

# A Villanova University Guide for Our Community

## Sexual Misconduct

Resources, Policies and Procedures



Download the SAVUR app for easy access  
to all sexual violence resources.



VILLANOVA  
UNIVERSITY

# **Villanova University Policy:**

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*Villanova University seeks to foster and maintain a community of mutual respect and concern for all of its members. There can be no greater violation of the terms of that community, or of the essential dignity of any member of it, than an act of sexual assault, sexual harassment, or other forms of misconduct described in University Policy (referred to as "sexual misconduct"). These acts constitute the deepest affront to University standards and will not be tolerated in any form.*

*All members of this community—students (current and applicants), faculty, staff, applicants for employment, persons doing business with or acting on behalf of the University, and visitors to campus—are protected under this Policy and share in responsibility for creating and maintaining an environment that promotes the safety and dignity of each person. Towards that end, University Policy provides the framework for eliminating sexual misconduct from our community, preventing its recurrence, and addressing its effects.*

*Villanova prohibits all forms of sexual misconduct, and any person found responsible for such conduct will face disciplinary actions up to and including dismissal or expulsion from the University. Some acts constitute prohibited conduct under Title IX of the Education Amendments of 1972 and other Federal and State laws. Acts of sexual assault or sexual misconduct may also be prosecuted under the Pennsylvania Criminal Code. This Policy applies to all on-campus conduct, as well as any off-campus conduct that has an adverse impact on any member of the University community or the University.*

## **Sexual Misconduct includes:**

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**SEXUAL MISCONDUCT.** The term sexual misconduct is a comprehensive term that encompasses any unwelcome conduct of a sexual nature and includes dating violence, domestic violence, sexual assault, sexual exploitation, sexual harassment and stalking.

**SEXUAL ASSAULT.** Having or attempting to have sexual intercourse or sexual contact with another person without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where a person does not consent to the sexual act, or where a person is incapacitated. Sexual assault includes rape, fondling, incest and statutory rape.

**SEXUAL EXPLOITATION.** Sexual exploitation is an act or omission to act that involves taking non-consensual, unjust, humiliating, or abusive sexual advantage of another, either for personal advantage or to benefit or advantage anyone other than the Complainant.

**STALKING.** Stalking is a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to fear for their safety, or the safety of others, or suffer substantial emotional distress. The course of conduct means two or more acts in which the stalker follows, monitors, observes, surveils, threatens or communicates to or about a person, or interferes with a person's property. This includes cyber-stalking, a

particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or make unwelcome contact with another person.

**SEXUAL HARASSMENT.** Sexual harassment is misconduct on the basis of sex that jeopardizes equal access to education and includes:

- Quid pro quo in which an employee explicitly or implicitly conditions the provision of an employment or academic aid, benefit, or service of the University on an individual's participation in unwelcome sexual conduct.
- Unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal access to the educational institution's education program or activity.

**DATING VIOLENCE.** Includes physically, sexually, and/or psychologically abusive behavior that arises in the form of a direct violent act, or indirectly as acts that expressly or implicitly threaten violence. Dating violence also occurs when one partner attempts to maintain power and control over the other through one or more forms of abuse, including sexual, physical, verbal, financial or emotional abuse. Specifically, dating violence is violence or the threat of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship is determined based upon the length of the relationship, the type of the relationship and the frequency of interaction between the persons involved in the relationship.

**DOMESTIC VIOLENCE.** Includes physically, sexually, and/or psychologically abusive behavior that arises in the form of a direct violent act, or indirectly as acts that expressly or implicitly threaten violence. Domestic violence also occurs when one partner attempts to maintain power and control over the other through one or more forms of abuse, including sexual, physical, verbal, financial or emotional abuse. Specifically, domestic violence is a crime of violence committed by a current or former spouse or intimate partner, or by a person with whom the Complainant shares a child in common. Domestic Violence also includes a crime of violence against a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under domestic or family violence laws of the Commonwealth of Pennsylvania, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the Commonwealth of Pennsylvania.

**RETALIATION.** Retaliation includes, but is not limited to, any form of intimidation, threats, coercion or discrimination for the purpose of interfering with participation in criminal proceedings or University processes under this Policy. Retaliation may be committed by any person or group of people, not just a Respondent or Complainant. It may be committed against the Complainant, Respondent, or person or group of people involved in the investigation and/or in the resolution of an allegation of sexual misconduct. Retaliation could occur before, during or after an investigation, University proceedings, and/or resolution.

## Consent is:

- Explicitly communicated
- Reversible
- Informed
- Actively given without force or threat of force
- Voluntary
- Mutual agreement in which all parties are capable of making a decision

If, at any time, it is reasonably apparent that either party or any is hesitant, confused, or unsure, both or all parties should stop and obtain verbal consent before continuing any sexual activity.

## Bystander Intervention:

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Bystanders play a critical role in the prevention of sexual violence. The University strongly encourages all community members to take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Taking action may include direct intervention, calling Public Safety or law enforcement, or seeking assistance from a person in authority. Community members who choose to exercise this positive moral obligation will be supported by the University and protected from retaliation.

## 3D's of Intervention:

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Many times people want to help but they either don't know what to do (knowledge) in a particular situation or how to do it (skills). In most situations, there is more than one way to take action. Each situation is unique, and each person will have different strengths when it comes to intervention. Think about the 3D's of intervention:

**DIRECT:** these strategies involve approaching one of the key people involved in the situation and attempting to prevent the situation from escalating further. For example, if you observe a concerning situation and can safely confront the initiator, directly tell them "you need to stop".

**DELEGATE:** in some situations, it is best if you involve other people to prevent the situation from worsening and to keep yourself safe. For example, this could mean recruiting friends of the student about whom you are concerned so that they intervene, or calling Public Safety directly. You are taking action by asking others to help.

**DISTRACT:** by creating a distraction, you can alter the flow of the situation and potentially prevent a situation from worsening. For example, you can enter a conversation with a couple to try to interrupt the situation and shift it in another direction.

**When considering your options, it is most important to make the safest choice available to you that somehow interrupts or intervenes in a potentially dangerous situation.**

## Effective Intervention is Prevention:

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**Remember that:**

- Most problems begin in group settings.
- Friends are usually in the best position to do something.
- You will be in a situation in which you can help in the future.
- We all have a responsibility to look out for each other.

**"The only thing necessary for the triumph of evil  
is for good men to do nothing."**

- Edmund Burke

## **How to Help Someone Who Has Experienced Sexual Misconduct:**

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- Listen and offer support.
- Believe them.
- Let them know what has happened is not their fault.
- Put aside your feelings and seek help for yourself.
- Help connect them to campus and community resources.
- Respect their privacy.
- Support their choice of resolution.
- Be dependable and available.
- Be patient.
- Rape Trauma Syndrome may occur several weeks, months and even years following the incident. Seek counseling at any time to help you or your friend.

Learn about emotional reactions to sexual misconduct at the RAINN (Rape, Abuse, Incest National Network) ([www.rainn.org](http://www.rainn.org)). Encourage your friends to read it, too.

## **What to Do if You or Someone You Know Experiences Sexual Misconduct:**

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- Get to a safe place: your home, residence hall or the residence of a trusted friend.
- Get medical attention as soon as possible to make sure that you are physically healthy. Contact the Student Health Center at 610-519-4070 or visit its office on the third floor of the Health Services Building. Medical professionals are available 24 hours a day. Medical attention at the local hospital is required in order to preserve valuable evidence should you decide to seek prosecution through the criminal justice system. It is important to know if you go to the hospital the local police will be contacted and you may choose whether or not to speak to the police.
- Bryn Mawr Hospital provides professional medical services to anyone who is sexually assaulted. The University can assist with transportation to the hospital.
- Because preservation of physical evidence in the first 72 hours after an assault is of the utmost importance, you should:  
**NOT** change your clothing or shower. If you change your clothes, it is important that they are kept in a paper bag to preserve evidence. **NOT** apply medication to any injuries that have been sustained unless absolutely necessary. **NOT** disturb anything in the area where the assault occurred. **NOT** drink or chew gum.
- Call the Title IX Investigator at 484-343-6926 or Public Safety at 610-519-4444 to report the experience.

- Call the local police to report the experience (911). If you are calling from on campus, Villanova Public Safety and its police officers will respond.
- Contact the on-call Sexual Assault Resource Coordinator (SARC) at 484-343-6028. The SARC is available for support and to explain all of the options available to a survivor of any form of sexual misconduct, regardless of when or where it occurred.
- If you suspect that you have been given a predatory drug, like Rohypnol or GHB, please let the Student Health Center know. A urine sample can be collected within 72 hours of a sexual assault for predatory drug testing, and all testing at the Student Health Center is FREE for survivors of sexual misconduct.
- Seek free, confidential counseling at the University Counseling Center. Call 610-519-4050 or stop by 206 Health Services Building. Help is available for the harmed individual and for their friends who are concerned about them.
- Seek confidential support from priests in their pastoral role.

## **The Realities of Sexual Violence:**

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**REALITY #1:** Most sexual assaults are committed by someone the person knows.

**REALITY #2:** No one deserves to be sexually assaulted no matter what they were wearing, how much they had to drink, or if they went home with someone.

**REALITY #3:** A person is a victim of sexual violence when they are forced to do anything sexual against their will, whether they fight back or not.

**REALITY #4:** Without consent, sexual activity is sexual assault.

**REALITY #5:** False reports of sexual violence are less than 4%, the same rate as other reported crimes.

**REALITY #6:** Most males who rape other males are heterosexual.

**REALITY #7:** Every day there are opportunities for men and women to prevent sexual violence by discouraging pro-violent language (such as rape jokes), intervening in concerning situations, getting trained in effective bystander intervention strategies, and getting involved in on-campus organizations like POWER. We are all part of the solution!

## How to Report:

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There is no time limit on reporting, and a student does not need to decide whether or not to request a specific action by the University at the time of their report.

Villanova is committed to supporting the rights of a person reporting an incident of sexual misconduct to make an informed choice among options and services available both on and off campus. Complainants have the option to, and are encouraged to, notify law enforcement. Additionally, the Title IX Coordinator, Dean of Students Office and Public Safety can issue no contact orders and provide additional supportive measures to those impacted by sexual misconduct. Public Safety can assist a student in obtaining orders of protection, if they choose to pursue them. The following are the reporting options available.

- Title IX Investigator, 484-343-6926
- Title IX Coordinator, 610-519-8805
- Public Safety, 610-519-4444 (emergency) or 610-519-6979 (non-emergency)
- Local law enforcement, 911
- Resident Assistants/Residence Life Staff, 610-519-4154 or RAs located in each residence hall
- Anonymous reporting hotline ([www.villanova.ethicspoint.com](http://www.villanova.ethicspoint.com)), 1-855-236 1443

## What to Expect When Reporting an Incident of Sexual Misconduct at Villanova:

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- You will be treated with care and support.
- You will be encouraged to talk to a Sexual Assault Resource Coordinator (SARC).
- In general, the University will only pursue a University sexual misconduct investigation if you choose to file a Formal Complaint. In some cases, if an incident suggests an ongoing threat to the community, the University must weigh your choice against the University's obligation to provide a safe environment for all community members, including you.
- Timely reporting is of critical importance, since proof of criminal offense requires that local police collect and preserve evidence immediately after an assault. Ideally, you should not wash, douche, use the toilet, drink, chew gum, or change your clothing prior to a medical exam.
- If you decide to seek treatment at a local hospital, be aware that the hospital is obligated to contact the local police. You may choose whether or not to talk with the police.

## **What to Expect When Pursuing Disciplinary Action at Villanova:**

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Villanova's procedures for student disciplinary action are set forth in the Student Handbook which can be found at <https://studenthandbook.villanova.edu/>.

These are also the procedures under the University's Sexual Misconduct Policy for addressing claims of sexual misconduct where the Respondent is a student. These procedures are designed to provide a prompt and equitable response for the resolution of such complaints.

- At any time after the filing of a formal complaint, either the Complainant or Respondent may request informal resolution in lieu of formal resolution.
- Individuals responsible for adjudication of the complaint participate in training to review policy, procedures, and the issues of sexual misconduct on college campuses.
- The Complainant and Respondent are entitled to the same opportunities to present relevant statements and witnesses during a campus disciplinary proceeding.
- During a campus disciplinary proceeding, the Complainant and Respondent must be accompanied by an advisor who may provide support, guidance or advice before and during the proceeding. The advisor will be responsible for conducting cross examination of the other party(ies) and witnesses. If a student does not have an advisor for a hearing, the University will provide a trained advisor for the purpose of conducting cross examination.
- Both the Complainant and Respondent are provided a written determination of responsibility.
- Responsibility for alleged violations of the Code of Student Conduct will be determined by a preponderance of the evidence.
- Complainant and Respondent have the right to appeal.
- Students found responsible for violating the University's Sexual Misconduct policy, are subject to the full range of sanctions up to and including expulsion.

*For more detailed information see  
[www.villanova.edu/sexualassault](http://www.villanova.edu/sexualassault)*

## Resources:

### On Campus:

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Sexual Assault Resource Coordinator* (SARC)	484-343-6028
Title IX Investigator	484-343-6926
Respondent Resource Coordinator	610-519-8807
Public Safety for Emergencies*	610-519-4444
Villanova Emergency Medical Services* (VEMS)	610-519-4444
Student Health Center*	610-519-4070
Title IX Coordinator	610-519-8805
University Counseling Center	610-519-4050
Dean of Students	610-519-4200
Residence Life	610-519-4154
Health Promotion	610-519-7407
Student Life	610-519-4550
Campus Ministry	610-519-3546
Clergy Members	610-519-6485
Financial Assistance	610-519-4010
Visa & Immigration Services	610-519-4095
Health Advocate (Employee Assistance Program)*	866-799-2728

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\*24 hours a day, 7 days a week

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**Off Campus:**

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Delaware County Victim Assistance Center*	610-566-4342
Domestic Abuse Project of Delaware County*	610-565-4590
Delaware County District Attorney	610-891-4162
Law Enforcement*	911
Radnor*	610-688-0503
Lower Merion*	610-649-1000
Conshohocken*	610-828-4032 /4033
Upper Merion*	610-265-3232
Tredyffrin*	610-647-1440
Bryn Mawr Hospital*	484-337-3000
Lankenau Medical Center*	484-476-2000
Catholic Social Services of Philadelphia (Visa Immigration Services)	267-331-2490
Community Legal Services of Philadelphia	215-981-3700
Philadelphia Sexual Assault Response Center*	215-425-1625
PA Coalition Against Rape	<a href="http://www.pcar.org">www.pcar.org</a>
Rape, Abuse & Incest National Network (RAINN)	<a href="http://www.rainn.org">www.rainn.org</a>
The Institute on Violence, Abuse and Trauma (IVAT)	<a href="http://www.fvsai.org">www.fvsai.org</a>

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## Statistics:

- 1 in 5 college women are survivors of attempted or completed sexual assault.
- 1 in 6 men will be sexually assaulted in their lifetime.
- Fewer than 1% of acquaintance rapes are reported on college campuses.
- Alcohol is the #1 predatory drug.

**Sexual assault is an act of control, using sex as a weapon.  
It is not motivated by sexual desire, but by the desire  
to overpower and dominate another person.**

Fisher BS, Cullen FT, Turner MG. 2000. *The sexual victimization of college women*. Washington: Department of Justice (US), National Institute of Justice; Publication No. NCJ 182369.



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