

Sexual Harassment & Sexual Misconduct
Support & Resource Guide

Marywood University
SHARE

Sexual Assault and Harassment Awareness Response & Education

SHARE the Responsibility
for a Safe Campus Community



A reference for students and employees who may have witnessed, experienced, or been involved in sexual harassment or sexual misconduct.

**SEXUAL HARASSMENT & SEXUAL MISCONDUCT REPORTING
INFORMATION, SUPPORT & RESOURCES**



As a Catholic institution of higher learning, Marywood University is committed to providing care and support for individuals who have experienced sexual harassment or sexual misconduct while remaining mindful of the safety and well-being of the larger University community. Sexual misconduct includes sexual assault, sexual exploitation, intimate partner violence, and stalking. Federal laws (i.e., Title IX of the Education Amendments of 1972) require the University to take immediate and appropriate steps upon becoming aware of reports of sexual harassment or sexual misconduct. The University will make every reasonable effort to preserve an individual's privacy in light of this responsibility.

| Emergency Services & Immediate Care |

The first priority for any individual is personal safety and well-being. In an emergency situation, the University encourages all individuals to seek immediate assistance from **Marywood University Campus Safety, 570.348.6242, the City of Scranton/Dunmore Police Department at 911**, and/or a medical facility. This is the best way to address immediate safety concerns while allowing for the preservation of evidence and an immediate investigative response.

If you have experienced sexual misconduct, including sexual assault:

- **Preserve all evidence of the sexual assault or other form of sexual misconduct.**
- Do not bathe, change or dispose of clothing, use the restroom, wash hands, brush teeth, eat, or smoke.
- If you are still at the location of the incident, do not clean anything.
- Write down all the details you can recall about the incident and the perpetrator including any information related to previous concerning behavior or history.
- **In cases of sexual assault, seek medical care as soon as possible.** Even if you do not have any visible physical injuries, you may be at risk of acquiring a sexually transmitted infection (women may also be at risk for pregnancy).
- Refer to contact information for local hospitals in this brochure.
- Ask the health care professional to conduct a Sexual Assault Forensic Exam (SAFE).
- If you suspect you were drugged, request collection of a urine sample and/ blood sample.

| MEDICAL SERVICES |

Medical Services in cases of sexual assault or other misconduct are best handled by a hospital when the individual seeks assistance as soon as possible and within 72 hours of the incident. Medical treatment and the ability to preserve evidence is available within a short distance of the Marywood University campus. ***You do NOT need to provide health insurance information to the hospital for a Sexual Assault Forensic Exam.***

Geisinger Community Medical Center

1800 Mulberry St. | Scranton, PA 18510 | 570.969.8000

The Regional Hospital of Scranton

746 Jefferson Ave. | Scranton, PA 18510 | 570.348.7951

Moses Taylor Hospital

700 Quincy Ave. | Scranton, PA 18510 | 570.340.2900

If an individual visits the hospital for an exam, both the police and Women's Resource Center of Lackawanna County (WRC), 570.346.4671, should be notified by the hospital. The individual may choose whether or not to speak to the police and/or the WRC at the hospital. If the individual chooses to speak to the police, he or she still has the option of whether or not to file criminal charges. The WRC advocate is confidential and will be able to provide support and information throughout the process. The University also provides support and assistance to students through Student Health Services, 570. 348.6249, Monday through Friday, 8:30 a.m.-4:30 p.m., during the academic year. Student Health Services is located at Loughran Hall Terrace Level

| REPORTING AN INCIDENT |

If you have witnessed or experienced sexual harassment or sexual misconduct, you have several reporting options. It is your decision to participate in a criminal process, the University process, both, or neither.

If you witness an incident of sexual harassment or sexual misconduct, and/or if information is shared with you about such an incident, you are required to report this information if you are employed or affiliated with Marywood University in the role of a mandated reporter.

| REPORT TO THE POLICE |

Sexual assault and other forms of sexual misconduct are not only University policy violations but may also be crimes. You are encouraged, but not required, to report these crimes to the police. If you choose, University officials will assist you in contacting the police.

Marywood University Campus Safety

570.348.6242

City of Scranton Police

570.348.4134 or 911 for an emergency

| REPORT TO THE UNIVERSITY |

Sexual harassment and sexual misconduct are prohibited by Marywood University and are violations of University policy. In an effort to support individuals as well as the campus community, the reporting options below will initiate a response process by the University. If you wish to speak with someone for confidential support, please see the confidential resources listed in this guide. Marywood University has two reporting options open to community members wishing to report instances of sexual harassment/misconduct. Ethics Point, marywood.ethicspoint.com or by phone at (855) 278-2704, oriented to faculty and staff and the Title IX Sexual Harassment and Community Standards Report Form, https://cm.maxient.com/reportingform.php?MarywoodUniv&layout_id=5 oriented toward students. Individuals may make an anonymous report using either form. Depending on the information provided, Marywood University's ability to take action in response to an anonymous report may be limited."

MARYWOOD TITLE IX COORDINATORS (TO REPORT AN INCIDENT):

Dr. Yerodin Lucas, Director of Institutional Equity and Inclusion

Title IX Coordinator — Diversity Efforts
ylucas@marywood.edu | 570-340-6042
Liberal Arts Center, Room 218

Mr. Ross Novak, Dean of Students

Deputy Title IX Coordinator – for complaints involving students
rnovak@marywood.edu | 570-348-6236
Liberal Arts Center, Room 101

Nicole Malloy, Assistant Director Athletics

Deputy Title IX Coordinator – Athletic Complaints
malloy@marywood.edu | 570-340-2489
Marywood Center for Athletics and Wellness, Room 207

Molly Baron, Director of Human Resources

Deputy Title IX Coordinator – Human Resources
mbaron@marywood.edu | 570-340-6053
Liberal Arts Center, Room 86

Marywood University Campus Safety

570.348.6242 (emergency)

Additionally, any member of the Marywood community may call the University Whistleblower Hotline at 855-278-2074 and/or use the Internet based reporting system at <https://www.marywood.ethicspoint.com>.

The University Whistleblower Hotline should not be used for emergency or crisis situations needing an immediate law enforcement or medical emergency response.

Mandated Reporter Statement

University policy expresses that every employee (except those specifically identified as a “confidential” resource) who receives a report (formally or informally) of sexual harassment or sexual misconduct is required to share this information with a Title IX Coordinator or Deputy Title IX Coordinator. Resident Assistants, Graduate Assistants, and Student Officers are also mandated reporters. Any report of an incident occurring off campus or at a branch campus should be reported to the Title IX Coordinator or a Deputy Title IX Coordinator. In such cases, the Title IX Coordinator will determine how to proceed with the incident.

While students are encouraged to directly report information to the designated reporting options listed above, the University recognizes that a student may choose to share information regarding sexual harassment and sexual misconduct with other employees of the University (e.g. a Resident Assistant, faculty member, or coach). The University is committed to ensuring that all reports are shared with a Deputy Title IX Coordinator for consistent application of the Sexual Misconduct Policy to all individuals and to allow the University to respond promptly and equitably to eliminate the prohibited conduct, prevent its recurrence, and address its effects.

|SEXUAL HARASSMENT & SEXUAL MISCONDUCT – WHAT ARE THEY? |

Sexual harassment and sexual misconduct include a wide range of non-consensual behavior, none of which are tolerated in our University community. Many of these behaviors also constitute crimes. Please refer to the full definitions in the Sexual Misconduct Policy.

- **Sexual harassment** is unwelcome sexual or gender-based behavior that creates an environment that would reasonably be perceived and is perceived by the complainant as hostile or abusive. Sexual assault is the most serious form of sexual harassment. Examples include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature.
- **Sexual misconduct** including, but not limited to ,sexual assault, sexual exploitation, intimate partner violence, and stalking is prohibited, as defined fully in the Sexual Misconduct Policy.
- **Sexual assault** is any non-consensual attempted or completed sexual intercourse (oral, anal, or vaginal penetration, however slight) with a body part and/or object.
- **Sexual exploitation** is an act or acts attempted or committed by a person for sexual gratification, financial gain, or advancement through the abuse or exploitation of another person's sexuality. Examples include but are not limited to non-consensual touching, fondling, or kissing, non-consensual voyeurism, non-consensual recording of sexual activity and or a person's intimate parts, non-consensual dissemination of such recordings, allowing others to view sexual activities without the consent of all of the participants, exposure of one's body in an indecent or lewd manner, sexual activity in public or semi-public places or exposing another person to a sexually transmitted infection or virus without the other's knowledge.
- **Intimate partner violence** (including Domestic and Dating Violence) is defined as any act of violence or threatened violence that occurs between individuals who are involved or have been involved in a sexual, domestic, dating, or other intimate relationship.
- **Stalking** is defined as a course (more than once) of conduct directed toward another person that could be reasonably regarded as likely to alarm, harass, or cause fear of harm or injury to that person, or to a third party, such as a roommate or friend. Examples of stalking include following someone or making repeated, unwanted communications (including over social media).

Physical force is not necessary for an act to be sexual harassment or sexual misconduct. It is **the absence of consent** that makes these acts violations of our Sexual Misconduct Policy.

| SUPPORTIVE MEASURES FOR PROTECTION |

Upon receipt of a report of sexual harassment or sexual misconduct, the University will take reasonable and appropriate supportive measures to protect the individuals involved and reduce any further risk for members of our campus community.

Examples of such measures may include, but are not limited to:

- Imposition of an Administrative Directive for No-Contact between involved parties.
- Referral to counseling and health services.
- Referral to the Employee Assistance Program.
- Providing education and advisories to the community.
- Altering the housing situation of the reporting and/or responding party.
- Altering work arrangements for employees.
- Providing campus escorts.
- Providing transportation assistance for medical services.
- Offering adjustments to academic deadlines, course schedules, etc.
- Issuing interim suspensions pending an investigation and determination.
- Any other measure which can be tailored to the involved parties to achieve the goals of our policy.

**These measures and other support and resources are available regardless of whether a reporting party seeks formal resolution and/or makes a crime report.*

| SUPPORT SERVICES & RESOURCES |

Various resources within the University and local community are available for individuals who have experienced sexual harassment or sexual misconduct of any kind. Regardless of which resource(s) an individual chooses to access, the situation will be handled with sensitivity and care to protect the privacy of the individual/s involved.

» CONFIDENTIAL RESOURCES

A person who desires confidentiality should make contact with one of the confidential resources/support services listed below. Information shared with a confidential resource does not have to be reported to the University, Title IX Coordinator, Deputy Title IX Coordinator or law enforcement for investigation unless the person disclosing the confidential resources later chooses to engage those resources.



Marywood University Counseling/Student Development Center, 570.348.6245, provides confidential counseling services to University students from Monday-Friday, 8:30 a.m.-4:30 p.m.; evening hours by appointment. The Counseling/Student Development Center is located in the McGowan Center, Room 1017. Upon request, the Counseling/Student Development Center will provide counseling as well as referrals to agencies off campus.

Student Health Services & University Chaplin Professional staff in Student Health Services, **570.348.6249**, and the University Chaplain, **570.961.4723**, have an obligation to report, but may withhold personally identifiable information upon request. Student Health Services is located in Loughran Hall Terrace Level. Campus Ministry is located in the Swartz Center for Spiritual Life.

Women's Resource Center of Lackawanna County, 570.346.4671, is a confidential, community-based agency serving those who have experienced sexual assault or other sexual misconduct. A counselor/advocate can be reached 24 hours a day.

National Sexual Assault Hotline, 800.656.HOPE, is a free, confidential national resource available 24 hours a day by calling or online.

» ADDITIONAL RESOURCES & SUPPORT SERVICES – PRIVATE BUT NOT CONFIDENTIAL

FOR EMPLOYEES

Employee Assistance Program (EAP), Cigna, 1800.538.3543, www.cignalap.com, offers the following services: phone call access to an advocate who can help you assess your needs and develop a solution and/or referral, behavioral counseling (up to three face-to-face sessions) for both you and your household members, monthly educational

webinars on a variety of relevant topics, resources to help you achieve work/life balance, legal consultation and referrals, and financial consultations.

Psychological Services Center (PSC), 570.348.6269, is an outpatient mental health clinic that provides services to individuals across the life spectrum from young children to older adults. The fees for services are affordable, using a sliding scale and one's ability to pay. The fees range from \$5-\$40 for therapy services. Assessment is also offered at a very affordable cost. Services offered include: individual therapy, marital/couples therapy, family therapy, child play therapy, parent training, educational and geriatric assessment, and psychological and personality assessment. Daytime and evening hours are available. The PSC is located in 1009 McGowan.

Regardless of which resource(s) a student chooses to access, the situation will be handled with sensitivity and care to protect the privacy of the student/s involved.

Campus Ministry, 570.961.4723 is located in the Swartz Center for Spiritual Life and offers pastoral support. Sr. Catherine Luxner IHM, Director luxner@marywood.edu campusministry@marywood.edu. Students may stop by the office and ask to speak to a priest or schedule an appointment. Although Campus Ministry staff are not confidential employees, ordained priests acting in their pastoral capacity are confidential and will not report to a Title IX Coordinator or Deputy Title IX Coordinator.



Title IX Coordinators:

Dr. Yerodin Lucas, Director of Institutional Equity and Inclusion

Title IX Coordinator — Diversity Efforts
ylucas@marywood.edu | 570-340-6042
Liberal Arts Center, Room 218

Mr. Ross Novak, Dean of Students

Deputy Title IX Coordinator – for complaints involving students
rnovak@marywood.edu | 570-348-6236
Liberal Arts Center, Room 101

The Dean of Students (or designee) meets with students to offer support and resource information, safeguard the larger University community, discuss formal reporting options, and review the Title IX investigation process. The information, resources and support provided by the Dean of Students is outlined in detail in the Sexual Misconduct Policy.

Nicole Malloy, Assistant Director Athletics

Deputy Title IX Coordinator – Athletic Complaints
malloy@marywood.edu | 570-340-2489
Marywood Center for Athletics and Wellness, Room 207

Molly Baron, Director of Human Resources

Deputy Title IX Coordinator – Human Resources
mbaron@marywood.edu | 570-340-6053
Liberal Arts Center, Room 86

Deputy Title IX Coordinators, Nicole Malloy and Molly Baron, are available to discuss any questions regarding the Sexual Harassment and Sexual Misconduct Policy, to assist a student in accessing resources and support services and to facilitate the investigation and resolution of reports of conduct that may violate the Sexual Harassment and Sexual Misconduct Policy.

Campus Safety: 570.348.6242, is available to coordinate with various resources to provide for the safety and well-being of the person who experienced sexual harassment or sexual misconduct. This may include transporting a student to a hospital for medical care, assisting in obtaining a Protection from Abuse Order from the local court, and/or coordinating with appropriate legal authorities including the Lackawanna County District Attorney's Office.

| YOUR RIGHTS UNDER UNIVERSITY POLICY |

Marywood University strives to provide members of the campus community with fair and equitable resolution processes that include both formal and informal options.

» REPORTING

- Reporting parties have the right to notify law enforcement of incidents and to receive assistance from campus personnel in doing so.
- Reporting parties may decline to report to law enforcement if they so wish*.
- Reporting parties have the right to have their report investigated and resolved internally by the University.

» FAIRNESS

- All members of the campus community have the right to have reported incidents addressed according to the published University policy and procedures.
- All parties have equal opportunities to have an advisor of their choosing present throughout all resolution proceedings (including interviews, meetings, etc.). An advisor can be a campus community member, family member, friend, attorney, etc. During resolution proceedings, support persons are permitted to only communicate directly to the complainant or respondent in which they are present to support.
- All parties have the right to written notice of the outcome of sexual harassment or sexual misconduct formal resolution proceedings.
- Reporting parties and witnesses may receive amnesty for minor infractions (e.g., drug and alcohol violations that don't affect the safety of the greater campus community) that are secondary to incidents of sexual misconduct.
- All members of the campus community have the right to be free from retaliation for reporting sexual harassment or misconduct or participating in an investigation or resolution.

» SUPPORT

- Students have a right to be notified of their ability to access counseling and health services.
- Students and employees have a right to be notified of resources available both on and off campus.
- All parties involved in sexual harassment or sexual misconduct allegations will receive the information and assistance needed to effectively participate in all proceedings.
- Reporting parties have the right to seek orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts, and may seek the help of the Title IX Coordinators or Marywood Campus Safety in requesting and enforcing.
- The Dean of Students will coordinate residential, academic, and other



appropriate accommodations to assist students who have experienced sexual harassment or sexual misconduct.

**In limited circumstances, Campus Safety is notified where there may be an ongoing threat to the community (i.e., Clery reportable matters including those that may require activation of the Emergency Notification System).*

| RISK REDUCTION FACTORS |

Risk reduction factors are steps people can take to minimize the possibility of sexual misconduct and increase their safety and sense of empowerment. There is no guaranteed way to avoid sexual misconduct except for persons to stop assaulting others. These risk reduction factors and safety ideas are a choice, not a responsibility. Whether or not someone chooses to use these ideas, sexual misconduct is never the fault of the person who experiences it. We have a right to be in the world without having people hurt us. Remember that sexual activity is a choice, and all people, at any time, are free to choose whether or not to be sexually active.

- Trust your gut and intuition. If you feel threatened, yell or leave the situation if you can do so safely.
- Avoid people who don't listen to you, ignore personal space boundaries, etc.

- Only attend gatherings with friends you trust.
- Know your sexual intentions and limits and communicate those limits firmly and directly.
- Avoid mixing sexual decisions with drugs and alcohol.
- Be aware of predatory drugs.

Sexual misconduct can occur despite all precautions. If you experience any sexual harassment or sexual misconduct, it is NOT your fault. The only person responsible for sexual harassment or sexual misconduct is the person who committed it.

| WHAT CAN I DO TO HELP END SEXUAL HARASSMENT & SEXUAL MISCONDUCT? |

BE AN ACTIVE BYSTANDER:

- Notice the situation and be aware of your surroundings.
- Interpret it as a problem. Ask yourself, “Do I believe someone needs help?”
- Feel responsible to act. Educate yourself on what to do.
- Intervene safely. Keeping yourself safe while taking action is key.

IF A SITUATION PRESENTS, INTERVENE SAFELY:

- Bring in others to help when the situation may be potentially dangerous.
- Ask a person you are concerned about if the person is okay. Provide options and support.
- Distract or redirect individuals in unsafe situations.
- Ask if the person wants to leave.
- Call Campus Safety, 570.348.6242 or Scranton Police, 911.

ENCOURAGE SAFETY FOR YOURSELF AND OTHERS

- **Have a plan.** Talk to your friends about your plans and intentions before you socialize.
- **Watch out for others.** If you are concerned about someone, offer your support.
- **Diffuse situations.** If you see a person coming on too strong to someone who may be too drunk to make a consensual decision, interrupt, distract, or redirect the situation. If you do not feel comfortable doing so, get someone else to step in.
- **Trust your instincts.** If a situation does not feel right to you, trust your instinct. If possible, remove yourself and others from the situation.

Information is based on Bystander Intervention research being completed at the University of New Hampshire (Bringing in the Bystander®).



Marywood University is committed to providing a safe and nondiscriminatory employment and educational environment. The Marywood University does not discriminate on the basis of race, color, national origin, sex, disability, religion, age, veteran status, gender identity or expression, sexual orientation, or other status protected by law. Sexual harassment, including sexual violence, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. Marywood University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment.

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