



KING'S COLLEGE

TRANSFORMATION. COMMUNITY. HOLY CROSS.

Student Sexual Misconduct Policy

I. Introduction:

King's College considers sexual misconduct, in all its forms, to be a serious offense. This policy refers to all forms of sexual misconduct, including but not limited to: sexual harassment, sexual assault, domestic violence, stalking, dating violence, and sexual violence by employees, students, or third parties.

II. Information about Title IX requirements is available from the Department of Education, Office of Civil Rights at the following website Www2.ed.gov/ocr.

This website contains:

- Information on Title IX
- How to file a complaint online

The regional office can be contacted at:

U.S. Department of Education,
The Wannamaker Building, 100 Penn Square East, Suite 515,
Philadelphia, PA 19107-3323
Phone: 215-656-8541 Facsimile: 215-656-8605
Email: OCR.Philadelphia@ed.gov

III. Who to Report to:

- For complaints against employees or non-students:

Ms. Kristin Fino, Title IX-EEO Coordinator,
Office– 181 North Franklin St.,
Telephone number- 570-208-5962, Email- kristinfino@kings.edu

- For complaints against students:

Mr. Robert McGonigle, Title IX Coordinator,
Office - John Lane C.S.C House, 166 North Franklin St.,
Telephone number- 570-208-5875, Email- rvmcgoni@kings.edu

- Persons who wish to make a complaint may also contact:

Campus Safety and Security, 570-208-5900
Office– Alumni Hall, 107 & 108, Corner of E. Jackson Street and N.
Main Street

IV. Anonymous—Jane or John Doe Report

The survivor may report incidents of sexual assault or rape in a confidential manner to a member of the Counseling Center or a priest from Campus Ministry.

- Confidential reporting is referred to as John or Jane Doe Reporting.
- The counselor or priest will report that an incident took place excluding the name of the survivor but including the time, location, description of the incident and accused assailant or description (with the permission of the survivor) to the Title IX Coordinator.
- When a student files a report, they are not obligated to continue with legal proceedings or Title IX procedures, but they may choose to do so.
- Anonymous / confidential reporting website:
https://www.kings.edu/life_at_kings/dean_of_students/confidential_reporting

** Survivors are highly encouraged to report the incident to a Title IX Coordinator or Campus Safety and Security.

V. Protective Measures

- Directive of no trespass / no contact
- Change or removal from housing
- Change in class section
- Restoration of presence on campus
- Restriction from College activities including athletics, student organizations, or events

VI. Sanctions: *Based on the severity of the offense the sanctions can include*

- Censure
- Disciplinary Probation
- Counseling
- Community Service
- No Contact/ Trespass
- Suspension
- Expulsion

VII. Statement of Survivor Rights:

- The survivor has the power to make decisions affecting his/her medical and emotional treatment.
- The survivor has control over making decisions and pursuing legal prosecution.
- The survivor will decide who is notified outside the protocol established by the College, including notification of parents (except in the case of a minor survivor).
- The survivor will receive support from the College in obtaining counseling or other support.
- The survivor will be aided by the College in obtaining a living environment that is safe and secure.
- The survivor will be assured of confidentiality within the protocol followed by the College.

VIII. Rights of the Accused and the Accuser:

1. To have a fair and proper review of the complaint	2. To have timely notice of all meetings
3. To have an advisor present of their choosing at all meetings with the investigators and hearing officer	4. To have a hearing officer that does not have a conflict of interest with either the accused or the accuser
5. To have the opportunity to present information to the investigators and the hearing officer for consideration in the process	6. To have a complaint resolved within a 60 day period unless there are extenuating circumstances requiring a longer period of time
7. To have information regarding how the process is conducted	8. To have the right to appeal the decision of the hearing officer to the appropriate vice president

IX. Procedural Process:

- All complaints can be made to the Title IX Coordinator (See section III for specific roles).
- Know your rights (See section VI and VII for rights).
- Investigation may include interviews of the parties involved. This will include witnesses and the gathering of other relevant information.
- An investigation of the report shall be commenced within ten business days and the preference is to complete the process within sixty days.
- The College will take all necessary steps to remedy discriminatory effects on the survivor (s) and others (See Protective Measures in section V).

X. Appeal Process

- Appeals of the findings of the formal process are filed to the appeal officer. For students, this is the Vice President for Student Affairs.
- Complainant or Accused may appeal if they:
 - A. Disagree with the outcome
 - B. Have new evidence that was not available at the time of the decision
 - C. Feel the process was not followed
- The appeal must be made in writing within 5 business days.

For more detailed information on Anonymous Reporting, Procedural Process, and Appeal Process, refer to the Sexual Misconduct Policy located in the Student Handbook.

XI. Police Involvement

- The survivor has the right to file a report with the police and seek prosecution.
- The decision to press charges does not have to be made at the same time the report is filed. However, filing the report will help preserve this option in the future.
- Survivors may choose whether or not to speak to police at the hospital.
- Private physicians are not required to notify the police. If a survivor desires police involvement, they may request this contact.

XII: Medical Assistance

- A Victim Resource Advocate can offer support at the hospital. The survivor may ask for the advocate at the hospital.
- With a private physician, survivors may ask for a rape kit to be completed. Having a rape kit completed does NOT mean that survivors are mandated to press charges.
- In the event of a sexual assault, survivors should not bathe, urinate, brush teeth, or drink liquids.
- Clothes should NOT be changed, but if they are bring all original clothing to the hospital in a paper bag (Plastic bags damage evidence).

** When necessary, seek immediate medical attention at an area hospital and take a full change of clothing and shoes for use after the medical examination.

XIII. Survivors need to:

- Seriously consider obtaining medical help
- Feel safe
- Be understood
- Know it was NOT their fault
- Experience control of his or her life again

Contact	Number	Location	Details
King's College Counseling Center *	570-208-5873	6th floor of Administration Building	Provides students with short-term equitable, sensitive and confidential support
Campus Ministry *	570-208-5890	Chapel of Christ the King	Provides students with support and assistance; also to develop and nurture their spiritual lives
Circle of 6	Smart Phone App (For iPhone and Android)	Cell Phone	It's the mobile way to look out for your friends on campus, or when you're out for the night.
District Attorney's Office	570-825-1674	200 N. River St., WB, PA	Provides a fair investigation and prosecution of criminal offenses within Luzerne County
Domestic Violence Service Center *	570-823-5834 Hotline: 1-800-424-5600	13 E. South St., WB, PA	Off Campus Resource; Free and Confidential; Counseling and other resources
W-B Police Department	911	15 N. Washington St., WB, PA	For any emergency, call immediately
Student Affairs Office: Robert McGonigle	570-208-5875	John Lane House	Title IX Coordinator: Responsible for the oversight of the investigation and decision making process to insure a fair and equitable process is followed
911Shield	App for Smartphones	Cellphone	Text notifications; Emergency alert; Friend Watch.
Student Health Center	570-208-5852	Andre Hall	Focuses on the acute care of the medical condition with integration of the spiritual, physical, and psycho-social needs of the person
W-B General Hospital	570-829-8111	575 N. River St., WB, PA	Local hospital that will offer any medical assistance needed
Geisinger Wyoming Valley	570-808-7300	1000 E Mountain Blvd., WB, PA	Local hospital that will offer any medical assistance needed
King's College Victim Witness Assistant	570-208-5856	Residence Life Office (SFCC)	Provides follow up to the victim after the initial incident and response
Victims Resource Center *	570-823-0765 24/7 Hotline: 1-866-296-9050	71 N Franklin St., WB, PA	Off Campus Resource; Free and Confidential; Counseling and other resources

In Any Emergency Situation Call 911

* = Confidential

For More Information, Contact Us:

Robert McGonigle

Title IX Coordinator, Associate Vice President for

Student Affairs and Dean of Students

John Lane House: 166 North Franklin St

570-208-5875

rbmcgoni@kings.edu

Trevor Marszalek

Victim Witness Assistant

Sheehy Farmer Campus Center, Room 100 B,

Main Level, Residence Life Suite

570-208-5856

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