

Sexual Assault Awareness and Prevention at Pitt-Titusville

The University of Pittsburgh at Titusville values the safety and health of all members of the Pitt-Titusville community and seeks to foster an environment where its students and employees treat other persons with respect, civility, and dignity. Any behavior that involves sexual assault or harassment, relationship violence, or stalking of another person will not be tolerated.

If You Have Experienced Sexual Assault

If you are the victim of sexual assault, dating or domestic violence and/or stalking, know that resources are in place to provide immediate support and assistance, as well as to ensure your health and safety, whether or not you choose to pursue a complaint or report. If you do choose to file a report or complaint, there are several options available.

Remember: sexual assault is never the victim's fault. Reach out—get help.

WHAT TO DO:

GET TO A SAFE PLACE

Your immediate safety is the top priority. As quickly as possible, find a safe place away from the attacker or any potential danger.

CONTACT CAMPUS POLICE

Call **Campus Police** at (814) 827-4488 **immediately** if you feel you are in danger or to report stalking, domestic violence, sexual violence or sexual assault. Even if you choose not to formally report an incident or pursue a complaint, Campus Police can help, including transporting you to emergency medical care and evaluation.

GET EMERGENCY MEDICAL ATTENTION

Receiving expert medical attention **as soon as possible** will **protect your health** and can **preserve important medical evidence**. Preservation of medical evidence (ideally within 72 hours of the assault) keeps your options open, since it may be needed if you choose to pursue a criminal or legal complaint. To preserve evidence, do not shower, douche or change clothes or bedding before you seek emergency attention. If oral contact took place, do not brush teeth, smoke or eat.

Titusville Area Hospital
406 West Oak Street
Titusville, PA 16354
(814) 827-1851

NOTE: Only hospital emergency rooms can collect physical evidence of sexual assault. While all hospitals are required by law to report to the police any injury that is the result of a crime, this does not obligate you to file formal charges.

SEEK CONFIDENTIAL CRISIS COUNSELING

Crisis counseling can provide you with immediate emotional support and help connect you to key resources and information. Below is a **24-hour crisis-response** line available to assist victims of sexual assault/violence:

PPC Violence Free Network – (814) 827-3649 or (800) 243-4944

CONSIDER YOUR REPORTING OPTIONS

There are several **options** for formally **reporting an incident** of sexual assault/violence. **Survivors** of assault can **choose one, all, or none** of these options. University officials will maintain as much confidentiality as possible by law in order to keep you and the campus community safe*. Anonymous reporting of sexual assault is also possible when contacting any of the offices below. Keep in mind that anonymous reporting greatly limits the University's ability to respond to and investigate an incident.

- File a criminal complaint with **Campus Police** at **(814) 827-4488**.
- If the alleged perpetrator is a Pitt-Titusville student, you can file a complaint for violation of the Student Code of Conduct with the Office of Student Affairs at **(814) 827-4460**.
- Sexual assault is a form of sexual harassment/discrimination. Under Title IX, you may file a complaint if you are a victim of sexual assault, or if you believe you have been retaliated against for complaining of sexual assault or harassment or for providing information in an investigation. Contact: **Ms. Elaine Osborn**, Title IX Liaison, **(814) 827-4474**.

* **Different employees on campus have different abilities to maintain confidentiality. For an overview, see the Quick Guide, below. For complete information, see [“Reporting and Confidentially Disclosing Sexual Violence: Know The Options”](#).**

The University of Pittsburgh also has additional resources you may find helpful. www.share.pitt.edu.

Confidentiality and Reporting Options: A Quick Guide

The University of Pittsburgh at Titusville urges victims of sexual violence to talk to someone and receive the support and care that they need, and to report any incident of sexual violence so that it can be addressed.

The University will strive to maintain confidentiality where lawful. However, you should know that different employees on campus have different abilities to maintain confidentiality. By law, some employees can maintain confidentiality and are not required to report any information about an incident to the Title IX Liaison. However, other “responsible employees” have a duty to report incidents of sexual violence to appropriate University officials, such as the Title IX Liaison. Even these employees, however, are permitted to share information on a need-to-know basis or as required by law.

The following information is intended for students who are 18 years and older. Confidentiality rules are more limited for minors.

Campus Resource	Can Provide Information and Support?	Confidentiality Level
Counseling Center (814) 827-4465	Yes	Confidential. Not required to report.

Health Center (814) 827-4467	Yes	Mostly Confidential. Required to report general statistics but no identifying information to Title IX Liaison.
Resident Assistants	Yes	Information shared on a need-to-know basis in the investigation or student conduct process. Matter is kept as private as practicable. Must report information to the Title IX Liaison.
Faculty and Staff	Yes	Information shared on a need-to-know basis in the investigation or student conduct process. Matter is kept as private as practicable. Must report information to the Title IX Liaison.
Office of Student Affairs (814) 827-4460	Yes	Information shared on a need-to-know basis in the investigation or student-conduct process. Matter is kept as private as practicable. Must report to the Title IX Liaison.
Campus Police (814) 827-4488	Yes	Information shared on a need-to-know basis in the investigation or student conduct process. Must report to the Title IX Liaison.
Title IX Liaison (814) 827-4474	Yes	Information shared on a need-to-know basis in the investigation or student conduct process. Matter is kept as private as practicable.

Sexual Assault And Harassment, Dating And Domestic Violence, Stalking

The University of Pittsburgh at Titusville values the safety and health of all members of the Pitt-Titusville community and seeks to foster an environment where its students and employees treat other persons with respect, civility, and dignity. Any behavior that involves sexual assault of harassment, relationship violence, or stalking of another person is prohibited.

If substantiated, such behavior may result in criminal charges if reported to the Pitt-Titusville Police and/or University disciplinary action, if the Office of Student Affairs or the Title IX Liaison investigates a complaint or referral. The University will use these processes to investigate and resolve reports of sexual assault or harassment, relationship violence, or stalking. In cases involving sexual violence, the University understands that victims oftentimes seek confidentiality and will attempt to honor such a request in most cases. However, the University will weigh such a request for confidentiality against any factors that may have a negative impact on the campus community, such as the use of a weapon or multiple alleged victims.

Accused students or employees should know that the initiation of any University proceedings does not preclude the possibility of criminal charges. Indeed, parallel University and criminal proceedings are not uncommon.

In addition to using these processes, the University will continue to engage in prevention programs and training for students, faculty, and staff in an effort to prevent sexual assault and harassment, relationship violence, and stalking. Pitt-Titusville's Office of Counseling and the PPC Violence Free Network provide

counseling to victims of sexual assault, assist victims in obtaining medical care and offers support in all aspects of the recovery process.

Included below are key definitions and a summary of the University disciplinary processes available to victims of sexual assault, relationship violence, and stalking. More detailed information about these programs, processes, and procedures can be found in the Student Handbook and the Employee Handbook.

IMPORTANT DEFINITIONS

Sexual Assault is a term that encompasses rape, forcible fondling, incest and statutory rape as defined below. In Pennsylvania, sexual assault is also a separate statute defined as sexual intercourse or deviate sexual intercourse without the complainant's consent.

Relationship Violence refers to domestic and dating violence as defined below.

Stalking means engaging in acts toward another person with the intent to place the person in reasonable fear of bodily injury or cause emotional distress as defined below.

Consent is an informed, affirmative decision made freely and actively by all parties to engage in mutually acceptable sexual activity. Consent is given by clear words or actions, and may not be inferred from silence, passivity, or lack of resistance alone. Existence of a current or previous dating, marital, and/or sexual relationship is not sufficient to constitute consent to additional sexual activity. Consent to one type of sexual activity does not imply consent to other types of sexual activity.

Someone who is unconscious, asleep, or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition, cannot give consent. Consent cannot be obtained by force, intimidation, threat, coercion, isolation or confinement. Agreement obtained under such conditions does not constitute consent. A person's use of alcohol and/or other drugs does not necessarily eliminate his or her responsibility to obtain consent.

Federal Definitions

Dating Violence: The term "dating violence" means violence committed by a person:

1. Who is or has been in a social relationship of a 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:
 - the length of the relationship
 - the type of relationship the frequency of interaction between the persons involved in the relationship

Domestic Violence: The term "domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated 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 received grant monies, 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.

Stalking: Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others or suffer substantial emotional distress.

Pennsylvania Definitions

Rape: 18 Pa.C.S.A. § 3121

(a) Offense defined.--A person commits a felony of the first degree when the person engages in sexual intercourse with a complainant:

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

(b) Additional penalties.--In addition to the penalty provided for by subsection (a), a person may be sentenced to an additional term not to exceed ten years' confinement and an additional amount not to exceed \$100,000 where the person engages in sexual intercourse with a complainant and has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, any substance for the purpose of preventing resistance through the inducement of euphoria, memory loss and any other effect of this substance.

(c) Rape of a child.--A person commits the offense of rape of a child, a felony of the first degree, when the person engages in sexual intercourse with a complainant who is less than 13 years of age.

(d) Rape of a child with serious bodily injury.--A person commits the offense of rape of a child resulting in serious bodily injury, a felony of the first degree, when the person violates this section and the complainant is under 13 years of age and suffers serious bodily injury in the course of the offense.

(e) Sentences.--Notwithstanding the provisions of section 1103 (relating to sentence of imprisonment for felony), a person convicted of an offense under:

Subsection (c) shall be sentenced to a term of imprisonment which shall be fixed by the court at not more than 40 years.

Subsection (d) shall be sentenced up to a maximum term of life imprisonment.

Sexual Assault: 18 Pa.C.S.A. § 3124.1 □ Except as provided in section 3121 (relating to rape) or 3123 (relating to involuntary deviate sexual intercourse), a person commits a felony of the second degree when that person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent.

Domestic Violence: 23 Pa.C.S.A. § 6102 □ General rule.--The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

- "Abuse." The occurrence of one or more of the following acts between family or household members, sexual or intimate partners or persons who share biological parenthood:

1. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.
 2. Placing another in reasonable fear of imminent serious bodily injury.
 3. The infliction of false imprisonment pursuant to 18 Pa.C.S. § 2903 (relating to false imprisonment).
 4. Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services).
 5. 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. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any criminal prosecutions commenced under Title 18 (relating to crimes and offenses).
- “Adult.” An individual who is 18 years of age or older.
 - “Certified copy.” A paper copy of the original order of the issuing court endorsed by the appropriate clerk of that court or an electronic copy of the original order of the issuing court endorsed with a digital signature of the judge or appropriate clerk of that court. A raised seal on the copy of the order of the issuing court shall not be required.
 - “Comparable court.” A foreign court that:
 1. has subject matter jurisdiction and is authorized to issue ex parte, emergency, temporary or final protection orders in that jurisdiction; and
 2. possessed jurisdiction over the parties when the protection order was issued in that jurisdiction.
 - “Confidential communications.” All information, whether written or spoken, transmitted between a victim and a domestic violence counselor or advocate in the course of the relationship. The term includes information received or given by the domestic violence counselor or advocate in the course of the relationship, as well as advice, reports, statistical data, memoranda or working papers, records or the like, given or made in the course of the relationship. The term also includes communications made by or to a linguistic interpreter assisting the victim, counselor or advocate in the course of the relationship.
 - “Domestic violence counselor/advocate.” An individual who is engaged in a domestic violence program, the primary purpose of which is the rendering of counseling or assistance to victims of domestic violence, who has undergone 40 hours of training.
 - “Domestic violence program.” A nonprofit organization or program whose primary purpose is to provide services to domestic violence victims which include, but are not limited to, crisis hotline; safe homes or shelters; community education; counseling systems intervention and interface; transportation, information and referral; and victim assistance.
 - “Family or household members.” Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.
 - “Firearm.” Any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive or the frame or receiver of any such weapon as defined by 18 Pa.C.S. § 6105(i) (relating to persons not to possess, use, manufacture, control, sell or transfer firearms).
 - “Foreign protection order.” A protection order as defined by 18 U.S.C. § 2266 (relating to definitions) issued by a comparable court of another state, the District of Columbia, Indian tribe or territory, possession or commonwealth of the United States.
 - “Hearing officer.” A magisterial district judge, judge of the Philadelphia Municipal Court, arraignment court magistrate appointed under 42 Pa.C.S. § 1123 (relating to jurisdiction and venue), master appointed under 42 Pa.C.S. § 1126 (relating to masters) and master for emergency relief.

- “Master for emergency relief.” A member of the bar of the Commonwealth appointed under section 6110(e) (relating to emergency relief by minor judiciary).
 - “Minor.” An individual who is not an adult.
 - “Other weapon.” Anything readily capable of lethal use and possessed under circumstances not manifestly appropriate for lawful uses which it may have. The term does not include a firearm.
 - “Safekeeping permit.” A permit issued by a sheriff allowing a person to take possession of any firearm, other weapon or ammunition that a judge ordered a defendant to relinquish in a protection from abuse proceeding.
 - “Secure visitation facility.” A court-approved visitation program offered in a facility with trained professional staff operated in a manner that safeguards children and parents from abuse and abduction.
 - “Sheriff.”
1. Except as provided in paragraph (2), the sheriff of the county.
 2. In a city of the first class, the chief or head of the police department.
- “Victim.” A person who is physically or sexually abused by a family or household member. For purposes of section 6116 (relating to confidentiality), a victim is a person against whom abuse is committed who consults a domestic violence counselor or advocate for the purpose of securing advice, counseling or assistance. The term shall also include persons who have a significant relationship with the victim and who seek advice, counseling or assistance from a domestic violence counselor or advocate regarding abuse of the victim.
 - “Weapon.” Anything readily capable of lethal use and possessed under circumstances not manifestly appropriate for lawful uses which it may have. The term includes a firearm which is not loaded or lacks a magazine, clip or other components to render it immediately operable and components which can readily be assembled into a weapon as defined by 18 Pa.C.S. § 907(relating to possessing instruments of crime).

Other terms. Terms not otherwise defined in this chapter shall have the meaning given to them in 18 Pa.C.S. (relating to crimes and offenses).

Stalking: 18 Pa.C.S. §2709.1

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

Consent in reference to sexual activity:

(a) General rule.--The consent of the victim to conduct charged to constitute an offense or to the result thereof is a defense if such consent negates an element of the offense or precludes the infliction of the harm or evil sought to be prevented by the law defining the offense. □

(b) Consent to bodily injury.--When conduct is charged to constitute an offense because it causes or threatens bodily injury, consent to such conduct or to the infliction of such injury is a defense if:

- the conduct and the injury are reasonably foreseeable hazards of joint participation in a lawful athletic contest or competitive sport; or
- the consent establishes a justification for the conduct under Chapter 5 of this title (relating to general principles of justification).

(c) Ineffective consent.--Unless otherwise provided by this title or by the law defining the offense, assent does not constitute consent if:

- it is given by a person who is legally incapacitated to authorize the conduct charged to constitute the offense;
- it is given by a person who by reason of youth, mental disease or defect or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense;
- it is given by a person whose improvident consent is sought to be prevented by the law defining the offense; or
- it is induced by force, duress or deception of a kind sought to be prevented by the law defining the offense.

Key Definitions Under the Clery Act

1. **Rape:** The carnal knowledge of a person, forcibly and/or against the person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his or her youth). For Clery reporting purposes, the crime of rape also includes sexual assault (intercourse without consent), sexual assault with an object, and forcible sodomy.
2. **Forcible Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
3. **Incest:** Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
4. **Statutory Rape:** Non-forcible sexual intercourse with a person who is under the statutory age of consent.
5. **Domestic Violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person living with or has loved with the victim as a spouse, by a person similarly situated to a spouse of the victim, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family laws of the jurisdiction.
6. **Dating Violence:** Violence by a person who has been in a romantic or intimate relationship with the victim.
7. **Stalking:** To engage in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person, or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

Disciplinary Process For Sexual Assault, Relationship Violence And Stalking

Jurisdiction

The University has the authority to take disciplinary action for conduct occurring off-campus when the conduct, among other things, threatens the safety of the University community.

Assailant is a University Student

If the alleged assailant is a University student, the victim (referring student) may file a complaint (called a referral) against the accused for violation of the Student Code of Conduct with the **Office of Student Affairs**. This referral may be resolved through an administrative meeting or a hearing. In addition, the accused student may face criminal charges.

In the absence of a referral, the University may proceed with an investigation and resolution of any reported acts of sexual assault, relationship violence, or stalking if the University determines that such investigation and resolution are necessary to ensure the safety and well-being of University community members.

Whether or not a victim of sexual violence chooses to file a complaint for violation of the Student Code of Conduct, he or she may also choose to file a complaint of discrimination under Title IX with the **Title IX Liaison**. The Title IX Liaison will conduct a prompt, fair and confidential investigation into the complaint, utilizing the preponderance of the evidence standard. The Title IX Liaison will render findings, including any possible sanctions or consequences, to both parties simultaneously and in writing.

○ **TITLE IX**

Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. §1681 *et seq.*, is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. All public and private elementary and secondary schools, school districts, colleges, and universities receiving any Federal funds must comply with Title IX. Under Title IX, discrimination on the basis of sex can include sexual harassment or sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion*.

- Title IX protects all students regardless of sexual orientation, gender identity or expression, immigration status or disability.
- Students who report sexual violence can expect the University to take steps to protect and support them, including while a university investigation is pending.

***Source: Office of Civil Rights, “Know Your Rights: Title IX Prohibits Sexual Harassment and Sexual Violence Where You Go To School”. U.S. Dept. of Ed. For more information, see: www.notalone.gov.**

Student Disciplinary Process: from Initial Meeting Through Hearing

Upon learning of an incident of sexual assault or harassment, relationship violence, or stalking, the Conduct Officer will meet with the victim to discuss confidentiality concerns and the conduct process in general. If the victim elects to file a referral against the accused student, the Conduct Officer will begin an investigation by meeting with the referring student and the accused student as necessary.

After the initial meeting with the accused student, the Conduct Officer will give the student adequate notice of, and an opportunity to review and respond to, the allegations outlined in the submitted referral. The Conduct Officer also will give both parties written notice of available on and off-campus medical, counseling, legal and other relevant resources and written notice about interim measures such as No Contact Orders and appropriate and available academic, housing, transportation, dining and working

accommodations. In cases where the accused student's conduct poses a threat to the University community, the Conduct Officer may impose an interim suspension that occurs immediately, and that lasts until an investigation ends and/or the hearing is convened.

Both the accused student and the referring student will have the opportunity to review the evidence gathered during the investigation or submitted by the opposing party. Both students also may provide testimony and evidence at the hearing before unbiased board members who are trained annually on issues related to sexual violence, the hearing process, standards of evidence, credibility, and weight of evidence. The entire conduct process will be prompt and timely, with a general timeframe of 60 days for investigation and resolution, unless the University demonstrates good cause for the process to take longer. The conduct officer will notify both parties of any developments as appropriate. All matters before the Hearing Board will be judged using the preponderance of the evidence standard, which means, it is more likely than not that the Student Code of Conduct was violated. Complete information on the University judicial process can be found in the Student Code of Conduct.

Sanctions Available

Sanctions under the student disciplinary process and/or a Title IX investigation may include: disciplinary reprimand, permanent No Contact Order or Permanent Persona Non Grata status for some portion or all of Campus locations; counseling assessment; disciplinary probation for a specified period of time; housing dismissal; disciplinary suspension for a specified period of time; disciplinary dismissal from the University, as well as any other appropriate measures that support the University's commitment to address, prevent and end the effects of sexual assault, relationship violence and stalking. If the victim pursues legal action in the public court system, an accused student could face criminal penalties as well.

Assailant is a University Employee

If the alleged assailant is a University employee, and the victim is either a University employee or student, in addition to possible criminal legal action, the victim has the option to file a complaint with the Affirmative Action Officer/Title IX Liaison. In such a case, the Affirmative Action Officer/Title IX Liaison will conduct a prompt, fair, and confidential investigation into the complaint, utilizing the preponderance of the evidence standard. The Affirmative Action Officer/Title IX Liaison will render findings, including any possible sanctions or consequences, to both parties simultaneously and in writing.

Non-retaliation

Retaliation against anyone involved in the investigation of alleged incidents of sexual misconduct, whether they are the referring individual, a witness, an investigator, or anyone else is prohibited by the University's Statement on Confidentiality and No-retaliation, <http://www.cfo.pitt.edu/policies/policy/07/07-01-03.html>. This statement clarifies that all individuals involved in the investigation process are expected to honor the confidentiality of the process and the information involved.

Reporting and Confidentially Disclosing Sexual Violence: Know the Options

If you have been a victim of sexual assault, relationship violence or and/or stalking, talk to somebody about what happened so that you can get the support you need, and so the university can respond appropriately. While every attempt will be made to respect your privacy, you should know that different employees on campus have different abilities to maintain a victim's confidentiality.

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a "**privileged communication.**"
- Other employees may talk to a victim in confidence, and **generally only report to the University that an incident occurred without revealing any personally identifying information.** Disclosures

to these employees will not trigger a University investigation into an incident against the victim's wishes.

- Thirdly, some employees are **required to report all the details** of an incident (including the identities of both the victim and alleged perpetrator) **to the Title IX Liaison**. A report to these employees (called “**responsible employees**”) constitutes a report to the University – and generally obligates Pitt-Titusville to investigate the incident and take appropriate steps to address the situation.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they become a victim of sexual violence.

Pitt-Titusville strongly encourages victims to talk to someone identified in one or more of these groups. Regardless of whether you would like to move forward with a formal complaint or report, Pitt-Titusville will provide you with information and support. Sexual assault is not your fault; know that you never need to feel alone at Pitt-Titusville. Reach out and get help.

Reporting Options

A. Reporting to “Privileged and Confidential” Employees

- ***Professional Counselors***
Professional, licensed counselors who provide mental-health counseling to members of the university community (and including those who act in that role under the supervision of a licensed counselor) **are not required** to report **any** information about an incident to the Title IX Liaison **without a victim's permission**. Pitt-Titusville's **Counseling Center** is staffed by:

Sommer Elliott-Disque
Director of Counseling and Student Development
(814) 827-4465

- ***Non-professional Counselors and Advocates***
Individuals who work in the on-campus **Health Center**, including front desk staff, **can generally talk to a victim without revealing any personally identifying information** about an incident to the University. A victim can seek assistance and support from these individuals without triggering an investigation that could reveal the victim's identity or that the victim has disclosed the incident.

While maintaining a victim's confidentiality, these individuals or their office **should report the nature, date, time, and general location of an incident to the Title IX Liaison**. This limited report – which includes no information that would directly or indirectly identify the victim – helps keep the Title IX Liaison informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Liaison, **these individuals will consult with the victim to ensure that no personally identifying details are shared** with the Title IX Liaison.

Kim Roser, RN
Director of Student Health Services
(814) 827-4467

Susan Andrews
Administrative Assistant for Student Affairs
(814) 827-4460

A victim who speaks to a professional or non-professional counselor or advocate must understand that, *if the victim wants to maintain confidentiality, the University will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.*

Even if you do not want to pursue a formal report or complaint with the University, these counselors and advocates will assist you in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules.

A victim who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and have the incident fully investigated. These counselors and advocates will provide the victim with assistance if the victim wishes to do so.

B. Reporting to “Responsible Employees.”

A “**responsible employee**” is a University employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX Liaison all relevant details about the alleged sexual violence shared by the victim and that the University will need to determine what happened – including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the University’s response to the report. The following employees (or categories of employees) are the University’s responsible employees:

University of Pittsburgh at Titusville Faculty

University of Pittsburgh at Titusville Staff
(with the exception of those individuals listed in Section A, above)

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee’s reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the University will consider the request, but cannot guarantee that the University will be able to honor it. In reporting the details of the incident to the Title IX Liaison, the responsible employee will also inform the Title IX Liaison of the victim’s request for confidentiality.

Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim’s

wishes, including for the University to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to.

Requesting Confidentiality: How the University Will Weigh the Request and Respond

If a victim discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, including the victim.

If the University honors the request for confidentiality, a victim must understand that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Although rare, there are times when the University may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students. The University of Pittsburgh has designated the following individual to evaluate requests for confidentiality once a responsible employee is on notice of alleged sexual violence:

Ms. Carol Mohamed, University of Pittsburgh Title IX Coordinator: 412-648-7861

When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, a range of factors will be considered, including the increased risk that the alleged perpetrator will commit additional acts of sexual or other violence, such as:

- whether there have been other sexual violence complaints about the same alleged perpetrator;
- whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
- whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others;
- whether the sexual violence was committed by multiple perpetrators; whether the sexual violence was perpetrated with a weapon;
- whether the victim is a minor;
- whether the University possesses other means to obtain relevant evidence of the sexual violence (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the University to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the University will likely respect the victim's request for confidentiality.

If the University determines that it cannot maintain a victim's confidentiality, the University will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response.

The University will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or University employees, is strictly prohibited by University policy and will not be tolerated. The University will also:

- assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus;

- provide other security and support, which could include issuing a no-contact order, helping arrange a change of living or working arrangements or course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the victim of the right to report a crime to campus or local law enforcement – and provide the victim with assistance if the victim wishes to do so.

The University may not require a victim to participate in any investigation or disciplinary proceeding. Because the University is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

If the University determines that it can respect a victim’s request for confidentiality, the University will also take immediate action as necessary to protect and assist the victim.

NOTE: If the University determines that the alleged perpetrator(s) pose a serious and immediate threat to the campus community, a timely warning may be issued to the community by a member of the Campus Security Authority. However, that warning will not include information that defines the victim.

Campus Security Authorities at the University of Pittsburgh at Titusville:

Campus Dean
 Campus Police
 Athletic Director
 Women’s Basketball Coach
 Men’s Basketball Coach
 Student Affairs
 Executive Director of Student Affairs
 Director of Student Activities
 Director of Residence Life
 Administrative Assistant for Student Affairs
 Graduate Resident Directors
 Resident Assistants
 Advisors of Student Organizations

Anonymous Reporting

Although Pitt-Titusville encourages victims to talk to someone, the University provides for anonymous reporting by phone to the following offices:

Student Affairs	(814) 827-4460
Counseling Center	(814) 827-4465
Health Center	(814) 827-4467
Campus Police	(814) 827-4488
Title IX Office	(814) 827-4474

Callers desiring to maintain anonymity should be aware that mentioning any personally identifying information may serve as notice to the University for the purpose of triggering an investigation. Anonymous reports greatly

limit the University's ability to respond to and investigate an incident of assault or sexual violence.

Off-campus Counselors and Advocates

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.

PPC Violence Free Network – (800) 243-4944

Take Back the Night and other public awareness events

Public awareness events such as “Take Back the Night,” candlelight vigils, protests, “survivor speak outs” or other forums in which students disclose incidents of sexual violence, **are not considered notice to the University of sexual violence for purposes of triggering its obligation to investigate any particular incident(s)**. Such events may, however, inform the need for campus-wide education and prevention efforts, and the University will provide information about students' Title IX rights at these events.

Q: Does contacting the police mean I have to press charges?

A: No. You do not have to press charges if you call the police. However, if the sexual assault occurred on campus, Pitt-Titusville Police will initiate an investigation.

Q: If I report a sexual assault, will my name become public? What happens to the information?

A: Security personnel will file an anonymous record of any on-campus assault among Pitt-Titusville's crime statistics in order to give an accurate representation of crime on campus and to help prevent further crimes of this nature. In general, city of Titusville newspapers and other media outlets do not reveal names of victims of sexual assault.

Q: Do I have to get medical attention?

Although you are not required to seek medical care, it is highly encouraged. Taking care of your physical and medical state is an important role in the healing process. You may have internal or external injuries as a result of an assault that require medical care. Additionally, you may want to explore options for preventing sexually transmitted diseases and/or pregnancy. The Student Health Center has a registered nurse that can confidentially provide an initial health assessment and assist in securing appropriate medical treatment.

Sexual Assault: a National Student Issue

National statistics show that 1 in 5 women and 1 in 16 men are victims of sexual assault while in college*. Most victims know their attackers. Many are survivors of “incapacitated assault”—they were sexually abused while drunk, drugged or passed out. Sexual assault is never the victim's fault, no matter what.

Safety is everybody's business at Pitt-Titusville . We all have a role to play in the prevention of sexual violence. Remember: Practice sober consent. Be an active bystander. Panthers Protect Panthers.

***For more information on the national response to sexual assault, see www.notalone.gov.**