

Marywood  
University

PACT

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Promoting Awareness of the College Transition. Presented and facilitated by Marywood Counseling / Student Development Center. Developed in cooperation with the Division of Student Affairs & the Counselor Training Center at The University of Scranton.

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## **What Is PACT?**

The PACT (Promoting Awareness of the College Transition) Program was originally developed to assist students in the transition from high school to college. The transition can be both exciting and overwhelming as students meet new people, immerse themselves in a new environment and begin a new phase of their academic career.

PACT serves as an opportunity for current Marywood Students to speak with new first-year students about healthy relationships, relationship violence and sexual assault. This PACT literature is intended to serve as an accompanying document to the presentations and contains important definitions, information and resources.

The transition from high school to college is an exciting and meaningful time full of potential for learning and growth. PACT seeks to empower students with knowledge and skills to foster a campus community that is safe, healthy and free from violence and threats; therefore, consider this program both an educational and preventative endeavor.

PACT strives to consider the physical and emotional wellness of the whole person by providing essential information that is instructive and relevant to young adults. Most importantly, this program aims to enhance the safety and well-being of our whole community. We hope that this brochure will inform you and that you are excited about the new challenges ahead.

## **Why Are We Here?**

The Promoting Awareness of the College Transition program is vital in understanding more about the transition to university life.

Inherently, such a transition requires meeting new people, developing new relationships and getting used to a new routine; however, it is important to understand that developing safe and healthy relationships takes time and care. PACT facilitates conversations about this transitional period.

## **This Program Will Enable You To Understand:**

- The difficulty that can sometimes be met with the transition to college
- Meaningful communication in relationships
- The difference between healthy and unhealthy relationships
- Relationship development should be met with both care and caution
- The necessity and legality of agreement and consent
- Definitions of sexual assault and misconduct
- Implications of alcohol and other drugs
- Marywood and community resources

Colleges and universities are exciting places of learning and growth as students pursue new ideas and opportunities. Yet, this period of transition can also be a time of higher risk as students venture into unfamiliar environments and situations. To enhance the probability of safety and success, it is

imperative that students use care and caution when navigating new relationships and environments. Awareness of "The Red Zone" can help students choose appropriate social activities and model safe behaviors.

### **"The Red Zone"**

The "Red Zone" is the period between freshman move-in and fall break. During this time, there is a higher occurrence of sexual assaults on college campuses. Specifically, first-year students are at a higher risk of experiencing a sexual assault. This occurs in part due to the following:

- **New Environment:** In this environment, students may attend parties and events, strive to meet new people, create new relationships and establish a routine.
- **No Parents:** This new-found freedom may lower inhibitions and allow students to test their limits in various situations. Therefore, students tend to take more risks.
- **Acceptance:** A desire for social acceptability may cause students to succumb to peer-pressure while ignoring their own values and personal safety.
- **Stereotyping:** Society still encourages males to be competitive and aggressive, while teaching females to be more passive and non-confrontational.

## FACT BREAK

*Most persons who experienced sexual assaults are full-time students. Approximately one-third of them are first year students between 17 and 19 years old.*

*Fisher, B.S., Cillen, F.T., Turner, M.G. (2000) The Sexual Victimization of College Women. U.S. Department of Justice – Bureau of Justice Statistics.*

*84% of college women who reported a sexual assault experienced the incident during their freshman or sophomore years.*

*Krebs, C., Lindquist, C., Warner, T., Fisher, B., Martin, S. December. (2007). The Campus Sexual Assault Study. National Institute of Justice.*

## **Healthy Relationships**

Relationships are central to peoples' lives across all personal, social and professional contexts. We learn about other people in relationships, but we also learn a great deal about ourselves and our world as well. Healthy relationships are possible and can provide us with the gift of connection and growth. What does a healthy relationship look like? Here's what to look for:

### **Respect**

A healthy relationship means learning about the other person and valuing what is important to him or her. In friendship, we seek people we feel supported by and with whom we enjoy spending time. Respect in a sexual relationship asks for each partner to feel valued enough to talk openly about their desires and fears on a sexual level. Each partner should have respect for his or her own body, should feel comfortable choosing whether or not to be sexually active, and, if so, at what pace and level. When someone makes a choice to participate in an activity he/she is giving consent.

This is a critical dimension of respect.

### **Honesty**

In the context of human communication, people are generally said to be honest when they tell the truth to the best of their knowledge and share what they know, think or feel. Most people would agree that honesty is crucial to any relationship. At the same time, honestly expressing our thoughts and feelings about what we want to happen in a relationship is a challenge. Sometimes, women and men can neglect their own thoughts or beliefs for fear of disagreement or judgment. You may not be ready to be sexually active with your partner. It is important to be true to yourself and clear with your partner at every step in a relationship.

### **Trust**

Trust is fragile because it takes time to build up and little time to tear down. Healthy relationships are dependent on cooperation. This means you can count on each other and that the other person will be there for you. Trust doesn't come easy and, for most people, needs to be earned over time.

### **Safety**

Safety is an important aspect of a relationship. Relational safety exists when both partners are free to express their feelings and beliefs without fear of consequences for being who they are. A safe relationship exists when:

- Each person's dignity is upheld.
- Both partners are free from fear, intimidation or judgment.
- It is free from threat of danger, harm or risk.

## **Expectations of Relationships**

It is important to think about what your expectations are in terms of the many relationships that you will develop during your college career. Think about the following questions:

What is the difference between acquaintances and established relationships?

What do you want from these types of relationships?

Friendships

Dating Partners

Family

Mentors/Advisors

Professors

**What are reasonable expectations in these different relationships? How much time will it take to properly develop these relationships? What factors keep you in a healthy relationship?**

It is important to realize that relationships take time to develop. There are many different types of relationships in college. The probing questions above are important to consider throughout this transition. Making connections at orientation, or at your first residence/commuter meetings is wonderful. But, it is important to realize that developing healthy relationships takes some time and effort. Not all of these people will automatically become your instant friends. This is okay! Take the time to meet new people and be thoughtful in developing relationships that are motivating and life-giving.

## Communication

Assertive communication is critical in developing and sustaining healthy relationships. Listening to others and really “hearing” about their needs, likes, and dislikes is a sign of a strong relationship. In a relationship that may be intimate, communication cannot be compromised. Partners need to be able to talk about whether they are comfortable before committing to **any** sexual activity.

In order to engage in meaningful communication, it is important to decipher between the four types.

**Passive Communication** is a style in which individuals have developed a pattern of avoiding expressing their opinions or feelings, protecting their rights, and identifying and meeting their needs. Passive communication is usually born of low self-esteem. These individuals believe: “I’m not worth being cared for or loved.”

**Aggressive Communication** is a style in which individuals express their feelings and opinions and advocate for their needs in a way that violates the rights of others. Thus, aggressive communicators are verbally and/or physically abusive. Aggressive communication is born of low self-esteem (often caused by past physical and/or emotional abuse), unhealed emotional wounds, and feelings of being powerless.

**Passive-Aggressive Communication** is a style in which individuals appear passive on the surface but are really acting out anger in a subtle, indirect, or behind-the-scenes way. Individuals often act in passive-aggressive ways to deal with an overwhelming lack of power. A passive-aggressive individual can frustrate the people around them and seem sincerely dismayed when confronted about their behavior.

**Assertive Communication** is a style in which individuals clearly state their opinions and feelings, and firmly advocate for their rights and needs without violating the rights of others. Assertive communication may increase self-esteem. Individuals who are able to communicate assertively tend to value themselves, their time, and their emotional, spiritual, and physical needs. They may be strong advocates for themselves while being very respectful of the rights of others.

Assertive communication style aids a person in developing clear expectations, needs and desires. It is a balance between articulating directly and clearly one’s needs while respecting the needs of another. So, think about some reasons why individuals might hesitate in asserting themselves in a relationship. Here are some thoughts that may be roadblocks in achieving effective and assertive communication.

**Roadblocks to Assertiveness**

<b>Roadblock</b>	<b>Assertive Counterpart</b>
If I assert myself in any relationship, others will get mad at me.	If I assert myself the results may be positive, negative, or neutral. However, since assertion involves legitimate rights, the odds of having positive results are in my favor.
If I do assert myself and others do become angry with me, it will be awful; I will be devastated.	Even if others become angry, I am capable of handling it without falling apart. If I assert myself when it is appropriate, I don't have to feel responsible for others' feelings.
Although I prefer others to be straightforward with me, I am afraid that if I am open with them and say "No," I will hurt them.	If I am assertive, others may or may not feel hurt. Others are not necessarily more fragile than I am. I prefer to be dealt with directly and, quite likely, others will, too.
If my assertion hurts others, I am responsible for their feelings	Even if others are hurt by my assertive behavior, I can let them know I care for them while also being direct about what I want or need. Although at times, they will be taken aback by my assertive behavior, they are not so vulnerable and fragile that they will be shattered by it.
It is wrong to turn down legitimate requests. Others will think I am selfish and won't like me.	Even legitimate requests can be refused assertively. Sometimes, it is acceptable to consider my needs before others. I can't always please others.
I must avoid making statements or asking questions that might make me look ignorant or stupid.	It is okay to lack information or make a mistake; it just shows that I am human.
Assertive people are cold and uncaring. If I am assertive, I'll be so unpleasant that others won't like me.	Assertive people are direct and honest and behave appropriately. They show a genuine concern for other people's rights and feelings as well as their own. Their assertiveness enriches their relationships with others.

## Consent

Consent is the *active* and positive exchange of words or actions that indicate a willingness to participate freely and voluntarily in mutually agreed upon sexual activity. Consent can only be given when there is equal power between the involved parties. The use of force, threats of force, or coercion does not constitute consent. Neither the existence of a dating relationship between persons (including past sexual relations) nor silence indicate consent. Consent **cannot** be given if a person is:

1. Physically or mentally incapacitated by alcohol or other drugs
2. Unconscious
3. Asleep
4. Under the age of consent (16 in Pennsylvania)
5. Physically or mentally impaired.

Learning how to talk about consent, and how to gain or refuse consent can help each person's responsibility in minimizing the risk of unwanted sexual contact. There are several components of consent, all of which must be present before people can mutually and equally participate in a sexual relationship. Persons must:

- Clearly understand what they have agreed to participate in.
- Be aware of the consequences of and the alternatives to their choice and actions.
- Know that a decision not to participate will be respected as much as a decision to participate.
- Voluntarily agree.
- Be mentally competent (not underage, drunk or high).
- Recognize that consent is an ongoing process; It can be given or taken away at any time.

**The only way to guarantee consent is to make sure it is offered verbally and at each step of sexual activity. Remember clear and meaningful communication is key for all parties involved.**



## The Five Principles of Consent

- 1) **Privilege:** Sex is never a right, it always a privilege.
- 2) **Permission:** Since sexual contact is a privilege, you must have permission each time.
- 3) **Justification:** There is never a good enough excuse to violate another's boundaries.
- 4) **Intent:** To ensure that sexual boundaries are not crossed, your intent must be to "First, do no harm."
- 5) **Responsibility:** You are entirely responsible for your own actions. Persons who experience sexual assault or violence never bear any responsibility for the harm caused by another.

**When consent is not actively present, unhealthy relationships including relationship violence can exist.**

### Signs of Non-Consent

The following are some examples and signs of non-consent.

- **Verbal Refusal:** When someone says "no" or "don't do that" or "please stop" or "I don't want to do this."
- **Implied Verbal Refusal:** When someone says "I don't think I want to go this fast" or "I'm not sure I want to do this"
- **Physical Resistance:** Trying to get away, freezing up, trying to leave, rolling over or away, pushing away, moving someone's hands, trying to put clothes back on.

**If sexual activity continues after any of these indicators, a crime has been committed.**

## **Sexual Assault, Sexual Misconduct, and Sexual Harassment:**

### **What Are They?**

Sexual assault, sexual misconduct, and sexual harassment include a wide range of non-consensual behaviors, none of which are tolerated in our Marywood community. Many of these behaviors constitute crimes and are motivated by a desire for power and control rather than by sexual desire. People who commit sexual assault or engage in sexual misconduct use sexual behaviors as a means to dominate and have power over others.

At Marywood, sexual assault is defined as threats, or deliberate physical contact, of a sexual nature that is against another person's will or without consent.

Sexual misconduct is generally defined as conduct that exploits another person in a sexual and non-consensual way, including, but not limited to non-consensual touching, fondling, or kissing, non-consensual voyeurism, non-consensual recording (audio or visual), non-consensual dissemination of 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, and sexual activity in public or semi-public places.

Sexual harassment is a form of sex discrimination prohibited by Title IX. It is defined as unwelcome conduct of a sexual nature. Marywood University adopts the following definition of sexual harassment based on the statement endorsed by the American Association of University Professors, revised June 1995, and considers it applicable to the entire Marywood community. Sexual advances, requests for sexual favors, and other conduct of a sexual nature constitute sexual harassment when:

- Such advances or requests are made under circumstances implying that one's response might affect academic or personnel decisions that are subject to the influence of the person making the proposal; or
- Such speech or conduct is directed against another and is either abusive or severely humiliating and/or persists despite objection of the person targeted by the speech or conduct; or
- Such speech or conduct is reasonably regarded as offensive and substantially impairs the academic or work opportunity of students, colleagues, or co-workers. If it takes place in the teaching context, it must also be severe, pervasive, and not germane to the subject matter. The academic setting is distinct from the workplace in that latitude is required for professional judgment in determining the appropriate content and presentation of academic material.

Physical force is not necessary for an act to be sexual assault or sexual misconduct; it is the **absence of consent** that makes these acts violations of our Student Code of Conduct.

**Sexual assault is never the fault of the person who was assaulted.** This is true even if the person who was assaulted was an acquaintance, very close friend, partner, neighbor, date, or previous intimate partner with the person who engaged in the assault. It is also true even if the person who was assaulted

was consuming alcohol, flirting, wearing revealing clothes, froze and did not or could not say “no,” originally said “yes” and then said “no,” or elected not to report the assault.

**You have the right to give or withhold consent in any situation.**

### **Alcohol and Sexual Assault**

Alcohol often forms the basis for social interactions on campus. There is a positive correlation between the amount of alcohol consumed on a campus and the incidences of sexual assault; more alcohol means more cases of sexual assault.

**Alcohol does not cause sexual violence.** If you do not at least think about doing something while sober, you are not likely to do it when drunk. We don’t do things while drunk that we haven’t thought of while sober, for example, asking for a date. Instead, alcohol acts more like a permission slip. By reducing inhibitions, alcohol often makes it more likely that someone will choose to sexually assault another person. **Sexual assault occurs despite alcohol use**, not because of it. When someone is intoxicated, we call that person “impaired.” “Impaired” means that you have more difficulty utilizing good judgment. Drunk or impaired the likelihood of committing sexual assault goes up and the ability to withhold or give consent goes down. Alcohol does not excuse responsibility.

### **Consider This:**

- Drinking is a socially acceptable activity used as an excuse for a socially unacceptable behavior
- Alcohol results in cognitive impairments.
- Consent must be present in healthy relationships. **Intoxicated persons cannot give consent!**

## **FACT BREAK**

*More than 696,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking.*

*Hingson, R.W., Zha, W. and Weitzman, E.R. (2009). Magnitude of and trends in alcohol-related mortality and morbidity among US college students ages 18-24, 1998-2005. Journal of Studies on Alcohol and Drugs, Supplement No. 16: 12-20, July.*

*About 85-90 percent of sexual assaults reported by college students involve alcohol use by one or both parties and occur by someone who is known to them.*

*National Institute of Justice, 2008.*

## Drug Facilitated Sexual Assault

Drug-facilitated sexual assault involves administering an anesthesia- type drug to render a person physically incapacitated or helpless, and thus incapable of giving or withholding consent. A person who has been drugged may be unconscious during all or parts of the sexual assault and, upon regaining consciousness, may be unable to recall events that occurred while under the influence of the drug. Alcohol is by far the most prevalent drug used to facilitate a sexual assault and is easy to use because it is legal and socially acceptable. ***It is important to remember that alcohol is the primary drug used to facilitate a sexual assault, and is most likely to be the vehicle used to administer anesthesia-type drugs.*** Other commonly used drugs to facilitate a sexual assault are listed below.

**Rohypnol** is a strong sleeping and anti-anxiety pill. Rohypnol is also known as *roofies, rophies, roche* and *forget-me pill*. The drug used to be a dime-sized pill with no taste or odor, but the manufacturer changed the makeup of the drug because it was being used to facilitate sexual assaults. The newer form dissolves more slowly and releases a blue dye. This can give color to light drinks and make darker drinks cloudy. The tablets can be taken whole or crushed, smoked, or injected as a liquid. It takes effect within 20 minutes and can last up to 12 hours.

**GHB** is a sedative also known as *G, liquid ecstasy, grievous bodily harm, scoop, and Georgia home boy*. GHB is a liquid with a salty taste that can be made into a powder and put into capsules. It takes effect in as little as 20 minutes and can last from two to six hours. **GHB can lower blood pressure, heart rate and breathing, reducing the amount of oxygen in your blood and leading to serious injury and/or death.**

**Ketamine** is a sedative and animal tranquilizer. Ketamine is also known as *K, special K, ket, vitamin K* and *cat valium*. It can be a liquid, a powder or a pill. It is sometimes laced into marijuana or cigarettes. It takes effect within four minutes when injected, ten minutes when swallowed, and lasts up to five hours.

### The Effects: How Drugs Used to Facilitate Sexual Assault Make You Feel

- Relaxed with lower inhibitions and impaired judgment.
- Blurred vision, seeing things that are not there
- Sudden, unexplained drowsiness, dizziness, or confusion
- Nauseous
- Numb and/or unable to speak or move; trouble with coordination
- Loss of consciousness and memory loss

## **Drug Facilitated Sexual Assault (continued)**

### **How Do I Determine If a Sexual Assault May Have Been Facilitated by Drugs?**

The following scenarios may point to the possibility that you were drugged to facilitate a sexual assault;

- You remember taking a drink but cannot recall what happened for a period of time after consuming the beverage.
- You feel a lot more intoxicated than usual to the amount of alcohol consumed, or you feel intoxicated after drinking a non-alcoholic beverage.
- You wake up feeling “hung over” or “fuzzy,” experience memory lapses, or are unable to account for a period of time.
- You feel as though you have had sexual intercourse but cannot recall any or all of the incident.
- You wake up in a strange or different location without knowing how you got there.
- Your clothes are absent, inside out, disheveled or not yours.

### **What to Do If You Think You May Have Been Drugged**

If you suspect that you have experienced a drugging and/or a drug-facilitated sexual assault, you have many options regarding the type of assistance you may want. It is important that you get to a place where you feel safe and can talk to a person about what happened. Consider telling a safe person who will help you explore your options.

***Please refer to the reporting section of this brochure for more detailed information on reporting options and resources.***

## **Relationship Violence**

Relationship violence is defined as any hurtful or unwanted physical, sexual, verbal, or emotional act inflicted by a casual or intimate partner.

- Relationship violence is the physical, emotional, and/or verbal abuse of one partner by the other partner in a current or former dating/committed relationship.
- Violence is about power and control.
- Violence develops as a pattern of controlling behavior, not just a single event.

Abusive behavior is any act carried out by one partner aimed at hurting or controlling the other.

Relationship violence can occur in any relationship, regardless of gender, sexual orientation, length or status of the relationship. Even if you are not being hurt physically, verbal and emotional abuses are just as painful and can often lead to physical violence.

If you are presented with relationship violence, it is important to consider taking measures to protect yourself such as:

- Removing yourself from the situation immediately
- Telling someone that it is happening
- Notifying authorities if unwanted contact continues

## FACT BREAK

*In 2010, violent crimes (against both male and females) by intimate partners totaled 509,230 and accounted for 13.36 percent of violent crimes.*

*Truman, J.L. (2011). Criminal Victimization, 2010. U.S. Department of Justice - Bureau of Justice Statistics.*

### **Indicators of Potential Relationship Violence**

If your partner displays a combination of these behaviors, he or she may be a person who could potentially commit partner violence including sexual assault.

- Lack of respect, especially toward intimate partners and women
- Abuses alcohol and/or other drugs
- Encourages others abuse substances
- Quick involvement
- Comes on strong; requests commitment right away
- Jealousy
- Extremely possessive; calls/texts constantly or visits unexpectedly
- Controlling behavior
- Always has to know who you talked to and where you were; makes you ask for permission to go anywhere
- Unrealistic expectations
- Expects you to be perfect
- Isolation
- Tries to cut you off from family and friends; takes away your phone or car; tries to keep you from attending class or being involved with campus activities
- Blames others for problems, say it's always someone else's fault if anything goes wrong
- Blames others for feelings
- Says "You're hurting me by not doing what I tell you"
- Hypersensitivity
- Easily insulted
- Cruelty to animals and/or children
- Treats animals poorly; may expect children to do things far beyond their ability or tease them until they cry
- Makes comments about use of force during sex
- Claims the use of force (i.e., holding one down, restraining a person) is exciting to them during sexual activity
- Verbal abuse
- Constantly criticizes you or says cruel things; puts you down, curses, calls you ugly names
- Sudden mood swings
- Goes from sweet and loving to explosively violent in a few minutes
- A history of battering
- Admits hitting partners in the past but says the situation caused it
- Threats of violence
- Makes statements such as "I'll break your neck," then says "I didn't mean it";
- Threatens self-harm or suicide if the relationship does not progress a certain way

## **Stalking**

Anyone can be stalked or engage in stalking behavior. Stalking is a crime that is often ignored and sometimes viewed more as a joke than a problem. Reality check: stalking is a problem that can often lead to threats – and even worse – violence.

### **What is Stalking?**

Stalking is a complex form of interpersonal violence involving a pattern of behavior directed at or related to a specific person. According to Pennsylvania law, stalking is defined as “engaging in a course of conduct or repeatedly committing acts toward another person with the intent to place the person in reasonable fear of bodily injury, or intent to cause substantial emotional distress to the person.” The behavior is experienced as unwanted or intrusive and the targeted person may react with fear, concern, and avoidance.

### **How Do I Know If I’m Being Stalked**

There are many behaviors associated with stalking. The following is a list of common behaviors that persons who stalk engage in.

- Persistent phone calls, emails, or other communications.
- Direct verbal or physical threats.
- Waiting or showing up uninvited at or near one’s residence, workplace, or classroom.
- Gathering information about a person from friends, family, and/or co- workers.
- Unwanted following or surveillance.
- Manipulative behaviors such as threatening suicide.
- Sending unwanted gifts, cards, or items.
- Defamation – lying to others about a person.

### **Online-Stalking**

Although there is no universally accepted definition of cyber-stalking, the term is used to refer to the use of the Internet, email, or other electronic communications devices to stalk another person.

### **Online Safety Tips**

- Select a gender-neutral username, email address, etc.
- Keep your primary email address private
- Don’t give out information simply because it is requested
- Block or ignore unwanted users
- Lurk in a new forum to learn local customs and dynamics
- If a place becomes stressful, leave it
- When you change your username, really change it!
- Know what’s in your signature file
- Never give your password to anyone
- Be cautious about putting any pictures of yourself, family, and friends online anywhere.



## Stalking (continued)

### What to do if you are being stalked?

- Clearly state that you do not want any further contact (it is best to do so in writing where you can save a copy of your correspondence). After doing so, end all communication.
- Create a log and save all copies of communication including date, time, and location of the incidents. Immediately print hard copies of all electronic or written correspondences. Do not delete any emails, texts, or pictures you receive.
- Notify Marywood staff (i.e., Marywood Police, Residence Life) as soon as possible. Please refer to the reporting section of this brochure for more information.
- Re-analyze your social media, and ensure that your privacy settings are appropriately set. Block unwanted users and use filters when possible.
- Change your routine. Do not always go to the same places to hang out, if possible.
- Don't answer the phone or door if you do not know who it is.
- Let others know you are being stalked/harassed.

## FACT BREAK

*Persons age 18 and 19 experience the highest rates of stalking.*

*Baum, K., Catalano, S., Rand, M., and Rose, K. (2009).  
Stalking Victimization in the United States. U.S.  
Department of Justice – Bureau of Justice Statistics.*

### Sexual Assault Resources

Sexual assault is unacceptable behavior and will not be tolerated in our Marywood community, no matter the circumstances. Sexual assault is defined in the *Marywood University Policy Handbook* as threats of, or deliberate physical contact of a sexual nature that is against another person's will or without consent. Examples of such behavior include, but are not limited to the following:

- Deliberate physical contact of a lewd type, including brushing, touching, grabbing, pinching, patting, hugging and kissing;
- Deliberate or reckless threats, actual or implied, of physical contact of a sexual nature that results in reasonable fear of sexual assault or physical harm;
- Coerced sexual activities, including rape. Rape, the most severe type of sexual assault, is legally defined in Pennsylvania as sexual intercourse that is coerced through force or threats of force, or with someone who is unconscious or with someone who is so mentally deranged or deficient as to be incapable of consent.

Marywood strives to offer care and support for students who have experienced sexual assault, as well as provide for the safety and well-being of the larger Marywood community. Federal law requires Marywood to take immediate and appropriate steps to conduct an investigation into the matter. Marywood will make every reasonable effort to preserve an individual's privacy and protect the confidentiality of information in light of this responsibility. For further information, see the section below on "Confidentiality."

The following information is provided to raise awareness of appropriate services, support and reporting options to students who have experienced a sexual assault.

**What to do if a sexual assault has occurred:**

Marywood University encourages students to report any situation in which they believe a sexual assault has occurred so that appropriate support and resources can be provided.

**1. Call Marywood Campus Safety at (570) 348-6242.** Since sexual assault is a criminal act and an egregious violation of the Marywood's Student Code of Conduct, it is Marywood's recommendation that a student make immediate contact with Marywood Police. Marywood Police will assess the situation and coordinate with various resources to provide for the safety and well-being of the person who has experienced sexual assault. This may include providing assistance in transporting a student to a hospital for medical care, assisting in obtaining a Protection from Abuse order from the local court, and coordinating with appropriate legal authorities including the Lackawanna County District Attorney's Office and the Victim/Witness Unit.

**2. Preserve all evidence of the assault.** This includes, but is not limited to the following:

- a. Do not bathe, change or dispose of clothing, use the restroom, wash your hands, brush your teeth, eat or smoke.
- b. If you are still in the location at which the assault occurred, do not clean anything.
- c. Write down all the details you can recall about the assault and the perpetrator.

**3. 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 disease (women may also be at risk for pregnancy).

- a. See below for contact information on local hospitals.
- b. Ask the health care professional to conduct a Sexual Assault Forensic Exam (SAFE).
- c. If you suspect you have been drugged, request a Rohypnol/GHB urine or blood test be administered to preserve evidence.

**4. Recognize that healing from an assault takes time.** Give yourself the time you need and make sure to avail yourself of the many resources that the Marywood community provides. (See below). It is never too late to get help.

## **Confidentiality**

### ***Balancing Rights and Responsibilities***

All members of the Marywood University Community are encouraged to familiarize themselves with the Sexual Misconduct and Complaint Procedures Policy, which can be found in the Marywood University Policies and Procedures Manual. The following information is drawn from the Sexual Misconduct and Complaint Procedures Policy.

### ***Marywood University's Responsibility to Students.***

It is the stated policy of Marywood University that every report of perceived discrimination, harassment, or assault based on sex will be fully investigated. In order to implement that policy, the University strongly encourages and expects all members of the University community to report suspected or actual incidents involving discrimination, harassment, and violence based on sex. University faculty, staff, and administrators who know, or in the exercise of reasonable care should have known, of discrimination, harassment, or assault based on sex, and who fail to appropriately handle the report of the incident may be subject to disciplinary action.

### ***What does this mean for me and my right to confidentiality?***

Marywood University recognizes that cases involving alleged discrimination, harassment, or violence based on sex demand special attention to issues of confidentiality. If you have questions about something you have experienced, or wish to discuss an incident in **strict confidentiality**, you have the options of consulting a professional counselor either here on campus at the Counseling / Student Development Center (C/SDC) or in the community, at a provider such as at the Women's Resource Center. Counseling services are available to Marywood University students through the C/SDC at no additional charge. The C/SDC and may be reached 24 hours per day, seven days a week, at (570) 348-6245. Should you decide to confide in any university staff or faculty other than the counselors at the Counseling / Student Development Center, please know that those other staff or faculty members are considered to be mandated reporters.

### **Other Confidential Support Services**

**Women's Resource Center of Lackawanna County** is a confidential, community-based agency serving those who have experienced sexual assault. A counselor/advocate can be reached 24 hours a day at (570) 346-4671.

**National Sexual Assault Hotline** is a free, confidential national resource available 24 hours a day at (800.656.HOPE or [online.rainn.org](http://online.rainn.org)).

**Medical Services** in cases of sexual assault are best handled by one of the three local hospitals when the student seeks assistance within 72 hours of the incident.

**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 the student visits the hospital for an exam, both the police and Women’s Resource Center of Lackawanna County will be notified by the hospital. The student may choose whether or not to speak to the police at the hospital. If she/he does, the student still has the option of whether or not to file charges against the person accused.

Marywood also provides support and assistance through **Student Health Services** during the hours of 8:30 a.m.-4:30 p.m. Monday through Friday during the academic year. Student Health Services is located in Loughran Hall on the terrace level. Telephone: (570) 961-4735.

**Possible Responses to Sexual Assault**

Sexual assault is a crisis, and we handle crises in different ways. Though each person and situation is unique, the following summarizes the possible reactions someone may experience following a sexual assault.

- Persons may experience **emotional shock** and wonder why they are feeling numb, calm or are unable to cry. Persons may experience **disbelief** and wonder if the event really happened. One may think: Why me? Maybe I just made it up.
- Persons may feel **embarrassment**. Someone may be concerned about what others will think and feel unable to tell family or friends.
- Persons may feel **shame** or feel dirty, like something is inherently wrong with them. One may feel a strong desire to wash or shower all the time.
- **Guilt** may cause persons to feel as if the event was their fault, or that they did something to make it happen.
- **Depression** may impact your daily functioning at school or work. They may feel tired and/or helpless.
- Persons may experience **powerlessness** and wonder if they will ever feel in control again.
- **Disorientation** can impact your ability to remember routine things. One may not remember what day it is, where to be, or appointments that were scheduled.

- Persons may experience triggers that lead to **flashbacks**, causing them to relive the event over and over.
- **Denial** may cause someone to believe that it wasn't really "rape" or "sexual assault."
- Persons may **fear** people, places and things. One may wonder: *What if I'm pregnant? Could I get an STD? How can I ever feel safe again? Do people realize there's anything wrong? I can't sleep because I know I'll have nightmares. I'm afraid I'm going crazy. I'm afraid to go outside. I'm afraid to be alone.*
- **Anxiety** can cause panic attacks and a feeling of being over-whelmed. Persons may struggle to focus or participate in some events that were previously enjoyable or routine.

### **Protective Factors**

Protective factors are steps people can take to reduce their risk of sexual assault and increase their safety and their sense of empowerment. None of these guarantee prevention of sexual assault. There is no perfect guarantee against sexual assault except for persons to stop assaulting others. These protective factors and safety ideas are a choice, not a responsibility. Whether or not someone chooses to use these ideas, sexual assault 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.
- 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.
- Attend large parties with friends you trust.

**REMEMBER: Sexual assault can occur despite all precautions. If you experience a sexual assault, it is NOT your fault! The only person responsible for sexual assault is the person who committed the assault!**

### **What You Can Do!**

- Realize that gender violence is a major social problem that deeply affects the lives of all women and men.
- Focus on how you, as an empowered bystander, can support others by confronting abusive behavior.
- Educate and empower your peers to end sexism and not tolerate abuse.
- Respect yourself and use your strength as an example to empower others around you.
- Learn about Marywood policies and resources related to sexual assault, sexual misconduct, and sexual harassment.
- Understand how attitudes, words and actions may perpetuate sexism and violence, and work towards changing them.
- Gently offer your support if someone you know has experienced gender violence.
- Recognize and speak out against homophobia and gay-bashing. Educate yourself and others about masculinity, gender inequality and the root causes of gender violence.
- Participate in a campus peer group or club working to end gender violence such as POW! Or R.A.E. (Relationship Awareness and Empowerment)
- Volunteer at a local agency that supports and empowers survivors of gender violence.
- Inquire at the Marywood Counseling / Student Development Center about becoming a PACT facilitator!

## **APPENDIX**

### **Sexual Misconduct and Complaint Procedures Policy**

Marywood University (the “University”) “honors the uniqueness and dignity of each human person” (Core Values of Marywood University, Respect). The University declares and affirms a commitment to maintaining a healthy and safe learning, living and working environment for all members of the Marywood community. Marywood does not condone and will not tolerate sexual harassment or sexual violence of any kind. The University prohibits rape, domestic violence, dating violence, sexual assault and stalking as well as discrimination or harassment based on sex.

Marywood University does not discriminate on the basis of sex in its educational programs and in other activities operated by the University and is required by Title IX, and specifically 34 C.F.R. Part 106.9, not to discriminate in such a manner. This extends to employees of and applicants for admission to Marywood University. Inquiries concerning the application of Title IX may be directed to the Title IX Coordinator or a Deputy Title IX Coordinator for the University, or to the Assistant Secretary for the Office of Civil Rights of the United States Department of Education.

Marywood University is committed to taking all necessary steps to comply with any obligations it may have under Title IX of the Civil Rights Act of 1964, as amended, Title VII of the Civil Rights Act of 1964, as amended, and the Campus Sexual Violence Elimination (Campus SaVE) Act of 2013. These are explicit civil and legal applications of the formulation of beliefs already cherished in Marywood’s religious commitment, objectives, and practices.

The Marywood University Sexual Misconduct and Complaint Procedures Policy (“the Policy”) applies to all faculty, staff, administration, employees, students, volunteers and visitors on campus property. Additionally, the Policy applies to the conduct of all faculty, staff, administration, employees, students, volunteers and visitors at off-campus University-sponsored events, including, but not limited to, academic and educational programming, internships, study abroad programs, athletic events, and all other University programming, as well as to the conduct of all faculty, staff, administration, employees, students, volunteers and visitors occurring off-campus but having an effect on the University’s educational environment.

#### **Preservation of Evidence**

The preservation of evidence in incidents of sexual violence is critical and particularly time-sensitive. The University administrator, faculty or staff member who first hears such an incident from a complainant will inform the complainant of the importance of preserving evidence by taking the following actions:

1. Seek medical assistance at the hospital, ideally within 72 hours of the incident.
2. Do not shower, bathe, wash hands or face, or douche.
3. Try not to urinate.

4. If oral contact took place, refrain from smoking, eating, drinking, or brushing teeth.
  5. If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence).
- During the initial meeting between the complainant and the University Title IX Coordinator or Deputy Title IX Coordinator, the importance of taking those actions will be reiterated.

### **Contact Information**

Anyone believing s/he has been the victim of or a witness to, or otherwise has reason to believe or become aware of discrimination, harassment, stalking or other forms of violence based on sex by, or involving, any member of the University community, guests or visitors on University property, any property controlled by the University, including off-campus University sponsored events, or off-campus should report the incident as soon as possible to the Title IX Coordinator or one of the Deputy Title IX Coordinators.

Individuals who wish to report an instance of sexual harassment or misconduct should report to the identified individual below:

Dr. Patricia E. Dunleavy, Associate Vice President for Human Resources  
Title IX Coordinator – for complaints against a member of the faculty, staff or administration  
[dunleavy@marywood.edu](mailto:dunleavy@marywood.edu)  
570-348-6220  
570-961-4740 fax  
86 Liberal Arts Center

Dr. Amy Paciej-Woodruff, Dean of Students  
Deputy Title IX Coordinator – for complaints against students  
[apaciej@marywood.edu](mailto:apaciej@marywood.edu)  
570-340-6016  
570-340-6037 fax  
107C Nazareth Student Center

Dr. Alan M. Levine, Vice President for Academic Affairs  
Deputy Title IX Coordinator – for complaints against a member of the faculty  
[Levine@marywood.edu](mailto:Levine@marywood.edu)  
570-348-6232  
570-961-4743 fax  
200 Liberal Arts Center

Ms. Ann Boland-Chase, Vice President for Enrollment Management  
Deputy Title IX Coordinator – for complaints against a member of the staff or administration  
[chase@marywood.edu](mailto:chase@marywood.edu)  
570-961-4728  
570-961-4790 fax  
102 Liberal Arts Center



The Associate Vice President for Human Resources, Title IX Coordinator, in consultation with the President, will decide the appropriate course of action in cases where a conflict of interest is evident or possible.

Any member of the Marywood community may call the University Whistleblower Hot Line at 855-278-2074 and/or use the Internet based reporting system at <http://marywood.ethicspoint.com>. See the University Whistleblower Policy for details.

The University strongly encourages and expects all members of the University community to report suspected or actual incidents involving discrimination, harassment and violence based on sex. University faculty, staff and administrators who know, or in the exercise of reasonable care should have known, of discrimination, harassment or assault based on sex and who fail to appropriately handle the report of the incident may be subject to disciplinary action.

Marywood University will fully investigate every report of perceived discrimination, harassment or assault based on sex. The University will not allow any form of retaliation against individuals who report claims or who cooperate in the investigation of such reports in accordance with this policy.

### **Confidentiality**

Cases involving alleged discrimination, harassment or violence based on sex demand special attention to issues of confidentiality. Dissemination of information relating to these cases is limited so as to insure, as fully as possible, the privacy of the individuals involved. Additionally if the complainant wishes to remain anonymous, or not pursue a formal complaint, the complainant should be advised that the University's response may be limited. Furthermore, because of the University's obligation to maintain a safe environment for all members of the University community, the University may have an obligation to pursue an investigation without the complainant's cooperation. In such cases, the University will take preventative measures to preserve confidentiality to the extent permissible by applicable law.

Complainants who wish to report in strict confidentiality should refer to applicable federal, state, or local law regarding confidentiality and privilege and then consult a professional counselor or ordained member of the clergy.

### **Interim Accommodations**

Complainants have the right to review options and available assistance for interim changes to academic, living, transportation and working conditions. If the complainant requests such an accommodation, and the accommodation is reasonably available, the University will take action to implement the requested accommodation. Any interim remedial action will not inconvenience the complainant.

### **Drug and Alcohol Amnesty**

This policy assures the University community that when a complainant's health and safety are in danger due to intoxication, alcohol poisoning or other drug-related emergencies, complainants who seek help for themselves or others will not be subject to conduct action for a

violation of the University alcohol and other controlled substances regulations, including the Drug-Free Workplace Policy, the Code of Conduct Policy, and the Alcohol and Controlled Substances Policy for Students. Further, all members of the Marywood community should, and are encouraged to, report all known and suspected incidents relating to sexual discrimination, including harassment, assault, domestic violence, dating violence and stalking when drugs and alcohol are involved. Generally, no one will be penalized for violating the University's alcohol and other controlled substances policies when reporting such related incidents. (See "Sanctions" below.)

## **External Resources**

Marywood University encourages complainants to pursue criminal charges against the person(s) believed to have committed the act in violation of this policy. The University has personnel on staff who can explain criminal complaint procedures and assist complainants in beginning the process and filing a complaint. Additionally, if necessary, University administrators will notify the appropriate law enforcement officials in accordance with any obligations under federal, state and local laws. Police investigation and legal prosecution are conducted outside of and in addition to University procedures. Criminal charges and a disciplinary charge may be pursued at the same time. However, the complainant need not pursue criminal charges in order to file a disciplinary charge with the University. Should the complainant elect to proceed with both, however, the University will comply with and help to enforce any applicable judicial no-contact, restraining, and protective order.

Complainants are encouraged to seek assistance both on-and off-campus, as needed, to address issues stemming from the incident. A list of services both on-and off-campus is included below.

## **Definitions**

### *Consent*

Consent means an informed, freely given agreement, communicated by clearly understandable words or actions, to participate in each form of sexual activity. Consent cannot be inferred from silence, passivity, or lack of active resistance. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. By definition, there is no consent when there is a threat of force or violence or any other form of coercion or intimidation, physical or psychological. A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor; the lack of informed, freely given consent to sexual contact constitutes sexual misconduct.

### *Dating Violence*

Dating violence is defined as physical, sexual, or psychological/emotional violence within a dating relationship.

### *Domestic Violence*

Domestic violence is defined as sexual or intimate partners engaging in one or more of the following acts:

1. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, aggravated indecent assault, or indecent assault with or without a deadly weapon;
2. Placing another in reasonable fear of imminent serious bodily injury;
3. Inflicting false imprisonment;
4. Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury.

### *Off-campus property*

Off-campus property includes, but is not limited to, University programming, internships, study abroad programs and sporting events.

### *Rape*

Rape is defined as an individual engaging in sexual intercourse with another individual:

1. by forcible compulsion;
2. by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
3. when the other individual is unconscious or is unaware that the sexual intercourse is occurring;
4. where the individual has substantially impaired the other individual'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; or
5. where the other individual suffers from a mental disability which renders the complainant incapable of consent.

### *Sexual Assault*

Sexual assault is defined as threats of, or deliberate physical contact of a sexual nature that is against another person's will or without consent. Examples of such behavior include, but are not limited to the following:

1. deliberate physical contact of a lewd type, including brushing, touching, grabbing, pinching, patting, hugging and kissing;
2. deliberate or reckless threats, actual or implied, of physical contact of a sexual nature that results in reasonable fear of sexual assault or physical harm;
3. coerced sexual activities, including rape. Rape, the most severe type of sexual assault, is legally defined in Pennsylvania as sexual intercourse that is coerced through force or threats of force, or with someone who is unconscious or with someone who is so mentally deranged or deficient as to be incapable of consent.

### *Sexual Harassment*

Examples of sexual harassment include unwelcome or unsolicited sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or education; or
2. submission to or rejection of such conduct by an individual is used as a basis for employment or educational decisions affecting such individual; or
3. such conduct has the purpose or effect of substantially or unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive environment.

Other examples of sexual harassment include: obscene gestures, visual harassment such as derogatory cartoons, posters and drawings, sexually explicit e-mail, texting, or voice mail and other verbal or physical conduct of a sexual nature such as uninvited touching of a sexual nature or sexually related comments. Depending upon the circumstances, prohibited conduct can also include sexual joking, vulgar or offensive conversation or jokes, commenting about an individual's physical appearance, conversation about an individual's own or someone else's sex life, teasing or other conduct directed toward a person because of his or her gender which is sufficiently severe or pervasive to create a hostile working environment. It may range from inappropriate sexual suggestions to coerced sexual relations.

### *Stalking*

Stalking is defined as engaging in a course of conduct or repeatedly committing acts towards another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place the other person in reasonable fear of bodily injury or to cause substantial emotional distress to the other person or engaging in a course of conduct or repeatedly communicating 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 the other person.

## **Procedures**

### **Complaint Procedures**

Individuals are encouraged to file complaints with the Title IX Coordinator or the appropriate Deputy Title IX Coordinator. Once a report of an incident is made to the Title IX Coordinator or a Deputy Coordinator by a witness to an incident or an individual comes forward to report an incident of sexual harassment or other form of sexual misconduct, the Title IX Coordinator or a Deputy Coordinator will meet with the alleged victim to discuss the importance of preserving evidence, the right to file a criminal complaint, potential interim accommodations, and the right to file a complaint with the University.

If the complainant chooses to file a complaint with the University, the individual may proceed formally or informally.

In situations when the complainant elects to proceed informally, the Title IX Coordinator or Deputy Title IX Coordinator will determine the steps to take to resolve the issue. The parties

may elect to resolve the matter through mediation UNLESS the situation involves sexual assault and/or sexual violence. Should the complainant elect to proceed informally, s/he may elect to stop the informal process at any time and proceed through the formal process.

If the complainant decides to proceed formally, either initially or after opting out of the informal process, the complainant should submit within ten (10) working days a formal complaint, preferably in writing, to the Title IX Coordinator or Deputy Title IX Coordinator who originally fielded the complaint. The complaint must include detailed factual information concerning the incident(s), and should include what the complainant feels will correct the situation. The Title IX Coordinator or Deputy Title IX Coordinator will appoint an investigator from a pool of trained faculty, administrators and professional staff.

Within five (5) working days after receipt of a formal complaint, the investigator will commence a thorough investigation. Investigations will be conducted as expeditiously as possible. The entire process, as outlined below, should be completed within sixty (60) calendar days after the complaint, either formal or informal, is filed. This timeframe may vary, however, depending on confidentiality requests, availability of witnesses, the scope of the investigation and any unforeseen circumstances.

Within ten (10) working days after the initiation of the investigation, and every ten (10) working days thereafter until receipt of the final outcome, the investigator must provide, simultaneously, a written summary of the complaint and the proceedings to date to both the complainant and the alleged offender.

Should the investigation include meetings with the complainant and/or the alleged offender, the complainant and the alleged offender are permitted to be accompanied by the advisor of their choice.

Upon conclusion of the investigation, the Title IX Coordinator (in conjunction with the Deputy Title IX Coordinator for cases involving student complaints against students) will appoint a hearing panel of three independent members from the pool of trained investigators. The investigator will present his/her findings to the hearing panel, who may question the investigator, the complainant, and/or the alleged offender.

The hearing panel will determine, based on a preponderance of the evidence, whether the alleged offender violated the Policy. The hearing panel will then provide conclusions and disciplinary recommendations to the Title IX Coordinator (and the Deputy Title IX Coordinator as appropriate). After a decision is made concerning resolution of the complaint and any disciplinary actions to be imposed, the Title IX Coordinator (or the Deputy Title IX Coordinator as appropriate) will notify simultaneously the complainant and the alleged offender in writing of the outcome of the investigation.

## **Sanctions**

If the alleged offender is found to have violated the Policy, action will be taken to eliminate the discriminatory or harassing conduct, including but not limited to extending the interim remedial actions, as well as issuing a warning, no contact order, suspension, transfer, discharge

or dismissal of the offender or anyone making a knowingly false complaint. In situations where the alleged offender is found to have violated the Policy by committing stalking, the recommended sanctions include no contact order, suspension, transfer, and in extreme situations and at the University's discretion, discharge or dismissal from the University. In situations where the alleged offender is found to have violated the Policy by committing sexual assault, rape, domestic violence, or dating violence, the recommended sanction will be suspension or dismissal from the University. The University reserves the right to modify sanctions depending on the facts and circumstances of the particular incident.

Students involved in such incidents will be required to meet with the Dean of Students or designee shortly thereafter to address the issues that caused the risk to the student's well-being. To assist students in learning from the experience, the student(s) may be required to complete an alcohol/other drug assessment and/or to participate in counseling. Only in the case of a repeated pattern of similar incidents or failure to cooperate, the Dean of Students may review the situation on an individual basis and determine whether conduct action and/or potential sanctions are appropriate. If additional or egregious policy violations occur during the same incident, the Dean of Students reserves the right to adjudicate the non-alcohol related violations.

Employees involved in such incidents may be subject to other existing University policies for repeated patterns of similar incidents, failure to cooperate, or additional or egregious policy violations.

### **Appeal**

Either party, if not satisfied with the final outcome of the hearing panel and the Title IX Coordinator/Deputy Title IX Coordinator, will have ten (10) working days after receipt of the outcome to file an appeal for one of the following reasons:

1. The presentation of new evidence;
2. Allegation that relevant evidence was not considered;
3. Allegation of procedural error;
4. Disproportionate sanctions.

Appeals must be in writing and submitted to the Associate Vice President for Human Resources, Title IX Coordinator, who will determine, within 3 days, whether the appeal has merit based on one of the above-stated reasons. The Associate Vice President for Human Resources, Title IX Coordinator will then forward the written appeal to the President of the University. Within five (5) working days the President will direct the appeal to the appropriate University body, described below. The appeals committee will have thirty (30) working days to review and make a recommendation to the President of the University. The appeals committee may review the initial investigation as well as independently investigate the claim. Within ten (10) working days after receipt of the recommendation from the appeals committee the President of the University will provide a written response to both parties in the original complaint. The decision of the President of the University is final and binding.

*Claims against Faculty Members including Librarians, Administrators, Professional Staff, and Support Staff*

The President of the University will appoint and convene a committee of five (5) employees comprised of professional staff, administrators and/or faculty who are independent of the claim.

*Claims against Students*

The President of the University will refer the appeal to the Vice President for Student Life who will convene an Appeal Board. The Appeal Board will review the complaint and make a recommendation to the Vice President for Student Life who will notify the President of the recommendation.

**Retaliation**

Retaliation of any kind is prohibited. Anyone who reports an actual or suspected incident of harassment, discrimination or violence based on sex, or who participates in an investigation, will not be subjected to retaliation. If a Complainant or witness believes s/he has been subjected to retaliation s/he should contact the Associate Vice President for Human Resources, Title IX Coordinator or the Dean of Students, Deputy Title IX Coordinator. Anyone found to be in violation of this retaliation provision will be subject to disciplinary action.

**Resources**

A list of Marywood University and community resources is available below and in the Human Resources Office, the Dean of Students Office, the Student Health Services Office, the Office of Disabilities Services and the Counseling and Student Development Center.

Students are encouraged to use the services of the Counseling and Student Development Center, the Student Health Services Office and the Office of Disabilities Services on campus. Employees are encouraged to contact the University's Employee Assistance Program (EAP) or the Associate Vice President for Human Resources for a list of providers.

**On Campus Resources:**

Counseling and Student Development Center  
Dr. Robert Shaw, Director  
rsshaw@marywood.edu  
McGowan Center Room 1017  
570-348-6245  
<http://www.marywood.edu/csdc/>

Dean of Students Office

Dr. Amy Paciej-Woodruff, Dean of Students/Deputy Title IX Coordinator

[apaciej@marywood.edu](mailto:apaciej@marywood.edu)

107C Nazareth Student Center

570-340-6016

<http://www.marywood.edu/student-dean/>

Office of Disabilities Services

Ms. Diane Webber, Associate Director

[dtwebber@marywood.edu](mailto:dtwebber@marywood.edu)

Liberal Arts Center Room 223

570-348-6211 x2335

<http://www.marywood.edu/disabilities/>

Human Resources Office

Dr. Patricia E. Dunleavy

Associate Vice President/Title IX Coordinator

[dunleavy@marywood.edu](mailto:dunleavy@marywood.edu)

Liberal Arts Center Room 86

570-348-6220

[www.marywood.edu/hr/](http://www.marywood.edu/hr/)

Student Health Services Office

Ms. Linda McDade, RN, Director

[lmcdade@marywood.edu](mailto:lmcdade@marywood.edu)

Loughran Hall Terrace Level

570-348-6249

[www.marywood.edu/healthservices/](http://www.marywood.edu/healthservices/)

Community Resources:

Geisinger Community Medical Center

1800 Mulberry StreetScranton PA 18510

570-969-8000

[www.cmccare.org](http://www.cmccare.org)

Moses Taylor Hospital

700 Quincy AvenueScranton PA 18510

570-770-5000

[www.mosestaylorhospital.net](http://www.mosestaylorhospital.net)

Regional Hospital of Scranton

746 Jefferson AvenueScranton PA 18510

570-348-7100

[www.regionalhospitalofscranton.net](http://www.regionalhospitalofscranton.net)

Women's Resource Center - 570-346-4460