

Haven Waiver

In an effort to educate new Western Carolina University (WCU) students about sexual misconduct and violence as they relate to institutions of higher education, and in compliance with the *Violence Against Women Reauthorization Act* (2013), we encourage all new WCU students to participate in an on-line educational program (Haven).

At the same time, we realize that some students enrolled at the graduate level have life experiences (i.e. military service/training, professional training, etc.) that cause them to feel that they should be exempt from participating in a sexual misconduct and violence education program.

Graduate students who wish to request a waiver, and not participate in Haven, must read the following information, then sign and submit the document to the Associate Vice Chancellor/Dean of Students using one of the following methods:

Electronic Signature/Submission (*Only compatible with Internet Explore and Mozilla Firefox*)

- Complete all fields on the form
- Click on the red arrow  in the Student Signature Field
- Save the Form as indicated
- Click on the Submit button

Sign and Email

- Complete all fields on the form
- Click on the Print button
- Sign the Form
- Scan the Form and email as an attachment to havenwaiver@wcu.edu

Sign and Mail/Deliver

- Complete all fields on the form
- Click on the Print button
- Sign the Form
- Mail or Deliver the form to:
Dr. Kevin S. Koett
Associate Vice Chancellor/Dean of Students
1 University Way
Student Affairs/114 Scott East
Cullowhee, NC 28723

General Information

All WCU students are responsible for conducting themselves in a manner that helps enhance an environment of learning in which the rights, dignity, worth, and freedom of each member of the academic community are respected. (UNC Board of Governors Policy Manual 700.4.2). It is against WCU standards and a violation of the Code of Student Conduct (Code) to engage in any of the following behaviors. Alleged violations of University policies will be addressed in accordance with procedures outlined in the on-line version of the Code.

Lewd or Indecent Conduct – behavior that a reasonable person would consider to be offensive or obscene in nature. Examples include, but are not limited to, defecating/urinating in public, performing consensual sexual acts in public, distributing materials with sexual content, streaking, etc.

Sexual Assault – engaging in vaginal, oral, or anal penetration or intercourse without a person's Consent.

Sexual Contact (Nonconsensual) – directly or indirectly engaging in any other physical contact not described in the definition of Sexual Assault which is performed without a person's Consent. Examples include, but are not limited to, the intentional touching of an unwilling person's genitalia, groin, breast, buttocks, or clothing covering them, or forcing an unwilling person to touch another's intimate parts as listed above.

Sexual Exploitation – taking nonconsensual, unjust, or abusive sexual advantage of another for one's own advantage or benefit; or to benefit or advantage anyone other than the one being exploited; and that behavior does not otherwise constitute Sexual Assault or Sexual Harassment. Examples of sexual exploitation include, but are not limited to: prostituting another Student, nonconsensual video or audio taping of sexual activity, going beyond the boundaries of Consent (such as letting friends surreptitiously watch consensual sex acts, or unauthorized distribution of photos or other materials of a sexual nature), engaging in voyeurism, and inducing Incapacitation with the intent to commit sexual misconduct against another person or with the intent to create opportunity for a third party to commit sexual misconduct against another person.

Sexual Harassment – unwelcome conduct of a sexual nature that is so severe, persistent, or pervasive that it negatively affects the victim's activities or creates an intimidating, threatening or abusive educational or employment environment. University Policy 53 - Sexual Harassment and Other Unlawful Harassment provides additional information.

Consent

Students who willingly elect to engage in sexual activities are expected to do so in a consensual manner. WCU adheres to the following definition of “consent”:

Consent – an understandable exchange of affirmative words or actions, which objectively indicate a willingness to participate in mutually agreed upon activity. Consent must be informed and freely and actively given. The lack of a negative response is not consent. An individual who is incapacitated by alcohol and/or drugs (voluntarily or involuntarily consumed) cannot give consent. Past consent for any activity does not imply ongoing future consent. An individual who is unable to give consent as defined by law cannot give consent (examples include, but are not limited to, individuals under the age of consent, individuals who have disabilities which limit their ability to give consent, etc.).

Resources

WCU students are encouraged to engage in the following behaviors if/when deemed safe:

- Help peers make good decisions at social functions (i.e. going home with a friend instead of a potential partner when under the influence of alcohol).
- Immediately report any allegations of crimes related to sexual misconduct or violence to the University Police, Associate Vice Chancellor/Dean of Students, Title IX Coordinator, and/or another University official.
- Encourage a friend to participate in counseling through CAPS if s/he is experiencing concerns about a relationship.
- Participate in Bystander Awareness/Intervention programs sponsored through the Office of Intercultural Affairs (ICA) located on the 2nd floor of the University Center.
- Review the WCU Calendar of Events on a regular basis and participate in events which are intended to educate the campus community with regard to bystander skill development, personal safety, and sexual misconduct and violence prevention.

Individuals who need assistance, advice, or help are encouraged to contact one or more of the following:

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| • University Police | (828) 227-8911 | (828) 227-7301 |
| • Counseling and Psychological Services (CAPS) | (828) 227-7469 | |
| • Associate Vice Chancellor/Dean of Students | (828) 227-7147 | (828) 227-2913 |
| • Student Community Ethics (DSCE) | (828) 227-7234 | |
| • Health Services | (828) 227-7640 | |
| • Title IX Coordinator | (828) 227-7116 | |

Agreement

By signing and submitting this waiver, I acknowledge the following:

- WCU has provided me with the opportunity to participate in an on-line training program (Haven) that is more in-depth than the information contained in this document.
- It is my responsibility to read the Code and understand the consequences associated with violations of University policies.
- It is my responsibility to be familiar with WCU Policy 53, “Sexual Harassment, Sexual Misconduct, and Other Unlawful Discrimination.”
- As a member of the WCU community, it is my responsibility to not engage in behaviors that violate the Code and/or the rights of others to learn, live, study, work, etc. in an environment that is free of sexual misconduct and violence.
- If I am found responsible for a violation of the Code related to sexual misconduct or violence, it is possible that I could be suspended or expelled from WCU.
- This waiver must be submitted in person (114 Scott East), electronically with an e-signature, or electronically with a scanned attachment (havenwaiver@wcu.edu) prior to **5:00 p.m. on the last business day in September (fall) or February (spring)**.
- If I miss the aforementioned deadline, a hold will be placed on my account until a waiver has been received by the Associate Vice Chancellor/Dean of Students or I have completed all requirements for Haven.

Last Name (Please Print)

First Name

MI

WCU 920#

Student Signature

Cell Phone Number

WCU E-mail

For Office Use Only

Received By

Date