Alvernia University

Annual Security Report and Fire Safety Report * December 11, 2020

Current Campus Policies regarding…

- **Procedures for students and others to report criminal actions or other emergencies occurring on campus:**

All members of the Alvernia University Community are required to notify the Alvernia Public Safety Office - at (610) 796-8350 or internal extension #8350 of any situation or incident on any campus that involves a significant emergency or danger that may pose an immediate or on-going threat to the health and safety of students and/or employees on campus.

Each year, we remind faculty and staff of this passage from pages 29-30 of our Employee Handbook (available in Human Resources' S-drive folder): *Please help the Alvernia University community by coming forward to your supervisor, Public Safety or Human Resources in the event that you personally experience or observe danger signs that you believe could be a precursor of an incident of violence.*

All Alvernia University employees other than ordained clergy or licensed mental health providers are required to share a report of dating violence, domestic violence, sexual assault, or stalking with the University's Title IX Coordinators and/or Human Resources and/or Public Safety. (Human Resources and Public Safety will inform the Title IX Coordinators of any reports made to them.)

KEY CONTACT INFORMATION

Title IX Coordinators:

Karolina Dreher, Dean of Students

(karolina.dreher@alvernia.edu, 610-796-8211)

Leslie Kane, Associate Vice President of Human Resources

(leslie.kane@alvernia.edu, 610-790-1928)

Public Safety - 610.796.8350

Edward Heim, Director (edward.heim@alvernia.edu, 610.790.1975)

Human Resources - 610.796.8317

Allyson Mullin, Associate Director (allyson.mullin@alvernia.edu, 610.796.8317)

All Alvernia University employees are required to make one or more reports if they have reason to suspect that a child is an abused or neglected child.

If a child is in immediate danger, call 911.

If there is no immediate danger, notify Public Safety and/or the Title IX Coordinators. These individuals will assist in making the mandated child protective services report with the respective external agency.

The two mandates above pertain to situations that may occur on or off campus, including study abroad and internship programs for students, at university sponsored events, and/or when the conduct affects a substantial University interest. A substantial University interest is defined to include:

- Any action that constitutes criminal offense as defined by federal or state law. This includes, but is not limited to, single or repeat violations of any local, state, or federal law;

- Any situation where it appears that the student or employee may present a danger or threat to the health or safety of him/herself or others;

- Any situation that significantly impinges upon the rights, property, or achievements of self or others or significantly breaches the peace and/or causes social disorder;

and/or

- Any situation that is detrimental to the educational interests of the University.

To report an incident or concern that does not constitute an emergency or one of the specific situations described above, visit the faculty and staff web page and scroll down to the box labeled "Report It" in the left column. Reports go directly into a secure system that is routinely monitored by appropriate personnel from Public Safety and University Life.

The university strongly encourages and in many ways depends upon our faculty and staff to routinely report incidents and concerns. Our Thoughtful Assessment Group (TAG) meets weekly to review concerns about students and to coordinate the means by which they are addressed. TAG is chaired by Director of Health Services Dr. Claire Murphy and Associate Dean of Students & Director of Student Activities Abby Swatchick, and includes personnel from a variety of University Life, Academic Affairs, and Enrollment Management departments, as well as from Athletics and Public Safety.

- **Our institution's policies concerning its response to these reports:**

Alvernia Public Safety is responsible for responding to such situations to assess the potential threat and for summoning the necessary resources to mitigate, investigate, and/or document any situation that may pose a significant emergency or danger.

If the Public Safety Office determines that the situation does in fact, pose a threat to the community, the Public Safety Office will immediately notify the external emergency responders (Police/Fire/EMS) through the Berks County Emergency Dispatch Center (911) or its counterparts in the locales of our Schuylkill and Philadelphia centers.

- **Policies for making timely warning reports to members of the campus community regarding the occurrence of Clery Act crimes:**

Secondary calls will be made to the Senior Vice President and Chief of Staff, Vice President for Enrollment Management and Student Experience and Director of Communications. Their departments will work with Public Safety to notify the campus community, or the appropriate segments of the community that may be affected by the situation, using various systems that have been implemented to provide emergency information quickly, such as network emails, emergency text messages (Omnilert- a service that individuals can sign up for on the Alvernia University Web site), in a manner that is timely and that withholds the names of victims as confidential.

Omnilert:

In an effort to ensure the safety and security of the Alvernia community, the University has adopted an Omnilert alert system. The Omnilert system is a university-wide text messaging and voicemail system that will enable Alvernia University officials to communicate with registered students, faculty, staff and parents in the event of a catastrophic emergency. Registration is free and can be accessed by clicking on the Omnilert icon, located on the Logins page of the University website.

- **Policies for preparing the annual disclosure of crime statistics:**

Statistics are compiled annually by the Public Safety Office, in consultation with the Offices of Residence Life and Community Standards.

As required by Federal guidelines, these statistics reflect reports received. They do not reflect the final outcomes of investigations or actions taken by the university or civil authorities.

Crime Statistics- Reporting required by Federal CLERY Act			
Category	**Calendar Year 2017**	**Calendar Year 2018**	**Calendar Year 2019**
Murder/ Non-Negligent Manslaughter			
On Campus Property	**0**	**0**	**0**
On Campus Student Housing	**0**	**0**	**0**
Non-Campus Property	**0**	**0**	**0**
Public Property	**0**	**0**	**0**
Unfounded	**0**	**0**	**0**
Manslaughter			
On Campus Property	**0**	**0**	**0**
On Campus Student Housing	**0**	**0**	**0**
Non-Campus Property	**0**	**0**	**0**
Public Property	**0**	**0**	**0**

Unfounded	0	0	0
Sex Offense - Rape			
On Campus Property	2	1	0
On Campus Student Housing	2	1	0
Non-Campus Property	0	0	0
Public Property	0	0	0
Unfounded	0	0	0
Sex Offense – Fondling			
On Campus Property	0	1	0
On Campus Student Housing	0	1	0
Non-Campus Property	0	0	0
Public Property	0	0	0
Unfounded	0	0	0
Sex Offense - Incest			
On Campus Property	0	0	0
On Campus Student Housing	0	0	0
Non-Campus Property	0	0	0
Public Property	0	0	0
Unfounded	0	0	0
Sex Offense – Statutory Rape			
On Campus Property	0	0	0
On Campus Student Housing	0	0	0
Non-Campus Property	0	0	0
Public Property	0	0	0
Unfounded	0	0	0
Burglary			
On Campus Property	0	0	0
On Campus Student Housing	0	0	0
Non-Campus Property	0	0	0
Public Property	0	0	0
Unfounded	0	0	0

Crime Statistics- Reporting required by Federal CLERY Act

Category	Calendar Year 2017	Calendar Year 2018	Calendar Year 2019
Motor Vehicle Theft			
On Campus Property	0	0	0
On Campus Student Housing	0	0	0
Non-Campus Property	0	0	0
Public Property	0	0	0
Unfounded	0	0	0
Arson			
On Campus Property	2	0	0
On Campus Student Housing	0	0	0
Non-Campus Property	0	0	0
Public Property	0	0	0

Unfounded	**0**	**0**	**0**
Arrest- Weapons : Carrying, Possessing, Etc.			
On Campus Property	**0**	**0**	**0**
On Campus Student Housing	**0**	**0**	**0**
Non-Campus Property	**0**	**0**	**0**
Public Property	**0**	**0**	**0**
Unfounded	**0**	**0**	**0**
Disciplinary Referrals- Weapons: Carrying, Possessing, Etc.			
On Campus Property	**0**	**0**	**0**
On Campus Student Housing	**0**	**0**	**0**
Non-Campus Property	**0**	**0**	**0**
Public Property	**0**	**0**	**0**
Unfounded	**0**	**0**	**0**
Arrest: Drug Abuse Violations			
On Campus Property	**0**	**0**	**0**
On Campus Student Housing	**0**	**0**	**0**
Non-Campus Property	**0**	**0**	**0**
Public Property	**0**	**0**	**0**
Unfounded	**0**	**0**	**0**
Disciplinary Referrals: Drug Abuse Violations			
On Campus Property	**9**	**11**	**10**
On Campus Student Housing	**9**	**11**	**10**
Non-Campus Property	**0**	**0**	**0**
Public Property	**0**	**0**	**0**
Unfounded	**0**	**0**	**0**
Arrest: Liquor Law Violations			
On Campus Property	**0**	**0**	**0**
On Campus Student Housing	**0**	**0**	**0**
Non-Campus Property	**0**	**0**	**0**
Public Property	**0**	**0**	**0**
Unfounded	**0**	**0**	**0**

Crime Statistics- Reporting required by Federal CLERY Act

Category	Calendar Year 2017	Calendar Year 2018	Calendar Year 2019
Disciplinary Referrals: Liquor Law Violations			
On Campus Property	**51**	**34**	**39**
On Campus Student Housing	**51**	**34**	**39**
Non-Campus Property	**1**	**0**	**0**
Public Property	**0**	**0**	**0**
Unfounded	**0**	**0**	**0**
Violence Against Woman (Dating Violence)	(Required By Violence Against Women Reauthorization Act of 2013- Pub. Law 113-4)		
On Campus Property	**1**	**1**	**0**

On Campus Student Housing	**1**	**1**	**0**
Non-Campus Property	**0**	**0**	**0**
Public Property	**0**	**0**	**0**
Unfounded	**0**	**0**	**0**
Violence Against Woman (Domestic Violence)	(Required By Violence Against Women Reauthorization Act of 2013- Pub. Law 113-4)		
On Campus Property	**2**	**0**	**0**
On Campus Student Housing	**2**	**0**	**0**
Non-Campus Property	**0**	**0**	**0**
Public Property	**0**	**0**	**0**
Unfounded	**0**	**0**	**0**
Violence Against Woman (Stalking)	(Required By Violence Against Women Reauthorization Act of 2013- Pub. Law 113-4)		
On Campus Property	**0**	**0**	**0**
On Campus Student Housing	**0**	**0**	**0**
Non-Campus Property	**0**	**0**	**0**
Public Property	**0**	**0**	**0**
Unfounded	**0**	**0**	**0**

Hate Crimes

There were no reported "Hate Crimes" for calendar years 2016, 2017 or 2018

The statistics, as reported to the Department of Education by October 1 of each year (extended to December 31, 2020 due to COVID-19), in fulfillment of federal requirements, may be viewed at:

http://ope.ed.gov/campussafety/#/institution/details

- **A list of titles of each person or organization to whom students and employees should report criminal offenses described in the law for the purpose of making timely warning reports and the annual statistical disclosure. Also for disclosure should be any institutional policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report.**

All members of the Alvernia University Community are required to notify the Alvernia Public Safety Office - at (610) 7960-8350 or internal extension #8350 of any situation or incident on campus that involves a significant emergency or danger that may pose an immediate or on-going threat to the health and safety of students and/or employees on campus.

In addition, university community members may make voluntary reports, with requests for confidentiality, to these individuals:

Title IX Coordinators
Director of Public Safety
Dean of Students
Assistant Director of Community Standards

Every effort will be made to provide confidentiality, to the greatest extent possible within the boundaries established by law.

Current Policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.

The athletic and library facilities, along with cultural enrichment programs and various other activities, are open to the University community. Public Safety is responsible for locking and unlocking all campus buildings based on usage, class schedules, and special events. Students, staff, and faculty members are required to have appropriate departmental authorization to be in any academic building after closing and authorization should be cleared through the Public Safety Office.

Visitors to the campus seeking access to campus buildings and facilities for special events must do so through the appropriate department, Public Safety or Public Relations Office.

Outside contractors needing access to any of these buildings on off hours must have authorization through Public Safety who will determine whether the individuals must be escorted all of the time.

Some campus buildings are accessible 24/7 via a swipe card entry. After hours, students may gain entry with their University ID. It is the student's responsibility to make sure no unauthorized person enters the building. *Damage to the building or materials stolen from the building will be charged to the student whose ID card was last used for entry and additional sanctions may be imposed*.

Residence Halls are locked 24 hours a day, with access by either card access control or by key control. Individuals including outside contractors who need access to perform maintenance or contractor work must go through Public Safety to gain authorization to these buildings. Public Safety will make a determination as to whether the individuals must be escorted all of the time. Determinations are based on ensuring that the safety of the students comes first, and cannot, and will not be compromised.
For additional safety/security, students are urged to comply with the following list of recommendations from the Public Safety Department.

1---Do not prop open the exterior doors of Residence Halls.
2---Keep your Residence Hall interior room door secured at all times.
3---Never loan out your photo I.D. access card or your room keys.
4---Report immediately to Public Safety any suspicious persons either inside the Resident Halls or outside of them.

5---Emergencies, call 911.

Current Policies concerning campus law enforcement, including:

- **The law enforcement authority and jurisdiction of campus security personnel.**

Alvernia University Public Safety Officers are not sworn law enforcement officers and are not empowered to make arrest. Public Safety Officers enforce the laws of the Commonwealth of Pennsylvania and the rules and regulations of Alvernia University occurring on the campus. Violations of the law are referred to the Reading Police Department for action and/or investigation. The department complies with all federal, state, and local laws. Crime statistics are available, upon request, from Office of University Marketing and Communications or from the Public Safety Department. Statistics may also be obtained from the Public Safety section of the University Web site (www.alvernia.edu)

The working relationship of campus security personnel with state and local law enforcement agencies, including whether those security personnel have the authority to make arrests, and any agreements, such as written memoranda of understanding between the institution and h such agencies, for the investigation of alleged criminal offenses.
Alvernia University maintains an excellent working relationship with the Reading Police Department, which shares legally permissible information with the Public Safety Office regarding any criminal activity off-campus involving students of the University. The Public Safety Office maintains an understanding with the Reading Police Department and its counterparts in the locales of our Schuylkill and Philadelphia centers to address situations, actual or anticipated, in a pro-active manner and to share information and resources needed to accomplish this task.

- **Policies which encourage accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies, when the victim of a crime elects to, or is unable to, make such a report.**

See page 1 for general policy statements. See also Sexual Misconduct Brochure in the Health Services section of the University web site (www.alvernia.edu). The victim of a crime who does not want to pursue action within the University's judicial system or the criminal justice system may still consider making a confidential report. A student or employee can notify the Office of the Dean of Students about a crime and they can file an internal confidential report without revealing their identity. The purpose of a confidential report is to comply with their wish to keep the matter confidential, while taking steps to ensure their future safety and the safety of others. With such information, the University can keep an accurate record of the number of incidents involving students, employees and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential dangers. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University.

- **A description of procedures, if any, that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.**

Each year, the Dean of Students will write to pastoral and professional counselors, advising them that they may make voluntary, confidential reports for statistical purposes, and encouraging them to do so.

A description of the type and frequency of programs designed to inform students and employees about campus security procedures and practices and encourage students and employees to be responsible for their own security and the security of others.

Drills and Training

Alvernia University participates in drills and exercises representing various scenarios (bomb threat, hostage situation). These drills include campus personnel as well as local, county and state public safety agencies.

Fire drills are conducted in all of the residence halls at least twice a year (once per academic semester). In addition, fire drills are also held in the administrative buildings at least once per year. Basic fire safety education is provided to new employees during new employee orientation. In addition, fire extinguisher training is offered to all employees every year.

Emergency procedures are posted in all campus buildings near the evacuation maps. Emergency procedures can also be found in the Alvernia University Emergency Guidelines and Procedures booklet. This booklet contains information on various emergency situations including lockdown, shelter-in-place, natural disasters, and pandemic flu and can be obtained from the Public Safety section of the University website (www.alvernia.edu).

A description of programs designed to inform students and employees about the prevention of crimes.

Crime prevention information is conveyed to parents/families at our summer Connection Days programs, and to students during New Student Orientation and periodic community meetings in our student residences.

Crime prevention is covered with new employees during their orientations and periodically through topical training sessions from Human Resources.

A policy concerning the monitoring and recording, through local police agencies, of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities.

The monitoring and documentation of off campus statistical information involving criminal activity of University students is essential to maintaining a successful safety and security program. Although there is no University provided and/or University affiliated off campus housing, through the co-operation and co-ordination with local law enforcement, criminal activity is supplied to the Office of Public Safety through several means of communication.

1. Telephone contact is initiated between, law enforcement (Reading Police Department or its counterparts in the locales of our Schuylkill and Philadelphia centers) and the University Office of Public Safety notifying of any student criminal activity.

2. Periodic review of electronic crime statistics, as provided on public accessible crime mapping.
3. Periodic written communications forwarded to local law enforcement requesting crime and/or nuisance related activity within reasonable distance surrounding campus.
4. Periodic written communications forwarded to local law enforcement requesting crime and/or nuisance related activity involving University students at privately procured residential housing locations.

As enumerated in the "Alvernia University Student Code of Citizenship", University students are expected to act in a civil manner in all settings, on or off campus. Any act of misconduct including but not limited to the use of uncivil language, engaging in conduct that is disorderly, lewd, or indecent effecting the campus community and or its neighbors, is prohibited. Activity that is considered a breach of the peace or reflects poorly upon the Alvernia University community is further prohibited. The Code of Citizenship further directs that students shall comply with all federal, state and local laws.

All statistical information regarding violation of federal, state and/or local laws will be recorded on all required reporting mandates.

A policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws.

Introduction

University regulations governing the use of alcohol are designed first and foremost to ensure the personal health and safety of each member of the Alvernia University community. In addition, University policies and procedures are intended to foster an environment that facilitates student learning, promote sound judgment, respect for the rights of others, and acceptance of personal responsibility for one's behavior.

It is the duty of all students to conduct themselves in a manner consistent with University regulations and to help others do likewise. In all instances, students are considered fully responsible for their own actions and personal well-being. Students also are encouraged to be mindful of the well-being of others. Any behavior which puts health or safety at risk or which infringes on the rights of others is antithetical to the mission of Alvernia University.

The University encourages all students to consider carefully the potential dangers of alcohol consumption and reminds students that they are responsible for abiding by all federal, state and local laws and institutional policies relative to the possession and consumption of alcohol.

Education

The University takes seriously its responsibility to educate students regarding the effects, uses, and abuses of alcohol. The University delivers a full complement of programs and services intended to help students make healthy decisions. In addition, the University regularly monitors the patterns of alcohol use in order to provide the community with accurate information.

Relevant Laws

See Appendix A of the Student Handbook, available in the Student Life section of the University website (www.alvernia.edu). for the federal and state legal standards with respect to alcohol.

Major Alcohol Policy Statements
For the reason and rationale noted above, the following major policies are those from which the University derives all other alcohol policies and procedures.

Students who are 21 years of age or older may legally and responsibly possess and consume alcoholic beverages in their own rooms, apartments, or townhouses (i.e., living units), provided the residences in which the living units are located have not been declared alcohol-free, as well as allow others who also are of legal age to do so in their company.

Students who are under 21 years of age but who are the registered roommates of legal-age students may be in the presence of their roommates, but not guests, during such consumption in their own rooms, apartments, or townhouses (i.e., living units), provided the residences in which the living units are located have not been declared alcohol-free, while they themselves remain prohibited from possessing or consuming. All roommates must agree prior to the invitation and activities of guests.

Behavior or misconduct resulting from the use or abuse of alcohol by a student or group of students on or off campus is a violation of the University's Alcohol Policy and will be subject to University community standards actions as well as the applicable state or local laws when police file charges. Drunkenness (visible intoxication) anywhere on or off campus is prohibited. The abuse of alcohol by individuals of any age will not be tolerated and students will be held responsible for their actions as members of the Alvernia University community.

Medical Amnesty Policy: In cases of intoxication and/or alcohol poisoning, the primary concern is for the health and safety of the individual(s) at risk. Individuals are strongly encouraged to call for medical assistance for themselves or for a friend/acquaintance who is dangerously intoxicated. A student seeking assistance from University personnel or medical treatment for him/herself or another student will not routinely be subject to disciplinary action for alcohol violations. Students will be required, instead, to consult with the Director of Community Standards and may be required to participate in an appropriate educational program, which will not be noted in the student's disciplinary file. Patterns of such incidents, however, particularly if there is evidence that the reporting student is found to have contributed to another student's impaired physical condition (e.g., purchasing or furnishing alcohol to that student) or incidents in which federal, state, or local laws may require disciplinary action may be subject to disciplinary action. Students are reminded that, in a community setting, all are expected to take responsibility for the well-being of others.

Alcohol at University Sponsored Events

1. Alvernia University faculty, staff, students and guests, who are 21 years or older may possess and consume alcohol at locations where alcohol is approved and provided by the University.
2. The University retains the right to request identification and proof of age from all persons seeking admission to University event where alcohol will be served.
3. Carrying open containers outside of the event is prohibited.
4. Non-alcoholic beverages and food must be served when alcohol is served.

Alcohol in the Residence Halls

1. Alcohol is not permitted in any living units in Anthony Hall, Clare Hall, Francis Hall, or Veronica Hall. All living units in those halls are designated alcohol free. No one, regardless of age, is allowed to possess or consume alcohol in those buildings.
2. Alcohol is permitted in the living units of the other residence halls, under the conditions outlined in the Major Alcohol Policy Statements above. When alcohol is being consumed, doors to living units must be kept closed; an open door causes a living unit to be considered a public space, in which alcohol consumption is not permitted.
3. Presence in any living unit (room, apartment, or townhouse) where an alcohol policy violation is taking place, even if not actually in possession of or consuming alcoholic beverages, will result in disciplinary action.
4. Residents holding a gathering in their living unit where an alcohol violation is taking place will be considered the hosts. Hosts can be held responsible for injury or damage occurring to any person or property in which the consumption of alcohol was a contributing factor. Hosts will be subject to disciplinary action and may receive more serious sanctions.
5. At the time of an alcohol violation, all alcohol and containers will be confiscated and properly disposed of regardless of the age of the occupant(s) or the designation of the living unit as one in which alcohol is permitted or not permitted.
6. Kegs, beer balls and multi-quart containers of alcohol are prohibited in all living units at all times.
7. Possession of grain alcohol is prohibited at all times.
8. If a student is of legal drinking age, s/he may transport an alcoholic beverage as long as it is in its original closed container. *Only Alvernia University students of legal drinking age may transport alcoholic beverages.*
9. Consumption of any form of alcohol in an open container, including but not limited to cups, cans, plastic containers or bottles, is prohibited outside a student's living unit and/or any outside campus area.
10. Games or activities that encourage excessive drinking (i.e. beer pong, flip cup, beer funnels, etc.) or the serving of alcohol that lead to the endangerment of an individual's well being or to clear property damage will not be tolerated.
11. Consumption of alcohol to the point of intoxication, regardless of age, is prohibited. Behavioral symptoms frequently associated with intoxication will be considered in determining intoxication. These symptoms may include, but are not limited to, the following: impaired motor skill coordination, difficulty communicating, vomiting, glazed/red eyes, the smell of alcohol on one's breath, verbal and/or physical aggressiveness, destructive and/or disruptive behavior, and engaging in any behavior which may endanger oneself or others. A person in this condition may be asked to leave the campus. If the person is a student, the student's family or emergency contact may be called to assist. Other guests may have a taxi called (at the intoxicated person's expense) to take them to their permanent residences.
12. Alcoholic beverage containers and paraphernalia designed for rapid ingestion of alcohol (i.e., shot glasses, funnels, etc.) are prohibited. Empty cans and bottles are permitted as room decorations only in the living units within the residences in which alcohol is permitted.
13. Inappropriate disposal of glass bottles or other alcoholic beverage containers, intentional breakage of glass containers, or failing to clean up unintentionally broken glass will be subject to disciplinary action.
14. For a listing of consequences for non-compliance, please refer to sanctions listed below.

To help students understand what is and what is not permitted under the **Alcohol in the Residence Halls regulations** the following interpretation is included:

Persons under the age of twenty-one **MAY NOT**…

- …be in possession of or in the presence of alcohol in any living unit, except as outlined in the Major Alcohol Policy Statements above.
- …permit persons to bring in or consume alcohol in their living unit.
- …carry opened or unopened alcoholic beverage containers any place on campus.
- …provide alcohol to any persons on campus.
- …possess alcohol displays made up of empty alcoholic beverage containers.

Persons twenty-one and older **MAY NOT**…

- …consume alcohol outside of a living unit in a residence in which alcohol is permitted (e.g., lobby, hallways, stairwells, grounds, etc.).
- …possess/consume alcohol in a residence designated alcohol-free. It is the responsibility of each student to know whether or not a residence is one in which alcohol is permitted or not.
- …permit underage persons to possess or be in the presence of alcohol in their living unit, except registered roommates, under the circumstances outlined in the Major Alcohol Policy Statements above.
- …provide alcohol to others under the age of twenty-one.
- …charge in any way for alcohol consumption by others.
- …possess kegs, beer balls, or paraphernalia that promotes excessive consumption of alcohol.

Persons twenty-one and older **MAY**…

- …possess/consume alcohol in their own living units if the units are in residences in which alcohol is permitted, and all those present are of legal drinking age or are registered roommates, under the conditions outlined in the Major Alcohol Policy Statements above.
- …consume alcohol in another living unit if it is in a residence in which alcohol is permitted, and all those present are of legal drinking age.
- …transport unopened alcoholic beverage containers within University housing areas (must be packaged and out of plain view).
- …provide alcohol in their own living units to others of legal drinking age.

Note: Persons who are present within a living unit in which alcohol is being consumed by those over or under the legal drinking age will be presumed to have been in some way involved if Public Safety, RAs, RDs, or other University officials are called to the scene. This is because it is not possible to distinguish who is actually consuming or possessing alcohol on an individual basis where a number of persons are present. Officials will collect all names and verify by examining IDS, as they respond to and/or disperse a gathering, and will include those names in any report(s) they may file. Our Community Standards staff will determine the appropriate follow-up responses.

A policy regarding the possession, use and sale of illegal drugs and enforcement of federal and state drug laws.

Introduction

The use, possession, sale, and distribution of illegal drugs/substances are prohibited on the Alvernia University campus. The University seeks to promote a drug and substance free environment through education, motivation initiatives, and counseling services. Helping students make good choices about illegal drugs and substances is a campus priority that is reflective of the mission of Alvernia University.

It is the duty of all students to conduct themselves in a manner consistent with the University's policies and regulations. Likewise, in all instances, students are considered fully responsible for their own actions and personal well-being.

In addition, students also are encouraged to be mindful of the well-being of others. Any behavior related to illegal drug or substance use which puts the health or safety of others at risk, or which infringes on the rights of others, does not reflect the mission of Alvernia University.

Therefore, the University encourages all students to carefully consider the potential dangers of illegal drugs and substances. It also reminds students that they are responsible for abiding by all local, state, and federal laws, along with Alvernia University's institutional policies relative to the possession, use, sale, or distribution of illegal drugs/substances.

Education

Alvernia University believes that education is a critical part of its prevention programming. Therefore, the University provides a variety of programs and services to inform students about the negative aspects of illegal drug use and encourages them to make good choices.

Relevant Laws

See Appendix A for the federal and state legal standards with respect to illegal drug and substance use.

Major Illegal Drugs/Substances Policy Statements

For the reasons and rationales stated above, the following policies will guide the University in all situations and cases where illegal drugs/substances are involved:

- The use, sale, possession, and distribution of illegal drugs or substances are serious violations of federal, state, and local laws. Any involvement with illegal drugs or substances (on or off campus) will result in investigations by Alvernia University's Administrators, Public Safety Officers, the local police, and other special investigators (as needed). Appropriate charges will be filed as determined by the various investigations.
- Possession of illegal drugs/substances in any amount is a violation of federal, state, and local law and the University's Drug Policy.
- All assigned residents of an area (room, suite, apartment or townhouse) in which illegal drugs are found, shall be held charged with "possession."
- Any student present, but not possessing or using illegal drugs/substances in an area (room, suite, apartment, townhouse, or off-campus location) in which drugs/substances are found, may be found to be "in the presence" of drugs/illegal substances.

- Paraphernalia related to illegal drug/substance use and abuse is prohibited. This includes, but is not limited to: rolling papers, needles, bongs, hookahs, marijuana pipes, pocket scales, packets, etc.
- Behavior or misconduct resulting from the use or abuse of illegal drugs or substances by a student or group of students on or off campus is a violation of the Student Code of Citizenship and will be subject to community standards actions as well as the applicable state or local laws when police file charges.
- Visible intoxication from illegal drugs or substances anywhere on or off campus is prohibited. Such behavior violates the Student Code of Citizenship. The student will be held responsible for his/her actions as members of the Alvernia community.
- Medical Amnesty Policy: In cases of intoxication from illegal drugs or substances, the primary concern is for the health and safety of the individual(s) at risk. Individuals are strongly encouraged to call for medical assistance for themselves or for a friend/acquaintance who is dangerously intoxicated. A student seeking assistance from University personnel or medical treatment for him/herself or another student will not routinely be subject to disciplinary action for illegal drug or substance violations. Students will be required, instead, to consult with the Director of Community Standards and may be required to participate in an appropriate educational program, which will not be noted in the student's disciplinary file. Patterns of such incidents, however, particularly if there is evidence that the reporting student is found to have contributed to another student's impaired physical condition (e.g., purchasing or furnishing illegal drugs or substances to that student) or incidents in which federal, state, or local laws may require disciplinary action may be subject to disciplinary action. Students are reminded that, in a community setting, all are expected to take responsibility for the well-being of others.

Sale, Distribution, or Intent to Deliver

- Local police and/or University Public Safety investigate and file charges.
- Immediate Interim Suspension from the University and the return pending the outcome of the investigation.
- Parental notification.
- If found guilty, dismissal from Alvernia University.
- Appeal process explained in writing.

In The Presence

First Offense

- Parental notification.

Second Offense

- Required counseling by an Alvernia University Health and Wellness counselor for good decision-making.
- Parental notification.

Third Offense

- Required counseling by an Alvernia University Health and Wellness counselor for good decision-making.
- Parental notification.

Use/Possession

First Offense

- Local police and/or University Public Safety investigate and file charges.
- Required attendance at a scheduled Caron Treatment Centers Level II Assessment and Education Program. In cases where the student has exhibited behaviors and/or actions which are cause for serious concern, the Level II Assessment and Education Program may be replaced with a Level III Assessment and Education Program.
- The student is responsible for applicable fees to the Caron Treatment Centers and/or outside agencies, including the initial intervention and all subsequent education programs. All fees will be billed to the student.
- Automatic billing and reschedule if a student does not attend the required, scheduled intervention and/or education program.
- Required completion of the intervention and prescribed programming.
- Failure by the student to comply with the Caron Treatment Centers intervention, required programming and any required recommendations will result in suspension until all recommendations are completed.
- The student is responsible for all off-campus transportation for intervention and programming.
- Signed waiver giving permission for all intervention and programming recommendations is forwarded to the Director of Health and Wellness.
- Probation for one year following incident.
- Parental notification.
- The appeal process explained in writing.

Second Offense

- Required attendance at a scheduled Caron Treatment Centers Level III Assessment and Education Program.
- The student is responsible for applicable fees to the Caron Treatment Centers and/or outside agencies, including the initial intervention, assessment and all subsequent education programs. All fees will be billed to the student.
- Automatic billing and reschedule if a student does not attend the required, scheduled intervention, assessment and/or education program.
- Required completion of the intervention, assessment and prescribed programming.
- Failure by the student to comply with the Caron Treatment Centers intervention, required programming and any required recommendations will result in suspension until all recommendations are completed.
- The student is responsible for all transportation for off-campus intervention and programming.
- Signed waiver giving permission for all intervention, assessment and programming recommendations be forwarded to the Director of Health and Wellness.
- Probation for one year following the incident.
- Parental notification.
- Appeal process explained in writing.

Third Offense

- Local police and/or University Public Safety investigate and file charges.

- Recommendation by the Director of Community Standards to the Vice President for University Life for possible suspension for one full academic year.
- The Vice President for University Life will hold a hearing with the student to determine if the recommendation of suspension is to be forwarded to the Vice-President of University Life or if the student is to be referred to a Caron Treatment Centers University Specialist for completion of an AIP/DIP Level III Program of assessment and treatment.
- If suspension is implemented, the appeal process will be explained and handed to the student.
- If a Caron Treatment Centers assessment and treatment is implemented:
    - Upon completion, the student would continue on probation (extended for another year) but avoid suspension as recommended by the Director of Community Standards.
    - The student is required to complete the assessment and all recommended additional treatment. Failure by the student to comply with the outcomes and recommendations of the Caron Treatment Centers assessment will result in suspension until all recommendations are completed.
    - The student is responsible for all transportation to and from assessment and recommended treatment.
    - Automatic billing and reschedule if a student does not attend the required assessment and/or treatment.
    - The student is responsible for applicable fees to the Caron Treatment Centers and all other recommended treatment performed by Caron and/or outside agencies. All fees will be billed to the student.
    - Signed waiver giving permission for all assessment and treatment recommendations is forwarded to the Director of Health and Wellness.

Fourth Offense

- Local police and/or public safety investigate and file charges.
- Immediate Interim Suspension from the University pending outcome of investigation.
- Parental notification.
- If found guilty, immediate dismissal from Alvernia University.
- Appeal process explained and handed to the student.

<u>Immediate Intervention and/or Medical Assistance Required</u>

- Immediate Interim Suspension and return pending the results of an assessment from a Caron Treatment Centers University Specialist.
- All sanctions as outlined in “Drugs and Illegal Substances – Third Offense” (above).

Special Notes:

1. “Look-a-Like” drugs (sale, distribution, or use) are considered to be a violation of Alvernia University’s Illegal Drugs/Substances Policy (see illegal drugs/substances policy). Look-a-like drugs are drugs or drug paraphernalia that resemble ordinary household or common legal products.
2. Alvernia students are not permitted to sell or distribute prescription drugs that were prescribed for their personal use (see illegal drugs/substances policy).
3. Use of prescription drugs by any student other than the named individual on the prescription itself or the pharmaceutical bottle is a violation of policy and illegal in terms of Alvernia University’s Policy (see illegal drugs/substances policy).
4. Students who experiment with or are dependent upon drugs or alcohol can receive help voluntarily or involuntarily. In all cases, the University will pursue a course of action

designed to promote the well-being of the student, protect the welfare of the University community, and demonstrate respect for federal and state laws. Every attempt is made to design a treatment program that allows a student with a substance abuse problem to remain in school. Confidentiality is held in the highest regard.

In a commitment to informing the entire University community of the risks and dangers of drug and alcohol abuse, Alvernia University sponsors numerous programs including lectures, student-sponsored events, and educational software and web-based programs. The University offers counseling and referral services for assessment and treatment.

Contact the Health and Wellness Center at 610-568-1467.

1. **Drugs: State Penalties**
   a. **The Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. § 780-101 et seq.** Prohibits the manufacture, distribution, sale or acquisition by misrepresentation or forgery of controlled substances except in accordance with the Act, as well as the knowing possession of controlled substances unlawfully acquired. Penalties for first-time violators of the Act range from 30 days imprisonment, a $500 fine or both for possession or distribution of a small amount of marijuana or hashish, not for sale, to 15 years imprisonment or a $250,000 fine or both for the manufacture or delivery of a Schedule I or II narcotic.
   b. **18 Pa. C.S.A. §§ 6314, 6317** A person over eighteen years of age who is convicted for violating The Controlled Substance, Drug, Device and Cosmetic Act, shall be sentenced to a minimum of at least one year total confinement if the delivery or possession with intent to deliver of the controlled substance was to a minor. If the offense is committed within 1000 feet of the real property on which a university is located, the person shall be sentenced to an additional minimum sentence of at least 2 years total confinement.
   c. **The Pharmacy Act of 1961, 63 P.S. § 390-8** It is unlawful to procure or attempt to procure drugs by fraud, deceit, misrepresentation or subterfuge or by forgery or alteration of a prescription. The first offence is a misdemeanor, with a maximum penalty of one year's imprisonment, or $5000 fine, or both. For each subsequent offense, the maximum penalty is three years imprisonment, a $15,000 fine, or both.
   d. **The Vehicle Code, 75 Pa. C.S.A. §3802 et seq.** A person is prohibited from driving, operating, or being in actual physical control of the movement of a vehicle while under the influence of alcohol or a controlled substance, or both, if the driver is thereby rendered incapable of safely driving, operating or being actual physical control of the movement of the vehicle or if the alcohol concentration in the individual's blood or breath exceeds the stated limits. Penalties for first-time violators of the Act range from probation and a $300 fine or both to a maximum of six months imprisonment, a $5000 fine or both. Penalties for subsequent violations increase to a maximum of five years imprisonment, a $10,000 fine, or both. In addition to the above penalties, the court has discretion to order any or all of the following: highway safety training, drug or alcohol treatment, community service, use of an ignition interlock device and/or suspension of operating privileges.

2. **Drugs: Federal Penalties and Sanctions for Illegal Possession or Trafficking of a Controlled Substance**
   a. **21 U.S.C.A. §844 (a)**
      For a first conviction, any person who violates this subsection may be sentenced to a term of imprisonment of not more than one year and a fine of $1000, or both.

After one prior conviction for any drug, narcotic or chemical offense, a term of imprisonment of at least 15 days, not to exceed 2 years and a fine of at least $2500.

After two or more prior convictions under this subchapter, a term of imprisonment of at least 90 days, not to exceed 3 years, and a fine of at least $5000.

A person convicted for the possession of a mixture or substance which contains cocaine base shall be imprisoned for at least 5 years and not more than 20 years, and a fine of a minimum of $1000, if:

1. The conviction is a first conviction and the amount of the mixture or substance exceeds 5 grams
2. After a second conviction and the amount of mixture or substance exceeds 3 grams, and;
3. After a third or subsequent conviction and the amount of mixture or substance exceeds 1 gram.

Any person convicted under this subsection for the possession of flunitrazepam (Rohypnol) shall be imprisoned for not more than 3 years, and fine of at least $5000.

b. **21 U.S.C.A. §§853 (a)(2)**
Property subject to criminal forfeiture
Any person convicted of a violation of this subchapter punishable by imprisonment for more than one year shall forfeit any personal property used, or intended to be used to facilitate the commission of a controlled substance.

c. **21 U.S.C.A. § 881 (a) (4) (7)**
Subject property
Forfeiture or all conveyances, including vehicles, boats, aircraft which are used, or are intended for use, to transport, or to aid in the transportation, sale, receipt, possession, or concealment of all controlled substances or raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance or listed chemical.

d. **21 U.S.C.A. §862**
Drug Possession
Any person who is convicted under State or Federal law involving the possession of a controlled substance shall be ineligible for any or all Federal benefits, such as student loans, grants, contracts and professional and commercial licenses, for up to 1 year. Upon a second or subsequent conviction for such an offense, a person shall be ineligible for all Federal benefits for up to 5 years.

Drug Trafficking
Any person who is convicted under State or Federal law involving the distribution of controlled substances shall be ineligible for any and all Federal benefits, such as student loans, grants, contracts and professional and commercial licenses, for up to 5 years. Upon a second or subsequent conviction for such an offense, a person shall be ineligible for all

Federal benefits for up to 10 years; and upon a third or subsequent conviction, be permanently ineligible for all Federal benefits.

e. 18 U.S.C.A §922 (g)
It is unlawful for any person who is an unlawful user or addicted to any controlled substance to possess, receive or transport any firearm or ammunition.

A description of any drug or alcohol abuse education programs as required under Section 120 (a) through (d) of HEA.

Sanctions/Corrective Initiatives

Alvernia University is in partnership with Caron Treatment Centers to provide appropriate programming, counseling, and assessment strategies which meet the needs of students who violate Alvernia University's Policies.

In addition, the following specific sanctions guide the University in situations involving illegal drugs or substances after an appropriate process hearing. If the student takes responsibility, or is found to be responsible at the hearing, the following sanctions can be applied as listed under the specific violation.

In the event a student does not attend his/her scheduled hearing, the hearing will take place in absentia and the student is responsible for any sanctions imposed in his/her absence.
Any student, who is found to have violated this policy, shall be subject to sanctions for the specific offense violated in accordance with the following schedule of sanctions.

In addition, at the discretion of the Vice President for University Life, a student may be referred to the Vice President for University Life for additional sanctioning which may include interim suspension.

A statement that the institution will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. IF the alleged victim is deceased as a result of such crime or offense, the next of fin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Preliminary Conferences

Victims' Rights in Certain Situations

Federal law mandates that alleged victims of certain crimes of violence and forcible and nonforcible sexual offenses, or the alleged victims' next of kin (if the alleged victim dies as a result of the crime or offense) have the right to be informed of the results of any institutional disciplinary proceeding dealing with that crime or offense. That being the case, such alleged victims or next of kin are afforded the opportunity by Alvernia University to request a Formal Administrative Conference or Reconsideration of Sanctions if they wish to contest, respectively, the findings or sanctions of Preliminary Conferences related to the crimes or offenses of which they allegedly were victims.

Reconsideration of Sanctions

Victims' Rights in Certain Situations

Federal law mandates that alleged victims of certain crimes of violence and forcible and nonforcible sexual offenses, or the alleged victims' next of kin (if the alleged victim dies as a result of the crime or offense) have the right to be informed of the results of any institutional disciplinary proceeding dealing with that crime or offense. That being the case, such alleged victims or next of kin are afforded the opportunity by Alvernia University to request an Appeal if they wish to contest the outcomes of Reconsiderations of Sanctions related to the crimes or offenses of which they allegedly were victims.

Formal Administrative Conferences

Victims' Rights in Certain Situations

Federal law mandates that alleged victims of certain crimes of violence and forcible and nonforcible sexual offenses, or the alleged victims' next of kin (if the alleged victim dies as a result of the crime or offense) have the right to be informed of the results of any institutional disciplinary proceeding dealing with that crime or offense. That being the case, such alleged victims or next of kin are afforded the opportunity by Alvernia University to request an Appeal if they wish to contest the findings or sanctions of Formal Administrative Conferences related to the crimes or offenses of which they allegedly were victims.

A statement regarding your institution's emergency response and evacuation procedures.

Alvernia University Emergency Response and Evacuation Procedures

The Alvernia University Crisis Management Plan establishes policies and procedures that will be employed when there is the potential for an emergency condition, such as severe weather, a chemical spill, or any other emergency situation that has or is occurring. The Crisis Management Plan establishes a command post and alternative emergency locations for employee and students, identifies key personnel to handle such an emergency and establishes the right type of internal and external communication to keep the situation in control. The Plan coordinates with key internal and external response teams and administration and is communicated to the Alvernia community for their awareness when necessary to relocate personnel to other sites.

Emergency Notification

In the event that a situation arises on or adjacent to the Alvernia University campus that constitutes an on-going or continuing threat in the judgment of University Administrators, a campus-wide "timely warning" will be issued. This warning will be issued immediately to the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff.

Emergencies on campus are reported to 911 and to the Director of Public Safety. The Director of Public Safety notifies the Senior Vice President and Chief of Staff who declares the nature of the emergency situation. The Senior Vice President and Chief of Staff then activates the Alvernia University Emergency Team phone chain.

Once an emergency situation has been declared, warnings are issued through the e2Campus system that uses email and text messages to send alerts to cell phones, office and home phones and computers. Notifications include information regarding what has occurred and, if applicable, directions on what the campus community is to do. Updates are sent out as needed.

Emergency Evacuations

To protect the Alvernia community from the effects of emergencies, protective actions or evacuation instructions may be issued either by University Administration or by another emergency response authority (i.e. the City of Reading Fire Department or its counterparts in the locales of our Schuylkill and Philadelphia centers). These instructions may order the evacuation of an individual building, a section of campus, or the entire campus.

Building-specific evacuation procedures vary by building. Specific evacuation information can be obtained from the Evacuation Map postings and from the Alvernia University Emergency Guidelines and Procedures booklet. The Emergency Guidelines and Procedures booklet can be downloaded from the Public Safety section of the University website (www.alvernia.edu).

A statement regarding your missing student notification procedures.

Missing Students

Students who are suspected to be missing persons should be reported to Public Safety. If Public Safety officials determine that a student for whom a missing person report has been filed has been missing for more than 24 hours, then within the next 24 hours, they will **collaborate with the Dean of Students or designee to**:

- Notify the individual identified by the student to be contacted in this circumstance;
- If the student is under 18, years old, notify a parent or guardian; and
- (In cases in which the student is over 18 and has not identified a person to be contacted), notify appropriate law enforcement officials.

Your institution's programs to prevent dating violence, domestic violence, sexual assault, and stalking.

- **A description of educational programs to promote the awareness of dating violence, domestic violence, sexual assault, and stalking.**

In response to requirements set forth in the Pennsylvania state Omnibus Education Bill – HB 101, the following narrative addresses compliance with Article XX-G Sexual Violence Education at Institutions of Higher Education. The law requires implementation of a sexual violence awareness education program including follow-up programming for the duration of the school year for new students. An Assurance of Compliance, form PDE-6003, (appendix A) must be submitted annually by September 1st to the Commonwealth of Pennsylvania's Department of Education. Nine discussion points are detailed in the Assurance of Compliance and a tenth requirement of the sexual violence education program, as per HB 101, is to provide a student bill of rights. Alvernia's program meets all requirements while also working in collaboration with Safe Berks, our local rape crisis and domestic violence center. Please see appendix A for an outline of programs that meet the compliance criteria.

- A discussion of sexual violence is carried through the entire year from Resident Assistant (RA) Training to Orientation, First Year Seminar, and to multiple programs offered to the campus-wide community. Alvernia's Campus Peer Educators (CPE), are trained annually in the spring in conjunction with Safe Berks. These peer educators are trained on all the discussion points addressed in Article XX-G.

- Consent is discussed in virtually every program we offer that addresses sexual violence. This includes an explanation and statements that the victim is never at fault. In addition, this particular learning outcome is evaluated on the final exam of the First Year Seminar course.
- Drug and alcohol facilitated violence are addressed specifically at Orientation and during First Year Seminar programming. CPEs are also trained on this issue and they incorporate this discussion into their programming.
- Information on risk education and personal protection is discussed and taught at RA training, CPE trainings, and during Orientation and during other programming throughout the year.
- Information on accessing resources and other assistance is discussed at RA training, Orientation and in multiple programs throughout the year. In addition, a resource card listing both campus offices and local community agencies/ facilities are handed out at Orientation and are available in the Health and Wellness Center at all times.
- The potential risks of pregnancy and sexually transmitted infections are discussed at RA training, Orientation, and again during spring programming.
- The 7th discussion point involves an introduction of members of the education community with regard to sexual violence. These members are introduced or discussed at Orientation and are included on the resource card listed above.
- A promise of discretion and dignity is both implied and explicitly said at all of our programs.
- Confidentiality is discussed at the start of all our programs for the program itself. In addition, when we discuss reporting at RA training, Orientation and during First Year Seminar programs, we talk about the promise of confidentiality for victims.

Statement that the institution prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for the purposes of the Clery Act; Definitions of "dating violence," domestic violence," "sexual assault," and "stalking;" and Definition of "consent" in reference to sexual activity all are included in this excerpt from pages 45-48 of the Student Handbook:

Alvernia University is committed to establishing and maintaining a safe and nondiscriminatory educational environment in which all individuals are treated with respect and dignity. The University does not permit discrimination or harassment in its programs and activities on the basis of race, color, national origin, ancestry, sex, gender, gender identification, sexual orientation, disability, age, religion, physical and/or mental disability, medical condition, veteran status, marital status or any other characteristic protected by institutional policy or state, local, or federal law. This policy addresses all forms of sexual discrimination, including sexual harassment, sexual violence, stalking and intimate partner violence. Alvernia University does not discriminate on the basis of sex in its educational, extracurricular, athletic, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that provides that:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Sexual harassment is also prohibited under Title VII of the Civil Rights Act of 1964, Pennsylvania state law, and other applicable statutes. This policy prohibits sexual harassment, sexual violence, stalking and intimate partner violence against Alvernia community members of any gender, gender identity, gender expression, or sexual orientation. This policy also prohibits gender-based harassment that does not involve conduct of a sexual nature, including hazing, stalking, and failure to provide equal opportunity in admissions, employment, or athletics. The University, as an educational community, will promptly and equitably respond to reports of sexual harassment, sexual violence, stalking and intimate partner violence in order to eliminate the harassment, prevent its recurrence, and address its effects on any individual or the community.

16. Definition of Sexual Harassment

The Department of Education's Office for Civil Rights (OCR), the Equal Employment Opportunity Commission (EEOC), and the Commonwealth of Pennsylvania regard Sexual Harassment as an unlawful discriminatory practice.

Alvernia University has adopted the following definition of Sexual Harassment in order to address the unique environment of an academic community.

Acts of sexual harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

Sexual Harassment, as an umbrella category, includes the actual or attempted offenses of sexual harassment, sexual assault, domestic violence, dating violence, and stalking, and is defined as:

Conduct on the basis of sex or that is sexual that satisfies one or more of the following:

1) Quid Pro Quo:
    a. an employee of the recipient,
    b. conditions the provision of an aid, benefit, or service of the recipient,
    c. on an individual's participation in unwelcome sexual conduct.

2) Sexual Harassment:
    a. unwelcome conduct,
    b. determined by a reasonable person,
    c. to be so severe, and
    d. pervasive, and,
    e. objectively offensive,
    f. that it effectively denies a person equal access to Alvernia University's education

program or activity.[1]

3) Sexual assault, defined as:

    a) Sex Offenses, Forcible:

[1] Unwelcomeness is subjective and determined by the Complainant (except when the Complainant is younger than the age of consent). Severity, pervasiveness, and objective offensiveness are evaluated based on the totality of the circumstances from the perspective of a reasonable person in the same or similar circumstances ("in the shoes of the Complainant"), including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

1) Any sexual act[2] directed against another person[3],
2) without the consent of the Complainant,
3) including instances in which the Complainant is incapable of giving consent.

b) Sex Offenses, Non-forcible:
   a) Incest:
      1) Non-forcible sexual intercourse,
      2) between persons who are related to each other,
      3) within the degrees wherein marriage is prohibited by Pennsylvania law.
   b) Statutory Rape:
      1) Non-forcible sexual intercourse,

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[2] Sexual acts include:

Forcible Rape:

a) Penetration,
b) no matter how slight,
c) of the vagina or anus with any body part or object, or
d) oral penetration by a sex organ of another person,
e) without the consent of the Complainant.

Forcible Sodomy:

f) Oral or anal sexual intercourse with another person,
g) forcibly,
h) and/or against that person's will (non-consensually), or
i) not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age[#] or because of temporary or permanent mental or physical incapacity.

Sexual Assault with an Object:

j) The use of an object or instrument to penetrate,
k) however slightly,
l) the genital or anal opening of the body of another person,
m) forcibly,
n) and/or against that person's will (non-consensually),
o) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

Forcible Fondling:

p) The touching of the private body parts of another person (buttocks, groin, breasts),
q) for the purpose of sexual gratification,
r) forcibly,
s) and/or against that person's will (non-consensually),
t) or not forcibly or against the person's will in instances in which the Complainant is incapable of giving consent because of age or because of temporary or permanent mental or physical incapacity.

[3] This would include having another person touch you sexually, forcibly, or without their consent.

2) with a person who is under the statutory age of consent of 16.

4) Dating Violence, defined as:
    a. violence,
    b. on the basis of sex,
    c. committed by a person,
    d. who is in or has been in a social relationship of a romantic or intimate nature with the Complainant.
        i. The existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition—
        ii. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
        iii. Dating violence does not include acts covered under the definition of domestic violence.

5) Domestic Violence, defined as:
    a. violence,
    b. on the basis of sex,
    c. committed by a current or former spouse or intimate partner of the Complainant,
    d. by a person with whom the Complainant shares a child in common, or
    e. by a person who is cohabitating with, or has cohabitated with, the Complainant as a spouse or intimate partner, or
    f. by a person similarly situated to a spouse of the Complainant under the domestic or family violence laws of Pennsylvania, or
    g. 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 Pennsylvania

*To categorize an incident as Domestic Violence, the relationship between the Respondent and the Complainant must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

6) Stalking, defined as:
    a. engaging in a course of conduct,
    b. on the basis of sex,
    c. directed at a specific person, that
        i. would cause a reasonable person to fear for the person's safety, or
        ii. the safety of others; or
        iii. Suffer substantial emotional distress.

    For the purposes of this definition—

    (i) Course of conduct means two or more acts, including, but not limited to, acts in which the Respondent directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils,

threatens, or communicates to or about a person, or interferes with a person's property.

(ii) Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.

(iii) Substantial emotional distress means significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.

c. Force, Coercion, Consent, and Incapacitation[4]

As used in the offenses above, the following definitions and understandings apply:

Force: Force is the use of physical violence and/or physical imposition to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that is intended to overcome resistance or produce consent (e.g., "Have sex with me or I'll hit you," "Okay, don't hit me, I'll do what you want.").

Sexual activity that is forced is, by definition, non-consensual, but non-consensual sexual activity is not necessarily forced. Silence or the absence of resistance alone is not consent. Consent is not demonstrated by the absence of resistance. While resistance is not required or necessary, it is a clear demonstration of non-consent.

Coercion: Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent is:

- knowing, and
- voluntary, and
- clear permission
- by word or action
- to engage in sexual activity.

Individuals may experience the same interaction in different ways. Therefore, it is the responsibility of each party to determine that the other has consented before engaging in the activity.

[4] The state definition of consent is applicable to criminal prosecutions for sex offenses in The Commonwealth of Pennsylvania but may differ from the definition used on campus to address policy violations.

If consent is not clearly provided prior to engaging in the activity, consent may be ratified by word or action at some point during the interaction or thereafter, but clear communication from the outset is strongly encouraged.

For consent to be valid, there must be a clear expression in words or actions that the other individual consented to that specific sexual conduct. Reasonable reciprocation can be implied. For example, if someone kisses you, you can kiss them back (if you want to) without the need to explicitly obtain *their* consent to being kissed back.

Consent can also be withdrawn once given, as long as the withdrawal is reasonably and clearly communicated. If consent is withdrawn, that sexual activity should cease within a reasonable time.

Consent to some sexual contact (such as kissing or fondling) cannot be presumed to be consent for other sexual activity (such as intercourse). A current or previous intimate relationship is not sufficient to constitute consent.

Proof of consent or non-consent is not a burden placed on either party involved in an incident. Instead, the burden remains on Alvernia University to determine whether its policy has been violated. The existence of consent is based on the totality of the circumstances evaluated from the perspective of a reasonable person in the same or similar circumstances, including the context in which the alleged incident occurred and any similar, previous patterns that may be evidenced.

Consent in relationships must also be considered in context. When parties consent to BDSM[5] or other forms of kink, non-consent may be shown by the use of a safe word. Resistance, force, violence, or even saying "no" may be part of the kink and thus consensual, so Alvernia University's evaluation of communication in kink situations should be guided by reasonableness, rather than strict adherence to policy that assumes non-kink relationships as a default.

- **Description of safe and positive options for bystander intervention, information on risk reduction, and designation of the institution's ongoing preventive and awareness campaigns for students and employees:** see Appendix A.

- **Procedures students should follow if dating violence, domestic violence, sexual assault, or stalking has occurred, including:**

    - **Procedures concerning who should be contacted.**

      The University encourages reporting any and all instances of sex offenses to Public Safety at once. The community standards of the University and the laws of the local community overlap in many instances, but operate independently of each other. The

[5] Bondage, discipline/dominance, submission/sadism, and masochism.

University may pursue enforcement of its own policies and procedures, where probable cause to do so is indicated, whether or not legal proceedings are underway. Violation of this policy may result in suspension or dismissal from Alvernia University.

Incident Procedures
The University follows procedures to handle suspected violations of the Student Code of Citizenship and/or of the guidelines for appropriate behavior outlined in our Employee Handbook. A consolidated outline of procedures pertaining to reports of sexual harassment and sexual misconduct may be found in our Sexual Harassment and Sexual Misconduct Policy, which is included on the Title IX page of the Student Life section of the University website, https://www.alvernia.edu/student-life/title-ix.

When an incident occurs in a residential facility, Residence Life /Public Safety personnel are contacted and report to the scene. All protocols concerning safety, health, welfare, and administrative notification are followed.

When an incident occurs on campus and not in a residential facility, Office of Community Standards/Public Safety personnel are contacted and report to the scene to respond appropriately. All protocols concerning safety, health and wellness, and administration notification are followed.

The contacted University official writes an official Incident Report.

- The appropriate University official reviews the report and investigates as necessary.
- The Incident Report with the initial information is Assistant Director of Community Standards as soon as possible. As investigations continue, supplemental reports can be added. A record is created by the Office of Community Standards.
- Serious incidents involving injury, medical assistance, police involvement, or terrorism of any type are submitted immediately to the Assistant Director of Community Standards. In these cases, the Assistnt Director ommunity Standards records the incident and if necessary, consults with the Dean of Students to assess the situation, review the safety and security of all involved, and determine charges.

The Student Code of Citizenship shall apply to a student's conduct even if the student withdraws from school while a disciplinary matter is pending.

- **The importance of preserving physical evidence for the proof of a criminal offense**

This topic is addressed on the Sexual Misconduct Response Form completed by the student and the responding staff member, and in the Sexual Harassment Policy, which is included on our Title IX web page, https://www.alvernia.edu/student-life/title-ix

- **To whom the alleged offense should be reported**

All members of the Alvernia University Community are required to notify the Alvernia Public Safety Office - at (610) 7960-8350 or internal extension #8350 of any situation or

incident on campus that involves a significant emergency or danger that may pose an immediate or on-going threat to the health and safety of students and/or employees on campus.

In addition, university community members may make voluntary reports, with requests for confidentiality, to these individuals:

Title IX Coordinators
Director of Public Safety
Dean of Students
Assistant Director of Community Standards

Every effort will be made to provide confidentiality, to the greatest extent possible within the boundaries established by law.

- **Information on a student's option to notify appropriate law enforcement authorities, including:**

  - **On-campus and local police**

Filing a Complaint
Anyone can file a complaint to indicate if she or he believes that the Student Code of Citizenship was allegedly violated. Complaints shall be filed with the Public Safety Office, Office of Residence Life, or The Office of Community Standards. The Public Safety Office, Office of Residence Life, or The Office of Community Standards will complete an Incident Report on which the University official will formally collect all the information related to the specific complaint.

  - **A statement that institutional personnel *will* assist the student in notifying these authorities, if the student requests the assistance of these personnel.**

Assistance in notifying law enforcement authorities is included on the Sexual Misconduct Response Form completed by the student and the responding staff member, and is referenced in the Sexual Harassment and Sexual Misconduct Policy, which is included on our Title IX web page (https://www.alvernia.edu/student-life/title-ix). A complainant may decline to notify such authorities, as well.

- **Notification to students of existing on-and off-campus counseling, mental health or other student services for victims of sex offenses.**

Assistance in notifying these resources is included on the Sexual Misconduct Response Form completed by the student and the responding staff member, and is referenced in the Sexual Harassment and Sexual Misconduct Policy, which is included on our Title IX web page, https://www.alvernia.edu/student-life/title-ix

- **Notification to students that the institution will change a victim's academic and living situations after an alleged sex offense, and the options for those changes if those changes are requested by the victim and are reasonably available.**

Assistance in making these arrangements is included on the Sexual Misconduct Response Form completed by the student and the responding staff member, and is referenced in the Sexual Harassment and Sexual Misconduct Policy, which is included on our Title IX web page, https://www.alvernia.edu/student-life/title-ix.

In addition, these statements appear in our Student Handbook:

Sexual Assault Victim's Rights
Alvernia University recognizes the following victim's rights when a sexual assault is alleged. The victim has:

The right to **immediate medical treatment.**

- The right of **access to any and all counseling resources of the University.**
- The right, if requested by the alleged victim, **to have academic and campus living situations changed as far as reasonably practical. (Such options as changing sections of classes, changing a class to directed study, or changing residences may be explored.)**
- The right to **have the complaint fully investigated as soon as possible after a report has been made.**
- The right **to have the complaint handled via formal and/or informal process in accordance with the University's Community Standards procedures.**
- The right **to have an advocate of choice accompany him/her throughout the Community Standards process.**
- The right to have a **Community Standards conference focusing only on the facts relevant to the accusation.**

Additionally, the university will assist with the enforcement of restraining orders or similar orders issued by a criminal, civil, or tribal court.

Alleged victims of certain crimes of violence and forcible and nonforcible sexual offenses, or the alleged victims' next of kin (if the alleged victim dies as a result of the crime or offense) have the right to be informed of the results of any institutional disciplinary proceeding dealing with that crime or offense. That being the case, such alleged victims or next of kin are afforded the opportunity by Alvernia University to request a Formal Administrative Conference or Reconsideration of Sanctions if they wish to contest, respectively, the findings or sanctions of Preliminary Conferences related to the crimes of offenses of which they allegedly were victims. As well, an alleged victim may request an Appeal if she or he wishes to contest the findings or sanctions of a Reconsiderations of Sanctions or Formal Administrative Conferences related to the crimes or offenses of which she or he allegedly was a victim. Procedures for Appeal are outlined in the Community Standards section of the Student Handbook.

Confidentiality of records and of accommodations and/or protective measures, as may be necessary, is addressed in our Sexual Harassment and Sexual Misconduct Policy, which is included on our Title IX web page, https://www.alvernia.edu/student-life/title-ix.

- **Procedures for institutional disciplinary action in cases of an alleged act of dating violence, domestic violence, sexual assault, or stalking, *including a clear statement that such proceedings shall:***
    - **provide a prompt, fair, and impartial investigation and resolution…**

      As indicated in our statement of Sexual Assault Victim's Rights, outlined in the Student Handbook and our Sexual Misconduct brochure, a "victim has…the right to have the complaint fully investigated as soon as possible after a report has been made."

    - **and be conducted by officials who receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.**

        - University Life staff members designated as Preliminary Conference Officers and Formal Administrative Conference officers participate in periodic training sessions with regard to these issues.

    - **The accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting by an advisor of their choice.**

      Alvernia University utilizes Community Standards Conference procedures, which reflect appropriate process and reasonable sanctions. The University's Community Standards Conferences are not the same as criminal or civil proceedings found in the local, state, and federal court systems.
      Only members of the University community (defined for this purpose as students, faculty, staff members, and administrators – specifically accused students, identified complainants, witnesses, University Advocates, and faculty/staff/administration members directly involved in the administration of the Community Standards process) may participate in most Community Standards conferences. Therefore, lawyers, parents, family members, and other persons, unless acting as advocates in a sexual misconduct case, are not permitted to attend most Conferences. Exceptions may be made by the Director of Community Standards, on a case by case basis, to allow individuals to participate if they can provide a firsthand account of something seen, hear, or experienced during an incident. **In cases of sexual misconduct, the advocate may be from outside the university community, if the student so chooses.**

    - **Both the accuser and the accused shall be simultaneously informed, in writing, of the outcome of any institutional disciplinary proceeding that is arises from an allegation of dating violence, domestic violence, sexual assault, or stalking.**

      Federal law mandates that alleged victims of certain crimes of violence and forcible and nonforcible sexual offenses, or the alleged victims' next of kin (if the alleged victim dies as a result of the crime or offense) have the right to be informed of the results of any institutional disciplinary proceeding dealing with

that crime or offense. That being the case, such alleged victims or next of kin are afforded the opportunity by Alvernia University to request an Appeal if they wish to contest the outcomes of Reconsiderations of Sanctions related to the crimes or offenses of which they allegedly were victims. Procedures for Appeal are outlined in the Community Standards section of the Student Handbook.

- **Information about how the institution will protect the confidentiality of victims, including how publicly-available recordkeeping will be accomplished without the inclusion of identifying information about the victim, to the extent permissible by law,** is addressed during the meeting in which the Sexual Misconduct Response Form is completed by the student and the responding staff member.

- **Written notification of students and employees of existing counseling, health, mental health, victim advocacy, legal assistance, and other services available for victims, both on campus and in the community** is provided in our Sexual Misconduct brochure, distributed by a variety of means and available on our web site.

- **Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if so requested by the victim and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement** is outlined in our Student Handbook and provided in our Sexual Misconduct brochure, distributed by a variety of means and available on our web site.

- **Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding dating violence, domestic violence, sexual assault, and stalking.**

  Sanctions

  Sanctions are imposed when students are found responsible for any violation of the Student Code of Citizenship or other Alvernia University policies, procedures, rules, or regulations through the Community Standards process. Unless otherwise noted, students issued one or more sanctions are recognized as *not being in good disciplinary standing with the University*. In addition, a student may be issued supplementary conditions to be completed in conjunction with one or more sanctions.

  For sanctions issued specifically for alcohol and drug violations, please refer to the Alcohol Policy and the Illegal Drug and Substances Policy sections of this *Student Handbook*.

  - **No Contact Order** – This is a directive from the Vice President for University Life or a designee, which stipulates that the addressed student may not have contact with a particular person or persons. The person(s) is (are) clearly named in the directive. It spells out the

conditions and warns the addressed student of the consequences for violating the order. A student issued this sanction may, in certain circumstances, still be considered in good standing with the University.

- **Official Letter of Reprimand** – This is a letter notifying the student that his/her behavior was unacceptable. It will be retained in the student's disciplinary file. It is expected through the receipt of the letter that the student understands the policy in question and, therefore, that repetition of the offending behavior is not to occur again. The letter will indicate that any further violations of policy will warrant further sanctions. A student issued this sanction is considered to be in good standing with the University.
- **Loss or Restriction of Privileges**– This sanction may be imposed when a student's behavior warrants a loss or restriction of University privileges. These may include, but are not limited to, residing in or visiting residential facilities, denial of the right to represent the University in any way, access to facilities, parking privileges, and/or participation in co-curricular activities.
- **Residential Relocation/Reassignment** – This sanction may be imposed when the student's behavior indicates she or he may no longer reside with her or his roommate(s).
- **Disciplinary Probation** – This sanction may be imposed when the student's behavior warrants more than a written warning. The sanction is for a specified period of time and the student must show that she or he is willing to abide by the policies and standards of the University community. Further misconduct could result in further disciplinary action including suspension or dismissal from the University. This sanction could be accompanied by other sanctions such as, but not limited to, restriction from one or more campus buildings or other facilities owned by the University. Students may also be asked to set up regular meetings with a University administrator at the discretion of the Director of Community Standards (or a designee).
- **Withholding of Diploma or Grades** – in special circumstances where there are blatant violations of University policy, the University's core values, or a perceived need to protect the reputation of the University, Alvernia's Vice President for University Life can withhold a diploma and/or grades for a specific student.
- **Suspension** – This sanction prescribes a set period of time during which the privilege of attending Alvernia University is withdrawn with the understanding that return is conditional, based upon a complete review of student's file, a written request for reinstatement to the Vice President for University Life, and completion of all outstanding sanctions. Suspension can be imposed due to the seriousness of one conduct violation or a combination of violations which constitute a pattern of unacceptable or illegal behavior that violates Alvernia's policies, core values, or local, state or federal laws. During suspension, the student is not permitted to be on campus under the threat of being cited for defiant trespass. A student suspended from Alvernia is considered "administratively withdrawn". If the suspension occurs prior

to the last official date to withdraw from classes, the student will be assigned a W (withdraw) for all classes. If the suspension occurs after the last official date to withdraw from classes, the student will be assigned a WP (withdraw/pass) or WF (withdraw/fail), as determined by the instructors at the time of the suspension. In addition, a hold will be placed on his/her records indicating she or he are unable to register for classes until all requirements for readmission have been met. Students are instructed to contact the Office of Student Financial Planning and the Office of Student Billing, since a suspension from the University may affect financial aid, grants, scholarship, etc., if any apply. If a suspended student wishes to be considered for return as a student to Alvernia University, the student must submit a written request and documentation that all outstanding sanctions have been completed. That written request and documentation must be sent to the Vice President for University Life. A student who has been suspended for two or more semesters and who wishes to be considered for readmission needs to provide documentation that all outstanding sanctions have been met *and* needs to re-apply to Alvernia University through the Office of Admission.

- **Forced Withdrawal** – This sanction may be used in severe cases in which in which suspension or dismissal would be imposed, but mitigating circumstance warrant that a student not suffer the stigma attached to a suspension or a dismissal. The Vice President for University Life imposes forced withdrawal.
- **Dismissal** – This is a written sanction of permanent withdrawal of the privilege of attending Alvernia University. The Vice President for University Life imposes the dismissal upon the recommendation of the Director of Community Standards, following the Director's conferral with the Vice President. A student who is dismissed is not permitted on campus and is under threat of defiant trespass charges being filed if she or he appears on campus. This sanction can be imposed due to the seriousness of one act or event, or it can be an accumulation of campus or police violations. If the dismissal occurs prior to the last official date to withdraw from classes, the student will be assigned a W (withdraw) from classes. If the dismissal occurs after the last official date to withdraw from classes, the student will be assigned a WP (withdraw/pass) or WF (withdraw/fail), as determined by the instructors at the time of the dismissal. A hold will be placed on the record indicating the student is unable to register for classes. The dismissed student should contact the Office of Student Financial Planning and the Office of Student Billing, since a dismissal from the University may affect financial aid, grants, scholarship, etc., if any apply.

Examples of Supplementary Conditions (may include but are not limited to):

- **Educational/Restorative Justice Project** – This project is utilized to enhance the learning experience in relation to the policy that was violated, to assist the student in better understanding the overall impact of his/her behavior and to restore any harm done to the

community. This sanction may include but is not limited to: writing an essay, attending and/or presenting a workshop to a group of students, meeting with an appropriate educator/administrator, meeting with appropriate community members.

- **Referral to the Health and Wellness Center** – This referral is utilized when the Conference Officer determines that the student exhibits behaviors and attitudes which suggest that counseling and/or medical services provided by the Health and Wellness Center could be of benefit to the student being sanctioned.
- **Behavioral Agreement** – This is a written agreement, signed by the Vice President for University Life or designee and the student, which outlines specific behaviors that must be avoided and which specific behaviors must be adhered to.
- **Mandatory Assessment** – The University may require a mandatory assessment of a student who exhibits behavior and/or conduct which either violates Alvernia's Code of Citizenship or suggests serious concerns about the health and safety of the student or others. Mandatory assessment can be part of the judicial process or implemented by the Vice President for University Life upon receiving documentation of concern from faculty and/or staff.
- **Restitution** – A student whose actions damage, deface, or destroy University property may be required to make restitution, in addition to any other sanctions that are officially imposed. Restitution can also be imposed in cases of theft.
- **Community Restoration Hours** – Imposing community restoration hours is permitted when the Conference Officer determines that such a sanction serves a positive purpose and reflects the nature of the reported incident. Up to 10 hours can be assigned per incident or violation. All community restoration hours will be under the direction of an appropriate University official.

Procedures for institutional disciplinary action in cases of an alleged act of dating violence, domestic violence, sexual assault, or stalking by a staff member or faculty member are outlined in the Employee Handbook and in the Sexual Harassment and Sexual Misconduct Policy, which is included on our Title IX web page, https://www.alvernia.edu/student-life/title-ix.

- **Decisions will be based on the standard of preponderance of evidence, meaning that the Conference Officer or other Responsible Authority must conclude that it is more likely than not that an allegation of a violation is true.**

Statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained, such as the law enforcement agency with jurisdiction for the campus or a computer network address.

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires state law enforcement agencies (in Pennsylvania, it is the Pennsylvania State Police through the Reading Police Department or its counterparts in the locales of our Schuylkill and Philadelphia centers) to provide Alvernia University with a list of registered sex offenders who have indicated that they are either enrolled, employed or carrying on a vocation at Alvernia University.

Alvernia University is required to inform the campus community that a Pennsylvania State Police registration list of sex offenders will be maintained and available at two campus locations: the Office of Public Safety in the Library and the Senior Vice President and Chief of Staff, in Francis Hall.

In addition, a list of all registered sex offenders in Pennsylvania is available from the Pennsylvania State Police at http://www.pameganslaw.state.pa.us. Alvernia University is located in Berks County and the zip code is 19607.

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000 and the Pennsylvania Megan's Law 42 Pa.C.S. § 9791 (updated April 2009).

2019 Statistics and Related Information Regarding Fires in Residential Facilities						
Residential Facility	**Total Fires In Each Building**	**Fire Number**	**Cause of Fire**	**Number Injuries That Required Treatment At Medical Facility**	**Number of Deaths Related to a Fire**	**Value of Property Damage Caused By Fire**
Anthony Hall	**0**	**0**	**N/A**	**0**	**0**	**N/A**
Siena Hall	**0**	**0**	**N/A**	**0**	**0**	**N/A**
Clare Hall	**0**	**0**	**N/A**	**0**	**0**	**N/A**
Assisi Hall	**0**	**0**	**N/A**	**0**	**0**	**N/A**
Veronica Hall	**0**	**0**	**N/A**	**0**	**0**	**N/A**
Judge Hall	**0**	**0**	**N/A**	**0**	**0**	**N/A**
Zygmunta Hall	**0**	**0**	**N/A**	**0**	**0**	**N/A**
Pacelli Hall	**0**	**0**	**N/A**	**0**	**0**	**N/A**
Village III	**0**	**0**	**N/A**	**0**	**0**	**N/A**
Village IV	**0**	**0**	**N/A**	**0**	**0**	**N/A**
Francis Hall	**0**	**0**	**N/A**	**0**	**0**	**N/A**

2019 Fire Safety Systems in Alvernia Residential Facilities							
Facility	**Fire Alarm Monitoring Done On Site By (APS)**	**Partial *1 Sprinkler System**	**Full *2 Sprinkler System**	**Smoke Detection**	**Fire Extinguisher Devices**	**Evacuation Plans & Placards**	**Number of evacuation (fire) drills each calendar year**
Anthony Hall	**X**		**X**	**X**	**X**	**X**	**2**
Siena Hall	**X**		**X**	**X**	**X**	**X**	**2**
Clare Hall	**X**		**X**	**X**	**X**	**X**	**2**
Assisi Hall	**X**		**X**	**X**	**X**	**X**	**2**
Veronica Hall	**X**		**X**	**X**	**X**	**X**	**2**
Judge Hall	**X**		**X**	**X**	**X**	**X**	**2**
Zygmunta Hall	**X**		**X**	**X**	**X**	**X**	**2**
Pacelli Hall	**X**		**X**	**X**	**X**	**X**	**2**
Village III	**X**		**X**	**X**	**X**	**X**	**2**
Village IV	**X**		**X**	**X**	**X**	**X**	**2**
Francis Hall	**X**		**X**	**X**	**X**	**X**	**2**

*1 Partial Sprinkler System is defined as having sprinklers in the common areas only.
*2 Full Sprinkler System is defined as having sprinklers in both common areas and individual rooms.

Appendix A
2019-2020 Sexual Violence Compliance

1. **Discussion of sexual violence**
    a. **Fall Programming**
        i. Sexual Assault Prevention Undergraduate - Everfi
        ii. RA training
        iii. Bridge Program
        iv. Orientation- Sex Signals
        v. FYS – Let's Talk About
        vi. CPE training
        vii. Design Your Own Dating Partner
        viii. Define Your Line Wellness Den
        ix. Silent Witness Project
        x. Pages 12, 32-38, 69, 71 of Student Handbook
        xi. Alvernia University Sexual Misconduct Brochure
        xii. Alvernia University Sexual Harassment and Misconduct Policy

    b. **Spring Programming**
        i. #NOMORE Campaign
        ii. #AULightsthenight/ Alvernia Takes Back the Night
        iii. Social media posts on Facebook, Twitter, Instagram

2. **Discussion of consent, including an explanation that the victim is not at fault**
    a. **Fall Programming**
        i. Sexual Assault Prevention Undergraduate - Everfi
        ii. RA training
        iii. Bridge Program
        iv. Orientation- Sex Signals
        v. FYS – Let's Talk About
        vi. CPE training
        vii. Define Your Line Wellness Den
        viii. Social media posts on Facebook, Twitter, Instagram
        ix. Page 34 of Student Handbook
        x. Alvernia University Sexual Harassment and Misconduct Policy

    b. **Spring Programming**
        i. #NOMORE Campaign
        ii. #AULightsthenight/ Alvernia Takes Back the Night
        iii. Social media posts on Facebook, Twitter, Instagram
        iv. Alvernia University Sexual Misconduct Brochure

3. **Discussion of drug and alcohol facilitated violence**
    a. **Fall Programming**
        i. Sexual Assault Prevention Undergraduate - Everfi
        ii. RA training
        iii. Bridge Program
        iv. Orientation- Sex Signals

v. FYS – Let's Talk About
vi. CPE training
vii. Social media posts on Facebook, Twitter, Instagram
viii. Alvernia University Sexual Harassment and Misconduct Policy

b. Spring Programming

i. Escalation: The Film (CPE)
ii. #NOMORE Campaign
iii. Social media posts on Facebook, Twitter, Instagram

4. Information relating to risk education and personal protection

a. Fall Programming

i. Sexual Assault Prevention Undergraduate - Everfi
ii. RA training
iii. Orientation- Sex Signals
iv. FYS – Let's Talk About
v. CPE training
vi. Alvernia University Sexual Harassment and Misconduct Policy

b. Spring Programming

i. Escalation: The Film (CPE)
ii. #AULightsthenight/ Alvernia Takes Back the Night
iii. Social media posts on Facebook, Twitter, Instagram

5. Information on where and how to get assistance

a. Fall Programming

i. Sexual Assault Prevention Undergraduate - Everfi
ii. RA training
iii. Bridge Program
iv. Orientation- Sex Signals
v. FYS – Let's Talk About
vi. CPE training
vii. Design Your Own Dating Partner
viii. Page 69, 71 of Student Handbook
ix. Alvernia University Sexual Harassment and Misconduct Policy

b. Spring Programming

i. #NOMORE Campaign
ii. #AULightsthenight/ Alvernia Takes Back the Night
iii. Social media posts on Facebook, Twitter, Instagram

6. The possibility of pregnancy and transmission of sexual diseases

a. Fall Programming

i. Sexual Assault Prevention Undergraduate - Everfi
ii. RA training
iii. Orientation- Sex Signals
iv. CPE training

b. Spring Programming

7. Introduction of members of the educational community including campus police, campus health center and campus counseling service.

a. Fall Programming

i. Sexual Assault Prevention Undergraduate - Everfi
ii. RA Training
iii. Bridge Program
iv. Orientation- Sex Signals
v. FYS – Let's Talk About
vi. Silent Witness Project
vii. Pages 69, 71 of Student Handbook
viii. Alvernia University Sexual Misconduct Brochure
ix. Alvernia University Sexual Harassment and Misconduct Policy

b. Spring Programming

i. #AULightsthenight/Alvernia Takes Back the Night
ii. Social media posts on Facebook, Twitter, Instagram

8. Promise of discretion and dignity

a. Fall Programming

i. Sexual Assault Prevention Undergraduate - Everfi
ii. RA Training
iii. Bridge Program
iv. Orientation- Sex Signals
v. FYS – Let's Talk About
vi. Silent Witness Project
vii. Pages 69, 71 of Student Handbook
viii. Alvernia University Sexual Misconduct Brochure
ix. Alvernia University Sexual Harassment and Misconduct Policy

b. Spring Programming

i. #AULightsthenight/Alvernia Takes Back the Night
ii. Social media posts on Facebook, Twitter, Instagram

9. Promise of confidentiality for victims of sexual assault

a. Fall Programming

i. Sexual Assault Prevention Undergraduate - Everfi
ii. RA Training
iii. Bridge Program
iv. Orientation- Sex Signals
v. FYS – Let's Talk About
vi. Silent Witness Project
vii. Pages 69, 71 of Student Handbook
viii. Alvernia University Sexual Misconduct Brochure
ix. Alvernia University Sexual Harassment and Misconduct Policy

b. Spring Programming

i. #AULightsthenight/Alvernia Takes Back the Night
ii. Social media posts on Facebook, Twitter, Instagram

10. Student bill of rights

a. Page 8 and 36-38 of Student Handbook
b. Alvernia University Sexual Misconduct Brochure