

Promoting Gender Equity & Preventing Sexual Misconduct

Title IX and Relationship Violence and Sexual Misconduct at EMU

What is Title IX?

Federal Title IX regulations prohibit sex discrimination in institutions of higher education and guides universities in responding to reports of sexual harassment, sexual misconduct, sexual assault and gender-based harassment reported by or about university students and employees.

What is Sexual Harassment?

Sexual harassment is unwelcome, verbal, nonverbal or sexual conduct that includes, but is not limited to sexual advances, requests for sexual favors, and any other conduct of a sexual nature. It also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

What is Sexual Misconduct?

Sexual misconduct is a broad term used by EMU to refer to violence of a sexual nature. Sexual misconduct encompasses sexual harassment, sexual violence, sexual exploitation, and nonconsensual sexual contact. Sexual misconduct may occur through physical violence, the threat of violence, and/or coercion. An incident of sexual misconduct can consist of a single act or a pattern of acts. Incidents of sexual misconduct can occur separate from or within a relationship.

What is Sexual Assault?

Sexual Assault is an offense that meets the definition of rape, including fondling, incest, or statutory rape.

- **Rape** is penetration, no matter how slight, of the vagina or anus with any body part or object without the consent of the reporting party.
- **Fondling** is the touching of private body parts of the reporting party by the responding party for the purpose of sexual gratification, without the consent of the reporting party, including instances where the reporting party is incapable of giving consent because of age or because of temporary or permanent incapacitation.

Other related conduct prohibited under the Relationship Violence and Sexual Misconduct policy includes **stalking**, **hazing**, and **gender based harassment**. Retaliation for reports of sexual violence, including **bullying** and **intimidation**, are also prohibited.

What is the Relationship Violence and Sexual Misconduct (RVSM) Policy at EMU?

EMU is committed to establishing and maintaining a community free from all forms of sexual discrimination and harassment. RVSM is prohibited at EMU. The university will take prompt and equitable action to eliminate RVSM, prevent its recurrence, and repair the harm that has been caused. When the conduct has potentially created a hostile environment in the form of a Title IX reportable offense, the university must respond in support of all parties involved, others and the campus community. The purpose of the RVSM Policy is to describe the process for reporting violations of the policy, outline the procedures used to investigate and resolve alleged violations of policy, and identify resources available to members of the EMU community who are involved in an incident of RVSM.



How to File a Report:

Online Incident Report: emu.edu/safecampus

Once a report is submitted, a notice is given to the Title IX Coordinator. At that time the Title IX Coordinator will contact the reporting party to gather more information, offer support services, and determine, in collaboration with the reporting party, how to proceed.

The university prohibits retaliation or retribution, in any form, against an individual who reports, in good faith, an actual, potential, or suspected violation of the relationship violence and sexual misconduct policy.

Title IX Services:

Title IX Coordinator

Andrea Herrera Katahira,
540-432-4849 (4tix)
titleixcoordinator@emu.edu

Emergency Support, Harrisonburg VA campus:

Counseling Services

540-432-4317
counselingservices@emu.edu

24-Hour Sexual Assault Crisis Hotline:

540-434-2272
thecollinscenter.org

Confidential Resources, Harrisonburg VA campus:

Campus Security

540-432-4911

Health Services

540-432-4308
healthservices@emu.edu

University Campus Pastor

540-432-4273
brian.burkholder@emu.edu

For more information on EMU policies and procedures, visit: emu.edu/titleix/relationship-violence-policy

Phone: 540-432-4849
Email: titleixcoordinator@emu.edu

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Refuse to be a bystander.

Take action when you see risky behavior. If you witness someone trying to lead an intoxicated person into a private room, or if you see someone plying another person with drinks or acting in a sexually aggressive manner, find help and intervene. Likewise, pay attention to your friends so that you can help them if they are being targeted or are in a vulnerable situation. If you feel threatened or too unsafe to intervene, then call 911.

You Have The Right To:

- feel safe.
- say “NO” and not feel pressured to engage in sexual activity.
- a relationship with someone who respects your emotional and physical wishes and boundaries.
- be assertive and direct with someone who is sexually pressuring you.
- change your mind, and if you are not sure what you want, to STOP and think about it.
- be in a relationship free of violence and abuse.
- make a confidential police report, by requesting that you remain anonymous for the public criminal record.

Affirmative Consent:

an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. Affirmative Consent is given without coercion, force, threats or intimidation.

When Should You Ask For Consent?

Before you engage in sexual activity! It is the responsibility of the person initiating a sex act to obtain clear, affirmative consent. Whenever you are unsure if consent has been given, you need to ask. Check-in with your partner. Giving consent ahead of time does not mean a person waives the right to change their mind during or in the middle of sexual activity—i.e., to say “STOP” at any time or “no” later.

Don't make assumptions about consent. If an individual feels pressured or uncertain, is having difficulty communicating or is afraid of how a partner might react to a “NO” response, it is not consent. Prior sexual activity is not consent for future activity.



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