



LEHIGH  
UNIVERSITY

# EMPLOYEES

## HARASSMENT, DISCRIMINATION, & SEXUAL MISCONDUCT AT LEHIGH

Lehigh University strives to **provide an educational, working, curricular, social and living environment for all students and employees that is free from harassment and discrimination** on the basis of **age, color, disability, gender identity or expression, genetic information, marital or familial status, national or ethnic origin, race, religion, sex, sexual orientation, veteran status**, or any other characteristic protected by applicable law.



# DISCRIMINATION & HARASSMENT

**Discrimination exists when one is subjected to negative or adverse treatment, based on one or more protected characteristics, that interferes with the work environment.**

*Protected characteristics are age, color, disability, gender identity or expression, genetic information, marital or familial status, national or ethnic origin, race, religion, sex, sexual orientation, and veteran status.*

## **Bias**

Bias constitutes a pre-formed negative opinion or attitude toward a group of persons who possess common characteristics or cultural expectations.

## **Bias Incident**

A bias incident involves behavior that is motivated by the actor's bias towards the victim's actual or perceived protected characteristic or which constitutes an expression of hostility against the victim's actual or perceived protected characteristic.

## **Harassment, a form of discrimination, exists in two forms:**

### **Quid Pro Quo Sexual Harassment**

Promising or withholding job-related benefits based upon acquiescence to sexual conduct.

### **Hostile Work Environment**

Unwelcome conduct that is severe or pervasive, based on a protected characteristic, that has the purpose or effect of interfering with an individual's work performance, or has the effect or purpose of creating an intimidating, hostile, or offensive environment.

*If you do not know whether the conduct you have experienced or witnessed constitutes harassment, discrimination, bias, retaliation, or sexual misconduct, you are always welcome to discuss the situation with the Equal Opportunity Compliance Coordinator. In the event the conduct does not fit into one of these categories, you will be referred to the appropriate office/individual who can further discuss and address the inappropriate conduct.*

# TITLE IX

**Title IX of the Education Amendments of 1972 ("Title IX") prohibits discrimination on the basis of sex in any federally funded education program or activity. Sexual harassment, which includes sexual violence, is a form of sex discrimination. Any student, employee, or applicant for employment or admission to the University who believes that they have been discriminated against on the basis of sex may pursue a University investigation and file a complaint with the Equal Opportunity Compliance Coordinator.**

## **SEXUAL MISCONDUCT**

**Offenses that constitute sexual misconduct under University policy include the following:**

### **Sexual Assault**

Sexual contact that occurs without the explicit consent of each individual involved, including but not limited to rape, fondling, incest, or statutory rape.

#### **Rape**

The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

#### **Fondling**

The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.

#### **Incest**

Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

#### **Statutory Rape**

Sexual intercourse with a person who is under the statutory age of consent.

### **Exploitation**

Conduct that exploits another individual in a sexual and non-consensual way. This includes, but is not limited to, non-consensual voyeurism, non-consensual recording (audio or visual), non-consensual dissemination of recordings, and allowing others to view sexual activities without the consent of all participants.

## Stalking

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 suffer substantial emotional distress.

## Exposure of One's Body in an Indecent or Lewd Manner

## Sexual Activity in Public or Semi-Public Spaces

## Dating Violence

Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. This includes, but is not limited to, sexual or physical abuse or the threat of such abuse. It does not include acts covered under the definition of "domestic violence."

## Domestic Violence

Violence committed:

- By a current or former spouse or intimate partner 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 or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of Pennsylvania; 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 Pennsylvania.

*Dating violence and domestic violence are often referred to collectively as intimate partner abuse.*

# CONSENT

A mutual agreement to participate in a specific activity at a specific time. Consent must be clear, knowing, and voluntary. Consent to one kind of sexual activity does not, alone, imply consent to other sexual activities. Consent is required at each new level of sexual activity. Consent must be clearly communicated (for example, by way of mutually understandable words or actions), mutual, non-coercive, and given free of force or the threat of force.

A person who is physically or mentally incapacitated by drugs, alcohol, or other circumstances is not capable of giving consent. A person must be awake and fully conscious in order to give consent. An individual may change their mind and revoke consent at any time by verbal or non-verbal communication. A previous dating or sexual relationship, whether with the respondent or anyone else, cannot imply consent to future sexual acts.

For a complete description of the University's Policy on Harassment and Non-Discrimination, visit: [go.lehigh.edu/harassmentpolicy](http://go.lehigh.edu/harassmentpolicy)

# MEDICAL TREATMENT & PRESERVATION OF EVIDENCE

**If you have been sexually assaulted, you should first go to a safe place. Then, contact someone you trust. This person could be a family member, friend, counselor, etc. There are also numerous on and off campus based resources to support you.**

**To preserve evidence of sexual misconduct, it is best not to:**

- Bathe or shower
- Use the restroom
- Change your clothes
- Brush your teeth

**Specially trained SAFE (sexual assault forensic examiner) or SANE (sexual assault nurse examiner) nurses at the following hospital emergency rooms can perform forensic evidence exams within 96 hours of an assault:**

**Lehigh Valley Hospital—Muhlenberg**  
2545 SCHOENERSVILLE RD.  
BETHLEHEM, PA 18017  
484-884-2200

**St. Luke's University Hospital**  
801 OSTRUM STREET  
BETHLEHEM, PA 18015  
484-526-4000

Testing for drugs in cases of drug-facilitated sexual assault may be conducted upon police request.

Sexually transmitted infections (STIs), pregnancy, and treatment of injuries can also be addressed by the local hospitals.



# CONFIDENTIAL

Employees who wish to talk confidentially about incidents of harassment, discrimination, bias, retaliation, or sexual misconduct that they have witnessed or experienced without initiating a report or investigation can contact the following University resource:

### Integrated Behavioral Health (IBH)

EMPLOYEE ASSISTANCE PROGRAM

1-800-395-1616

[HTTPS://HR.LEHIGH.EDU/BENEFITS/EAP](https://hr.lehigh.edu/benefits/eap)

In addition, employees who wish to talk confidentially about incidents of harassment, discrimination, bias, retaliation, or sexual misconduct that they have witnessed or experienced without initiating a report or investigation can also contact the following community resources:

### Crime Victims Council of the Lehigh Valley

801 HAMILTON STREET, SUITE 300

ALLENTOWN, PA 18101

610-437-6611

### Turning Point of the Lehigh Valley

444 E. SUSQUEHANNA STREET

ALLENTOWN, PA 18103

610-437-3369

# NON-CONFIDENTIAL

You do not need to make a formal University report or press charges to receive needed support. In addition to other on and off campus resources identified in this brochure, other University resources that may be able to provide support include the following:

### Human Resources

JUDY ZAVALYDRIGA

306 S. NEW STREET, SUITE 437

610-758-3897

### Disability Support for Staff

HUMAN RESOURCES

JUDY ZAVALYDRIGA

306 S. NEW STREET, SUITE 437

610-758-3897

### Ombuds Office

ERICA HOELSCHER

ZOELLNER ARTS CENTER, ROOM 305

610-758-3637

ANNE MELTZER

STEPS BUILDING, ROOM 596

610-758-3673

### Disability Support for Faculty

PROVOST'S OFFICE

PATRICIA MANN

ALUMNI MEMORIAL BUILDING, 2ND FLOOR

610-758-3813

### Office of Diversity, Inclusion, & Equity

ALUMNI MEMORIAL BUILDING, SUITE 201

610-758-2128

### Center for Gender Equity

UNIVERSITY CENTER, C207

610-758-6484

### Office of Multicultural Affairs

UNIVERSITY CENTER, C203

610-758-5973

### Pride Center

UNIVERSITY CENTER, B202

610-758-4126

# RESOURCES

For more information about these resources, visit

[eocc.lehigh.edu](http://eocc.lehigh.edu)



# REPORTING OPTIONS

**You may file both a criminal and University complaint regarding incidents of harassment, discrimination, bias, retaliation, or sexual misconduct. There are several reporting options:**

## Report to Police

You have the right to file a report with the police. As an accredited police department, the Lehigh University police officers exercise full police powers on campus. In case of an emergency, if you feel unsafe, have experienced or witnessed harassment, discrimination, bias, retaliation, or sexual misconduct, or would like to file a report and pursue a criminal investigation, please contact LUPD at:

**Lehigh University Police Department**  
321 EAST PACKER AVENUE  
610-758-4200

## Report to University

You have the right to pursue a University investigation of a violation of University policy and to file a complaint with the Equal Opportunity Compliance Coordinator. You can also contact the following office with any questions you have about Title IX or other equal opportunity laws or University policies or procedures regarding harassment, discrimination, bias, retaliation, or sexual misconduct, or to discuss available options and resources:

**Equal Opportunity Compliance Coordinator/Title IX Coordinator**  
KAREN A. SALVEMINI  
ALUMNI MEMORIAL BUILDING  
610-758-3535  
EOCC@LEHIGH.EDU

*Filing a criminal report is separate from pursuing a complaint through the University's policies and procedures.*

## Online Reporting Forms

You may also file a complaint simultaneously with LUPD and the University by completing the appropriate online reporting form:

- For incidents of sexual misconduct, complete the Gender Violence Reporting Form at [go.lehigh.edu/genderviolencereport](http://go.lehigh.edu/genderviolencereport)
- For incidents of harassment, discrimination, bias, or retaliation, complete the Discrimination, Harassment, Retaliation, or Bias Incident Reporting Form at [go.lehigh.edu/harassment](http://go.lehigh.edu/harassment)

*If reporting an incident of harassment, discrimination, bias, retaliation, or sexual misconduct that involves a student, in addition to contacting LUPD or the Equal Opportunity Compliance Coordinator, you may also report the incident to the University's Gender Violence Support Advocates by calling their 24-hour hotline at 610-758-4763.*

## Disability-Related Accommodations

If you believe you need disability-related accommodations, including during an investigation or hearing, please contact the Disability Support Services Office at 610-758-4152 (for students), the Human Resources Office at 610-758-3897 (for staff), or the Office of the Provost at 610-758-3813 (for faculty). Additional information about Lehigh's procedures for obtaining academic adjustments, auxiliary aids and services, and workplace accommodations is available at [www.lehigh.edu](http://www.lehigh.edu).

## MANDATORY REPORTING

University staff, faculty, administrators, teaching assistants, graduate assistants, research assistants, gyphons, and other University representatives are **REQUIRED** to report incidents of harassment, discrimination, bias, retaliation, or sexual misconduct under the following circumstances:

- If a situation involving a student is brought to their attention, is reported to them, or witnessed by them involving student(s).
- If a staff member, faculty member, or administrator serves in a supervisory role at the University and a report of such behavior is brought to their attention by any member of the University community, including visitors.

Reports must be filed with either the Equal Opportunity Compliance Coordinator at 610-758-3535 or [eocc@lehigh.edu](mailto:eocc@lehigh.edu), LUPD at 610-758-4200, or online at [go.lehigh.edu/genderviolencereport](http://go.lehigh.edu/genderviolencereport) or at [go.lehigh.edu/harassment](http://go.lehigh.edu/harassment).

## GENDER VIOLENCE REPORTING

**Lehigh University Police Department (LUPD)**  
610.758.4200

**Advocates**  
610.758.4763

**Equal Opportunity Compliance Coordinator/  
Title IX Coordinator**  
610.758.3535

# UNIVERSITY PROCESS

## I Filed a Complaint With the University. What's Next?

The Equal Opportunity Compliance Coordinator oversees the University's resolution process for matters involving harassment, discrimination, bias, retaliation, or sexual misconduct. Complaints can be resolved through an informal or formal process.

- **First**, you will meet with the Equal Opportunity Compliance Coordinator to discuss your complaint, available resources, possible interim measures, and the University's processes and procedures.
- **Second**, interim and remedial measures are considered and implemented as deemed appropriate.
- **Third**, a decision will be made regarding whether the informal or formal process should be used.

## Formal Resolution Process

- An investigation is conducted by the Equal Opportunity Compliance Coordinator and a trained co-investigator.
- Notice of the complaint and applicable policies and procedures are provided to parties.
- Investigators conduct interviews and review and gather evidence and prepare a report containing factual findings and recommendations.
- The Provost or appropriate Senior Officer reviews the report and determines if it is more likely than not that a violation of University policy occurred.
- If a violation of policy is found, the appropriate sanctions and/or remedies are implemented.
- Both parties are notified of the decision and of the right to appeal. The respondent, and in limited circumstances the complainant, will be notified of the sanctions/remedies, if applicable.

## Informal Resolution Process

- Voluntary
- Assigned to trained employee to facilitate resolution
- Assessed to determine whether formal action is needed

*Individuals who violate University policies, including the Policy on Harassment and Non-Discrimination, may be subject to discipline up to and including termination of employment.*

## COMMITMENT TO A SAFE & SUPPORTIVE COMMUNITY

Lehigh University is committed to preventing and addressing harassment, discrimination, bias, retaliation, and sexual misconduct in its campus community. Such behavior is unacceptable and will not be tolerated. The University encourages the reporting of discrimination, harassment, bias, retaliation, and sexual misconduct when it occurs. The University takes steps to respond promptly and effectively to allegations of such behavior. The University will promptly investigate such incidents and take appropriate action.

## RETALIATION

University policy prohibits retaliation, including retaliatory harassment, against anyone who reports, is a witness to, or is otherwise involved in the reporting, investigation, or resolution of an incident of harassment, discrimination, sexual misconduct or other applicable violations of University policy or the law. In the event an individual believes that they have been retaliated against, an independent investigation will be conducted and appropriate disciplinary action will be taken. Incidents of retaliation should be reported to the Equal Opportunity Compliance Coordinator.

## INTERIM AND REMEDIAL MEASURES

You do not need to pursue a formal investigation with the University or police to receive needed support, such as:

- Temporary work restrictions
- Interim leave
- Issuance of University no-contact orders
- Other interim protective measures, as appropriate

You may also file a petition at the local courthouse for a civil (non-criminal) protection order that offers victims of certain crimes relief from further harm from the perpetrator. Pennsylvania offers three different civil protection orders, including protection from abuse orders, sexual violence protection orders, and protection from intimidation orders. The qualifications for these protection orders vary per order. For more information about obtaining a civil protection order, contact the Equal Opportunity Compliance Coordinator, Crime Victims Council of the Lehigh Valley, Turning Point of the Lehigh Valley, or an attorney to discuss your options.

If criminal charges are filed, you may also request a temporary "stay away" court order issued by a judge for a period of one year or until the associated criminal case is resolved.

**If you have any questions about the information contained  
in this publication, please contact these offices.**



**The Office of Gender  
Violence Education & Support**  
BROOKE E. DESIPIO  
610-758-1303  
INGVES@LEHIGH.EDU



**Equal Opportunity  
Compliance Coordinator**  
KAREN A. SALVEMINI  
610-758-3535  
EOCC@LEHIGH.EDU



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