SEXUALITY AND RELATIONSHIPS POLICY

Messiah College’s foundational documents articulate the institution’s mission and identity as a Christian college. 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

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 gay or lesbian 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 the using and/or distributing pornographic material. The College 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 College 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 College has been
the abuser, the College would like your assistance in dealing appropriately with that person (see Messiah College Title IX website at 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/Dean of Students, College Pastor, Director of Counseling, Associate Dean of Students, Director of Residence Life, Residence Director or other educators within the Student Affairs Division.

### AMOROUS RELATIONSHIPS BETWEEN STUDENTS AND EMPLOYEES

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 College. 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

When an unmarried student becomes pregnant, the College 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

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 College 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 college campuses—VAWA and Title IX are federal mandates that support our institution’s care for our community members.

Messiah College 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:

<table>
<thead>
<tr>
<th>Title IX Coordinator</th>
<th>Title IX Deputy Coordinator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Amanda Coffey, Vice President for HR &amp; Compliance</td>
<td>Doug Wood, Associate Dean of Students</td>
</tr>
<tr>
<td>Old Main 2nd Floor</td>
<td>Eisenhower Campus Center 205</td>
</tr>
<tr>
<td><a href="mailto:ACCoffey@messiah.edu">ACCoffey@messiah.edu</a>,</td>
<td><a href="mailto:DWood@messiah.edu">DWood@messiah.edu</a>,</td>
</tr>
<tr>
<td>717-796-5300</td>
<td>717-796-1800 ext. 3200</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Title IX Deputy Coordinator</th>
<th>Title IX Deputy Coordinator</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cindy Burger, Director of Safety</td>
<td>Brooke Good, Head Field Hockey Coach</td>
</tr>
<tr>
<td>Greenbriar Building</td>
<td>Sollenberger Sports Center 162</td>
</tr>
<tr>
<td><a href="mailto:CBurger@messiah.edu">CBurger@messiah.edu</a>,</td>
<td><a href="mailto:good@messiah.edu">good@messiah.edu</a>,</td>
</tr>
<tr>
<td>717-691-6005</td>
<td>717-796-1800 ext. 7359</td>
</tr>
</tbody>
</table>

**Our Community Standard**

Messiah College 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 college community. Toward that end, Messiah College issues this statement of policy to inform the campus community of our programs to address interpersonal violence, harassment, sexual assault and stalking. Messiah College 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 College official. Messiah College’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 College 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 College seeks to provide a consistent, caring, and timely response when a sexual assault or any violation of this policy occurs within our college 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 college 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 College 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 college 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 College 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 College at a later date.

The Institution's Responsibilities and Victim Rights to Protective Measures

Messiah College 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 College 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 College 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 College receives a report that an
institutional “No Contact Directive” has been violated, the College 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 College community member, the College will work with local police departments to pursue other measures of protection.

Messiah College 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 College 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, College 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 College 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/Dean of Students
- 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 College. At the request of the student making the report or when deemed necessary to protect the interests of the college community, reports will be investigated and properly resolved through administrative procedures. Officials of the college, 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 College 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 College expects all students to behave in accordance with our community standards, health and safety of Messiah College 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 college disciplinary proceedings for the violation of community conduct standards if the Department of Safety, Residence Life staff or other College 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 College 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 College 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 College 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 College 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 College 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 College 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 College 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 Affairs, 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 College encourages victims to talk to somebody about what happened in order to receive the support they need and so the College can respond appropriately. Nonetheless, victims have the right to talk with College 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 College 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 College and generally obligates the College 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 College Pastor in the College 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 College 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 college’s Annual Security and Fire Safety report. Please note the College 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 College Pastor needs to understand that, if the victim wants to maintain confidentiality, the College 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 College Ministries will still assist the victim in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, 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 College 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 College determines that the respondent poses a serious and immediate threat to the College community, College 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 College 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:

<table>
<thead>
<tr>
<th>Off Campus</th>
<th>Students</th>
</tr>
</thead>
</table>
| Counseling | Messiah College 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 |
<table>
<thead>
<tr>
<th>Service</th>
<th>Contact Information</th>
</tr>
</thead>
</table>
| 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              | Cumberland County Emergency Center: 911  
                                     York County 717-766-0249 |
| Carroll Twp Police              |                                                        |

**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 and Dean of Students, 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
- College Counsel

When appropriate, the Sexual Misconduct Response Team will work in conjunction with the mobilization of the College'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 College’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/Dean of Students (VP/DOS) will be responsible for the release of information, and will do so in consultation with the Director of Public Relations. The VP/DOS 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 VP/DOS will keep the victim informed of the team’s actions, either directly or indirectly through the contact person who reported the assault to the VP/DOS.

**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 College to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

There are several options for reporting:

<table>
<thead>
<tr>
<th>OFFICIAL REPORTING</th>
<th>CONFIDENTIAL REPORTING</th>
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<tbody>
<tr>
<td>Report the incident to the Title IX Coordinator or a Deputy Coordinator:</td>
<td>Report the incident to a confidential support person on campus:</td>
</tr>
<tr>
<td>Title IX Coordinator</td>
<td>· Counselor (Engle Center) ext. 5357</td>
</tr>
<tr>
<td>Amanda Coffey, Vice President for HR &amp; Compliance</td>
<td>· College Pastor ext. 6520</td>
</tr>
<tr>
<td>Old Main 2nd Floor</td>
<td>· Nurse (Engle Center) ext. 6035</td>
</tr>
<tr>
<td><a href="mailto:ACoffey@messiah.edu">ACoffey@messiah.edu</a>, 717-796-5300</td>
<td></td>
</tr>
<tr>
<td>Title IX Deputy Coordinator</td>
<td>Report the incident to a confidential support person off campus:</td>
</tr>
<tr>
<td>Doug Wood, Associate Dean of Students</td>
<td>· Advocacy Rape Crisis—24/7 HOTLINE:</td>
</tr>
<tr>
<td>Eisenhower Campus Center 205</td>
<td>· 888-727-2877</td>
</tr>
<tr>
<td><a href="mailto:DWood@messiah.edu">DWood@messiah.edu</a>, 717-796-1800 ext. 3200</td>
<td></td>
</tr>
<tr>
<td>Title IX Deputy Coordinator</td>
<td>YWCA of Carlisle – Sexual Assault/ Rape Crisis Services</td>
</tr>
<tr>
<td>Brooke Good, Head Field Hockey Coach</td>
<td>717-258-4324</td>
</tr>
<tr>
<td>Sollenberger Sports Center 162</td>
<td></td>
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<tr>
<td><a href="mailto:good@messiah.edu">good@messiah.edu</a>, 717-796-1800 ext. 7359</td>
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<tr>
<td>Residence Director may be contacted but will be required to report to a Title IX Coordinator</td>
<td>YWCA of Harrisburg – Violence Intervention</td>
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<tr>
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<td>800- 654-1211 or 717- 238-7274</td>
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<td>Report the incident to the Department of Safety</td>
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<tr>
<td>Title IX Deputy Coordinator</td>
<td>Health and Medical Care—</td>
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<tr>
<td></td>
<td>· Harrisburg Hospital:</td>
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<tr>
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<td>717-221-6250 *</td>
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</table>
| Report the incident to a confidential support person on campus:  
· Counselor (Engle Center) ext. 5357  
· College Pastor ext. 6520  
· Nurse (Engle Center) ext. 6035 |
|---|
| Report the incident to a confidential support person off campus:  
Advocacy Rape Crisis—24/7 HOTLINE: 888-727-2877  
YWCA of Carlisle – Sexual Assault/ Rape Crisis Services 717-258-4324  
YWCA of Harrisburg – Violence Intervention 800-654-1211 or 717-238-7273  
Health and Medical Care—  
· Harrisburg Hospital: 717-221-6250*  
· West Shore Pinnacle Hospital: 717-791-2600*  
· Carlisle Regional Medical Ctr 717-249-1212*  
Cindy Burger, Director of Investigations, Compliance & Training  
Greenbriar Building CBurger@messiah.edu, 717-691-6005 |
| · West Shore Pinnacle Hospital: 717-791-2600*  
· Carlisle Regional Medical Center: 717-249-1212*  
· Holy Spirit Hospital: 717-763-2100*  
*provide professional staff who specifically handle sexual assault  
Report the incident anonymously through Silent Witness: http://www.messiah.edu/forms/form/164/en/silent_witness |

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 College 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 College will provide counseling and health
services regardless of whether the victim elects to pursue college disciplinary action or criminal prosecution.

Violations that Occur Off-Site
This policy also applies to harassment off-site or after normal business hours in College related settings including and not limited to:

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

In the event that a Messiah College 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 College. While our Department of Safety cannot respond off-campus, the College 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 College 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.

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 process by talking with an employee with whom they feel comfortable. This could include a Residence Director, Coach, Faculty Member, Assistant Director of Multicultural Programs, Director of International Student Programs, Director of Student Involvement and Leadership Programs, Vice President of Human Resources and Compliance, College Ministries, Work Study supervisor,
Director of the Department of Safety, Associate Dean of Students and/or the Vice Provost/Dean of Students.

Students should be aware that all employees, with the exception of pastors, nurses, and counselors, who are notified about an incident, are expected to report it to the Department of Safety, the Associate Dean of Students or the Title IX Coordinator. Confidential reporting is available through the Engle Center and the College Pastor.

Students do have the option of remaining anonymous by reporting via: https://www.messiah.edu/forms/form/164/en/silent_witness. This silent witness option does minimize the investigation and the subsequent outcomes.

**Grievance Procedures**
Federal law requires the College to investigate reported incidents of interpersonal violence, harassment, sexual assault and/or stalking. Once made aware of a grievance, Messiah College is committed to addressing it and establishing a resolution.

Grievance processes include the investigation, the College’s conduct proceedings and any criminal processes related to the grievance. The Messiah College community understands that all parties involved in the report of a violation of the sexual misconduct policy experience significant distress, whether they are the victim, the respondent or any other individual associated with the report. All parties involved are expected to be treated with respect and dignity.

Once a report has been received, the Associate Dean of Students will review the report in partnership with the Department of Safety and the Title IX Coordinator.

Although the College’s general grievance procedures allows for an informal resolution process, an informal process is not appropriate for most violations of the Interpersonal Violence, Harassment, Sexual Assault and/or Stalking Policy. Most complaints are referred to the formal resolution process immediately, and every victim has the right to skip the informal process and move directly to a formal complaint.

*There is no expectation that the victim meet with or ‘work things out’ with the respondent.*
**Grievance Review Board**

The Grievance Review Board (GRB) is a College hearing board trained to respond to community conduct violations, grievances, and violations of the Sexual Misconduct and Interpersonal Violence Policy.

This board is comprised of a minimum of six members, representative of College staff, faculty, and administrators. The members of the GRB are convened in discrete committees, according to due process of conduct hearing and appeal. The hearing subcommittee is comprised of a minimum of three GRB members and a Chair. The appeal subcommittee is comprised of a minimum of three GRB members and a Chair.

GRB members do not serve simultaneously on both the hearing and appeal subcommittees during any given case, but may rotate between committees on separate cases. If there is a conflict of interest for a GRB member or a specific, viable request to withdraw from a particular case, the GRB in question is excused from that proceeding.

**Informal Resolution Process**

*This process is rarely an option for violations of the Interpersonal Violence, Harassment, Sexual Assault and/or Stalking Policy*

1. The Associate Dean of Students and/or the Title IX Coordinator and/or a designee will determine and schedule the appropriate meetings to discuss the allegation. Normally, this officer will meet separately with the victim and the respondent; consult with other advisors as needed and determine a resolution based on these discussions.

2. If the resolution is agreed to by both the victim and the respondent, the Associate Dean of Students and/or the Title IX Coordinator will follow up to ensure that the outcomes are met.

3. If the outcomes are not accepted by one or both parties, the resolution process will move to the formal process phase.

**Formal Resolution Process**

The goal of the grievance process is to provide victims with a process that is reparative, fair and facilitates a sense of safety and personal justice. Where appropriate, the process should also support a behavioral change in the respondent. Once the College receives a report or complaint of a violation of this policy, the College will conduct an investigation.

1. The victim will file a formal complaint. This can be done through one of the following individuals/departments:
2. The respondent is notified of the complaint and provided with the opportunity to review the complaint statement. The respondent’s response is documented. The respondent is provided with an opportunity to either approve or correct the response statement.

3. In response to the report, an investigation will begin. The Associate Dean of Students, in partnership with the Title IX Coordinator and the Department of Safety, will conduct a formal investigation into the complaint. The investigation will include interviewing the victim and the respondent. During this process, the Associate Dean of Students and/or the Title IX Coordinator will advise both the victim and the respondent that they may request to have a support person present. The investigation may also include interviewing other individuals. Discretion in how information is handled is paramount throughout the process. Every reasonable effort will be made to protect the privacy of all parties. However, strict confidentiality cannot be guaranteed due to the necessity for investigation and fact-finding. Beyond that, any individual who wrongfully discusses or discloses confidential information will be subject to disciplinary action. The victim always has the right to decline to participate in an investigation. However, should another individual who has been invited to participate in the investigation refuse or fail to cooperate fully with an investigation, he or she may be subject to disciplinary action, which may include suspension of enrollment.

4. The investigators will share preliminary findings with the Title IX team, hearing sub-committee of the GRB, and all parties involved.

5. All parties have the ability to provide written statements (within 3-5 business days) that include additional information in response to these initial findings to further the investigation process.

6. Additional inquiries made if necessary by investigator(s).

7. At the conclusion of the investigation, the hearing subcommittee of the GRB will convene. The GRB is responsible for reviewing all materials and determining outcomes. These outcomes will be rendered in writing with recommendations for resolution and sanction. This statement of outcomes will be provided to both the victim(s) and the respondent(s).

   a. Determination of responsibility will be made based on a preponderance of the credible evidence (defined as
whether it is more likely than not that the respondent is responsible for the alleged violation.) The credibility of the evidence (firsthand knowledge, corroborating witnesses, consistency, etc.) is considered seriously in the review of the investigation.

b. The Grievance Review Board’s written decision confirmed by the Associate Dean of Students and/or the Title IX Coordinator will reflect either a determination that the allegations cannot be substantiated, or that they can be substantiated and the terms of the prescribed resolution including any disciplinary action deemed appropriate.

8. All parties are provided with the opportunity to review the determination and recommendations for sanctions.

9. The response of all parties is documented. Both the victim and the respondent are provided with an opportunity to approve or appeal the outcome. Specific appeal criteria must be met. See Appeal Process guideline in this policy.

10. If any party chooses to appeal the outcome, they must file a written statement of appeal (within 5 business days) asserting their reasons for appeal and any new evidence to be taken into account.

11. The other party/parties then has/have an opportunity to review the appeal and offer a written statement in response.

12. Both the appeal and response, along with the initial investigation information, outcomes and sanctions, will be given to the appeal subcommittee of the GRB for consideration. Absent a procedural error or new evidence, the determination of responsibility cannot be overturned. Only severity of sanctions may be subject to alteration.

13. The appeal subcommittee of the GRB will then make the final determination of outcomes based on all information.

14. The victim and respondent parties will be notified of the final outcomes and sanctions.

In the conduct process, the Associate Dean of Students and/or the Title IX Coordinator is responsible for the following:

a. Meeting with both parties.

b. Establishing an appropriate timeline and investigatory partner(s) for processing the grievance.

c. Meeting with resource representatives.

d. Organizing, implementing, and/or partnering in an appropriate investigation.

Please note: Those who conduct the investigation should be without a conflict of interest and anyone with a conflict of
interest will be removed from the investigation.
e. Interviewing persons believed to have relevant information.
f. Reviewing findings with the Vice Provost / Dean of Students, Title IX Coordinator and resource representatives.
g. Rendering and/or reviewing a written decision and resolution recommendation with investigatory partner(s).
h. Closing and retaining the confidential investigation file.

Sanctions
The College considers violations of this policy to be extremely serious violations and may be subject to SUSPENSION and/or EXPULSION from the College.

The appropriate action will depend on the following factors: (a) the severity, frequency and pervasiveness of the conduct; (b) prior complaints made by the complainant; (c) prior complaints made against the respondent.

The scope for disciplinary sanctions includes, but is not limited to, those described below. Additional or modified sanctions may be imposed at the discretion of the Associate Dean of Students, Title IX Coordinator and/or Grievance Review Board. The application of sanctions will reflect the seriousness of the incident and the student’s history of previous violations:

1. **Letter of Reprimand or Warning**: Written documentation of inappropriate behaviors or attitudes with a temporary record kept in the student’s file.
2. **Loss of Privilege**: Loss of a privilege of participating in a College activity, in registration of vehicle, in visitation, or other matter. Graduating senior students who violate college policies prior to graduation may lose the privilege of participating in senior activities and commencement ceremonies.
3. **Developmental/Educational Assignments**: May include, but are not limited to: attendance at educational programs, personal essay, and written reflection on issues relevant to one’s discipline case or involvement in a mentoring relationship.
4. **Fines**: A monetary fee imposed to deter and prevent activity detrimental to the community.
5. **Restitution**: A monetary fee imposed to compensate for loss, damage, or injury. This may take the form of appropriate service, monetary, or material replacement.
6. **Disciplinary Probation**: A strong written reprimand. Notification is made to appropriate College officials: College-
based financial aid may be reviewed, and students in leadership positions (e.g., residence staff, SGA leaders, captains of intercollegiate athletics teams, ministry team leaders) will be required to step down from their positions of leadership. Students in certain majors or programs will be subject to additional review by faculty within their academic discipline (e.g. Social Work, Teacher Education Program, Nursing, etc.). Students who have applied to study abroad programs and/or cross-cultural courses will be subject to further review by appropriate College personnel. Additionally, residential students who are on disciplinary probation within 6 months prior to the off-campus housing application deadline are not eligible to apply to live off campus.

7. **Withholding degree:** The College may withhold awarding a degree otherwise earned until completion of the process set forth in the student disciplinary procedures, including the completion of sanctions imposed.

8. **Suspension:** Involuntary separation of the student from the College for a specified period of time. For suspensions of less than one semester, the suspended student is normally required to spend the period of suspension at home. A permanent record is kept in College disciplinary files. Academic advisors, residence directors, classroom instructors, and parents are normally notified. For short-term suspensions which permit the student to complete the semester, no refunds are issued for days missed. As determined by the Community Standards Committee, exams or assignments which are due in this period of time will be considered “0’s” and no credit will be given. Although absence from class and chapel is not excused, individual professors may take the initiative to permit students to make up work missed. For suspensions where the student is not permitted to complete the semester, any refunds are issued in accordance with the withdrawal policy. For more information please refer to the following web address: [http://www.messiah.edu/offices/business/student_accounts/index.html#refund](http://www.messiah.edu/offices/business/student_accounts/index.html#refund).

9. **Expulsion:** Permanent separation of the student from the College. A permanent record will be kept in College disciplinary and academic files.

**Grievance Appeal Process**
The Grievance Process includes an option to appeal the determination. One or more of the following appeal criteria must be cited in order for the appeal to be considered:
1. A procedural error or irregularity materially affected the decision of the Associate Dean of Students
2. Previously unavailable evidence is produced
3. The outcomes issued are too severe or too lenient in relation to the violation

If either the victim or the respondent has the ability to produce new evidence, believes a procedural error has occurred or believes the outcomes to be too severe or too lenient, he/she may prepare a written summary of appeal and request a Grievance Review Board examination and hearing in response to the investigation determination. This request must be made through the Associate Dean of Students within 5 business days of the date of the written decision.

The Associate Dean of Students will confirm receipt of the written statement of appeal within 5 business days. The victim or respondent will be notified at that time that an appeal has been received, and they will be notified of the written statement. The opposing party will then have an opportunity to offer a written statement in response to the appeal statement.

The Associate Dean and/or the Title IX Coordinator will convene the appeal subcommittee of the Grievance Review Board and schedule an examination of the matter (which may include a review of the written summary of the complaint and response, interviews with the people involved, and further investigation if necessary), and hearing. The date, time, and location of the hearing will be communicated to both parties.

The victim and respondent may be assisted during disciplinary hearings and related meetings, by a support person of their choice. The victim and respondent may present witnesses and may produce other evidence for consideration by the appeal subcommittee of the Grievance Review Board. The victim and complainant are responsible for presenting evidence on their own behalf. Support persons may speak privately to their advisee during the proceeding. Either party may request a brief recess to consult with their support person which will be granted at the discretion of the Assistant Dean of Students, Title IX Coordinator or designee. Support persons for the victim and complainant may not present evidence or question witnesses.

Evidence to be presented by victim(s) and respondent(s) during any hearing on the charges must be shared with the opposing party at least two (2) business days in advance of the scheduled hearing. The College Official
presiding at and/or hearing the case may exclude evidence that has not been shared or adjourn the hearing to afford all parties the opportunity to review evidence to be presented during the hearing. The College Official presiding at and/or hearing the case will make the final decision relating to the admissibility of all evidence.

**Absent a procedural error or new evidence, the determination of responsibility cannot be overturned. Only severity of sanctions may be subject to alterations.**

The appeal subcommittee of the Grievance Review Board will inform the individuals involved of its decision concerning the appeal and any recommendations within 7 business days of the conclusion of the deliberative process. The decision of the Grievance Review Board will be final. Copies of the decision will be shared with both parties, all investigators and the Vice Provost/Dean of Students.

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**MESSIAH COLLEGE ANTI-HAZING STATEMENT**

Messiah College 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 Executive Director of Athletics (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 College 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 College’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.