



**ARCADIA**  
UNIVERSITY

# **STUDENT RIGHTS AND RESOURCES**

**Sexual & Gender-based  
Violence**

# Office of Sexual and Gender-based Violence Prevention & Education



2005 Church Road  
Glenside, PA 19038



(215) 572-4000



[svpe@arcadia.edu](mailto:svpe@arcadia.edu)



[www.arcadia.edu/osvpe](http://www.arcadia.edu/osvpe)



[@au\\_svpe](https://www.instagram.com/au_svpe)

This project was supported by Grant No. 2018-WA-AX-0030 awarded by the Office of Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the U.S. Department of Justice.

# CONTENTS

Frequently Asked Questions.....2

Student Bill of Rights.....9

Reporting & Conduct Process...11

Resources.....13

# FREQUENTLY ASKED QUESTIONS

## **What is sexual and gender-based violence?**

At Arcadia University, we use this umbrella term to describe types of violence that are predicated on normative gender roles and identities. Anyone, of any gender identity or expression can be a victim or perpetrator of gender violence. Some common examples of sexual or gender-based violence that are prohibited by Arcadia University Policy Prohibiting Sexual Sexual Harassment and Sexual Misconduct are sexual assault, stalking, dating/domestic violence and sexual harassment, which are defined in the Policy.

## **What is sexual assault?**

At Arcadia, sexual assault is defined as any sexual act directed at another person without their consent, including instances where the person is incapable of giving consent. The full Arcadia University definition can be found in Section XII(A) of the Arcadia University Policy Prohibiting Sexual Harassment and Sexual Misconduct.

## **What is consent?**

At Arcadia, a working definition of consent can be remembered with the acronym F.R.I.E.S.

Consent is:

Freely given

Reversible

Informed

Explicit

Specific/sober

## **What is stalking?**

At Arcadia, stalking is defined as course of conduct, on the basis of sex, directed at a specific person, that would cause a reasonable person to fear of harm or injury, physical or otherwise, to themselves or others. The full Arcadia University definition can be found in Section XII(A) of the Arcadia University Policy Prohibiting Sexual Harassment and Sexual Misconduct.

## **What is dating/domestic/relationship violence?**

At Arcadia, dating/domestic/relationship violence is defined as violence perpetrated by a person on a person with whom they have an romantic or intimate relationship, regardless of the length of the relationship through physical, emotional, financial, mental violence, or the use of threats, isolation, identity privilege or other form of control. The full Arcadia University definition can be found in Section XII of the Arcadia University Policy Prohibiting Sexual Misconduct, Relationship Violence and Stalking.

### **What is sexual harassment?**

At Arcadia, sexual harassment is defined as unwelcome conduct that could be determined by a reasonable person to be so severe, pervasive and objectively offensive that it affectively denies a person equal access to their education or activity. The full Arcadia University definition can be found in Section XII(A) of the Arcadia University Policy Prohibiting Sexual Harassment and Sexual Misconduct.

### **What is the difference between "reporting," "disclosing," and "filing a formal complaint?"**

**Reporting** is refers to notifying the University of an incident through the Title IX Coordinator. Reporting DOES NOT AUTOMATICALLY LEAD TO AN INVESTIGATION OR OTHER FORMAL ACTION ON THE PART OF THE UNIVERSITY.

**Disclosing**, on the other hand, is the act of telling another person (friend, family member, roommate, etc.) about what happened, but may not result in an official report being made, unless that person is a mandated reporter. At Arcadia University, all faculty, staff and Resident/Commuter Assistants are mandated reporters and must report incidents of sexual and gender-based violence to the Office of Equity and Civil Rights, except for counselors in the Counseling Center and staff at Student Health Services.

**Filing a formal complaint** is the official act of reporting an incident to the University and requires a formal response from the University. A formal complaint can be made through the Office of Equity and Civil Rights, if all parties involved are students or not members of the Arcadia Campus Community. If any party involved is an employee of the University, formal complaints can be made at the Office of Human Resources. A law enforcement report may be filed with the Cheltenham Township Police Department, or at the police department in the jurisdiction where the incident occurred. **The University can assist with making a report to law enforcement.**

### **What is the difference between "confidential" and "private?"**

**Confidential** service providers at Arcadia University are counseling staff at the Counseling Center and staff at Student Health Services. These employees are NOT required to report incidents of sexual or gender-based violence to the University's Title IX Coordinator. Generally, off-campus services, such as the Victim Services Center of Montgomery County are also confidential.

**Private** applies to all other faculty and staff, including Residence and Commuter Assistants and the Office of Equity and Civil Rights staff, who will work to keep your information as private as possible, but are required to report incidents of sexual and gender-based violence to the Title IX Coordinator. If they must report what you've disclosed to the Title IX Coordinator, they should notify you and you are entitled to be with them when they report it, should you wish to be.

If you have further questions about who and who is not confidential at Arcadia, you may contact the Office of Sexual Violence Prevention & Education or the Office of Equity and Civil Rights.

**If I want to speak to someone confidentially about an incident of sexual or gender-based violence, who should I contact?**

- Counseling Services
  - Heinz Hall, Ground Floor
  - 215-572-2967
- Student Health Services
  - Heinz Hall, Ground Floor
  - 215-572-2967
- Victim Services of Montgomery County (Arcadia Partner, but still confidential)
  - 325 Swede Street, 2nd Floor, Norristown, PA
  - 610-277-0932 (office), 888-521-0938 (hotline)
- Domestic Abuse Response Team, Laurel House
  - 800-642-3150 (office), 215-852-9826 (hotline)

**What if I want services in a location that is not near any physical Arcadia Campuses?**

The Office of Sexual and Gender-based Violence Prevention & Education is happy to assist any campus community member explore and identify resources that work for them in terms of convenient geographic location, services the community member is seeking or any other criteria.

**Who should I contact if I need immediate medical attention?**

You may contact the following:

- Abington Memorial Hospital
  - 1200 Old York Road, Abington, PA
  - 215-481-2000

You may also contact Abington Memorial Hospital to meet with a SANE nurse who can administer a Sexual Assault Forensic Evidence collection kit.

**What is the Title IX Coordinator and what do they do?**

The Title IX Coordinator is a non-confidential individual responsible for ensuring gender equity at Arcadia University through compliance with Title IX. They coordinate investigations of all incoming formal complaints of sexual and gender-based violence, assist in determining if a formal investigation is necessary and help students access supportive measures or engage in the student conduct process.

**What is a SANE nurse?**

SANE stands for Sexual Assault Nurse Examiner. These are nurses specially-trained to support survivors of sexual assault. Not all hospitals have them, but Abington Memorial Hospital does. They are responsible for completing the free Sexual Assault Forensic Exam (SAFE Kit) at the hospital. For more information about SAFE Kits, you may call the Victim Services Center of Montgomery County at 888-521-0983

### **If I want to go to the hospital for a Sexual Assault Forensic Examination kit, what should I do to preserve evidence?**

It is important to preserve evidence that may be useful in obtaining a protection order or in proceeding with a criminal investigation should you choose to do so. If possible, do not bathe, douche, smoke, use the toilet or clean the location where the incident occurred. Save items you were wearing, sheets, or towels in a paper bag. Text messages, records of phone calls, emails, pictures, notes and gifts can all be pertinent for a report of sexual assault, dating/domestic violence or stalking. Completing a forensic exam does not require you to report the incident to the police or to Arcadia, although we encourage these reports if you are comfortable in doing so. It is recommended that you try to access a SANE kit within a 72 hour period, although some hospitals will perform them up to 120 hours after the incident.

**Medical exams can also address other physical needs or trauma incurred from all forms of sexual and gender-based violence and assess for sexually transmitted infections or pregnancy.**

### **If I need to go to the hospital, a counseling appointment, court or other service appointment related to my incident that's off campus, how can I get there?**

The Department of Public Safety will transport any student and their professional advocate to off-campus service provider appointments related to addressing incidents of sexual or gender-based violence. For more information, you can reach out to the Director of Public Safety at (215) 572-2800.

### **How can I report an incident of sexual or gender-based violence to the University?**

To make a report, you may contact the following:

- Office of Equity & Civil Rights/Title IX
  - Nora Nelle, Title IX Coordinator
  - nellen@arcadia.edu
  - 777 Limekiln Pike, Ground Floor
  - 215-517-2659

If you would like to report anonymously, you may go to <https://www.intouchwebsite.com/index.asp?Lid=1&Cid=70320>

If you are interested in making a report, you are entitled to an advisor of your choosing at any and all meetings, including your first one to make the report. You may request a professional advocate to serve as your advisor by contacting Victim Services Center of Montgomery County, the Domestic Abuse Response Team of Laurel House or the Arcadia University Office of Sexual and Gender-based Violence and Prevention.

### **If I go to the Title IX Coordinator do I automatically have to go through the student conduct process?**

No. Many students who are complainants only want reasonable and necessary supportive measures, like a "no contact" directive or moving rooms, and the Title IX Coordinator is able to help with that. You may opt to file a formal complaint that means that, unless the complaint is dismissed, the University must perform an investigation and the matter must proceed through the Formal Grievance Process.

If a student reports an incident to the Title IX Coordinator, but does not wish to file a formal complaint, the Title IX Coordinator will weigh the student's wishes against their obligation to make sure the entire campus community is safe and make a determination if they have to go forward with a formal investigation. The Title IX Coordinator will try to honor the request, but if they deem that there is a threat to campus safety, they may be compelled to pursue a conduct process, but the reporter will never be compelled to participate in that process.

### **What are possible outcomes or interim measures of the student conduct process?**

Arcadia University may take whatever steps are deemed necessary to appropriately respond to allegations of sexual misconduct, protect students' rights, and keep members of the campus community safe from further harm. Measures may include, but are not limited to: Issuing interim suspensions pending a hearing, reporting incidents to local police and/or prosecutors, referring to counseling and health services, providing education to the community, or altering the housing situations.

### **What is a "complainant" and a "respondent?"**

These are terms the University uses in conduct or investigation proceedings. A complainant is a person that makes a complaint. A respondent is a person who is responding to a complaint that has been made.

### **Do I have to participate in an investigation or conduct process?**

No. While there are some cases in which the University must pursue an investigation to maintain the safety of the campus, you will never be compelled to participate unless you want to.

### **Even if I report to the Title IX Coordinator and they decide to pursue further investigation?**

Yes, even if you file a report with the Title IX Coordinator, Arcadia University cannot compel a complainant to participate in an investigation or a conduct process. Additionally, even if you decline to participate in an investigation or conduct process, the Office of Equity and Civil Rights may still be able to offer you reasonable supportive measures.



### **Do I have to name the other person or people involved in an incident?**

- Yes, if you want to file a formal complaint or pursue legal action.
- No, if you only want services or supportive measures from the University or from an off-campus resource

### **Will the respondent know I'm the one who reported the incident?**

- Yes, if you file a report with law enforcement and provide their name.
- Yes, if you file a formal complaint with the Title IX Coordinator, provide their name and you agree to participate in a formal investigation or the University determines that a formal investigation is necessary to keep the campus safe.
- No, if you contact non-Arcadia resources such as the Women's Center, Laurel House, or Victim Services and do not pursue legal or University action.

### **What is an "supportive measure" and how can I request one?**

An "supportive measure" is an individualized measure designed to restore or preserve access to the University's education program or activity, protect the safety of all parties and the University's educational environment, and/or deter sexual harassment, sexual misconduct and/or retaliation, without being punitive or disciplinary in nature or unreasonably burdening any other parties.

These accommodations may include living accommodations, such as housing rearrangements, academic accommodations, such as class switching, transportation accommodations, working accommodations, if employed through the school, or other protective measures like No Contact Directives. Supportive measures may be obtained by speaking with the Title IX Coordinator.

### **What is a No Contact Directive?**

No Contact Directives are orders from the institution that person may have no further contact with another person (verbal, written, digital or third party). It is enforceable through Public Safety and the Dean of Students Office. To get one, students may contact Public Safety directly, or the Title IX Coordinator for assistance, who will perform a basic assessment of the incident (who/what/when/where/how). The Directive will be created by Public Safety and the other party named will be notified. In order for the University to enforce this directive, you will need to share both your name and the name of the respondent.

A temporary Protection from Abuse (PFA) Order may be obtained by by application from the Montgomery County Courthouse and are a legal instrument. A final PFA will require a hearing in front of a judge and can be entered by agreement with the Defendant. A PFA serves to ensure that that the offender does not have contact with the victim, are enforceable through local law enforcement and Arcadia University has an institutional responsibility to comply with such orders. You may also contact Arcadia University Department of Public Safety, the Domestic Abuse Response Team at Laurel House, or Montgomery County Victim Services for assistance in obtaining an Order of Protection.

### **What will the Title IX Coordinator do with information related to my report once my case is closed?**

Your information will be stored in a secure format for at least seven years. Arcadia University will protect your personally identifiable information under FERPA, including in any publicly available documents such as annual security reports or timely warnings provided for by the Clery Act. You may request access your records held by the Office of Equity and Civil Rights by making a request through their office.

### **Where can I find more information on Arcadia's sexual misconduct policy and procedures?**

The Student Code of Conduct Handbook has further information regarding student expectations and can be found at <https://www.arcadia.edu/student-handbook>. The Interim Policy Prohibiting Sexual Harassment and Sexual Misconduct contains more information regarding policies and procedures and can be found in the University Policy Library at <https://arcadia.edu/university/university-policies/policy-library>

### **How can I report an incident of sexual or gender based violence to law enforcement?**

You may contact the following:

- Cheltenham Township Police Department (Arcadia Partner)
  - 8230 Old York Road, Elkins Park, PA
  - (215) 885-1600 (non-emergency number)
  - 911 (emergency number)

**If you would like assistance reporting to law enforcement, you may contact Arcadia University's Title IX Coordinator who can help. You may also contact Victim Services Center of Montgomery County or Laurel House to obtain an advocate to accompany you to the police department or to the Title IX Coordinator.**

### **What if I was under the influence of drugs or alcohol? Will I get in trouble if I report that?**

No. Arcadia University has an Amnesty Policy, which means if you seek help for yourself or another or are a party to or the reporter of an incident of sexual misconduct, the University will generally not pursue conduct actions for your substance use.

### **What if I have a friend who has experienced gender violence?**

Perhaps most importantly, believe them! It isn't your job to figure out if what happened to them is true or if it "really happened." Your job is to be their friend. Second, offer any resources you may know of. If you're not sure what resources might be appropriate, feel free to reach out to the Office of Sexual and Gender-based Violence Prevention & Education and Counseling Services. Finally, respect your friend's choices of what resources to pursue. Remember, sexual and gender-based violence are crimes of power and control. Allowing your friend to exercise control over what happens next can be extremely helpful and empowering, even if you disagree with their choices.

# STUDENT BILL OF RIGHTS

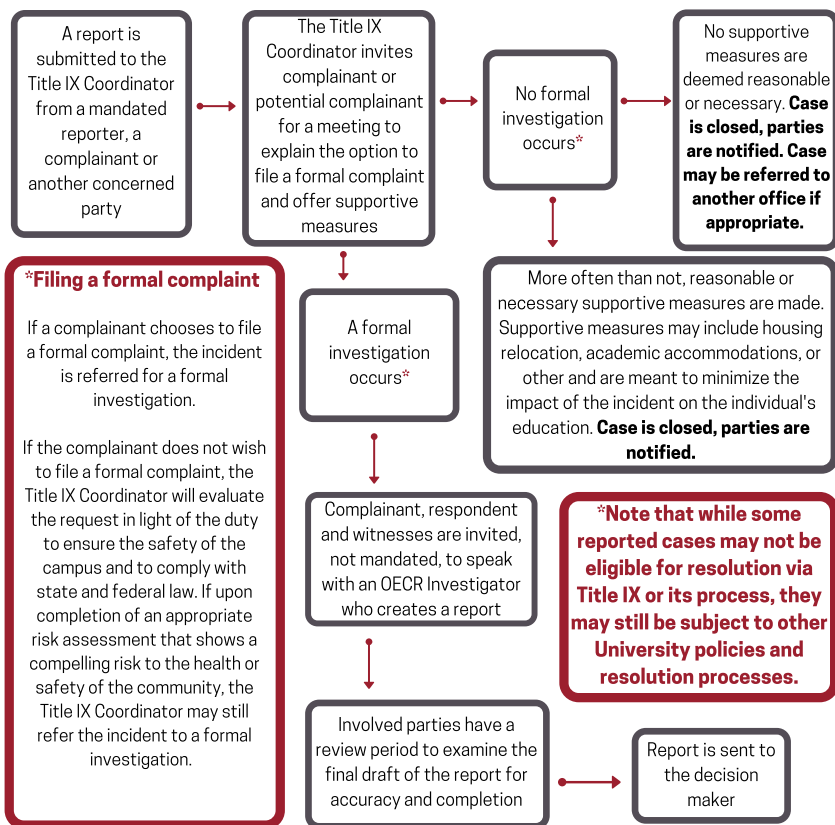
IN ACCORDANCE WITH ARCADIA UNIVERSITY POLICIES

- 1** You have the right to be treated with respect by all Arcadia University personnel and fellow students involved in an incident. Should you not be treated with respect, you have the right to report that for swift examination by the institution.
- 2** You have the right to access appropriate campus and community resources and supportive measures, regardless of whether or not you report the incident as a crime. Should you wish to have a professional advocate with you to access any of those services, you may contact Victim Services Center of Montgomery County directly or the Office of Sexual and Gender-based Violence to help you connect with them.
- 3** You have the right to physical and emotional safety.
- 4** You have the right to have an advisor of your choosing present at any and all meetings with the Office of Equity & Civil Rights/Title IX and/or at any meetings related to student conduct. If you need assistance identifying an advisor, you can contact the Dean of Students Office, the Office of Sexual Violence Prevention & Education or the Office of Equity & Civil Rights/Title IX.
- 5** You have the right to know that any disclosure of a sexual misconduct made to a university mandated reporter will result in a report being forwarded to the Title IX Coordinator. Reports to The Counseling Center and Student Health Services will not result in a report being forwarded.

- 6** You have the right to a prompt, fair and impartial process from the initial investigation to the final result (completed within the time frames laid out by our policy that is transparent, provides timely notice of meetings and equal access to information to both the complainant and respondent, and conducted by officials without a conflict of interest or bias for either party, who receive annual training on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability).
- 7** You have the right to be free from any kind of pressure from campus personnel that might prompt you to: (1) not report any crimes committed against you to civil and criminal authorities or to campus law enforcement and disciplinary officials, or (2) report crimes as lesser offenses than you perceive them to be.
- 8** You have the right to be free from retaliation for seeking help and/or action. Should you experience retaliation, you have the right to report that to the University for swift examination.
- 9** You have the right to have any allegations of sexual misconduct treated seriously; the right to be treated with dignity.
- 10** You have the right to appear and make a written statement during the sanctioning phase of the conduct process.

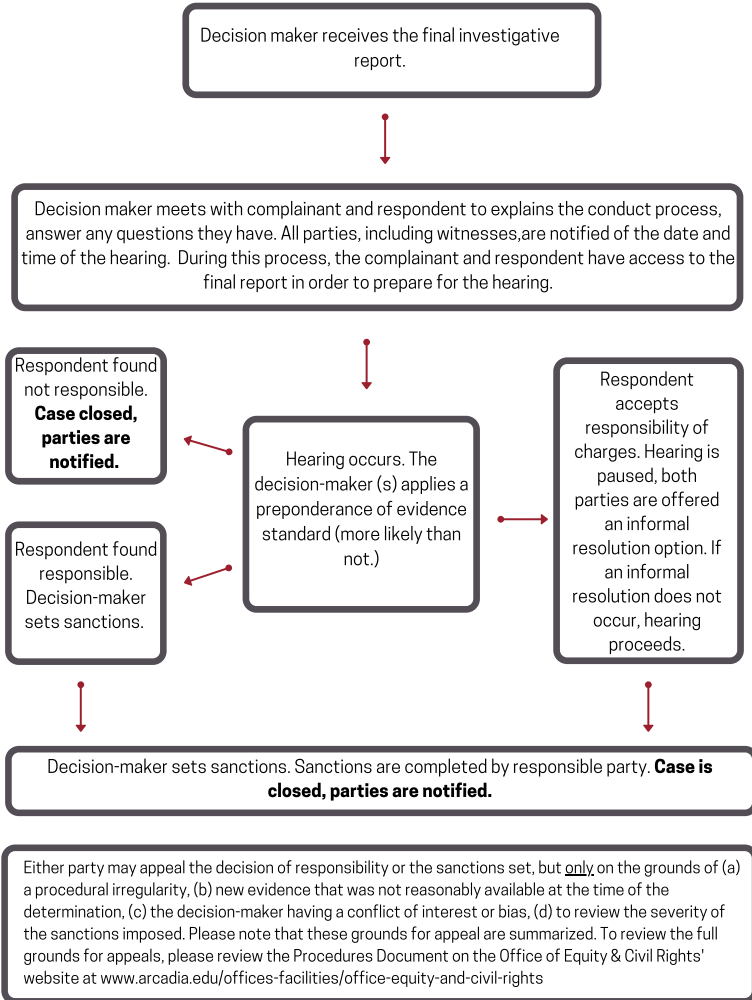
# REPORTING & CONDUCT PROCESS

## REPORTING & INVESTIGATION



**\*NOTE\*** At any time in this process, anyone may decline to participate in an investigation or to speak with the Title IX Coordinator or Investigators. In addition, those participating are entitled to an advisor of their choice to be present at any meetings or proceedings.

## THE CONDUCT PROCESS



**\*NOTE\* It is the right of both the complainant and respondent to have an advisor of their choosing present at any point of the Conduct process. Advisors will be mandatory for the Title IX hearings.**

STUDENT NEEDS

**IMMEDIATE ASSISTANCE**

\*Non-Arcadia Resource or Service

**STUDENT FEELS UNSAFE OR NEEDS EMERGENCY ASSISTANCE**

**Arcadia Public Safety**

Available 24/7  
Emergency: 215-572-2999  
Non - Emergency: 215-572-2800

**Cheltenham Township Police Department\***

Available 24/7 Emergency: 911  
Non - Emergency: 215-885-1600

**STUDENT NEEDS MEDICAL CARE**

**Emergency Care  
Abington Hospital\***

1200 Old York Road, Abington, PA  
Phone: 215-481-2000

\*A victim advocate from Victim Services of Montgomery County can accompany to the hospital

**Non-Emergent Care  
Student Health Services**

Ground Floor, Heinz Hall  
Phone: 215-572-2966

**STUDENT NEEDS PSYCHOLOGICAL SUPPORT**

**Counseling Services**

Ground Floor, Heinz Hall  
Phone: 215 -572-2967

**Victim Services Center of Montgomery County\***

325 Swede St  
Norristown, PA  
Phone: 610-277-0932  
Sexual Assault Hotline: 610-277-5200  
Other Crimes Hotline: 610-277-4781

STUDENT WANTS TO

**TALK TO SOMEONE OR GET SUPPORT**

**STUDENT WANTS TO SPEAK TO SOMEONE CONFIDENTIALLY**

**Counseling Services**

Ground Floor, Heinz Hall  
Phone: 215 -572-2967

**Student Health Services**

Ground Floor, Heinz Hall  
Phone: 215-572-2966

**Victim Services  
Center of  
Montgomery County\***

325 Swede St  
Norristown, PA  
Phone: 610-277-0932  
Sexual Assault Hotline:  
888-521-0983  
Other Crimes Hotline:  
610-277-4781

**Laurel House  
(Domestic Violence  
Resource)\***

Phone: 800-642-3150  
www.laurel-house.org

**STUDENT WANTS INFORMATION ABOUT OTHER SUPPORT SERVICES AND RESOURCES**

**Office of Sexual and Gender-based Violence Prevention & Education**

2005 Church Road  
Phone: 215-572-4000  
Alison Berk, Coordinator, berka@arcadia.edu

**Office of the Dean of Students**

University Commons, 2nd Floor  
Phone: 215-572-2934

STUDENT WANTS TO

**MAKE A REPORT OR ACCESS INSTITUTIONAL SUPPORTIVE MEASURES**

**STUDENT WANTS TO REPORT TO THE INSTITUTION FOR INVESTIGATION OR SUPPORTIVE MEASURES**

**Office of Equity & Civil Rights/Title IX**  
777 Limekiln Pike, Ground Floor, Suite 112  
Phone: 215 -517-2659  
Coordinator: Nora Nellen, nellen@arcadia.edu

**STUDENT WANTS TO REPORT TO LAW ENFORCEMENT FOR INVESTIGATION**

**Cheltenham Township Police Department\***  
8230 Old York Road, Elkins Park, PA  
Phone: 215 -885-1600  
\*Or the police department where the crime occurred

**Montgomery County District Attorney's Office, Victim/Witness Services**  
P.O. Box 311, Norristown, PA 19404  
Phone: 610-278-3144

*A professional advocate is available to accompany a victim to report to the Office of Equity & Civil Rights or to the police. An advocate can be obtained by contacting the Office of Sexual and Gender-based Violence Prevention & Education, Victim Services of Montgomery County, Laurel House*

SHOULD YOU NEED MORE INFORMATION ON THESE RESOURCES, PLEASE CONTACT ALISON BERK, COORDINATOR FOR THE OFFICE OF SEXUAL AND GENDER-BASED VIOLENCE PREVENTION & EDUCATION AT BERKA@ARCADIA.EDU OR 215-572-4080

**INTERESTED IN GETTING INVOLVED IN  
ARCADIA UNIVERSITY'S EFFORTS TO  
END SEXUAL AND GENDER-BASED  
VIOLENCE ON CAMPUS?**

**JOIN**  
**GOOD KNIGHTS**  
**PEER EDUCATION**

CONTACT THE OFFICE OF SEXUAL VIOLENCE PREVENTION & EDUCATION AT  
[SVPE@ARCADIA.EDU](mailto:SVPE@ARCADIA.EDU)