



## **POLICY & PROCEDURE INFORMATION CONCERNING TITLE IX & SEXUAL MISCONDUCT**

### **TITLE IX**

Title IX of the Educational Amendments ACT of 1972 (amending the Higher Education Act of 1965) is the federal law prohibiting sex discrimination in educational institutions. This includes all forms of sexual and gender-based harassment, sexual misconduct, sexual violence, sexual assault, domestic violence, dating violence, and stalking by students, employees, and/or third parties against students, employees, or third parties. This act is codified as Title 20, United States Code, Chapter 38, Section 1681-1686. The act was also amended by the Civil Rights Restoration Act of 1987 ("Title IX").

The law states that "no person in the United States shall on the basis of sex be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." The amendment in 1987 expanded the definition of program or activity to include all operations of an educational institution, governmental entity, or private employer that receives federal funds.

If the College knows or reasonably should know of possible sex discrimination, it must take timely and appropriate steps to investigate or otherwise determine what occurred (subject to the confidentiality provisions). If an investigation reveals that sex discrimination has created a hostile environment, the College must then take swift and suitable action to end the discrimination, remedy the effects, and prevent its recurrence.

Similar to Title IX, Section 304 of the Violence Against Women Reauthorization Act of 2013 forbids sexual assault, dating violence, domestic violence, and stalking. These actions are not tolerated by the College, and will be handled according to the process outlined in this policy.

### **THIEL COLLEGE NON-DISCRIMINATORY STATEMENT –**

Thiel College does not discriminate against any person based on actual or perceived race, color, gender (including gender expression and gender identity), sex, sexual orientation, religious belief, national origin, ethnicity, genetic information, pregnancy, familial status, marital status, veteran status, age, or disability as those terms are defined under applicable law. This policy of nondiscrimination applies in connection with admission to and participation in all programs and activities sponsored by Thiel College and to all employment practices of Thiel College.

Inquiries concerning compliance with this policy should be addressed to  
Jennifer Clark, Director of Human Resources, Thiel College  
75 College Avenue, Greenville, PA 16125  
724-589-2858

### **THIEL COLLEGE TITLE IX COORDINATORS & THEIR RESPONSIBILITIES**

The Title IX Coordinators are responsible for coordinating the College's efforts to comply with its responsibilities under policy, guidance from the United States Department of Education, and federal statutes and regulations governing sexual misconduct. These individuals will assist the College in complying with Title IX and promoting gender equity in education. These individuals are knowledgeable of campus policies related to sexual misconduct and can inform complainants and/or victims and respondents of rights and options, and assist with interim measures and remedies. These individuals also decide when institutional action is necessary.

*Jennifer Clark*, Lead Title IX Coordinator, Director of Human Resources: (724) 589-2858  
*Madison Opritza*, Deputy Title IX Coordinator, Assistant Director of Residence Life: (724) 589-2353

*Hours of Operation:* Monday – Friday 8:00am – 4:30pm and additional hours when necessary

**WHEN SHOULD I CONTACT A TITLE IX COORDINATOR** – Any person (student, faculty or staff member, third-party guest, or applicant for admission or education) who has concerns about sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, by electronic mail, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

Contact a coordinator if you:

- Wish to understand your options if you think you may have encountered sex discrimination or sexual misconduct;
- Learn of a situation that you feel may warrant a College investigation;
- Need help on how to handle a situation by which you are indirectly affected;
- Seek guidance on possible informal remedies or administrative measures to de-escalate or alleviate a difficult situation;
- Have questions about Thiel’s policies and procedures.

Conversations with coordinators are kept as confidential as possible, but information about incidents of sexual misconduct must be shared with relevant administrators if the College needs to take action for reasons of community safety. In all cases, the wishes of the person initiating the conversation are given full consideration.

### **SEXUAL MISCONDUCT POLICIES & PROHIBITED CONDUCT UNDER THESE POLICIES**

Thiel College is committed to providing a safe learning and working environment. In compliance with federal law, specifically the Jeanne Clery Act ([Clery Act](#)), Title IX of the Education Amendments of 1972, and the Violence Against Women Act (VAWA), Thiel College has adopted policies and procedures to prevent and respond to incidents of sexual assault, sexual violence, sexual harassment, domestic violence, dating violence, and stalking. These guidelines apply to all members of the Thiel College community (students, faculty, and staff) as well as contractors and visitors.

The Thiel College community strictly prohibits acts of domestic violence, dating violence, sexual assault, sexual discrimination, sexual harassment, sexual violence, and stalking. We take violations of these acts very seriously and anyone found in violation will be dealt with by the appropriate authorities. Disciplinary sanctions for these acts can vary from internal penalties (fines, community service, mandated counseling, suspension, and/or expulsion) to external penalties like prosecution. These will be looked at strictly on a case to case basis.

Thiel College is continually offering educational programs to our faculty, staff and students about sexual misconduct, and sexual harassment on campus. Through the AWARE, RAD, Campus Clarity, and other programs, the Thiel College community is kept informed on current trends and policies, and members are trained on how to deal with and report sexual crimes on campus. For more information about our policies and procedures for handling situations of sexual violence, sexual harassment, sexual discrimination, dating violence, domestic violence, and stalking, please contact one of our Title IX Coordinators or the Student Life Office.

**DEFINITION OF TERMS:** In dealing with these issues it is often helpful to define terms.

**Consent:** Sexual activity requires consent, which is defined as positive, unambiguous, and voluntary agreement to engage in specific sexual activity throughout a sexual encounter. Consent cannot be inferred from the absence of “no,” a clear “yes,” verbal or otherwise, is necessary. Consent to some sexual acts does not constitute consent to other, nor does past consent to a given act constitute present or future consent. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Consent cannot be obtained by threat, coercion, or force. Agreement under such circumstances does not constitute consent. It is the responsibility of person making sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually.

Consent cannot be obtained from someone who is asleep or otherwise mentally or physically incapacitated due to alcohol, drugs, or other conditions. A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. Engaging in sexual activity with a person whom you know — or reasonably should know — to be incapacitated constitutes sexual misconduct.

**Additional Guidance about Consent:** Consent can be accurately gauged only through direct communication about the decisions to engage in sexual activity. Presumptions based upon contextual factors (such as clothing, alcohol consumption, dancing, flirting, or other activities) are unwarranted, and should not be considered as evidence for consent. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging consent. Talking with sexual partners about desires and limits may seem awkward, but serves as the basis for positive sexual experiences shaped by mutual willingness and respect.

**Complainant:** An individual who is alleged to be the victim of conduct that could constitute sexual harassment.

**Deliberately indifferent:** A response to sexual harassment or other sexual misconduct that is clearly unreasonable in light of the known circumstances.

**Hostile Environment:** An environment where the conduct of one or more individuals is sufficiently serious that it denies or limits a student's, faculty members, or staff member's ability to participate in or benefit from the College's program based on sex. In determining whether a hostile environment exists, the College shall consider all relevant circumstances, including the following factors: (a) the degree to which the conduct affected the College's educational programs, (b) the type, frequency and duration of the conduct, (c) the age and sex of the alleged harasser and the subject or subjects of the harassment, (d) the location of the incidents and the context in which they occurred, (e) other incidents at the College, (f) incidents of gender-based, but nonsexual harassment.

**Incapacitation:** Any situation in which a person is incapable of giving consent due to the student's age, state of consciousness, use of drugs or alcohol, or an intellectual or other disability.

**Intimidation:** The intentional act of coercing or frightening someone to engage or not engage in conduct of sexual nature against the person's will.

**Non-consensual sexual contact:** Any physical touching of a sexual nature which is not preceded by consent or which continues after a previous consent is withdrawn.

**Non-consensual sexual intercourse:** Any sexual intercourse which is not preceded by consent or which continues after previous consent is withdrawn.

**Reporting party-** an individual that is witness to or has knowledge of alleged sexual misconduct and files a report with the institution. An individual can make a report through email, in person, or letter.

**Respondent:** An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

**Sexual Harassment:** Sexual harassment includes unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when: (1) submission to such conduct is made — either implicitly or explicitly — a term or condition of an individual's academic or employment status; (2) submission to or rejection of such conduct is used as a basis for education or employment decisions affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with a student's or employee's work performance or creating an intimidating, hostile, or offensive educational, living, or working environment. A hostile environment exists when sexual harassment is sufficiently severe, pervasive, or persistent or so objectively offensive that it would interfere with or limit a reasonable person's ability to participate in or benefit from the educational programs and activities of the College.

Sexual harassment can be committed by individuals of any sex against individuals of any sex including those who are transgender or gender-neutral. Sexual harassment sometimes involves a person in a greater position of authority than the person being harassed; however, individuals in positions of lesser or equal authority can also be found responsible for engaging in harassment. Sexual harassment can be physical or psychological in nature. An accumulation of a series of incidents can constitute sexual harassment even if one of the incidents considered separately would not rise to the level of sexual harassment.

Although sexual harassment can encompass a wide range of conduct, below are some specific examples of prohibited conduct:

- Promising directly or indirectly, a reward to an individual if the person complies with a sexually oriented request.
- Engaging in unwelcome sexually suggestive conversation or physical contact of a sexual nature.
- Denying an individual an educational or employment opportunity, if the individual refuses to comply with a sexually oriented request.
- Displaying unwanted offensive, obscene images or other sexually oriented materials; distributing unwanted sexually offensive materials.
- Participating in indecent exposure.
- Stalking based on gender or sex.
- Making sexual or romantic advances toward an individual and persisting despite the individual's expressed rejection of the advances.
- Retaliating or threatening retaliation, directly or indirectly, against an individual who makes a report of misconduct under this policy.

Sexual Harassment also includes (1) Sexual Misconduct related to all forms of non-consensual sexual contact and non-consensual intercourse, and (2) Sexual Exploitation. This Policy also prohibits crimes of sexual assault, dating violence, domestic violence and stalking as defined by the Commonwealth of Pennsylvania.

**Pennsylvania Definition of Rape:** A person commits a felony of the first degree when the person engages in sexual intercourse with a complainant:

- (1) By forcible compulsion.
- (2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution.
- (3) Who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring.
- (4) Where the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance.
- (5) Who suffers from a mental disability which renders the complainant incapable of consent.

**Federal Definition of Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim

The revised definition:

- (1) Includes either Male or Female Victims or Offenders.
- (2) Includes instances in which the victim is incapable of giving consent because of temporary or permanent mental or physical incapacity, (e.g., due to the influence of drugs or alcohol or because of age).
- (3) Reflects the various forms of sexual penetration understood to be Rape.

In addition to rape, the spectrum of sexual assault for both men and women shall include but not be limited to the following unwanted acts: inappropriate disrobing and nudity; genital exposure; fondling of breasts or genitals; single or mutual masturbation; fellatio, cunnilingus and/or sodomy; and digital or object penetration of the anus and/or vagina.

**Pennsylvania Definition of Sexual Assault:** Except as provided in section 3121 (relating to rape) or 3123 (relating to involuntary deviate sexual intercourse) of Pennsylvania Crime Code, a person commits a felony of the second degree when that

person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent. Household members defined as — If you are an adult (person 18 or older) or emancipate minor, you can seek legal protection from acts of domestic abuse done to you or your minor child by a family or household member, which includes: your husband or ex-husband, wife or ex-wife, person who lived with you as a spouse, brother or sister, parent or child, family member related to you by blood or marriage, current or former sexual or intimate partner, and/or someone you have a child in common with.

**Pennsylvania Definition of Domestic Violence:** This includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, a person with whom the victim shares a child in common, a person cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of jurisdiction. Pennsylvania defines domestic abuse as one or more of the following acts occurring between family or household members, sexual or intimate partners, or people who have a child in common:

- Purposefully or recklessly causing or attempting to cause bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault, or incest with or without a deadly weapon.
- Causing another person to reasonably fear imminent serious bodily injury
- False imprisonment
- Physically or sexually abusing a minor child, or engaging in a course of conduct or repeatedly committing acts directed at another person under circumstances that place the person in reasonable fear of bodily injury.

“Family or household members” means current or former spouses, persons who live or have lived as spouses, parent and children, other persons related by blood or marriage, current or former intimate or sexual partners, or persons who have a child in common.

**Pennsylvania Definition of Dating Violence:** Violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined based on a consideration of the following factors:

- The length of the relationship
- The type of the relationship
- The frequency of interaction between the persons involved in the relationship

**Pennsylvania Definition of Stalking:** A person commits the crime of stalking when the person either (1) engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either and intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or (2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

**Venue for Stalking:**

- (1) An offense committed under this section may be deemed to have been committed at either the place at which the communication or communications were made or at the place where the communication or communications were received.
- (2) Acts indicating a course of conduct which occurs in more than one jurisdiction may be used by any other jurisdiction in which and act occurred as evidence of a continuing pattern of conduct or a course of conduct.

**Definition of Sexual Exploitation:** A person is responsible for sexual exploitation when she or he take non-consensual or abusive advantage of another for the person's own advantage or benefit, or to benefit anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to: non-consensual video or audio recording of sexual activity; non-consensual observation of individuals who are undressed or engaging in sexual acts when avoidable; prostituting another person; allowing friends to

witness sexual activity without consent of all involved; and knowingly transmitting a sexually transmitted infection (STI) or the human immunodeficiency virus (HIV) to another.

### **CAMPUS/COMMUNITY RESOURCES:**

#### **Thiel College Department of Public Safety/Police**

The Thiel Police Officers are commissioned police officers in State of Pennsylvania, qualified under Acts 120 and 235 who undergo regular in-service training (including training on response to incidents of sexual misconduct). The officers are empowered by the Commonwealth of Pennsylvania to enforce laws, make arrests and prosecute violators on property owned or controlled by the College and the immediately adjacent streets and properties.

*Land Phone:* (724) 589-2222 *Cell Phone:* (724) 456-4058

*Hours of Operation:* 24 hours a day/7 days a week

*Location:* 2<sup>nd</sup> Floor of the Howard Miller Student Center

[http://www.thiel.edu/campus\\_life/campus-resources/public-safety](http://www.thiel.edu/campus_life/campus-resources/public-safety)

#### **Title IX Coordinators**

The Title IX Coordinators are responsible for ensuring that the institution is compliant with Title IX, and for all policies, programs, coordination of resources, tracking and investigation in relation to Title IX. These individuals are all knowledgeable of campus policies related sexual misconduct, and can inform complainants and/or victims of rights and options, and assist with interim measures and remedies. These individuals also decide when institutional action is necessary.

*Jennifer Clark*, Lead Title IX Coordinator, Director of Human Resources: (724) 589-2858, [jclark@thiel.edu](mailto:jclark@thiel.edu)

*Madison Opritza*, Deputy Title IX Coordinator, Assistant Director of Residence Life: (724) 589-2353, [mopritza@thiel.edu](mailto:mopritza@thiel.edu)

*Hours of Operation:* Monday – Friday 8:00am – 4:30pm and additional hours when necessary

#### **Counseling Center**

The Counseling Center offers free, short-term counseling to all Thiel College students. The center can also make referrals to local resources.

*Phone:* (724) 589-2754 or appointments can be scheduled through Student Life at (724) 589-2125

*Hours of Operation:* Monday – Friday 8:00am – 5:00pm and the Counselor is available through our Thiel Police or Residence Life Departments, should a crisis situation occur in off hours.

*Location:* Lower level of the Howard Miller Student Center (Health & Wellness Suite)

[http://www.thiel.edu/campus\\_life/health-and-wellness/counseling-center](http://www.thiel.edu/campus_life/health-and-wellness/counseling-center)

#### **Campus Health and Wellness Services**

The Student Health Center provides treatment of minor illnesses and injuries, basic first aid supplies, blood pressure screenings, non-prescription cold, sinus and flu medications, and referral to local health care providers and health agencies. During the regular academic year, the office is staffed by a registered nurse. Public Safety is available to provide emergency care and transportation to an emergency room when the office is closed.

*Phone:* (724) 589-2195

*Hours of Operation:* Monday – Friday 8:00am – 5:00pm and Thiel Police are available 24 hours a day for emergency assistance.

*Location:* Lower level of the Howard Miller Student Center (Health & Wellness Suite)

[http://www.thiel.edu/campus\\_life/health-and-wellness](http://www.thiel.edu/campus_life/health-and-wellness)

#### **Campus Ministry Office**

Pastoral care and counseling is available to student through our Campus Pastor. This service is open to members of the community from all faiths and backgrounds.

*Phone:* (724) 589-2130

*Hours of Operation:* Tuesday – Friday 8:00am – 5:00pm and the Pastor can be reached through Campus Police or Residence Life Departments should a crisis situation occur in off hours.

*Location:* 1<sup>st</sup> floor of the Howard Miller Student Center or at the David Johnson Memorial Chapel located on College Avenue  
[http://www.thiel.edu/campus\\_life/spiritual-life](http://www.thiel.edu/campus_life/spiritual-life)

### **AW/ARE of Mercer County**

AWARE is committed to providing education, support and advocacy for all people in Mercer County impacted by domestic violence, abuse (emotional or physical), and sexual violence. **AWARE serves as the primary victim's advocacy group for the county, and the College works closely with AWARE in some situations of sexual misconduct or abuse.**

*Phone:* (724) 342-4934 24 Hour Hotline: 888-981-1457

*Location:* 109 S. Sharpsville Ave., Suite D, Sharon, PA 16146 but AWARE will send advocates to campus  
<http://merceraware.org/default.htm>

### **Campus Conduct Hotline**

The Campus Conduct Hotline is a confidential, anonymous reporting system operated by an independent organization. Your call will be greeted promptly and you will be given a case number that you may use to check for updates and responses. Your call will not be recorded. Your concern will be thoroughly discussed. The College will be provided with information on the issue you report and will investigate and respond to the issue. At no time is a caller required to reveal personal identity – all information may be provided in a confidential and anonymous manner.

*Phone:* (866) 943-5787

*Hours:* 24 hours a day and 7 days a week

[www.thiel.edu/campus-conduct-hotline](http://www.thiel.edu/campus-conduct-hotline)

### **Other Community Resources**

Greenville Police Department (724) 588-4190

UPMC Health System- Greenville (724) 588-2100

Sharon Regional Health System (724) 983-3911

### **Crisis Hotlines and Other Resources**

Mercer County Crisis Hotline (724) 662-2227

National Domestic Violence Hotline (800) 799-7233

### **REPORTING AN INCIDENT OF SEXUAL MISCONDUCT:**

Thiel College encourages any member of the Thiel community who has experienced an incident of sexual misconduct or knows of another member of the community who has experienced sexual misconduct to report the incident to the College. This would include sexual harassment, sexual assault, sexual discrimination, domestic violence, dating violence, sexual violence, or stalking.

**Who to report to?** If a Thiel College student, faculty or staff member, visitor, or contractor has experienced an incident of sexual misconduct, she or he is encouraged to immediately report the incident to one of the following campus resources:

- Thiel College Police Department: Phone: (724) 589-2222 (ext. 2222 if calling from a campus phone) – Location – 2<sup>nd</sup> Floor of the Howard Miller Student Center (HMSC) – Hours: Reachable by Phone 24/7

- Jennifer Clark, Lead Title IX Coordinator, Director of Human Resources, Phone: (724) 589-2858, [jclark@thiel.edu](mailto:jclark@thiel.edu) - Location: 1<sup>st</sup> Floor of Roth Hall — Monday — Friday 8:00am — 4:30pm
- Madison Opritzka, Deputy Title IX Coordinator, Assistant Director of Residence Life: Phone: (724) 589-2353, [mopritzka@thiel.edu](mailto:mopritzka@thiel.edu) — Location: Student Life Office Suite 1<sup>st</sup> Floor of the Howard Miller Student Center (HMSC) — Monday — Friday 8:00am — 4:30pm

Individuals who are on campus can also make an in-person report with the previously listed individuals. Any of those individuals will assist all members of the Thiel community by assessing the incident, advising the survivor on how he or she can seek legal protection, and making the survivor aware of medical, counseling, and other support services. Likewise, the officials will provide the survivor information about her or his rights, campus processes and procedures related to incidents of sexual misconduct, confidentiality, and accommodations the institution can make in order to protect and support the survivor.

If a reported incident did not occur on campus or if the reporting person would prefer to work with outside legal or medical resources, Thiel College Police and Title IX Coordinators can assist the survivor in notifying the local police department with jurisdiction over the crime and/or contacting another local resource. **In case of an emergency or ongoing threat, a survivor should get to a safe location and call 911.** Calling 911 will put you in touch with local police.

Survivors are not required to report to area law enforcement in order to receive assistance from or pursue any options within Thiel College.

Reporting incidents of sexual misconduct to the police (including the Thiel College Police Department) does not commit the survivor to further legal action. However, the earlier an incident is reported, the easier it will be for the police to investigate, if the survivor decides to proceed with criminal charges.

### **PROCEDURES SURVIVORS SHOULD FOLLOW**

If an incident of sexual assault, domestic assault, dating violence, or stalking occurs, it is important to preserve evidence so that successful criminal prosecution remains an option.

The survivor of a sexual assault should not wash, shower or bathe, douche, brush teeth, comb hair, or change clothes prior to a medical exam or treatment. If a survivor has removed the clothing he or she was wearing during the assault prior to seeking medical treatment, that clothing should be placed in a brown paper, not plastic, bag and brought to the hospital when treatment is sought. If the survivor is still wearing the clothes that he or she was wearing during an assault, she or he should bring a change of clothes (including shoes) with her or him to the hospital so that the clothes containing possible evidence can be preserved and examined for evidence of the crime.

Evidence of violence, such as bruising or other visible injuries, following an incident of sexual assault, or domestic or dating violence, should be documented by taking a photograph. Evidence of stalking, including any communications such as written notes, email, voice mail, text messages, or other electronic communications sent by the stalker, should be saved and not altered in any way.

### **WRITTEN NOTIFICATION OF RIGHTS AND OPTIONS**

Any student or employee that reports an incident of sexual assault, sexual harassment, domestic violence, dating violence, sexual violence, or stalking on campus shall receive a written explanation of their rights and options as provided for under this policy.

These rights and options include the right(s) of a survivor to:

- A. Go to court, and to file a domestic abuse complaint requesting an order restraining your attacker from abusing you, and/or an order directing your attacker to leave your household, building, school, college, or workplace;
- B. Seek a criminal complaint for threats, assault and battery, or other related offenses;
- C. Seek medical treatment (the police will arrange transportation for you to the nearest hospital or otherwise assist you in obtaining medical treatment if you wish);
- D. Request the police remain at the scene until your safety is otherwise ensured;
- E. Request that a police officer assist you by arranging transportation or by taking you to a safe place, such as a shelter or a

family or friend's residence; and

F. Obtain a copy of the police incident report at no cost from the police department.

## **SUPPORTIVE MEASURES**

When the College receives a report of an alleged incident of sexual misconduct, there are Supportive Measures the College can take during the initial fact-finding or investigative process to help minimize the impact of the incident, decrease the chance of recurrence, and provide a safe educational and/or work environment. Supportive Measures can be taken regardless as to whether or not a reporter or alleged victim chooses to pursue the complaint. In most cases, a Title IX Coordinator will organize accommodations, remedies, and protective measures with various campus departments. Privacy will be safeguarded as best as possible while these arrangements are being made. The steps taken will be determined on a case-by-case basis, and other contextual factors, including the need to ensure individual and community safety. The reporter, alleged victim, or respondent are encouraged to contact the Title IX Coordinator for assistance with activating any number of interim measures.

Supportive Measures can include, but are not limited to, counseling, deadline extensions, course-related adjustments, class or work schedule changes, relocation of housing placement or work, mutual no contact restrictions, leaves of absence, increased security and monitoring by Public Safety Officers, other measures the Colleges deems appropriate.

Supportive Measures do not replace an Informal Resolution, defined in this material, which shall proceed according to the defined process.

## **UNDERSTANDING CONFIDENTIALITY**

Privacy concerns are typically at the forefront when someone has experienced an incident of sexual misconduct. It is important to understand the degree of confidentiality that individuals can expect from College resources. College officials are trained in the importance of confidentiality and the protocols for maintaining that confidentiality.

### *Confidential Employees*

**College Counselor and Pastor:** If a student wishes to seek complete confidentiality, the best option is to consult first with a College Counselor or the Campus Pastor. The Pastor or Counselor can provide confidential advice, share resources, and inform the student about the process for making an official report to the College without any requirement to disclose information to the Title IX Coordinator.

### *Mostly Confidential Employees*

**Health Center Staff:** The Director of Campus Health and Wellness Services and Campus Nurse can talk to a student complainant, alleged victim, or reporter without being required to disclose personally identifiable information about the alleged victim to the Title IX Coordinators. Students can seek assistance and support from the Director and Campus Nurse without triggering an investigation that would reveal the identity of the alleged victim. The Director and Campus Nurse is only required to share a limited report to inform the Title IX Coordinator of the date, time, general location and nature of the incident. She is not required to report information that would identify the alleged victim. The general information is necessary in order for the College to appropriately track patterns, evaluate the scope of the problem and formulate appropriate campus-wide responses. Before sharing the general report with the Title IX Coordinator, the Director or Campus Nurse will work to consult with the reporter to ensure that no personally identifiable details about the reporter or victim are shared. Staff that fall under this category include:

- **Chris Cianci '96, Director of Campus Health and Wellness Services**  
Location: Lower Level of the Howard Miller Student Center (Health and Wellness Suite)  
Phone: 724-589-2356  
Hours: Mon.-Fri. 8:00am — 5:00pm

Patty Alfredo, Campus Nurse  
Location: Lower Level of the Howard Miller Student Center (Health and Wellness Suite)  
Phone: 724-589-2355  
Hours: Mon. -Fri. 8:00am — 5:00pm

### Responsible Employees/Mandatory Reporters

**Responsible Employees/Mandatory Reporters:** All other College offices and resources are committed to protecting your privacy, but they also have an obligation to protect campus safety. Employees of the College that do not fall under the above two categories (including student Resident Assistants) are considered “Responsible Employee” under Title IX. As a result, they have an obligation to share information with the Title IX Coordinators and/or Campus Police. Other administrators may also learn some limited information on a “need to know” basis.

According to this policy, whenever a Responsible Employee becomes aware of any information related to a report of sexual harassment, sexual misconduct, sexual exploitation, stalking, dating violence, or domestic violence, the Responsible Employee must share all relevant details about the alleged incident with a Thiel College Title IX Coordinator. This information includes all the details necessary for the College to determine what happened — including the names of the reporter, the alleged complainant, the respondent(s), and any witnesses, and any other relevant facts, including but not limited to, the date, time and specific location of the alleged incident. To the extent possible, information reported to a Responsible Employee will be shared only with people responsible for handling the College’s response to the report. A Responsible Employee generally will not share information with local law enforcement without the alleged complainant’s consent, or unless the alleged complainant has also reported the incident to law enforcement.

Before a reporter or alleged victim reveals any information to a Responsible Employee about an incident covered by this policy, the Responsible Employee will make all best efforts to ensure that the reporter or alleged complainant understands the limitations for confidentiality and the obligations to disclose personally identifiable information to College officials. If the reporter or alleged complainant prefers to consult with a more confidential resource person, the Responsible Employee should assist with an appropriate referral.

If the reporter or alleged complainant decides to report an incident to a Responsible Employee, but then requests that the Responsible Employee maintain confidentiality or requests that no investigation into the alleged incident be conducted or no disciplinary action be taken, the Responsible Employee should inform the reporter or alleged complainant that the Title IX Coordinator will review the information and consider the request for such confidentiality/non-action, but that confidentiality/non-action cannot be guaranteed.

The Responsible Employee should not ever pressure a reporter or alleged complainant to request confidentiality or to make a full report.

### **Confidential community resources for an immediate or emergency response include:**

UPMC Horizon Greenville Hospital — 110 N. Main Street, Greenville, PA 16125 — 724-588-2100  
Sharon Regional Health System — 740 East State St., Sharon, PA 16146 - 724-983-3911  
AW/ARE of Mercer County - 109 S. Sharpsville Ave., Suite D, Sharon, PA 16146 — 724-342-4934 24 Hour Hotline: 888-981-1457

**Title IX Coordinators and Deputy Coordinators:** As part of the College’s general monitoring process and according to the Title IX amendment, all information about incidents of sexual misconduct are shared with the Lead Title IX Coordinator for the College, who is charged with taking steps to end the sexual misconduct, prevent its recurrence, and repair or reduce harm as best

as possible. Students in official roles — such as Resident Assistants — are also required to make such reports. If a Title IX Coordinator or Deputy Coordinator received information about an incident of sexual misconduct, she or he may reach out to a reporter or alleged complainant to offer to explain options and accommodations, and to assess the situation. In cases of sexual assault or other criminal conduct, Title IX Coordinator will share information with the Thiel College Police, and will advise you about the resources and assistance the Police can provide.

If you decide to pursue remedies and/or a formal complaint, a few more people may become involved in your case, but your privacy will still be respected and safeguarded to the fullest extent possible. You can also ask that a complaint not be pursued, or that a complaint be pursued only if you remain anonymous — your request will be accommodated to the extent possible, balanced against the need to maintain campus safety. In situations where a confidentiality request limits and investigation or prevents the College from taking direct disciplinary action, it will take other reasonable steps to minimize the effects of the reported misconduct and prevent its recurrence.

**Thiel College Police:** The Thiel College Police may receive reports from a Title IX Coordinator, or directly from you. The Thiel College Police can offer confidential consultations regarding possible criminal investigation. They are subject to state requirements for investigating and responding to reports of crime, but ordinarily the decision about whether or not to press criminal charges is up to the alleged victim. In cases of sexual misconduct, the Thiel Police will share information with the Title IX Coordinator, and will advise the alleged victim about the resources and assistance the College can provide.

The confidentiality of a police report shifts over time. Once a case is closed, it becomes a matter of public record. This does not mean it is widely released, but it will be available upon request. It is practice to redact (black out) the names of victims, along with any other identifying information. So while it is not “confidential,” your name would not be public in most cases.

**Information Shared with the Broader Community:** Under the Clery Act, the College is responsible for issuing “timely warnings” (emergency alert messages) in response to some reports. Only specific crimes, such as sexual assault, trigger a warning. The crime must have occurred within the officially-designated campus area, and there must be a serious or ongoing threat to the community to require an alert. If you report an incident of sexual misconduct that meets these strict criteria, a message will be sent out from the College emergency alert system. The warning message will contain a brief description of the crime, and may indicate the location where the incident occurred. It will not include any information that would identify you or other individuals involved (with exception to the alleged perpetrator). In all but exceptional circumstances, you would be informed in advance of distribution of the message.

### **Retaliation**

Thiel College strictly prohibits retaliation against any person for, in good faith, using this reporting procedure, or for filing, testifying, assisting or participating in any manner in any investigation or proceeding involving allegations of sexual misconduct. Any person who violates this policy will be subject to discipline, up to and including termination if they are an employee, and/or dismissal if they are a student.

### **Definition of Retaliation:**

Retaliation is any action by any person that is perceived as: intimidating, hostile, harassing, retribution, or violent that occurred in connection to the making and investigation of the report. The retaliation can be direct (coming directly from a specific person), or indirect (coming from social media, groups, etc.). Either form is prohibited and will be subject to disciplinary action.

### **PURSUING A FORMAL COMPLAINT**

If you are the complainant and want to file a formal complaint, you must submit the complaint to either Public Safety or a Title IX Coordinator to continue the process. This document is requesting that Thiel College investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the College with which the formal complaint is filed.

A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the Title IX Coordinators contact information and by any additional method designated by the College. The phrase, 'document filed by a complainant' means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the College) that contains the complainant's physical or digital signature, or otherwise indicates that the complainant is the person filing the formal complaint.

Anonymous complaints do not trigger the grievance process. A Title IX Coordinator may sign a formal complaint based upon an anonymous report to trigger the grievance process.

### **RESPONSE TO A FORMAL COMPLAINT**

Once a formal complaint has been filed, Thiel College will follow all procedures consistent with Title IX and the College's grievance policy.

Thiel College may remove a respondent from the College's education program or activity on an emergency basis, after an individualized safety risk analysis, a determination that there is an immediate threat to physical health or safety that justifies removal, and if the respondent is provided with notice and an immediate opportunity to challenge the removal decision. The institution may place a non-student employee on administrative leave during the pendency of the grievance process.

### **GRIEVANCE PROCEDURES FOR FORMAL COMPLAINTS**

Thiel College will comply with the grievance procedures. The College's grievance procedures treat complainants and respondents equitably by providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a grievance process that complies with this section before the imposition of any disciplinary sanctions or other actions that are not supportive measures against the respondent. Remedies are designed to restore or preserve equal access to Thiel College's education program or activity.

Grievance procedures provide a prompt, fair, and impartial investigation, and resolution. Thiel College will use an objective evaluation of all relevant evidence, inculpatory (shows, or tends to show, a person's involvement in an act, or evidence that can establish guilt) and exculpatory evidence (evidence favorable to you that tends to exonerate you). Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

During the response to a formal complaint, all Title IX coordinators, investigators, or decision-makers will show no conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. At the time of the complaint, it is presumed that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

### **INVESTIGATION & RESOLUTION PATHWAYS (FOR STUDENTS)**

In the event that the College receives a report/formal complaint of sexual misconduct involving our students or campus community members, this will prompt an investigation. The investigation is conducted by an impartial staff member that has received annual training on investigating incidents of sexual misconduct on college campuses. The investigation is conducted separately from any legal investigations taking place by law enforcement. However, the investigator will use information from other authorities as part of the investigation (whenever possible). Below is a list of designated College Title IX Investigators. However, the College also reserves the right to utilize external investigators trained on conducting Title IX Investigations.

#### **Thiel College Title IX Investigators:**

Robert "Bob" Phillips, Director of Residence Life, Phone: 724-589-2011 - Location: Student Life Office Suite, 1<sup>st</sup> Floor of the Howard Miller Student Center (HMSC) — Hours: Monday — Friday 8:00am — 5:00pm

Anthony E. Jones, Associate Dean for Diversity and Inclusion, Phone: 724-589-2193 — Location: Student Life Office Suite, 1<sup>st</sup> floor of the Howard Miller Student Center (HMSC)— Hours: Monday — Friday 8:00am — 5:00pm

Carissa Eichmeyer, Senior Women's Administrator, Phone: 724-589-2086- Location: 3<sup>rd</sup> floor, Room 302, located in the Howard Miller Student Center (HMSC)— Hours: Monday-Friday 8:00am — 5:00pm

All investigations and informal resolution processes will be conducted in a timely manner. There may be situations where the fact finding process must be delayed to avoid interfering with a law enforcement investigation. In those cases the College's investigation will start back up immediately following the conclusion of the law enforcement investigation. In all cases involving sexual misconduct, the investigation and resolution process should be completed within 60 days of the report. However the College will work to complete these processes within 10 business days whenever possible.

In the absence of an acute threat to individual or community safety, the victim may decide which Resolution Pathway she or he wishes to pursue. The victim could choose between not pursuing the complaint (should an acute threat not exist or based on the Title IX Coordinator's judgment call), pursuing with a **Joint Resolution Process** (as explained in this policy), or pursuing with a **Administrative Resolution Process** (as explained in this policy). In both cases each party will have the following rights:

#### **Complainant's Rights throughout the Resolution Process:**

- An explanation of available options for redress,
- Freedom from harassment by the accused (or the supporters),
- Use of all available internal and external support services in dealing with the aftermath of the offense,
- Ability to speak on her or his-own behalf during the resolution proceedings, including making a "survivor impact" statement to the Title IX Investigator,
- The presence of a support person during the investigation and resolution process. The support person may be any person, including an attorney, but it is important to note that the support person's role is limited to that of support representative (as defined in this document),
- The opportunity to present witnesses who can speak about the charges (character witnesses excluded),
- Attend all meetings during the resolution process except for the deliberation phase,
- Testify on her/his own behalf,
- Freedom from having irrelevant sexual history discussed during resolution process,
- Information about the outcome of the resolution process, and
- Opportunity to appeal the outcome of the administrative resolution process.

#### **The Rights of an Accused throughout the Resolution Process:**

The College will treat an accused person with fairness throughout the administrative resolution process. Specifically, accused persons are entitled to:

- An explanation of the charge(s),
- Freedom from harassment by the complainant (or supporters),
- An explanation of the College administrative resolution process and discipline process,
- The presence of a support person during the formal investigation and resolution process. The support person may be any person, including an attorney, but it is important to note that the support person's role is limited to that of support representative (as defined in this document),
- Testify on her/his own behalf,
- Present witnesses who can speak about the charges (character witnesses excluded),
- Freedom from having irrelevant sexual history discussed during the resolution process,
- Information about the outcome of the resolution process, and
- Opportunity to Appeal the outcome of the administrative resolution process.

At the conclusion of the resolution process (Joint Resolution Process or Administrative Resolution Process), the College will provide written notification to the parties involved of the outcome and resolution within seven calendar days.

**Joint Resolution Process:**

Some reports of sexual misconduct may be resolved through the Joint Resolution Process. The Joint Resolution Process is a voluntary process that requires the full participation of the alleged victim and respondent, and it is only used when recommended by the Title IX Coordinator. The Joint Resolution Process will never be used for resolving cases of dating violence, domestic violence, stalking, sexual exploitation or other sexual harassment complaints involving violence or non-consensual sexual intercourse.

The Title IX Coordinator may arrange the restorative procedures between the involved parties and coordinate other remedies with the Student Life Office. The Joint Resolution Process will typically include a meeting involving all parties, which will be facilitated by a qualified College official or external consultant appointed by the College. All Joint Resolution Process proceedings shall be prompt, fair, impartial, and, absent exigent circumstances, completed within fourteen (14) business days of the initial report.

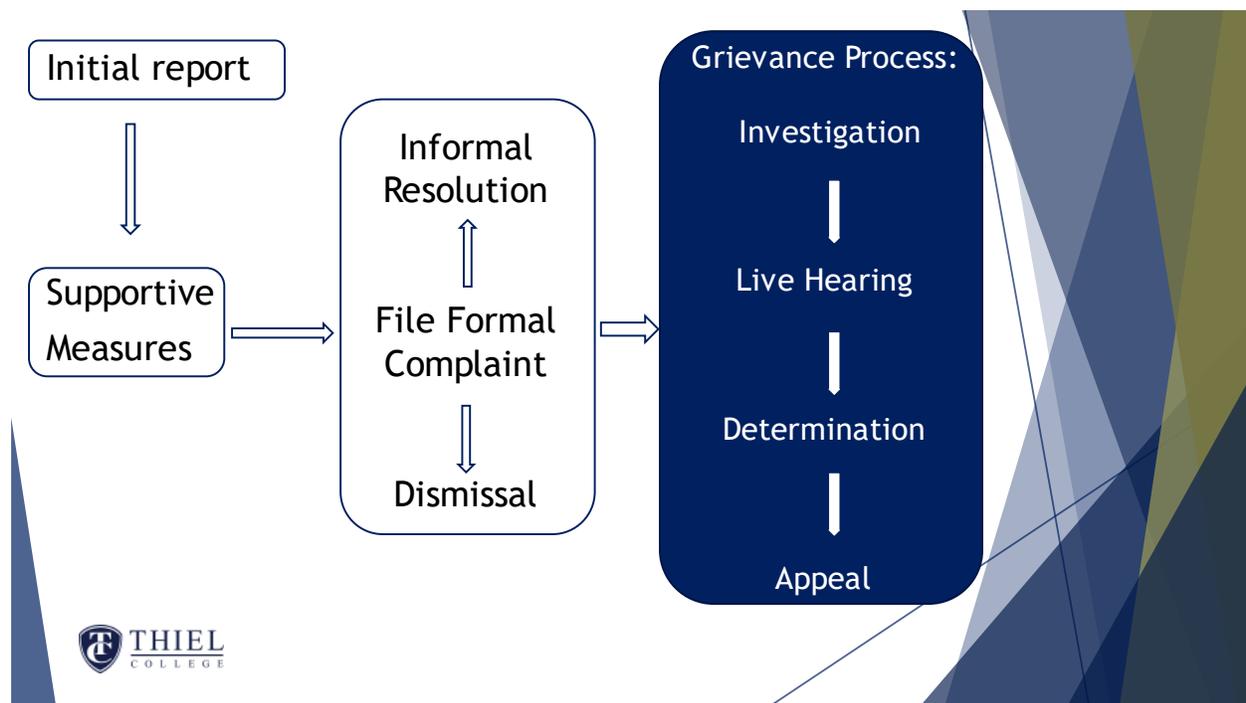
Once the Joint Resolution Process is complete, written notification to both parties shall be given by the Title IX Coordinator. Because the outcomes of the Joint Resolution Process are mutually developed and agreed upon by the parties involved, the outcome of the Joint Resolution Process is final and an appeal by either party is not permitted.

The College shall take reasonable steps to prevent recurrence of sexual misconduct in any form. If the reoccurrence takes place, those responsible for such behavior may be subject to additional disciplinary action.

**Administrative Resolution Process:**

As part of the Administrative Resolution Process, the College appointed Title IX Investigator will review all evidence available during the investigation, interview all parties involved, allow both parties to present witnesses who can speak about the charges, and meet with the alleged victim and respondent to review investigation findings and consider additional questions or information from either party, as necessary. At the conclusion of the investigation, the investigator will make a recommendation to the Title IX Coordinator regarding the disposition of the complaint in a formal written report. The investigator may (a) recommend that the case be closed due to lack of evidence to support the claim, or (b) find that it is more likely than not that the Respondent violated this Policy. If there is a preponderance of information to support a violation of this Policy, the Title IX Coordinator will consult with the Student Life Office (or Human Resource Office for situations involving employees) to review the findings and assign appropriate sanctions or outcomes.

Both the Complainant or Alleged Victim and Respondent will receive the outcomes in writing from the Title IX Coordinator with a copy to be placed in their student or employee file. Either party will have the right to appeal the outcome from the Administrative Resolution Process.



#### **Notification of Outcomes:**

Written notification of the outcome of the College's investigation into an alleged violation of this Policy will be issued by the Title IX Coordinator with a copy sent to the Coordinator of Student Discipline and/or the Vice President of Student Life and/or Director of Human Resources (depending on whether the respondent is a student or employee). The outcome of and sanctions resulting from a resolution are part of the student Respondent's confidential student discipline record, or the employee's employment file maintained in the Human Resource Office. The College will notify the Complainant and Respondent in writing contemporaneously. When applicable, the written notification will be deemed to be received on the date the notification is sent via email.

Under this Policy, Complainants have a right to be informed of interim measures. Only information which directly impacts the Complainant's rights under this Policy will be shared.

The College reserves the right to take whatever measures it deems necessary in response to an allegation of sexual harassment, sexual misconduct, sexual violence, sexual exploitation, domestic violence, dating violence, or stalking in order to protect the rights and personal safety of community members. If a student is found responsible for violating this Policy, sanctions may be imposed. The Title IX Coordinator will consult the Coordinator of Student Discipline and/or the Vice President of Student Life to determine appropriate sanctions. Appropriate and reasonable sanctions will be based on the current violation and any previous violations made by the Respondent. When determining sanctions, the College will consider the concerns and rights of the Complainant, Victim, Respondent, and campus community.

Not all violations of this Policy will be deemed equal, and the College reserves the right to impose differing sanctions for students depending on the severity of the offense and previous conduct. The College also reserves the right to refer any report of a violation of this Policy to the local police or other law enforcement agencies. However the College typically will not do so if the Alleged Victim objects to such reporting. Even if criminal justice authorities do not prosecute Thiel College students or employees, the College can pursue disciplinary action.

In situations with a student facing criminal charges or subject to a criminal investigation, the College's response may be initiated at any time during such investigation or criminal proceedings. Typically the College will not wait for an outcome of an ongoing criminal proceeding or investigation.

Retaliation will not be tolerated at Thiel College. Any student or employee of the College found to be engaged in retaliation will be subject to disciplinary action.

Examples of possible disciplinary sanctions for violation of this Policy have been provided below. However the College reserves the right to assign alternative sanctions not listed below. Multiple sanctions may be imposed, and sanction may be imposed upon individual students, student organizations, or groups of students. Failure to comply with disciplinary sanctions may result in more severe sanctioning.

#### **Possible Disciplinary Sanctions for Students:**

- **Disciplinary Expulsion.** Disciplinary expulsion is the permanent withdrawal of the privilege of registration, class attendance, or residence on the campus. The privilege of the use of college facilities is withdrawn by this action. Parents of the student may be notified of the disciplinary expulsion status. (Any refund due the student would be consistent with the College refund policy.)
- **Disciplinary Dismissal.** Disciplinary dismissal is the withdrawal of the privilege of registration, class attendance, and residence on the campus with no promise (implied or otherwise) that the student may return at any future time. The privilege of the use of college facilities is withdrawn by this action unless specific permission is obtained from the President of the College or his/her designee. Parents of the student may be notified of the disciplinary dismissal status. A student on disciplinary dismissal may be readmitted only by action of the President of the College or his/her designee. A student who has been dismissed is not eligible for readmission sooner than one year from the date of dismissal. If the student is readmitted, established proof of further incident of misconduct may result in expulsion. (Any refund due the student would be consistent with the College refund policy.)
- **Disciplinary Suspension.** Disciplinary suspension is an action that may exclude the student from registration, class attendance, and residence on the campus, the use of College facilities, or all of the above for a specified period of time. In unusual circumstances (when the presence of the student on campus is deemed to be acceptable), college suspension action decided after the eighth week of the term may be deferred to the next term, upon such terms as may be imposed by the college. Parents may be notified of the suspension status. Upon termination of the period of suspension, the student must petition, in writing, to be reviewed for possible readmission based on the conditions of the suspension and review by the Student Life Office. If readmission is granted, the student may be considered for registration in compliance with academic admission standards then in effect. If a student is found to have committed an additional violation of College policy after the student is readmitted, he/she will likely be dismissed or expelled. (Any refund due the student would be consistent with the College refund policy.)
- **Disciplinary Probation.** Disciplinary probation is a trial period during which a student(s) must behave in a manner acceptable to the College. The status of disciplinary probation is assigned for a specific period of time. While on disciplinary probation, a student is encouraged and may be required to seek advice and counsel from appropriate College and/or community offices. Terms of probation may be set forth that restrict the student's participation in co-curricular activities. Disciplinary probation status may affect qualification for some awards, prizes, or student aid (particularly those stipulating conduct acceptable to the College). Further incidents of misconduct while on probation may result in disciplinary suspension from the College as well as sanctions for the offense. Parents may be notified of the probationary status for certain violations. Disciplinary probation is recorded in the confidential discipline records of the Student Life Office
- **Disciplinary Warning.** This written action is taken when conduct or disciplinary involvement merits an official admonition. A disciplinary warning is a notice to the student(s) that the conduct in question was inappropriate and that future breaches of conduct will be treated more severely. The warning is recorded in the confidential discipline records of the Student Life Office

#### **Other Possible Sanctions for Students:**

- **Loss of Privilege.** Loss of privilege is the withdrawal of a privilege or use of a service for a specific period of time consistent with the offense committed and the rehabilitation of the student. Loss of privilege is recorded in the confidential discipline records of the Student Life Office.

- **Restitution.** Restitution requires the student(s) to pay for damages or misappropriation of College property or the property of members or visitors of the College community. Such reimbursement shall be charged to any student(s) who alone or through group-concerted activities organizes or participates in the events causing the damages or costs. Restitution may also be required of members of a residence hall, apartment or theme house floor or building if responsible parties for damages are not found. Parents may be notified of this action and grades withheld if restitution is not paid.
- **Fines.** Violations of the Student Code of Conduct can result in assessment against a student(s) by the College for previously published rules and regulations. Fines, if not paid, will result in the amount being added to a student's Student Account and listed as student disciplinary charges.
- **Community Service.** This may include work assignments, community service projects, written assignments or a related discretionary sanction.
- **Educational Sanction.** This may include written assignments, hall presentations, job shadowing opportunities, or other related sanctions.
- **Residence Hall Suspension/Eviction from On-Campus Housing.** This entails removal or the separation of the student(s) from on campus housing and termination of the housing agreement for a definite period of time, after which the student(s) may be eligible to return. Particular conditions for readmission may be specified in writing. (Any refund due to the student(s) would be consistent with College refund policy.) Parents may be notified of the residence hall suspension.

#### **Possible Sanctions or Outcomes for Employees:**

- **Suspension.** An employee may receive an unpaid suspension from her/his duties for a period of time determined by the College.
- **Termination.** An employee may also be terminated from her/his position as a result of violating this Policy.

#### **Standard for Determining Responsibility for Violating this Policy**

Consistent with the requirements of the US Department of Education's Office for Civil Rights, the standard used to determine accountability will be a preponderance of the evidence or preponderance of information standard. That is, whether it is more likely than not that the Respondent has violated this Policy.

Decisions made in the Formal Investigation and Resolution Process shall be final, pending the normal appeal process, explained in this Policy.

All procedural questions about the investigative and resolution processes related to students as Respondents under this Policy are subject to the final decision of the Title IX Coordinator.

#### **Amnesty Policy for Students:**

Thiel College encourages the reporting of sexual misconduct. As a result, the College will generally not seek to hold any student who makes a report under this Policy accountable for their own conduct in that particular circumstance provided the reporter's misconduct did not jeopardize the health and safety of others. Instead the College may choose to pursue educational remedies for the reporting person(s).

#### **Time Frame for Making a Report:**

Individuals are encouraged to report immediately allegations of any violation of this Policy. While there is no time limit to make a report, parties should be aware that delays in reporting may limit the effectiveness of an investigation and timely resolution. The College will respond and provide appropriate resources whenever a report is made.

#### **False Reports:**

Any individual who intentionally submits false information or a false report under this Policy will be subject to disciplinary action and sanctioning.

### **Notification of Parent/Guardian and College Officials:**

Thiel College reserves the right to notify parents/guardians regarding any student health or safety emergency. The College also reserves the right to designate which officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act (FERPA).

### **Record Keeping:**

The College will maintain a single record, which could include such items as notes or audio recordings, of all investigations and resolutions (excluding the deliberation process). The record shall remain the property of the College. In terms of publicly available record keeping (Timely Warnings, Emergency Notifications, Daily Crime and Fire Log, and the Annual Security and Fire Safety Report) the College will avoid, absent extraordinary circumstances, disclosing personally identifying information of the Alleged Victim or Complainant whenever possible.

### **Prevention Strategies and Techniques:**

#### **Sexual Harassment**

***Be a role model*** - A community free from sexual harassment requires effort from all of us. Engage respectfully with your peers and colleagues, and think carefully about how words or actions that may seem insignificant to you could hurt someone else. If you are a teacher or supervisor, set high standards for your community and model the behavior you expect.

***Remember: we are all entitled to study and work in a respectful environment*** - If there are elements of an environment that feel hostile, seek ways to intervene. Call on friends, colleagues, and other allies, as well as authority figures including Title IX Coordinators, supervisors, deans, and professors, who should be able to help you.

#### **Stalking**

***Take repeated unwanted attention seriously*** - Stalking can sometimes seem merely annoying or even flattering, especially if it is happening primarily online or via phone. But the intrusive nature of stalking must be taken seriously, and it can escalate to a pressing threat quickly. Don't dismiss concerns—either your own or others'.

***Be safe*** - In an emergency, you should always call 911 or Campus Police (724) 589-2222. If you need to make a longer-term plan for your safety, Student Life, Thiel Police, or your Title IX Coordinators can help.

#### **Intimate Partner Violence**

***Look out for your friends*** - Sometimes, people worry that expressing concern about a friend's relationship will be perceived as meddling. If you're worried about a friend, Student Life, Thiel Police, or a Title IX Coordinator can guide you on how to help.

***Be alert to patterns*** - Relationships are complicated, and IPV can be difficult to identify. Individual actions may not seem troubling in isolation, but may work together in dangerous ways. Be on the lookout for patterns of isolation, control, and intimidation.

#### **Sexual Assault**

***Take sexual pressure seriously*** - Many sexual assaults begin with low-level sexual pressure. Though sexual pressure and disregard don't always lead to assault, you deserve to have your boundaries respected, not pushed.

***Hold out for enthusiasm*** - In general, it's easy to tell if someone is enthusiastic about an encounter or not. Take any signs of reluctance or refusal, including nonverbal signs, very seriously. If the signs are ambiguous, be sure to stop, and then check in or ask questions.

### **ONGOING EDUCATION EFFORTS**

Thiel College offers a number of programs and services aimed at helping our community to become better educated on these specific issues. Examples of such programs include:

**Sexual Misconduct Orientation Trainings** — All new students and new employees will be required to participate in Sexual Misconduct Training as part of their orientation. This training takes shape in two different styles. We offer online training to all employees and students, and students receive a live training as part of the new student orientation process. For more information about these trainings, please contact one of your Title IX Coordinators.

**AWARE Training** — The Thiel College Police and Residence Life departments invite the Mercer County victims advocacy group, AWARE, to come in on an annual basis and provide live training opportunities for students and employees. Typically these trainings are held at the beginning of each semester. Please contact Chief of Police, Eric Allen (724-589-2186), to schedule additional trainings.

**Online Training** — The Thiel College Title IX Coordinators have arranged for an online sexual misconduct training for all Thiel employees and students. Each year an email notification will be sent out to encourage participation. All students and employees are responsible for participating in this training.

**Training Brochures** — Each year sexual misconduct training brochures will be made available to all students and employees. These brochures will be strategically located in various high traffic buildings throughout campus (i.e. residence halls, academic center, etc.). For a copy of the brochure, please contact a Title IX Coordinator.