication; including, but not limited to, email, instant messaging, text messaging and social media. Verbal communication includes phone calls and voice mail messages. A "No Contact Directive" may include additional restrictions and terms.



The Associate Dean of Students, Title IX Coordinator, and/or the Director of Safety issues this directive. If the University receives a report that an institutional “No Contact Directive” has been violated, the University will initiate disciplinary proceedings appropriate to the status of the respondent and will impose sanctions if the respondent is found responsible for violating the “No Contact Directive”. If the respondent is not a Messiah University community member, the University will work with local police departments to pursue other measures of protection.

Messiah University will provide victims with prompt protective measures, even before an investigation is completed. Upon receipt of a report of interpersonal violence, harassment, sexual assault and/or stalking, Messiah University is prepared to implement measures that facilitate the victim’s sense of safety and will provide written notification to students about accommodations available to them, including ones affecting their academic, living, transportation and working situations. The written notification will include the following information: who to contact to request accommodations, the accommodation options available and how to obtain assistance with requesting accommodations.

At the victim’s request, and to the extent of the victim’s cooperation and consent, University offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to campus safety or local law enforcement. Some of the accommodations and protective measures available to victims are:

- Transfer to a different section of a class
- Withdrawal from a class (if there is no option for moving to a different section)
- Move to a different room or residence hall
- Change in work schedule
- Change in parking assignment
- Safety escort for campus

Protective measures for the victim may include changes or restrictions imposed on the respondent, such as:

- Change in residential assignment
- Campus restrictions
- Loss of Grantham Campus or Satellite Housing living privileges
- Prohibition from enrolling in or maintaining attendance in specific course offerings

- Implementation of a No Contact Mandate and/or restrictions from campus
- Other reasonable protective measures

To receive assistance in obtaining such protective measures or to request accommodations, a victim should contact the Title IX Coordinator or any of the Deputy Coordinators.

Messiah University has designated personnel who can help the victim to understand, evaluate and choose among the services outlined in this protocol, and help ensure continuity of services by offering follow-up contact. The victim should be offered a preference of gender in personnel, determining which personnel will assist in any given matter. The following serve as designated campus personnel for responding to victims:

- Vice Provost for Student Success and Engagement
- Director/Department of Safety – Title IX Deputy Coordinator
- Associate Dean of Students – Title IX Deputy Coordinator
- Engle Center for Health and Counseling Services
- VP of Human Resources and Compliance – Title IX Coordinator
- Resource Coordinator—Interpersonal Violence Prevention, Education and Response

### **Additional Victim’s Rights**

Students have the right to choose whether to file a complaint, receive support, file a report leading to an investigation process and/or seek resolution.

Students have the right under federal law (Title IX) to expect that reports of interpersonal violence, harassment, sexual assault, and/or stalking will be taken seriously by the University. At the request of the student making the report or when deemed necessary to protect the interests of the university

community, reports will be investigated and properly resolved through administrative procedures. Officials of the university, such as the Residence Life staff, the Deans, Title IX Coordinator/Deputy Coordinators or other administrators, shall be available to any student seeking information or wishing to report an incident of interpersonal violence, harassment, sexual assault, and/or stalking.

Messiah University must conduct an adequate, reliable and impartial investigation. A comprehensive review of victim’s rights can be found online here: [Appendix B Victim’s Rights](#)

## **Amnesty**

While the University expects all students to behave in accordance with our community standards, health and safety of Messiah University students takes priority over conduct violations in the event of a medical emergency or severe safety concern, including instances of suspected, witnessed, or reported abuse, violence, and/or assault. Likewise, students are encouraged to prioritize their health and safety or the health and safety of others above all other concerns when reporting an emergency.

Students, regardless of age, will be granted immunity from university disciplinary proceedings for the violation of community conduct standards if the Department of Safety, Residence Life staff or other University official becomes aware of the breach in community behavior standards because the individual was seeking assistance for someone else. The person seeking assistance must reasonably believe he or she is the first to call for assistance, must use his/ her own name with authorities, and must stay with the individual needing assistance until help arrives.

Amnesty includes, but is not limited to, alcohol possession and/or consumption, consensual sexual conduct, and/or inappropriate use of institutional property. Amnesty for drug use and/or possession may not apply in the event that law enforcement officials are contacted. Amnesty will not be granted to perpetrators of abuse, violence, assault or egregious behavior to another person. Both the individual in need of assistance and the individual seeking assistance may receive amnesty protection.

Students will be immune from student disciplinary proceedings for conduct violations if she/he can establish the following:

1. The only way University officials became aware of the person's violation is because the person placed a 911 call, or a call to Dispatch/Department of Safety, police or emergency services, or University administrators in good faith based on a reasonable belief that another person was in need of immediate attention and/or intervention to prevent death, serious injury, trauma or abuse.
2. The student reasonably believed she/he was the first person to make the emergency contact, whether to 911 call, or to Dispatch/Department of Safety, police or emergency services, and/or University administrators in order report that a person needed immediate attention or intervention to prevent death, serious injury, trauma or abuse.
3. The student provided his/her own name to the 911 operator or equivalent campus safety, administrator, police, or emergency officer.

4. The student remained with the person needing assistance until emergency health care providers or responders arrived and the need for his/her presence had ended.

Students meeting the above criteria may be asked for a statement from University officials or the police, but will not be subject to a disciplinary response.

### **LGBT+ Rights**

Reporting an incident of harassment or assault is never easy or simple. Seeking support takes courage and vulnerability; for members of the Messiah University community who identify as LGBT+ or non-gender conforming, this can be especially true. We want to acknowledge the complexity of finding help in a situation already full of anxiety, trauma and possible physical injury. The same resources and measures of support are available to Messiah University students and employees regardless of gender or sexual orientation.

We value safety and care for our community members. If you have or someone you know has experienced same-sex assault or harassment, or identify as a member of the LGBT+ community and experienced interpersonal violence of any nature, we encourage you to seek help from these resources.

### **Retaliation**

Retaliation against someone who files a complaint or who participates in the investigation of a complaint is strictly prohibited by University policy and by law. Retaliation can occur in many forms. The following list illustrates some (not all) examples of behavior that would be considered retaliation:

1. Asking a complainant why he/ she complained. Likewise, asking a witness why he/she was willing to make a statement.
2. Asking a complainant to rescind his/her statement. Having friends ask the complainant to rescind his/her statement.
3. Threatening the complainant or witness in any manner.
4. Cyber-bullying the complainant or using social media to criticize, harass, demean or aggravate the complainant/witness.
5. Excluding the complainant from team meetings or other such events to which the complainant is a rightful participant.

Respondents need to be careful to avoid behaviors that could be experienced as retaliation. If you are unclear as to how to proceed in a

particular situation, excuse yourself and seek counsel from Student Success and Engagement, Human Resources or the Department of Safety.

### **Statement on Confidentiality and Privacy**

Victims of interpersonal violence have the right to choose whether they share their experience in a formal process to gain resolution and support, or with a confidential resource that will not pursue a formal process without the victim's request, but will still offer support.

The University encourages victims to talk to somebody about what happened in order to receive the support they need and so the University can respond appropriately. Nonetheless, victims have the right to talk with University officials about protecting their privacy and to report a violation of this policy in confidence.

Victims may request that directory information on file with the University be withheld by request. This request should be made to the Registrar's Office in person by visiting that office located in Old Main.

Different employees on campus have different abilities to maintain a victim's confidentiality. All employees are expected to keep reports and personal information private—that is, to be respectful and discreet. If a formal report is necessary, all employees are expected to report only to campus officials that need to know information in order to follow due process. Employees are required to report all the details of an incident (including the identities of both the victim and alleged perpetrator) to the Department of Safety, the Title IX Coordinator or a Deputy Coordinator. A report to employees constitutes a report to the University and generally obligates the University to investigate the incident and take appropriate steps to address the situation.

### **Confidential Resources**

Some employees are required to maintain near complete confidentiality, and talking to them is sometimes called a "privileged communication." If any person—victim or respondent—involved in the report desires confidential support, he/she may speak with any of the following:

- Professional staff in the Counseling Center, located in the Engle Health Center (ext. 5357)
- The University Pastor in the University Ministries Office (ext. 6520)
- A nurse in the Engle Health Center (ext. 6035)

Staff in the Engle Health Center are required to pass along non-personally identifiable statistical information to the Department of Safety. The only information that will be released is that an incident was reported, the type of incident and the general location of the incident (i.e., “on campus” or “off campus”; no address will be given). Statistics given to Safety will be made available through publication in the Annual Security and Fire Safety Report. No personally identifiable information on victims will be contained and/or released within any published record without the victim’s consent.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime and Fire Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Campus Safety Alert or Timely Warning Notice is issued on the basis of a report of interpersonal violence, harassment, sexual assault and/or stalking, the name of the victim and other personally identifiable information about the victim will be withheld. This information could include the specific location where an incident is reported to have occurred when reporting the location could inadvertently identify the victim.

Members of the Engle Counseling/Health Services staff and pastoral counselors are confidential resources and do not report incidents unless the student specifically requests them to do so. The only details shared are to capture general details about the incident (date, time, location, and brief description of incident type) which is for inclusion of the university’s Annual Security and Fire Safety report. Please note the University is required by law to use any information included in an anonymous report of sexual misconduct and/or assault to investigate the report. If you include personally identifiable information in an anonymous report, it will be used in an investigation.

A victim who reports confidentially to staff in the Counseling Center, Health Center or to a University Pastor needs to understand that, if the victim wants to maintain confidentiality, the University will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the respondent.

Even so, the staff in the Engle Center and University Ministries will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, academic accessibility, health or mental health services, changes to living assignment and adjustments to working or course schedules.

A victim who at first requests confidentiality may later decide to file a complaint with the University or report the incident to local law enforcement, and thus have the incident fully investigated. The counselors and advocates will provide the victim with assistance if the victim wishes to do so. If the University determines that the respondent poses a serious and immediate threat to the University community, University officials may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

**Off-Campus Counselors and Advocates**

Off-campus counselors and advocates will also generally maintain confidentiality and not share information with the University unless the victim requests the disclosure and signs a consent or waiver form. Health care professionals may maintain levels of confidentiality unless law enforcement is contacted simultaneously or insurance companies must be billed for services rendered outside a sexual assault examination. Law enforcement will not maintain confidentiality.

The following is contact information for these off-campus resources:

Off Campus	Students
Counseling	Messiah University Engle Health/Counseling Center Phone: 717-691-6035 - (Can make recommendations for local confidential counseling and psychiatric services in the area)
Medical	Harrisburg Hospital 717-221-6250 West Shore Pinnacle Hospital 717-791-2600 Carlisle Regional Medical Center 717-249-1212 Holy Spirit Hospital 717-763-2100 *All have trained professional staff who specifically handle sexual assaults
Cumberland County Rape Crisis Services	Office 888-727-2877 Hotline: 717-258-4324 or 717-258-1143
YWCA Rape Crisis Domestic Violence Services in Harrisburg	Open 24 Hours/7 Days Week 1-800-654-1211 717-238-7273
YWCA of York Victim Assistance	800-422-3204 717-854-3131

Victim Advocacy	Victim Services of Cumberland County Phone: 717-761-5599
Domestic Violence Services	Services of Cumberland & Perry Counties Hotline: 1-800-852-2102
Legal Assistance	Cumberland County District Attorney's Office Phone: 717-240-6220
Visa and Immigration Assistance	30 N. 41st Street; Philadelphia, PA 19104 Phone: 1-800-375-5283
Upper Allen Police Carroll Twp Police	Cumberland County Emergency Center: 911 York County 717-766-0249

### **Sexual Misconduct Response Team**

If the Vice Provost, Dean of Students and/or Title IX Coordinator determines that a reported incident of interpersonal violence, harassment, sexual assault and/or stalking represents a potential danger to the campus community, they will convene the Sexual Misconduct Response Team. A potential danger to the community includes but is not limited to the following:

- A pattern of acquaintance sexual assault
- A stranger assault
- A violent or sadistic assault
- Gang rape
- Random and troubling stalking patterns

The Sexual Misconduct Response Team will be composed of at least the following:

- Vice Provost for Student Success and Engagement, Facilitator
- Title IX Coordinator/VP for Human Resources & Compliance
- Director for the Department of Safety
- Associate Dean of Students
- Director of Health and Counseling Services
- University Counsel

When appropriate, the Sexual Misconduct Response Team will work in conjunction with the mobilization of the University's Crisis Management Team. The purpose of the Sexual Misconduct Response Team is to address the safety needs of the community while protecting the victim's right to privacy and insuring the integrity of the University's response. If a threat to the community is determined, a warning will be released and other steps to



ensure campus safety will be considered. The Vice Provost for Student Success and Engagement will be responsible for the release of information, and will do so in consultation with the Director of Public Relations. The Vice Provost for Student Success and Engagement will notify the President and Provost of the concern and response.

The victim will not be present at the team meetings and the victim’s rights to confidentiality will be respected by all team members. The Vice Provost for Student Success and Engagement will keep the victim informed of the team’s actions, either directly or indirectly through the contact person who reported the assault to the Vice Provost for Student Success and Engagement.

### Reporting a Violation

When a victim tells a responsible employee (any employee not clearly identified as sources of confidentiality as outlined above) about an incident of interpersonal violence or sexual misconduct, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

There are several options for reporting:

OFFICIAL REPORTING	CONFIDENTIAL REPORTING
<p>Report the incident to the Title IX Coordinator or a Deputy Coordinator:</p> <p>Title IX Coordinator Amanda Coffey, Vice President for HR &amp; Compliance Old Main 2nd Floor <a href="mailto:ACoffey@messiah.edu">ACoffey@messiah.edu</a>, 717-796-5300</p> <p>Title IX Deputy Coordinator Doug Wood, Associate Dean of Students Eisenhower Campus Center 205 <a href="mailto:DWood@messiah.edu">DWood@messiah.edu</a>, 717-796-1800 ext. 3200</p> <p>Title IX Deputy Coordinator Brooke Good, Head Field Hockey Coach Sollenberger Sports Center 162 <a href="mailto:good@messiah.edu">good@messiah.edu</a>, 717-796-1800 ext. 7359</p>	<p>Report the incident to a confidential support person on campus:</p> <ul style="list-style-type: none"> <li>· Counselor (Engle Center) ext. 5357</li> <li>· University Pastor ext. 6520</li> <li>· Nurse (Engle Center) ext. 6035</li> </ul> <p>Report the incident to a confidential support person off campus:</p> <p>Advocacy Rape Crisis— 24/ 7 HOTLINE: · 888-727-2877</p> <p>YWCA of Carlisle – Sexual Assault/ Rape Crisis Services 717-258-4324</p>

<p>Residence Director may be contacted but will be required to report to a Title IX Coordinator</p> <p>Report the incident to the Department of Safety</p> <p>Title IX Deputy Coordinator Report the incident to a confidential support person on campus: · Counselor (Engle Center) ext. 5357 · University Pastor ext. 6520 · Nurse (Engle Center) ext. 6035</p> <p>Report the incident to a confidential support person off campus: Advocacy Rape Crisis— 24/ 7 HOTLINE: 888-727-2877</p> <p>YWCA of Carlisle – Sexual Assault/ Rape Crisis Services 717-258-4324</p> <p>YWCA of Harrisburg – Violence Intervention 800- 654-1211 or 717- 238-7273</p> <p>Health and Medical Care— ·Harrisburg Hospital: 717-221-6250 * · West Shore Pinnacle Hospital: 717-791-2600* · Carlisle Regional Medical Ctr 717-249-1212 *</p> <p>Cindy Burger, Director of Investigations, Comp &amp; Trning Greenbriar Building <a href="mailto:CBurger@messiah.edu">CBurger@messiah.edu</a>, 717-691-6005</p>	<p>YWCA of Harrisburg – Violence Intervention 800- 654-1211 or 717- 238-7273</p> <p>Health and Medical Care—</p> <p>· Harrisburg Hospital: 717-221-6250 *</p> <p>· West Shore Pinnacle Hospital: 717-791-2600*</p> <p>· Carlisle Regional Medical Center: 717-249-1212 *</p> <p>· Holy Spirit Hospital: 717-763-2100*</p> <p>*provide professional staff who specifically handle sexual assault</p> <p>Report the incident anonymously through Silent Witness: <a href="http://www.messiah.edu/forms/form/164/en/silent_witness">http://www.messiah.edu/forms/form/164/en/silent_witness</a></p>
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If a situation is of a life threatening nature or immediate care & response is required, please dial 911 or 9-911 if using a campus phone.

An array of safety, medical, psychological, administrative and resolution services are in place and immediately available to students reporting interpersonal violence. The University is committed to supporting a victim's right to exercise his or her informed choice among these services and to insuring as reasonably possible his or her confidentiality, if confidential support is requested. Messiah University will provide counseling and health services regardless of whether the victim elects to pursue university disciplinary action or criminal prosecution.

### **Violations that Occur Off-Site**

This policy also applies to harassment off-site or after normal business hours in University related settings including and not limited to:

- Academic placement (practicums, internships, clinical placements, etc.)
- Field trips, athletic events, conferences
- University related social events or excursions
- Study abroad or service learning trips

In the event that a Messiah University student would experience harassment, discrimination, stalking, assault, violence, or threat of violence off-site, the student is encouraged to take the following steps:

1. Prioritize personal safety
  - a. Contacting the police is always an option
  - b. Students may also choose to identify a support person to offer support and accompaniment in any circumstance.
2. Contact the program director, excursion advisor, personnel in charge, supervisor, or available administrator to receive support and reporting options.
  - a. If this person is not available or not safe, the student is encouraged to reach out to someone who is available and safe.
3. Notify Messiah University. While our Department of Safety cannot respond off-campus, the University is available and committed to supporting students in a variety of other response capacities, including but not limited to:
  - a. Adjusting travel plans to ensure emotional support and physical safety
  - b. Communicating with the student to identify local resources and reporting options

- c. Communicating with necessary program or site administrators to advocate for student wellness
- d. Offering long-distance support and response via campus resources, connecting those resources with students upon their return to campus

### **Education and Support**

All campus departments who would be in a position to provide an immediate support network for a student reporting incidents of interpersonal violence, harassment, sexual assault and/or stalking need to be familiar with:

- Boundaries of confidentiality
- Services offered by the University and specific departments
- Reporting options and choices available to the victim
- Services offered by associated departments
- Resources available on and off campus of support

Programming and prevention for students and employees addressing the issues of interpersonal violence, harassment, sexual assault and stalking will be addressed in several venues:

- Policy and reporting obligations education for all incoming students and new employees.
- Primary prevention and awareness programs for all incoming students and new employees.
- Prevention and response will be addressed annually in all Residence Life staff training.
- An educational pamphlet addressing interpersonal violence policies and processes will be distributed annually.
- Safe and positive options for bystander intervention.
- Ongoing prevention and awareness programs for students and employees
- A rape, aggression and defense class (RAD or SAFE) is available upon request.

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## **THE GRIEVANCE PROCESS**

### **Reporting**

If this is an emergency, please dial 9-1-1 or the Department of Safety's emergency extension 6565.

Victims of interpersonal violence, harassment, sexual assault and/or stalking are encouraged to begin the grievance process as outlined at [https://www.messiah.edu/info/20592/compliance/1023/title\\_ix](https://www.messiah.edu/info/20592/compliance/1023/title_ix)

## **MESSIAH UNIVERSITY ANTI-HAZING STATEMENT**

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Messiah University and Pennsylvania Law prohibit hazing in any form. Hazing is defined by the Pennsylvania Hazing Law as “any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education. The term shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual, and shall include any activity which would subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual, or any willful destruction or removal of public or private property. For purposes of this definition, any activity as described in this definition upon which the initiation or admission into or affiliation with or continued membership in an organization is directly or indirectly conditioned shall be presumed to be "forced" activity, the willingness of an individual to participate in such activity notwithstanding.”

Hazing is considered a misdemeanor of the third degree if the conduct results in, or creates a reasonable likelihood of, bodily injury. When the hazing results in serious bodily injury or death and (1) the actor acts with reckless indifference to the health or safety of the victim or (2) the actor causes, coerces or forces the victim to consume alcohol or drugs, this will be considered aggravated hazing and will be a felony offense. Protection from criminal prosecution will be provided to an individual who makes an immediate report of hazing in order to obtain medical attention for the victim.

All initiation activities are subject to the approval of the Director of Student

Involvement and Leadership Programs (student organizations), the Athletics Director (intercollegiate teams) or the Director of Residence Life (residence life groups). This regulation governs on and off-campus initiation activities including privately owned facilities and/or property. Student organizations, athletic teams and residence life groups are responsible for any activity in violation of this policy by any individual or group affiliated with the organization, unless it is proven that the group or individual activity was independent of, and occurred without the knowledge or consent of, the recognized organization, team, or residence life group. Such responsibility will apply equally to situations in which one or more members knew or should have known of the activity and failed to make every reasonable attempt to prevent or stop it. Consent of those hazed will not be accepted as a defense for hazing activities.

The Associate Dean of Students in accordance with Messiah University student disciplinary procedures will conduct investigations and if warranted, administrative hearings of alleged violations of this policy. Violations of this policy may result in sanctions for the students involved as well as the entire student organization, athletic team, or residence life group. The severity of the sanctions for a hazing offense will be determined in proportion to the hazing activity. In addition to Messiah University's Anti-Hazing Policy, student organizations, athletic teams, residence life groups and/or individuals may be held responsible for criminal misconduct in violation of the Pennsylvania Hazing Law, a third-degree misdemeanor punishable by up to a year's imprisonment. Click here for more information about [Pennsylvania's Hazing Law](#).