

# SEXUAL VIOLENCE INTERPERSONAL VIOLENCE *and* STALKING REPORTING AND RESOURCES



TITLE IX COORDINATOR

Dr. Susanne Fenske

VICE PRESIDENT FOR STUDENT AFFAIRS

814-393-2351

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# WHAT IS SEXUAL MISCONDUCT?

## Sexual Harassment

Unwelcome sexual advances, requests for sexual favors, or conduct of a sexual nature will constitute sexual harassment when

- (1) Submission to such contact is made either explicitly or implicitly a term or condition of an individual's employment or academic success; or
- (2) Submission or rejection of such conduct by an individual is used on the basis for employment or academic decisions affecting the individuals; or
- (3) Such conduct is sufficiently pervasive or severe to have the effect of interfering with an individual's work or academic performance or creating intimidating, hostile, or offensive work or academic environment.

## Sexual Assault/Violence

Sexual assault or violence occurs when there are physical sexual acts perpetrated against the will of a student or employee or when the student or employee is incapable of giving consent. Acts of rape, sexual assault, sexual battery and sexual coercion all constitute sexual violence. Attempting to or having sexual intercourse with another individual without that individual's consent serves as an example of sexual assault or violence.

## Sexual Exploitation

Sexual exploitation occurs when a person takes non-consensual or unjust sexual advantages of another for their own advantage or benefit, or to benefit another person other than the one being exploited. Examples of sexual exploitation include, but are not limited to, non-consensual video, photographing or audio-taping of sexual activity; non-consensual distribution of a video, photograph or sound recording of sexual activity; non-consensual photographing of nudity; non-consensual distribution of a nude photograph; going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex); engaging in peeping or indecent exposure; or incapacitation through alcohol or drugs in order to sexually assault another person whether or not sexual contact actually takes place (an example could include spiking someone's drink).

## Domestic Violence (Interpersonal Violence)

Domestic violence is a type of intimate relationship violence that is committed by a current or former spouse or intimate partner of the survivor, by a person with whom the survivor shares a child in common, by a person who is cohabitating with or has cohabitated with the survivor as a spouse or someone similarly situated to a spouse; or by a person from whom the survivor is protected under the domestic or family violence laws.

## **Dating Violence (Interpersonal Violence)**

Dating violence is a type of intimate partner violence that is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the survivor. These acts of violence may be physical, sexual, emotional or psychological. The existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship; the type of relationship; the frequency of interaction between the persons in the relationship.

## **Stalking**

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- (1) fear for his or her safety or the safety of others; or
- (2) suffer substantial emotional distress.

Stalking includes but is not limited to cyber stalking, verbal contact, writing, contact by phone, electronic media, a third party or by other means to pursue or track another person.

## **What is Consent?**

Consent is an informed decision made freely and actively by all parties. Conduct will be considered, “without consent” if there is no clear consent, verbal or nonverbal. Since sexual misconduct is defined as sexual activity that is undertaken without consent, each participant must obtain and give consent to each sexual act.

People with mental disabilities cannot give consent to sexual activity if they cannot understand the fact, nature or extent of the sexual situation in which they find themselves. The mental disability of the survivor must be known, or reasonably knowable, to the non-disabled sexual partner, in order to constitute a violation.

## **IF YOU HAVE EXPERIENCED SEXUAL VIOLENCE, INTERPERSONAL VIOLENCE, OR STALKING**

### **Immediate Steps**

Contact the police who can put you in touch with resources, coordinate medical attention if necessary, and collect physical evidence of the crime for possible criminal prosecution if you choose to pursue criminal charges (even if this is determined later, the collection of evidence is important for presentation of the case).

If you do not wish to contact the police immediately it is suggested that you do the following:

- Go to a safe place. Your CA's room, a friend's room, or any open offices on campus.

- Call someone you trust. A friend, family member, or advocate are good resources. You do not have to go through this alone.
- Preserve evidence. After sexual violence, do not shower until you have considered whether to have a no-cost forensic sexual assault examination at the hospital and save the clothes you were wearing (unwashed) in a paper or cloth bag. After sexual violence, interpersonal violence or stalking, take photos of any damage or injury and keep communication records.

## **Within 24 Hours**

- Seek out confidential support. You may want to turn to a confidential advocate or counselor for support and advice. They will talk with you about your options for additional support services and reporting.
- After unwanted physical contact, get medical attention. A medical provider can check for and treat physical injury, sexually transmitted infections, and pregnancy. You do not need to make a formal report or press charges to receive medical care.

## **At Any Time**

- Consider making a formal report. You are encouraged to report what happened to both the police and the Title IX Coordinator; Dr. Susanne Fenske, Vice President for Student Affairs. You can decide how much you would like to participate in any investigation process.
- CU can help. Campus-based resources like Judicial Affairs can help you with changes to your housing, classes work and more. You do not need to make a formal report or press charges to receive help from CU.

# **CLARION'S COMMITMENT TO A SAFE AND SUPPORTIVE COMMUNITY**

CU is committed to creating and maintaining a campus environment free from all forms of sexual violence, relationship violence and stalking. All reports are taken with the utmost seriousness.

You are not alone. You do not have to make a formal report or press criminal charges to receive medical and academic support. The resources listed in this brochure, for both on and off campus, can help.

## Employee Reporting

Under our Sexual Misconduct Policy and Complaint Procedure, most employees who witness or receive a report of sexual violence, interpersonal violence, or stalking must report the incident to the Title IX Coordinator. Exceptions include employees in the Center for Wellness and faculty members as outlined in the syllabus for the class.

Under the Clery Act, many employees also have a duty under federal law to report crimes to Clarion University Police. The report includes the date, time and place of the incident, but may not provide the identity of the reporting party.

**Get more info**



## REPORTING AND INVESTIGATING

Individuals reporting sexual violence are strongly encouraged to make a report to both the Police and the Title IX Coordinator for assistance and investigation. Reporting can help to ensure the safety of the reporting party and the campus community. Reporting parties may choose not to participate further in any internal University Investigation. Reports to University Police are investigated and the survivor has the option for the Police to stop the criminal investigation of the accused at any time.

### CLARION UNIVERSITY POLICE

Available 24 hours a day, 7 days a week  
Wood Street, Clarion, PA 16214  
814-393-2111 or 911

- CU Police are responsible for all criminal investigations for on-campus crimes.
- For off-campus crimes, state or local police are responsible for investigations.
- If you are unsure where to call, start with University Police.

### TITLE IX COORDINATOR

Dr. Susanne Fenske, Vice President for Student Affairs  
103 Carrier Hall  
814-393-2351

- Investigates Student Code of Conduct violations through Judicial Affairs/ Judicial & Mediation Services when the responding party is a CU student.
- Investigates regardless of whether the incident(s) occurred on or off campus.
- Students and employees who violate university policies and conduct codes may be subject to discipline as outlined in the *Student Code of Conduct* or applicable HR policies and procedures.

## ***CONFIDENTIAL RESOURCES (ON CAMPUS)***

### **THE CENTER FOR WELLNESS—CLARION CAMPUS**

(Health Services, Counseling Services, AOD, & Student Health Assistant)  
256 Becht Hall  
814-393-2121

Provides medical care for reporting parties as well as counseling services. The Center for Wellness may also be able to assist connecting a student with off-campus resources.

While reporting party's conversation with any university employee will be kept private (not shared unnecessarily with others), only a conversation with a confidential resource can be kept confidential (will not be shared with anyone without express consent of the reporting party)

### **DEPT. OF COUNSELING SERVICES—VENANGO CAMPUS**

234 Montgomery Hall, Oil City, PA 16301  
814-676-6591 or ext. 1281 from a campus phone

## ***CONFIDENTIAL RESOURCES (OFF CAMPUS)***

### **PASSAGES**

1300R East Main Street, Clarion, PA 16214  
814-226-7273  
Hotline: 1-800-793-3620

Provides rape crisis intervention and short-term counseling for those reporting rape and sexual assault; prevention/education programs; and Legal and medical advocacy/accompaniment are available 24 hours/day.

### **SAFE**

P.O. Box 108, 1302 East Main Street, Clarion, PA 16214  
814-226-8481  
Hotline: 1-800-992-3039

Offers free and confidential domestic violence services including: emergency shelter, options counseling, advocacy and accompaniment, community education, empowerment groups and bride housing program.

### **PPC**

Oil City-Main Office, 716 E. Second Street, Oil City, PA 16301  
814-676-9940  
Hotline: 1-800-243-4944

PPC Violence Free Network is a comprehensive victim service program. PPC works to prevent violence, protect victims and advocate for change in attitudes about victimization by providing prevention education programs, supportive services and by promoting social change in the community.

**PAAR-PITTSBURGH ACTION AGAINST RAPE**

81 South 19th St., Pittsburgh, PA 15203  
412-431-5665  
Hotline: 1-866-363-7273

Respond, Educate, and Advocate to end sexual violence. Provides confidential assistance, advocacy and support in local emergency rooms, Legal advocacy, counseling, prevention, outreach and training.

**WOMEN'S CENTER & SHELTER OF GREATER PITTSBURGH**

412-687-8005 ext. 1 -24 hours  
Hotline: 877-338-8255

Provides services related to intimate partner violence to the greater Pittsburgh area.

***NON-CONFIDENTIAL RESOURCES (ON CAMPUS)***

**UNIVERSITY POLICE**

Wood Street, Clarion, PA 16214  
814-393-2111 or 911

**TITLE IX COORDINATOR**

Dr. Susanne Fenske, Vice President for Student Affairs  
103 Carrier Hall  
814-393-2351

**JUDICIAL AFFAIRS & JUDICIAL AND MEDIATION SERVICES**

207/212 Becht Hall  
814-393-1982

Assists students with understanding on and off campus resources, connecting with resources, and the student conduct process including an inquiry/ investigation into reported incidents.

**OFFICE OF SOCIAL EQUITY**

210 Carrier Hall  
814-393-2109

**STUDENT AFFAIRS**

Venango Campus, 114 Rhoades  
814-393-1270

# RESOURCES

## Emergency 911

### CAMPUS RESOURCES

University Police.....	814-393-2111
Counseling Services.....	814-393-2255
Dr. Susanne Fenske, Vice President for Student Affairs (Title IX Coordinator).....	814-393-2351
Health Services.....	814-393-2121
International Programs (Visa and Immigration).....	814-393-2340
Judicial Affairs.....	814-393-1918
Office of Social Equity.....	814-393-2109
Student Financial Services.....	814-393-2315
Behavioral Assessment Referral Team.....	www.clarion.edu/bart

To learn about sexual misconduct violations and your rights as a student, visit the Judicial Affairs website at [www.clarion.edu/judicial](http://www.clarion.edu/judicial).

### MEDICAL & PSYCHOLOGICAL ASSISTANCE

Adagio Health	
Clarion.....	814-226-7500
Venango.....	814-676-1811
Clarion County Counseling Center.....	814-226-6252
Clarion Hospital.....	814-226-9500
UPMC Northwest.....	814-676-7600

### LEGAL ADVOCACY

Laurel Legal Services.....	814-226-4340
Protection from Abuse Assistance	
Clarion.....	814-226-8481
Venango.....	814-676-5476

### OFFENDER RESOURCES

Pathways/Project Point of Light for Venango County.....	814-678-0093
Project Point of Light.....	814-226-1159

### COMMUNITY RESOURCES

#### Clarion

24-Hour Hotline (PASSAGES).....	800-793-3620
Clarion County Crisis Intervention Line.....	814-226-7223
Clarion Victim Assistance Programs.....	800-793-3620
PASSAGES of Clarion.....	814-226-7273
Pennsylvania Suicide Hotline.....	800-784-2433
SAFE.....	800-992-3039
SAFE of Clarion.....	814-226-8481

#### Venango

Crisis/Hotline of Venango County.....	814-437-6871
Pennsylvania Suicide Hotline.....	800-784-2433
Venango Victim Assistance Program.....	800-243-4944

### LAW ENFORCEMENT

Clarion Borough Police.....	814-226-9140
Clarion University Police.....	814-393-2111
Oil City Borough Police.....	814-678-3080
Pennsylvania State Police	
Clarion.....	814-226-1710
Venango.....	814-676-6596

It is the policy of Clarion University of Pennsylvania that there shall be equal opportunity in all of its educational programs, services, and benefits, and there shall be no discrimination with regard to a student's or prospective student's gender, gender identity, race or color, ethnicity, national origin or ancestry, age, mental or physical disability, religion or creed, genetic information, affectional or sexual orientation, veteran status, or other classifications that are protected under Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and other pertinent state and federal laws and regulations. Direct inquiries to the Title IX Coordinator, Clarion University of Pennsylvania, 103 Carrier Administration Building, sfenske@clarion.edu or phone 814-393-2351, or the Director of Social Equity, 210 Carrier Administration Building 16214-1232; Email saalsgiver@clarion.edu or phone 814-393-2109. Inquiries may also be directed to the Director of the Office for Civil Rights, Department of Education, 330 Independence Avenue, SW, Washington, DC 20201.