

Understanding Title IX

Title IX protects members of the Moravian University community (individuals engaging or attempting to engage in our program and activities) from sex-based harassment (including sexual harassment), discrimination, and/or retaliation. See the full Equal Opportunity, Harassment, and Non-Discrimination Policy at moravian.edu/policy/harassment-discrimination.

Sexual Harassment is an umbrella term that encompasses sexual harassment, sexual assault, domestic and dating violence, and stalking. Sexual harassment is conduct on the basis of sex/gender or conduct that is sexual in nature and occurs when (1) a University employee conditions the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct or (2) unwelcome conduct, as determined by a reasonable person, is so severe, pervasive, and objectively offensive that it effectively denies an individual equal access to the University's educational program or activity.

Sexual assault includes both forcible and non-forcible sex offenses. Forcible sex offenses involve any sexual act directed against someone without their consent, including instances in which the Complainant is incapable of giving consent. Non-forcible offenses include incest and statutory rape. Incest is defined as sexual intercourse between persons who are related to each other (within the degrees where marriage is prohibited in Pennsylvania). Statutory rape involves sexual intercourse with a person under the age of consent (age 16 in Pennsylvania).

Dating violence is violence, on the basis of sex, committed by a person who is or has been in a romantic or intimate relationship with the Complainant. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

Domestic violence is violence, on the basis of sex, committed by a current or former spouse or intimate partner of the Complainant. The definition applies when parties currently live together as partners, previously lived together as partners, and/or share a child in common. It does not apply to roommates.

Stalking involves an individual engaging in a course of conduct directed at a specific person, on the basis of sex, that would cause a reasonable person to fear for their safety or the safety of others, and/or suffer substantial emotional distress.

Sexual exploitation is not expressly addressed by Title IX but is prohibited under Moravian University policy. Sexual exploitation involves an individual taking non-consensual or abusive sexual advantage of another, including, but not limited to voyeurism, exposure, prostitution, use of date rape drugs, or taking or distributing sexual photos or videos.

Reporting Options

Moravian University encourages a culture of reporting and requires all faculty and staff to report incidents of sexual misconduct to the Title IX Coordinator. Reports can be made in person; by mail, email, or phone; or through the online reporting form. Emergencies should always be reported to the Moravian University Police Department at 610-861-1421 or to the local police by calling 911.

Report anonymously online anytime:
moravian.edu/titleixreportingform

Complaints or notice of alleged policy violations, or inquiries about or concerns regarding this policy and procedures:

Leah M. Naso, Executive Director for Equity and Compliance
Title IX Coordinator
314 Colonial Hall
610-861-1529 • equityandcompliance@moravian.edu

Ryan D. McKinney, *Deputy Title IX Coordinator/Civil Rights Investigator*
316 Colonial Hall
610-625-7033 • mckinneyr@moravian.edu

Concerns specific to gender and equity in athletics:

Rebecca May, Assistant Athletic Director
Deputy Title IX Coordinator
109 Johnson Hall
610-625-7791 • mayr@moravian.edu

Concerns regarding the application of Title IX:

US Department of Education
Office of Civil Rights
100 Penn Square East, Suite 515
Philadelphia, PA 19107-3323
215-656-8541 • ocr.philadelphia@ed.gov

Key Terms

Amnesty: Moravian University maintains a policy of offering parties and witnesses acting in good faith amnesty from minor policy violations, such as underage consumption of alcohol or the use of illicit drugs, related to the incident. Amnesty allows reporting without fear of disciplinary consequences.

Consent: Consent is knowing, voluntary, clear permission by word or action to engage in sexual activity. Consent cannot be given by someone who is unable to understand what is happening or is disoriented, helpless, asleep, or unconscious for any reason, including by alcohol or other drugs, and therefore incapacitated.

Retaliation: Protected activity includes reporting an incident, participating in the grievance process, supporting a Complainant or Respondent, assisting in providing information relevant to an investigation, and/or acting in good faith to oppose conduct that violates policy. The exercise of rights protected under the First Amendment does not constitute retaliation. Retaliation is subject to immediate disciplinary action.

Resolution Options

Survivors may choose to pursue a number of options for resolution.

- Seek supportive measures
- Initiate a formal complaint (campus grievance process)
- Pursue a criminal investigation (local police)
- Any combination of the options listed above

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to restore or preserve the parties' access to the University's education program or activity, including measures designed to protect the safety of all parties and/or the University's educational environment, and/or deter harassment, discrimination, and/or retaliation. Supportive measures may include resources or referrals, contact limitations, safety measures, and housing, academic, or workplace accommodations.

The decision to pursue a formal complaint is separate and distinct from the submission of a report. The formal complaint serves as a request that the University initiate a resolution process, including investigation. The University determines jurisdiction and offers the appropriate resolution process, including alternative resolution options (restorative practices, mediation, facilitated dialogue, shuttle negotiation) where appropriate. Certain circumstances involving significant violence, pattern, or threat to the community may necessitate that the University take action without the full participation of the Complainant.

90%
of sexual
assaults go
unreported
in college

1 in 5 women
and
1 in 16 men
experience sexual assault
during college



Support

The **ADVOCATES for Survivors of Sexual Violence** are available 24/7 during the academic year for immediate support. To reach an advocate, text or call 484-764-9242. Advocates will listen and answer questions, provide information and resources, and even accompany survivors for medical treatment. Reports are handled in a manner designed to respect privacy. A female advocate will answer, and a male advocate may be requested.

CONFIDENTIAL CAMPUS RESOURCES INCLUDE:

Counseling Center | 610-861-1510

Health Center | 610-861-1567

University Chaplains | 610-861-1583

CONFIDENTIAL COMMUNITY RESOURCES INCLUDE:

Crime Victims Council 24-Hour Rape Crisis Hotline
610-437-6611

Turing Point 24-Hour Domestic Violence Helpline
877-438-4957

Pennsylvania Coalition Against Rape (PCAR)
888-772-7227

MEDICAL RESOURCES INCLUDE:

Health Center | 610-861-1567

St. Luke's Hospital Bethlehem* | 610-954-1102

Lehigh Valley Hospital Muhlenberg* | 484-884-2522

NovusACS | 610-867-5365

**SAFE nurses are available to work with survivors to collect evidence and provide medical attention. Seek medical attention within 72 hours and do not shower or change clothes. An advocate can accompany you to the hospital.*

TAKE CARE TAKE ACTION community health & safety are everyone's responsibility

Moravian University is committed to stopping, preventing, and remedying the effects of sexual harassment and discrimination on our community. The University does not discriminate on the basis of sex, gender, gender identity/expression, or sexual orientation and does not tolerate such harassment or discrimination by or against any member of our campus community, including students, faculty, administration, governance, and visitors.

Deep respect for others is fundamental to our campus culture and underlies the Equal Opportunity, Harassment, and Non-Discrimination Policy at moravian.edu/policy/harassment-discrimination.

Information about campus crime, laws, and disclosures can be found in Moravian University's Annual Security Report at moravian.edu/content/annual-security-and-fire-safety-report.

To learn more, get help, or report an incident, visit moravian.edu/titleix.

MORAVIAN UNIVERSITY

1200 Main Street | Bethlehem, PA 18018



Title IX

Office For Equity And Compliance

MORAVIAN UNIVERSITY



“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.”

Title IX of the Education Amendments of 1972
20 U.S.C. 1681