

Sexual Assault Victim's Rights

Alvernia University recognizes the following victim's rights when a sexual misconduct is alleged. The victim has:

- ◆ The right to **immediate medical treatment**.
- ◆ The right of **access to any and all counseling resources of the University**.
- ◆ The right, if requested by the alleged victim, to have **academic and campus living situations changed as far as reasonably practical**. (Such options as changing sections of classes, changing a class to directed study, or changing residences may be explored.)
- ◆ The right to have the complaint fully investigated as soon as possible after a report has been made.
- ◆ The right to have the complaint handled via formal and/or informal process in accordance with the University's Community Standards procedures.
- ◆ The right to have an advocate of choice accompany him/her through the Community Standards process.
- ◆ The right to have a **Community Standards conference focusing only on the facts relevant to the accusation**.



If you need additional information on all university/sexual misconduct policies, please contact:

Office of Community Standards
 Alvernia University
 400 Saint Bernadine Street
 Reading, PA 19607
 Phone: 610-796-5508



ALVERNIA UNIVERSITY



ALVERNIA UNIVERSITY

Building A Stronger **Community**
 Sexual Misconduct Policy

Office of Community Standards
 Veronica Hall ♦ 610-796-5508

Specific Policy Statements

Harassment is when an individual or group acts against another individual or group resulting in alarm, fear, or serious annoyance without a legitimate reason.

Bullying is when an individual or group repeatedly, and intentionally imposes harmful acts upon another individual. Acts may be physical, verbal, emotional or electronic resulting in embarrassment, fear, pain or discomfort.

Stalking is when an individual repeatedly and persistently acts without a legitimate reason by any action, method, device, or means in a way that results in alarm, fear, emotional distress or serious annoyance to another party.

Discriminatory Harassment is when an individual or group acts against another individual or group resulting in alarm, fear, or serious annoyance without a legitimate reason because of the party's membership to group such as: race, sex, religion, ethnic heritage, age, disability, citizenship status, veteran status, physical appearance, or sexual orientation. Please note that discriminatory harassment based on sex or sexual orientation is also considered Sexual Harassment. (For detailed information, see the Sexual Misconduct Policy, below.)

Hazing is an action taken by an individual or group that might process mental or physical discomfort, embarrassment, harassment or ridicule that is required or expected for membership in a group, club or team that is not consistent with the mission of the group, club or team.

ALL SUCH ACTS ARE PROHIBITED.

Reporting a Violation

Students are encouraged to consult the Vice President for University Life and Dean of Students for assistance. Employees of the University are encouraged to consult with the Director of the Human Resources Department regarding their concern. Once an incident of harassment has been reported to the university, the university will take the appropriate actions to remedy the situation. Any incident of student on student or student on employee harassment will be handled through the Community Standards system, as outlined in the student handbook. Any employee on student harassment will be handled in the process described in the Alvernia Employee Handbook.

Sexual Misconduct Policy

Introduction

Alvernia University believes that all people deserve to have their basic human dignity and sexual sovereignty respected. Everyone has the right to not be acted upon sexually by someone else unless and until he or she gives clear, knowing, and voluntary consent. Alvernia University believes that any violation of the sexual misconduct policy is a very serious matter.

Alvernia University strives to maintain an environment where all employees and students are free from sexual harassment or discrimination.

Major Sexual Misconduct Policy

Members of the Alvernia University Community, guest and visitors expect to be free from sexual violence. All members of the Alvernia University Community are expected to respect the rights of all people which includes someone's rights for sexual sovereignty and human dignity.

In order to engage in any sexual activities all parties must give clear, knowing and voluntary consent prior to and during any sexual activities.

Sexual Misconduct Offenses

Sexual misconduct offenses include (but are not limited to):

- ◆ Stalking
- ◆ Sexual Harassment
- ◆ Non-Consensual Sexual Contact (could be known as Sexual Assault)
- ◆ Non-Consensual Sexual Intercourse (could be known as Sexual Assault or Rape)
- ◆ Retaliatory Harassment
- ◆ Sexual Exploitation
- ◆ Intimate Partner Violence (could be known as Dating Violence or Domestic Violence)

Consent

Consent means the affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter.

It is only unambiguous consent if both parties are of age, sober, coherent, not forced, threatened or intimidated and have inherent intellectual ability to make this decision.

Consent can be verbal or non verbal, but verbal consent is always more clear. Silence cannot be interpreted as consent.

Consent can be withdrawn at any time.

Consent to one form of sexual activity with one partner does not mean consent to another form of sexual activity and/or consent with another partner.

Prior sexual relationships does not imply consent to future sexual acts.

The use of alcohol/drugs can impair someone's ability to have the capacity to give consent to any act, and engaging in sexual activities with such a person might violate this policy.

Alvernia University students should remember that the Sexual Misconduct Policy applies, in the spirit of the Student Code of Citizenship, both on and off campus.

Amnesty Policy

In cases of Sexual Misconduct, the primary concern is for the health and safety of the potential victim(s). Individuals are strongly encouraged to seek assistance for themselves or for a friend/acquaintance who may be a victim of Sexual Misconduct. A student seeking assistance from University personnel or medical treatment for him/herself or another student will not be subject to disciplinary action for violations of University Policy, including but not limited to the Alcohol Policy, with reasonable exceptions (e.g., if there is a pattern of such behavior).

If you have experienced...

If you have experienced sexual misconduct and need information about...

...immediate Medical Treatment

For immediate medical treatment see the Health and Wellness Center (610.568.1467), located on the ground floor of Veronica Hall, or students may also seek medical attention at any area hospital. For transportation or assistance call Public Safety (610.796.8350). For emergencies student should either call 911 or use the campus call boxes. At local hospitals, Sexual Assault Nurse Examiners (SANE) specialize in helping victims of sexual violence, and can be seen anonymously and free. It is important to remember to preserve any evidence of sexual misconduct.

...access to any and all counseling resources of the University

To use university counseling services call the Health and Wellness Center (610.568.1467). Another complementary resource separate from the University is Berks Women in Crisis (610-372-9540) a private non-profit, domestic and sexual violence center. Their belief is that all people are entitled to a life free from physical, sexual, and emotional violence. Services provided include notification of police and the criminal justice system, and encouragement to seek medical treatment as well as ongoing psychological counseling on an individual or support group basis. Referrals are coordinated with appropriate agencies if additional assistance or support is necessary.

...revising academic and campus living situations as far as reasonably practical. (Such options as changing sections of classes, changing a class to directed study, or changing residences may be explored.)

If a student would like to discuss what remedial actions may take place, such as but not limited to change of class or residence, they are encouraged to see the University Title IX Coordinator:

Dr. Joseph J. Cicala
Title IX & Clery Officer
610.796.8211
joe.cicala@alvernia.edu

...having the complaint fully investigated as soon as possible after a report has been made.

In order to make a formal report an alleged victim or third party should contact one of the following parties:

Director of Public Safety (610.796.8350) on the 2nd floor of the Student Center,

Dean of Students and Director of Residence Life, (610.796.8320) in Veronica Hall,

Community Standards Coordinator (610.796.5508) in Veronica Hall,

Vice President for Enrollment and University Life (610.796.3005) in the Student Center

...having an advocate of his or her choice to accompany him/her throughout the Community Standards process

Once the investigation is complete, the Community Standards process will begin, as outlined in the Community Standards section of the Student Handbook. Throughout the Community Standard process, both accusing and accused students have the right to have an advocate of his or her choice accompany him/her throughout the Community Standards process, under the conditions outlined in the Community Standards section of the Student Handbook. In cases of sexual misconduct, that advocate may be from outside the University community, if the student so chooses.

...Community Standards conference focusing only on the facts relevant to the accusation.

During the Formal Administrative Conference, past sexual history or character will not be discussed unless such information is determined, at the sole discretion of the Formal Conference Officer, to be highly relevant to the case.