STUDENT RIGHTS AND RESOURCES

Sexual & Gender-based Violence

Provided by the Office of Sexual Violence Prevention & Education
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. While the statistics of victims these types of violence tend to skew towards women and perpetrators tend to skew towards men, 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 are sexual assault, stalking, dating/domestic violence and sexual harassment. All of these types of violence are prohibited by Arcadia University Student and Employee Codes of Conduct.

What is consent?
The full Arcadia University definition of consent can be found in Section IV of the Arcadia University Policy Prohibiting Sexual Misconduct, Relationship Violence and Stalking. However, a working definition can be remembered with the acronym V.O.I.C.E.S. Consent is:
Voluntary
Ongoing
Informed
Clear and mutual
Explicitly demonstrated
Sober

What is stalking?
At Arcadia, stalking is defined as a repeated behavior that is unwanted and could 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 IV of the Arcadia University Policy Prohibiting Sexual Misconduct, Relationship Violence and Stalking.
What is dating/domestic/relationship violence?
At Arcadia, dating/domestic/relationship violence is defined as the unwanted assertion of power or control over a romantic or intimate partner, 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. It should be noted that the Arcadia Policy against dating/domestic/relationship violence specifically excludes emotional abuse from its definition, although that is still a form of abuse. The full Arcadia University definition can be found in Section IV of the Arcadia University Policy Prohibiting Sexual Misconduct, Relationship Violence and Stalking.

What is the difference between "reporting" and "disclosing?"
**Reporting** is the official act of reporting an incident to the University or to law enforcement. A university report can be made through the Title IX Office or The Office of the Dean of Students, if all parties involved are students, or the Office of Human Resources, if one or more parties involved in the incident are employees of the University. 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.

**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 and staff are mandated reporters and must report incidents of sexual and gender-based violence to the Title IX Office, except for counselors in the Counseling Center and staff at Student Health Services.

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 Office. 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 Title IX Office 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 Office and/or complete an official report or investigation. If they must report what you’ve disclosed to the Title IX Office, they should notify you and you are entitled to be with them when they report it, should you wish to be.
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
- 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)

Other confidential, off-campus resources:

- Women Against Abuse
  - This is a confidential, free service for victims in Philadelphia and the surrounding areas.
  - https://www.womenagainstabuse.org/

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 Office and what do they do?

The Title IX Office is a non-confidential office responsible for ensuring gender equity at Arcadia University through compliance with Title IX. They investigate all incoming reports of sexual and gender-based violence, determine if a formal investigation is necessary and help students access accommodations 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.

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.

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

If both or all parties involved are students, you may contact the following:

- Title IX Office
  - Nora Nelle, Title IX Coordinator
  - nellen@arcadia.edu
  - 777 Limekiln Pike, Ground Floor
  - 215-517-2659

- Office of the Dean of Students
  - Andrew Goretsky, Dean of students
  - goretsky@arcadia.edu
  - University Commons, Suite 202
  - 215-572-2933

If one of the parties is an employee, you may contact the Title Office or

- Human Resources
  - Mary Sweeney, Associate Vice President of Human Resources
  - sweeneym@arcadia.edu
  - 782 Limekiln Pike
  - 215-572-2790

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. For a professional advocate, you may contact Victim Services Center of Montgomery County or the Domestic Abuse Response Team of Laurel House.
If I go to the Title IX Office do I automatically have to go through the student conduct process?

Usually no. Many students who are complainants only want reasonable and necessary accommodations, like a "no contact" order or moving rooms, and Title IX is able to help with that.

Students may request that the Title IX office does not move forward in an investigation or referral to the conduct process. The Title IX Office will weigh that request against their obligation to make sure the entire campus community is safe and make a determination if they have to go forward. The Title IX Office 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.

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?

If you are a complainant, 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.

If you are a respondent, you are required to meet with Title IX Office, but are not compelled to answer any questions or speak at all.

Even if I report to the Title IX Office and they decide to pursue further investigation?

Yes, even if you file a report with the Title IX Office, 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, Title IX may still be able to offer you reasonable accommodations.

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

- Yes, if you want to pursue formal disciplinary action or legal action.
- No, if you only want services or accommodations from the University or from an off-campus resource.
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 Title IX 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.

A temporary Protection from Abuse (PFA) Orders may be obtained by application from the Montgomery County Courthouse and are a legal instrument. A final PFA may require a hearing in front of a judge, or by agreement with the Defendant. A PFA serves to ensure that parties do not contact each other, 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 Office do with information related to my report once my case is closed?

Your information will be stored in a secure format for an indefinite period of time and the incident will be added to our aggregate data. Arcadia University will protect your identity in publicly available information, such as the Annual Security Report from other Public Safety Department on in campus safety warnings. You may access all information in your file by requesting it through the Title IX Office or the Office of the Dean of Students.
Where can I find more information on Arcadia’s sexual misconduct policy and procedures?
Student Code of Conduct Handbook

Reporting an Incident of Sexual Misconduct
https://www.arcadia.edu/university/policies-guidelines/title-ix/reporting-incident

Procedure for Resolution of Complaint
https://www.arcadia.edu/university/offices-facilities/title-ix/procedures-resolution-complaints

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 Office 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.

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. You may view the full policy at https://www.arcadia.edu/university/offices-facilities/title-ix/policy-prohibiting-sexual-misconduct-relationship-violence

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 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.

If you have other questions, not addressed here, please contact Alison Berk at berka@arcadia.com at the Office of Sexual Violence Prevention & Education
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 accommodations, 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 Title IX Office 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 Title IX Office.

5. You have the right to know that any disclosure of a sexual misconduct made to a university mandated reporter will result in an official report being filed. Reports to The Counseling Center and Student Health Services will not result in an official report being made.
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).

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.

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.

You have the right to have any allegations of sexual misconduct treated seriously; the right to be treated with dignity.

You have the right to appear and make a written or oral impact statement during the sanctioning phase of the conduct process.
REPORTING & CONDUCT PROCESS

THE TITLE IX PROCESS

A report is submitted to the Title IX Office from a mandated reporter, a complainant or another concerned party

The Title IX Coordinator invites complainant or potential complainant for an assessment

No further investigation occurs*

No Title IX accommodations are deemed reasonable or necessary. Case is closed, parties are notified. Case may be referred to another office if appropriate.

A further investigation is occurs*

Complainant, respondent and witnesses are invited, not mandated, to speak with a Title IX Investigator who creates a report

The investigative report is sent back to the Title IX Coordinator to be reviewed for accuracy and completion

Report is sent to the Dean of Students

*Request to pursue/not pursue a further investigation

If a complainant requests that no further investigation take place, the Title IX Coordinator will weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all community members, including the complainant and to afford a Respondent fundamental fairness to determine if a further investigation is necessary.

If able to honor the student’s request, either to investigate or not, the University will do so.

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

The Dean of Students reviews the report to decide if, were it true, a conduct violation would have occurred. The Dean is not determining the truth of the report.

If it would not be a violation of University policies, case is closed, parties are notified.

If it would violate a policy, the Dean assesses which policies would be violated and creates charges based on their assessment.

Dean meets with complainant and respondent to notify them of charges, explains the conduct process, answer any questions they have and convenes a board. All parties, including witnesses, are notified of the date and time. At this time, the case file is furnished to both complainant and respondent, typically in a secure, electronic format.

Respondent found not responsible. Case closed, parties are notified.

Respondent found responsible. Sanctions recommended to Dean of Students.

Hearing occurs. The board is made up of three faculty members and can vary in length. Board members apply a preponderance of evidence standard (more likely than not.)

Respondent accepts responsibility of charges. Sanctions are recommended to the Dean of Students.

Dean sets sanctions. Sanctions are completed by responsible party. Case is closed, parties are notified.

Either party may appeal the decision of responsibility or the sanctions set, but only on the grounds of a substantive procedural error being made which affected the outcome of the hearing or that there is new evidence that would affect the outcome of the hearing that was not available at the time of the hearing.

*NOTE* It is the right of both the complainant and respondent to have an advisor of their choosing present at any point of the Title IX or Conduct process.
RESPONDING TO SEXUAL VIOLENCE
Your guide to resources at Arcadia University

STUDENT NEEDS
IMMEDIATE ASSISTANCE

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 PSYCHOSOCIAL 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

SHOULD YOU OR A STUDENT NEED MORE INFORMATION ON THESE RESOURCES,
PLEASE CONTACT ALISON BERK, COORDINATOR FOR SEXUAL VIOLENCE PREVENTION AND EDUCATION AT BERKA@ARCADIA.EDU OR 267-620-4853

STUDENT Needs 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: 888-821-0983
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 Violence Prevention & Education
6 Royal Road, 3rd Floor
Phone: 267-620-4853
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 ACCOMMODATIONS

STUDENT WANTS TO REPORT TO THE INSTITUTION FOR INVESTIGATION OR ACCOMMODATIONS
Title IX Office
777 Limekiln Pike, Ground Floor, Suite 112
Phone: 215-517-2659
Coordinator: Nora Nelle, nellen@arcadia.edu

STUDENT WANTS TO REPORT TO THE POLICE 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

A professional advocate from Victim Services Center of Montgomery County is available to accompany a victim to report to the Title IX Office or to the police.
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 OSVPE@ARCADIA.EDU