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Responsible Officers:

Director of Academic Affairs, UVF-VC  
Vice President of Student Life, Main Campus  
Vice President of Operations, Main Campus

Policy Owner: Student Life Office & Human Resources Office

Policy Contact: Vice President of Student Life

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## **POLICY STATEMENT**

As a Christian academic community, we hold that certain behaviors are counterproductive to university life, to the maturing believer, and to the development of Christian leaders.

Members of the University community are required to refrain from all forms of sexual immorality including, but not limited to, any form of pornography, promiscuity, homosexuality, pre-marital sex, adultery, rape, sexual violence and abuse, public nudity and other forms of sexual misconduct. Furthermore, the use of University telephone, University computer equipment or personal computer equipment to access pornographic sites, services, databases, or talk radio stations is prohibited. Actions which infer sexual immorality, such as 'hooking up' or 'sleeping together' are also prohibited.

The University of Valley Forge does not tolerate sexual misconduct or sexual violence in any form, including unwelcome sexual advances, sexual harassment, sexual assault, stalking, or domestic or dating violence.

This policy, and the definitions and protocols within, describe the University of Valley Forge's efforts to decrease acts of sexual misconduct and violence through ongoing education and awareness training, to provide a caring and effective institutional response to benefit the victim of sexual misconduct/violence and the university community, and to comply with Federal guidelines regarding an institution's response to reports of sexual misconduct and violence.

### **Title IX and Sexual Violence**

Title IX of the Education Amendments of 1972 protects people from discrimination based on sex in education programs and activities that receive federal financial assistance.

The Title IX regulation describes the conduct that violates Title IX. Athletics departments are not the only component of university life governed by Title IX. Other areas which fall within the scope of Title IX include but are not limited to:

- Recruitment, admissions, financial aid and scholarships pertaining to students
- Course offerings, classroom access, grading and other academics
- Student counseling and support
- Hiring and retention of employees

- Job related benefits and leave

Examples of the types of discrimination that are covered under Title IX include sexual harassment, the failure to provide equal opportunity in athletics, and discrimination based on pregnancy. Title IX also prohibits sexual harassment, sexual assault, and sexual violence.

The University of Valley Forge is committed to maintaining an environment conducive to learning for all students and a professional workplace for its employees, and takes active measures against all discrimination, discriminatory harassment, and sexual harassment; including sexual misconduct and violence.

Any student or employee who believes he or she has been the victim of discrimination, discriminatory harassment, or sexual harassment, including sexual violence or misconduct, or any student that may witness or learn of another person becoming the victim of the above, is urged to report the matter to the Title IX Coordinator or Deputy (contact information below).

The University's full Sexual Misconduct and Violence Policy may be viewed at:  
<http://www.valleyforge.edu/studentconsumerinformation>.

### **Title IX Coordinator**

Derek R. Clepper J.D.

Faculty

Director of Criminal Justice Program

drclepper@valleyforge.edu

610-917-1454

### **Deputy Title IX Coordinator**

Jennifer Gale

Vice President of Student Life

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## **Educational Programs and Training**

The University of Valley Forge provides education programs to promote the awareness of rape, acquaintance rape, domestic violence, sexual assault, sexual harassment, and stalking. All first-year freshman resident students will have primary prevention and awareness education as part of a required First Year Experience course. The University also provides this educational session in a digital format for all other incoming students.

New employees receive primary prevention and awareness education during a special new staff and faculty meeting early in the fall semester each year.

Primary prevention education includes:

- A statement that The University of Valley Forge prohibits sexual misconduct and violence, including domestic violence, dating violence, sexual assault, and stalking;
- Definitions of domestic violence, dating violence, sexual assault, and stalking;
- The legal definition of consent with regard to sexual activity;
- Safe and positive options that a bystander can take when he or she witnesses potential sexual misconduct or violence, including domestic violence, dating violence, sexual assault, or stalking;
- Information about risk reduction, including how to recognize warning signs of abusive behavior, and how to avoid potential attack.

Awareness education includes:

- A discussion of sexual violence.
- A discussion of consent, including an explanation that the victim is not at fault.
- A discussion of drug and alcohol-facilitated sexual violence.
- Information relating to risk education and personal protection.
- Information on where and how to get assistance, including the importance of medical treatment and evidence collection, and how to report sexual violence to campus authorities and law enforcement.
- The possibility of pregnancy and transmission of sexual diseases
- Introduction of member of the educational community from:
  - Campus police or security and local law enforcement.
  - Campus health center, women's center, and rape crisis center.
  - Campus counseling service or any service responsible for psychological counseling and student affairs.
- A promise of discretion and dignity.
- A promise of confidentiality for victims of sexual assault

Ongoing prevention and awareness campaigns for current students and faculty are provided throughout the year under the oversight of the Student Life Office. Such campaigns may take the form of chapel electives, seminars offered by various departments or groups, promotion of educational videos or online resources, floor meeting discussions, flyers, and poster campaigns.

Professional and student Residence Life staff receive specialized sexual assault prevention and response training annually.

Professional Residence Life staff (including the Vice President of Student Life), the Title IX Coordinator, the Director of Human Resources, and Campus Security, receive annual sexual violence awareness training which includes how to gather information, support the safety of the victim, and promote accountability.

## **Definitions and Descriptions of Sexual Misconduct and Violence**

### **Unwelcome Sexual Advances, Sexual Harassment, and Sexual Assault**

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature are considered sexual harassment and are illegal when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of the student's status in a program, course, or activity; 2) submission to or rejection of such conduct is used as a criterion for evaluation or as a basis for academic or other decisions concerning that student; 3) such conduct has the purpose or effect of unreasonably interfering with a student's work or academic performance or creating an intimidating, hostile, or offensive work or academic environment. Any member of the University community may bring complaints of personal or sexual harassment, sexual assault, or violence forward. Sexual harassment and sexual assault are unacceptable behaviors for any member of the University community including faculty, staff and students.

### **Harassment and Stalking**

Pennsylvania State law states that harassment and stalking are crimes and are unacceptable behaviors. Harassment is defined as actions that intend to harass, annoy, or alarm another person. Striking, shoving, kicking, or otherwise subjecting a person to unwanted physical contact, or attempts or threats to do the same are forms of harassment. Other forms of harassment include: following a person, engaging in a course

of conduct that alarms or seriously annoys another person and that serves no legitimate purpose, destroying private or public property, physical or verbal attacks upon or interference that prevents another person from conducting customary affairs, puts them in fear for their safety, or causes physical injury, and conduct less than a physical attack which does the same. Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others, or to suffer substantial emotional distress. Any practice that limits or prohibits persons from fulfilling God's call on their lives is strongly discouraged.

### **Domestic or Dating Violence**

Domestic or dating violence, in any form (verbal or physical), will not be tolerated. Fits of rage, loud arguments, breaking, throwing, or damaging personal or campus property are prohibited. Domestic violence crimes are felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person who is cohabitating with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. Dating violence is violence committed by a person 1) who is in a social relationship of romantic or intimate nature with the victim, and 2) where the existence of such a relationship shall be determined based on a consideration of the following factors: a) the length of relationship, b) the type of relationship, and c) the frequency of interaction between the persons involved in the relationship. Domestic or dating violence includes, but is not limited to, physical or sexual abuse, or the threat of such abuse.

### **Procedures and Reporting Process for Victims**

Evidence may be necessary to prove the alleged criminal offense or to obtain a protection order; therefore, if the incident has just occurred, victims of sexual assault or violence should not bathe or shower so that evidence may be gathered during a professional medical exam. Clothes worn after the assault should be placed into a paper bag and provided to the responding police agency or given to the hospital examiner, should those services be desired by the victim.

Students and employees who believe they have been the subject of sexual misconduct or violence are strongly encouraged to report the alleged occurrence(s) as soon as possible to the Campus Security Office (484-614-2965 or 610-917-1447) or the Residence Director on call (484-919-8786). Local authorities may also be called directly by dialing 911 or 9-911 from a University phone line. The longer the delay in reporting the behavior, the more difficult it becomes to effectively resolve the issue.

Students and employees may also contact the Title IX Coordinator (Derek Clepper, 610-917-1454), the Student Life Office (610-917-1468) or the Director of Human Resources (610-917-1422) to report past incidents of sexual misconduct or violence.

Members of the University community that are victims of sexual misconduct or violence have the option to notify proper law enforcement authorities. The University will assist in notifying law enforcement if the victim so chooses; however, the victim may decline to notify such authorities.

The University will protect the confidentiality of the victim to the extent permitted by law. Reports of violations or suspected violations will be kept confidential, to the extent possible, consistent with the need to conduct an adequate investigation. Staff involved in legal or criminal proceedings, in providing academic or residential accommodations, or counseling, health, mentoring, or other support services will have access to the information needed to fulfill their obligations. Crime reporting required by the University and made available to the public, by law, cannot contain personally identifiable information.

The University is obligated by law to conduct a prompt, fair, and impartial investigation when it becomes aware of an alleged incident and to take appropriate steps to address the situation. Members of the Health and Wellness Center staff (the Director and Contracted Counselors) are confidential resources and do not report incidents unless the victim specifically requests them to do so. The only details shared are to capture

general details about the incident (date, time, location, and incident type) for statistical inclusion in the University's Annual Security and Fire Safety report. The University is a small community, however; should the University become aware of information from sources other than the victim (such as concerned friends or faculty) the University is obligated to investigate. Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the University unless the victim requests the disclosure and signs a consent or waiver form.

When a student or employee makes a report to the University that the student or employee has been a victim of sexual misconduct or violence, including dating violence, domestic violence, sexual assault or stalking, whether or not the offense occurred on or off campus, the University will provide the student or employee a written explanation of the student's or employee's rights and options (see the attached Federal Campus Sexual Assault Victims' Bill of Rights).

The University will provide written notification to students and employees about existing University and community resources including counseling, health, and victim advocacy services. The University will also provide written notification to victims about options for and assistance in changing academic, living, and work situations. The University will make accommodations if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement (see the attached Information Sheet).

## **Disciplinary Process**

The following provides an explanation of the procedures for institutional disciplinary action in cases of sexual misconduct and violence, including domestic violence, dating violence, sexual assault, or stalking.

### ***Student Disciplinary Process***

#### **Sanctions**

One should expect the University to confront, with firmness and with love, any circumstance or behavior that might hinder personal growth or disrupt community life. The University believes that when a student chooses to disregard community expectations, it has the obligation to suspend his or her community privileges for a time; including housing, class participation, and co-curricular activities. Intermediate consequences are employed wherever possible to avoid expulsion from school or eviction from the residence halls. Each incident is reviewed on a case-by-case basis, with consideration to (1) the severity of the violation, (2) the context of the incident, (3) the responsiveness of the accused to confrontation, (4) confession, and (5) the degree to which the individual displays genuine repentance.

When it employs sanctions, the University intends to:

- Be fair and consistent.
- Promote change in the individual.
- Provide restitution (in the case of theft and loss).
- Restore the individual to community.

The following is a list of possible sanctions available to the University. More than one of the sanctions may be imposed for any single violation. Other sanctions may be used when deemed appropriate.

- **Warning** - A statement of the standards of conduct is made to the student with an official warning concerning future behavior.
- **Loss of Privileges** - Denial of specified privileges for a designated period of time.
- **Fines** - Fines vary according to the violation, and may include all costs involving damage to University or private property.

- **Restitution** - Compensation for loss, damage or injury. This may take the form of appropriate service and/or monetary or material replacement.
- **Discretionary Sanction** - Work assignments, service to the University or other related discretionary assignments.
- **Mentoring/Accountability** - The student is required to meet for a specified period of time with a faculty or staff mentor for accountability and support.
- **Memo of Understanding** - A student has a mandatory meeting with Student Life personnel on a specific matter and signs a memo of understanding acknowledging expectations and consequences.
- **Disciplinary Contract** - A student is placed on disciplinary contract for minor and/or repeated behavioral infractions. When placing a student on disciplinary contract, the University intends to communicate that the student's behavior is serious and that subsequent behavioral violations, as well as failure to complete disciplinary action, will result in more serious disciplinary action, up to and including immediate dismissal from the University.
- **Disciplinary Probation** - The student is expected to show development in responsible actions toward the University and members of the community for a specified period of time. A student is placed on disciplinary probation for major and/or repeated behavioral infractions. When placing a student on disciplinary probation, the University intends to communicate that the student's behavior is jeopardizing their enrollment and that subsequent behavioral violations, as well as failure to complete disciplinary sanctions, will likely result in an immediate dismissal from the University. Probationary students are ineligible to hold student leadership and ministry positions, may not participate in public ministry or NCCAA athletics at the University, and may forfeit institutional scholarship awards. The University generally informs the parents or legal guardians of students who are placed on disciplinary probation, as permitted under the Family Educational Rights to Privacy Act.
- **Interim Suspension** - Students are denied access to the residence halls and/or to the campus (including classes) and/or all University activities or privileges for which the student might otherwise be eligible. Interim supervision by University officials may be imposed:
  - To ensure the safety and well-being of members of the University community or preservation of University property;
  - To ensure the student's own physical or emotional safety and well-being;
  - If the student poses a definite threat of disruption of, or interference with, the normal operations of the University.
- **Suspension** - The student is involuntarily separated from the University for a specified length of time. Suspended students are required to leave campus for the duration of their suspension and may not attend class, reside in the residence halls, attend Chapel, eat in the Dining Commons, etc. Absences from classes and chapels are not excused and faculty members are not obligated to permit students to make up missed classroom work. All academic and financial consequences caused by the suspension are the responsibility of the student.
- **Withdrawal** - The student is permitted to withdraw from the University without the privilege of returning until a time specified.
- **Dismissal** - The student is permanently separated from the University. No refunds are made, all financial aid may be cancelled, and the student will suffer academic consequences of his/her actions. Dismissed students are required to leave campus immediately, will receive failing grades in all their classes and will not receive a refund.

It is important to note that in respect to discipline, a private university such as The University of Valley Forge, does not follow civil rules of evidence. In determining whether or not a violation has occurred, the standard “more likely than not” is applied, rather than “proof beyond a reasonable doubt.” Occasionally, situations arise in which one student’s testimony directly contradicts another student’s testimony. When this occurs, the University will decide the matter based on the credibility of the testimony.

The University is not required to impose the same discipline in all situations involving the same violation of community standards. However, to honor consistency, consideration is always given to impose the same sanction for the same violation. Consideration will be given to the specifics of the incident and to the previous behavior of the student(s) involved. More serious disciplinary action will be taken in situations involving repeated violations. Below is a list of typical violations and the sanctions that will be considered when students violate community standards. UVF may be required to respond to violations that do not appear on this list. The University will assess each case based on the expectations found in the Student Handbook and impose appropriate sanctions.

### **Disciplinary Levels and Sanctions**

It is important that students understand the expectations that the University has for their participation in the community. It is also important that students have a clear understanding of the consequences when they choose to act in ways that are inconsistent with the expectations of the University. The University has identified three disciplinary levels and provided general guidelines for the sanctions that are typically used when responding to behavioral violations:

**Level 1** - A level 1 infraction is a first-offense, incidental, or minor infraction of university policy: accidents, dress code violation, entertainment violation (walk-in), quiet hour violation, failed room inspection, parking violation, exceeding allowable chapel absences, burning candles, etc.

Disciplinary sanctions in this category include but are not limited to a warning, fine, community service, reduction in community privileges (quiet hours, visitation), restitution, etc.

**Level 2** - A level 2 infraction is a serious or repeated infraction of university policy: repeated level 1 infraction, lack of follow through on a level 1 sanction, chapel probation, minor visitation violation with a person of the opposite sex, pornography (walk-in, first offense), pranks, minor sexual immorality (walk-in, first offense), alcohol or tobacco use (walk-in, first time offense, minor use), profanity, etc.

Disciplinary sanctions in this category include but are not limited to all Level 1 responses, memo of understanding, disciplinary contract, mentoring, professional counseling, suspension of public ministry (including traveling teams), removal from student leadership positions, removal from athletic participation, curfew restriction, suspension, etc.

**Level 3** - A level 3 infraction is a very serious or dangerous infraction of university policy: repeated level 2 infraction, lack of follow through on a level 2 sanction, exceeding allowable chapel absences after being placed on chapel probation, scanning and then leaving chapel without proper permission, serious or repeated visitation violation with a person of the opposite sex, pornography (call-in, repeated offense), sexual immorality, theft, vandalism, alcohol or tobacco use (call-in, repeated offense, major use), illegal drug use, lying, harassment, stalking, violation of the law, hazing, violent behavior, occult practices, etc.

Disciplinary sanctions in this category include but are not limited to all Level 2 responses, restitution, disciplinary probation, suspension, withdrawal, dismissal, etc.

### **Sexual Misconduct and Violence**

The University will follow the disciplinary process described above when addressing concerns, violations of the University’s community standards, or potential crimes. In cases of sexual harassment, including sexual misconduct and violence, both the complainant and the respondent will be notified by the Title IX Coordinator, in writing, of the outcome of the investigation and the University’s response.

## **Appeal Process**

Generally, disciplinary decisions involving a resident student's progress through the organizational structure are handled at the most appropriate level. For example, minor disciplinary infractions often involve a discussion between the Resident Assistant and the student. The purpose of the discussion is to communicate to the student why their behavior was inappropriate and seek the student's agreement to not repeat the behavior. The Resident Assistant will not determine sanctions but will review the situation with their Residence Director. Usually, the Residence Director will meet with the student to discuss the matter; although in minor disciplinary situations this is not always necessary. Students are encouraged to meet with the Residence Director to discuss the potential of disciplinary sanctions. Should a Residence Director act without talking with the student involved, the student may send a written request to the Residence Director asking them to reconsider the decision.

Moderate and repeated disciplinary infractions will involve the direct intervention of the Campus Director. Severe or repeated moderate disciplinary infractions will involve the Campus Director and the Vice President of Student Life. The Vice President of Student Life generally becomes involved in disciplinary situations involving commuter students but may choose to assign the matter to a member of the Student Life staff.

Students may appeal a disciplinary decision on grounds that:

- Due diligence was not provided to the student, (i.e., there is evidence that some aspect of the hearing was prejudicial, arbitrary, or capricious).
- New and significant information, not reasonably available at the time of the initial hearing, has become available.
- The sanction or remedy imposed is not in due proportion to the nature and seriousness of the offense or in keeping with the disciplinary guidelines outlined in the Student Handbook.

Students who wish to appeal a disciplinary decision of a Residence Director or Campus Director should submit a letter of appeal to the Vice President of Student Life within three working days of the communication of the decision by the Residence Director or Campus Director. The letter of appeal should outline the facts in the matter, the disciplinary decision of the Residence Director or Campus Director, the rationale for why the decision is being appealed, and a list of persons the student wishes to participate in the appeal (if applicable). The Vice President of Student Life generally requests a meeting with the student and the Residence Director to discuss the appeal and may invite other persons to participate in the appeal. Students may request that other persons be permitted to participate in the appeal; however, the Vice President of Student Life may deny the request for a variety of reasons, including a determination that such persons will not provide information relevant to consideration of the appeal.

Students who wish to appeal a disciplinary decision should submit a letter of appeal to the Vice President of Student Life within three working days of the communication of the decision of the Vice President of Student Life. (The letter of appeal should contain the same elements as described above.) The President of the University generally requests a meeting with the student and the Vice President of Student Life, as well as other resource persons as appropriate, to discuss the appeal. If a student wishes to appeal an original sanction of suspension or dismissal, the University generally requires that the student immediately leave campus and may not return unless requested to do so to participate in the appeal process. Should an appeal be granted, class absences will become excused. Students should be aware that original sanctions may be affirmed, increased, or decreased during the appeal process as determined by the person who hears the appeal. The President serves as the final appeal officer.

## ***Employee Disciplinary Process***

### **Disciplinary Procedure 6.3.1 Grounds for Disciplinary Action.**

The University reserves the right to discipline and/or terminate any employee who violates University policies, practices, or rules of conduct. While not intended to list all the forms of behavior that are considered unacceptable in the workplace or elsewhere, the actions listed in Section 4.2.2 of this Handbook are examples of rule infractions or misconduct that will result in disciplinary action, up to and including termination of employment.

### **6.3.2 Procedures.**

Disciplinary action is any one of a number of options used to correct unacceptable behavior or actions. Discipline may take the form of oral warnings, written warnings, probation, suspension, demotion, discharge, removal, or some other disciplinary action, in no particular order. The course of action will be determined by the University at its sole discretion as it deems appropriate.

### **6.3.3 Termination.**

Employment with the University is on an at-will basis and may be terminated voluntarily or involuntarily at any time. Upon termination, an employee is required:

- To continue to work until the last scheduled day of employment;
- To turn in all reports and paperwork required to be completed by the employee when due, and no later than the last day of work;
- To return to the Director of Human Resources all files, documents, equipment, keys, access cards, software, or other property belonging to the University that are in the employee's possession, custody or control, and all passwords; and
- To participate in an exit interview as requested by the director of the department in which the employee was employed.

## **Community Life Covenant & General Standards of Conduct 4.2.1**

The Community Life Covenant adopted by the Board of Trustees of the University applies to all members of the University community that share or participate in the community life of the University. Employees are required to sign the Community Life Covenant as a condition of their initial and continued employment. The Community Life Covenant states, among other things, that, "the University stands firm in its commitment to be consistent with the values, habits and attitudes of Scripture. The University of Valley Forge is committed to fostering a safe and Christian Community." A copy of the Community Life Covenant is attached as Appendix 13.2 to this Handbook.

### **4.2.2 General Standards of Conduct.**

The work rules and standards of conduct for the University, and the University's commitment to being a model of Christian and biblical principles, are important, and the University regards them seriously. All employees must become familiar with the rules and standards of conduct adopted or promoted by the University. In addition, employees are expected to follow those rules and standards faithfully in doing their own jobs and in conducting the University's business, and whether on duty or off duty, and whether on University property or elsewhere. Please note that any employee who deviates at any time or at any location from these rules and standards will be subject to disciplinary action, up to and including termination of employment.

While not intended to list all the forms of behavior that are considered unacceptable in the workplace or elsewhere, the following are examples of rule infractions or misconduct that will result in disciplinary action, up to and including termination of employment. The University reserves the right to determine the severity and extent of any disciplinary action based on the circumstances of each case.

- Unauthorized time away from the workstation;
- Excessive or unexcused absenteeism or tardiness;

- Unauthorized use of University property, equipment, devices, or assets;
- Damage, destruction or theft of University property, equipment, devices or assets;
- Removing University property without prior authorization or disseminating University information without authorization;
- Failure to pay a student account in a timely fashion;
- Failure to make regular student loan payments;
- Insubordination or refusal to comply with directives;
- Falsification, misrepresentation or omission of information, documents, or records;
- Lying;
- Failing to adequately perform job responsibilities or to meet standards of quality;
- Disclosing confidential or proprietary University financial, student, or other information without permission;
- Actions taken in violation of the Family Educational Rights and Privacy Act of 1974 (“FERPA”);
- Illegal or violent activity;
- Falsifying timecard records;
- Falsifying injury reports or reasons for leave;
- Obscene, abusive, or disruptive language or behavior;
- Engaging in the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance (drugs or alcohol);
- Use of any tobacco products on University property;
- Theft, misappropriation, or unauthorized possession or removal of other’s property;
- Acts of physical violence;
- Immoral or indecent conduct;
- Acts of discrimination or harassment;
- Reporting to work when intoxicated or when ability is impaired because of alcohol or drug use;
- Any act or conduct that is discriminatory in nature toward another person’s race, creed, color, national origin, sex, (including sexual harassment), age, disability, genetic information, political affiliations, or any other characteristic protected by federal, state, and local laws;
- Disregard for safety and security procedures;
- Disparaging or disrespecting supervisors and/or co-workers;
- Failure to sign or to adhere to the University Community Life Covenant;
- Any other action or conduct that is inconsistent with University policies, procedures, standards, or expectations, or that violates or is contrary to any of the provisions of this Handbook.

The University will follow the disciplinary process described above when addressing concerns, violations

of the University's standards of conduct, or potential crimes. Additional policies and processes will guide the University's response to alleged reports of sexual misconduct and violence. The University's full Sexual Violence and Misconduct Policy may be viewed on the Student Consumer Information page of the University's website at <http://www.valleyforge.edu/studentconsumerinformation>.

## **Other Information**

A victim may decide to pursue legal orders of protection. Where applicable, the University will use reasonable measures to honor orders of protection, no contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the University.

Retaliation against someone who reports an incident or concern, or provides assistance to University staff in gathering information about an incident or concern, is strictly prohibited by University policy and law. Students and employees should be careful to avoid any behavior that could be experienced as retaliation and are invited to seek counsel from Student Life staff or the Director of Human Resources.

## **Federal Campus Sexual Assault Victims' Bill of Rights Information The University of Valley Forge**

The United States Congress enacted the "Campus Sexual Assault Victims' Bill of Rights" in 1992 as a part of the Higher Education Amendments of 1992 (Public Law: 102-325, section 486(c)).

This law requires that all colleges and universities (both public and private) participating in federal student aid programs afford sexual assault victims certain basic rights. It also requires the school to notify victims of their option to report their assault to the proper law enforcement authorities. Schools found to have violated this law can be fined up to \$27,500 or lose their eligibility to participate in federal student aid programs. Complaints about schools that have failed to comply with this law should be made with the U.S. Department of Education.

The "Campus Sexual Assault Victims' Bill of Rights" exists as a part of the campus security reporting requirements, commonly known as the Jeanne Clery Act.

The University of Valley Forge will ensure that the following rights are afforded to both the accuser and accused of an alleged incident of sexual assault:

- The accuser and the accused must have the same opportunity to have others present during any information gathering or disciplinary proceedings.
- Both parties shall be informed of the outcome of any disciplinary proceedings.
- Survivors shall be informed of their options to notify law enforcement.
- Survivors shall be notified of counseling services.
- Survivors shall be notified of options for changing academic and living situations.

In addition, the University of Valley Forge encourages both parties take advantage of local resources, such as the Crime Victims' Center of Chester County ([www.cvcofcc.org](http://www.cvcofcc.org)), for direction and advice in reporting the incident and receiving services. Students will also be offered the opportunity to receive regular follow-up contact and mentoring through with one of our Residence Life Directors. Student Life services may be obtained by calling 610-917-1468 (AJ Gansler), the Director On Call number (484-919-8786), or the Health and Wellness Center number (Lauren Born, 610-917-1465).

For more information about services available to victims of sexual assault, or the disciplinary process of the University, please refer to the attached Information Sheet, the Student Handbook posted at [www.valleyforge.edu](http://www.valleyforge.edu), the Sexual Misconduct and Violence Policy which may be viewed on the Student Consumer Information page of the University's website at [www.valleyforge.edu/studentconsumerinformation](http://www.valleyforge.edu/studentconsumerinformation),

or contact the Student Life Office.

## **Information Sheet**

*We know you are going through a difficult time and understand that there are many issues, feelings, and concerns to be considered. Please know that we are prepared and willing to provide on-going help and support. - Jennifer Gale, Vice President of Student Life*

### **Important Procedures and Resources**

We encourage you to go to the Phoenixville Hospital (144 Nutt Road, 610-983-1222), or Paoli Hospital (W. Lancaster Avenue, Paoli, 484-565-1043) Emergency Room for medical services. These hospitals have trained professionals who specialize in sexual assault. They will conduct an interview and offer to perform a rape kit procedure. Call the numbers above in advance to make sure a Sexual Assault Nurse Examiner is on duty. We can support you by accompanying you to the hospital.

Please do not bathe or shower if an assault just occurred. This is so that important evidence can be gathered during the medical exam. Please place clothes worn after the assault and place into a paper bag and provide this to the responding police agency or take with you to the hospital.

The Crime Victims' Center of Chester County (CVCoCC—135-137 W. Market Street, West Chester, 610-692-7273 or 7420) provides free professional resources to victims of sexual assault, including victim's advocacy services and counseling. The CVCoCC is available 24 hours/day and can send a trained advocate to accompany you to the hospital exam or law enforcement interview, if desired.

You have the option to notify law enforcement regardless of what action is taken with the University. The Vice President of Student Life, Residence Life Directors, and Campus Security are able to initiate that process. We can support you by accompanying you when being interviewed by law enforcement and/or inviting a representative of the CVCoCC (above) to accompany you.

### **Resources Available:**

In addition to the community services above, we encourage you to take advantage of free, professional and confidential counseling and health services through our Health and Wellness Center. You may arrange for a counseling or health center appointment by calling Lauren Born, Director of the Health and Wellness Center, at 610-917-1465 or by emailing [leborn@valleyforge.edu](mailto:leborn@valleyforge.edu).

Both our contracted counselor and nurse can discuss other community counseling and health services which may also be available to you.

### **Conduct Proceedings and Sanctions:**

Conduct proceedings and disciplinary action may be provided by the University. The University will provide a prompt, fair, and impartial investigation and resolution by officials who receive annual sexual violence training, including how to gather information, support the safety of the victim, and promote accountability. The University will follow its disciplinary procedures and any resulting sanctions, as outlined in the Student Handbook, the Employee Handbook, and in light of the Federal Campus Sexual Assault Victim's Bill of Rights. The Sexual Misconduct and Violence Policy may be viewed on the Student Consumer Information page of the University's website at [www.valleyforge.edu/studentconsumerinformation](http://www.valleyforge.edu/studentconsumerinformation).

### **Possible Protective Measures:**

The Vice President of Academic Affairs Office (610-917-1401) can provide assistance with academic demands by offering help with rescheduling exams and other expectations, as well as provide information on course change or withdrawal policies.

The Director of Human Resources (Ronnie Bird, 610-917-1422) or the Student Co-op Program Coordinator

(Judy Walsh, 610-917-1537) can provide assistance with employment or working arrangements.

The Student Life Office, Vice President of Student Life (Jennifer Gale, 610-917-1488) can provide assistance with coordinating changes in living arrangements, if you desire, and information on other possible accommodations.

The University will honor any other protective measures that are the outcome of campus conduct proceedings.

You may decide to pursue legal orders of protection. The University will use reasonable measures to honor any lawful no-contact or restraining order when you notify us of the order.

**You are encouraged to call the Director On-Call number (484-919-8786) or Campus Security (484-614-2965) at any time.**

**The Federal Campus Sexual Assault Victims' Bill of Rights and Information Sheet  
Confirmation of Communication  
The University of Valley Forge**

The signature below attests that the individual received a copy of the University of Valley Forge's Sexual Assault Victims' Bill of Rights and the Information Sheet.

The individual also asserts that the rights and information described therein were clearly understood.

Print Name : \_\_\_\_\_

Signature: \_\_\_\_\_

VPSL / Director: \_\_\_\_\_ Date: \_\_\_\_\_

The individual also asserts that the rights and information described therein were clearly understood.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Original placed in Student/Employee/File; Copy to: Rev. Gale

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## **REASON FOR POLICY**

This policy, and the definitions and protocols within, describe the University of Valley Forge's efforts to decrease acts of sexual misconduct and violence through ongoing education and awareness training, to provide a caring and effective institutional response to benefit the victim of sexual misconduct/violence and the university community, and to comply with Federal guidelines regarding an institution's response to reports of sexual violence and misconduct.

On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4) which, among other provisions, amended section 485 (f) of the Higher Education Act of 1965, as amended (HEA), otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act requires institutions of higher education to comply with certain campus safety- and security-related requirements as a condition of participating in Federal student financial aid programs authorized by Title IV of the HEA. Notably, VAWA amended the Clery Act to require institution to compile statistics for incidents of domestic violence, dating violence, sexual assault and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security reports (ASRs).

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## **RESPONSIBILITIES**

The Director of Academic Affairs, Virginia Campus, in cooperation with the Vice President of Student Life and the Human Resources Office, Main Campus, is responsible for the evaluation and publication of this policy.

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## **PROCEDURES**

The Vice President of Student Life will review the Sexual Misconduct and Violence Policy, in consultation with the Human Resources Office and the Director of Academic Affairs (Virginia Campus), annually no later than September. A policy statement will be disclosed in the Annual Security Report that reflects the procedures currently in use by the University.

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## **RELATED INFORMATION**

The U.S. Department of Education published final regulations in November, 2014.