



**IMMACULATA**  
**U N I V E R S I T Y**

**Annual Security Report**  
**and Fire Safety Report**  
**2016**

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## **Introduction**

The Department of Campus Safety and Protection prepared this report in compliance with:

- the Pennsylvania College and University Security Information Act
- the federal Higher Education Act (HEA) of 1965, including amendments resulting from:
  - Crime Awareness and Campus Security Act of 1990
  - Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) of 1998
  - 2008 Higher Education Opportunity Act (HEOA)
  - The Violence Against Women Act (VAWA) of 2013.

Choosing a postsecondary institution is a major decision for students and their families. Along with academic, financial and geographic considerations, the issue of campus safety is a vital concern. These acts require the reporting, collection and publication of accurate crime statistics and relevant university policies to promote crime awareness and enhance campus safety. VAWA requires institutions to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking, among other changes

Campus crime, arrest and disciplinary referrals include incidents reported to the Department of Campus Safety and Protection, designated campus officials and local law enforcement agencies. The Clery act requires that campus security authorities (campus officials who have significant responsibility for student and campus activities) must report all crimes as defined by the Clery Act to the Department of Safety and Protection. Crime statistics were collected from these campus security authorities, the Dean of Students Office, the East Whiteland Township Police Department and the Uwchlan Township Police Department.

Each year, an e-mail notification to all enrolled students provides the website address to access this Annual Security Report (ASR), which includes the Annual Fire Safety Report. All employees are mailed notification of the availability of the ASR. In addition to the electronic version of the report, copies of the report may be obtained at the Department of Campus Safety and Protection office in Lourdes Hall and the Human Resources office in Villa Maria Hall.

Any questions or comments concerning this report should be directed to:

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## **Authority and Jurisdiction**

The primary responsibility for the safety of the campus lies with the Department of Safety and Protection. The Department of Safety and Protection reports to the Vice President for Student Development and Engagement. The Department consists of a Director, Assistant Director, three supervisors, eleven full time officers, seven part time safety officers, and administrative staff.

The proprietary Safety and Protection officers operate as agents of the University. Officers do not have arrest authority and cannot enforce traffic and criminal statutes. Officers conduct security and safety patrols on campus property. Officers address violations of University policy, monitor parking and traffic on campus, investigate incidents, complete reports, investigate suspicious activity, address safety hazards, and monitor visitors to campus. Officers in the Department of Campus Safety and Protection officer are trained in first aid, cardiopulmonary resuscitation (CPR), and the use of the automated external defibrillator (AED).

Law enforcement services on campus are provided by the East Whiteland Township Police, including timely response to criminal incidents and investigations of reported crimes. Safety officers will facilitate the reporting of crimes and contact the East Whiteland Township Police at the victim's request. The Department does not have a Memorandum of Understanding (MOU) with the East Whiteland Township Police Department, but maintains an excellent relationship with the police department. The Department of Safety and Protection files an annual statistical crime report with the Pennsylvania State Police Uniform Crime Reporting (UCR) system.

In addition, the Department of Safety and Protection provides the following services:

- Campus escorts service to visitors, students, community members.
- Medical and other emergency response
- Emergency mass notification to cell phones and email accounts
- Fire alarm monitoring and response
- Nightly security patrols in and around residence halls
- Crime prevention programs
- Motorist assist program: vehicle jump-starts and lockout assistance
- Lost and Found services
- Special event security

The Department of Safety and Protection main office is in Lourdes Hall. Additional office locations are in DeChantal and Loyola Halls. The telephone number on the campus phone system is extension 5555. Additional numbers are 610-647-4400 x 5555 or directly at phone number 610-854-2451. In an emergency, the East Whiteland Township Police Department and the East Whiteland Fire Company can be contacted by dialing 911.

Department of Campus Safety and Protection officers patrol student residential areas. Enforcement of student community policies and procedures is the responsibility of The Department of Residence Life and Housing staff, Student Development and Engagement staff, and Safety and Protection officers. All students have the option of contacting the East Whiteland Township Police Department directly to report a crime or request assistance.

During orientation events, students are informed of services offered by the Department of Campus Safety and Protection. Crime prevention programs are offered to students, faculty and staff annually. Programs include, but are not limited to, Alcohol and Other Drug (AOD) awareness, sexual assault prevention, and personal safety awareness. Residential students are offered instruction on crime prevention and fire safety annually. Information is disseminated to students and employees through

the university MyIU portal, e-mail notifications, the University's public information electronic newsletter, and social media.

A Campus Safety and Protection officer presents Rape Aggression Defense (RAD) classes during the academic year. The instructing officer is a certified RAD instructor. This training begins with awareness, prevention, risk reduction and avoidance topics and progresses on to the basics of self-defense training.

Safety and Protection staff participate in the annual resident assistant (RA) training. Specific issues and problems are routinely addressed at residence hall floor meetings conducted by RA's and Residence Life and Housing staff. Safety and Protection officers attend floor meeting at the request of an RA to discuss safety concerns. Student and residence hall regulations are included in the Immaculata University Policy Manual, volume VI, Non-Academic Student Life Policies, which is available to all students on the University's My IU portal.

## **Crime Log**

The University's Department of Safety and Protection maintains a daily log recording all crimes in chronological order as reported to the department. Each log entry includes the nature, date/time and location of each reported crime in addition to the disposition of the complaint, if known. All entries are open to public inspection within two business days of the initial report being made to the department, except where disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim. If there is clear and convincing evidence that the release of such information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld until that damage is no longer likely to occur from the release of such information.

## **Crime Reporting Policy**

The University encourages all members of the community to report criminal activity immediately to the Department of Campus Safety and Protection and/or the East Whiteland Township Police Department. If the student desires, University officials will facilitate the reporting of crimes to the police department and provide available support services to the student victim.

When a student or employee reports to the University that they have experienced a sexual assault, sexual harassment or other sexual misconduct, whether the offense occurred on or off campus, the university will provide the student or employee a written explanation of his or her rights and options. The Director of Safety and Protection or designee will typically oversee the investigation of all reports involving a sexual assault. An individual may report an incident of sexual assault, sexual harassment or other sexual misconduct to the East Whiteland Township Police, the Department of Safety and Protection and/or the university's Title IX Coordinator. Refer to the Sexual Assault Policy and Procedures for further details.

## **Confidential Reporting Procedures**

The University respects the rights of complainant confidentiality and will honor complainants' requests to keep reports confidential to the extent permitted by law, and to the extent consistent with the University's obligation to investigate allegations. The University understands and appreciates that, at times, an individual who reports an act of sexual violence or other sexual offense may wish to

remain anonymous and may not wish to pursue the internal disciplinary process. In such instances, consistent with its Title IX obligations, if the University has credible notice of a report of an act of sexual assault against a member of the University community, the University will take immediate and appropriate steps to evaluate what occurred, determine if further action is required as well as prevent any further recurrence. Any response to such notice may be limited if the events giving rise to such notice cannot be verified by independent facts.

Confidential and non-confidential (yet private) options for support and reporting are available. A confidential report will include general details of the incident without personal identifying information to assist in gathering crime statistics and provide for the safety of the victim and campus community. Under the Clery Act, federal law mandates the disclosure of certain statistics regarding sexual violence that occurs within the geographic boundaries of an institution of higher education. Clery Act reports do not include the names of anyone involved, or any other information that identifies an individual. In addition, consistent with applicable law, the University will take appropriate steps to protect the identity of a complainant in connection with any publicly available recordkeeping. Consistent with applicable law, in connection with issuing a Timely Warning involving an incident of sexual violence, the University will withhold the name of the complainant.

Campus ‘Pastoral Counselors’ and ‘Professional Counselors’, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion in the annual disclosure of crime statistics. They are encouraged, if and when they deem appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion in the annual crime statistics. For clarification purposes, a Pastoral Counselor is an employee of an institution who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a Pastoral Counselor. A Professional Counselor is an employee of an institution whose official responsibilities include providing psychological counseling to members of the institutions community and who is functioning within the scope of his or her license or certification.

### **Timely Warning and Emergency Notification Policy**

It is the policy of Immaculata University to issue Emergency Notifications/Timely Warnings to inform the Immaculata community on an ongoing basis of an immediate threat, a significant emergency or of a dangerous situation in and around the University. When a Clery Act crime has been reported to a campus security authority, or law enforcement, and there is a possible threat to the University community and/or individual members, the Department of Safety and Protection Department will issue a *Timely Warning* as soon as pertinent information is available. The purpose of a timely warning is to allow individuals to protect themselves and aid in the prevention of similar crimes. In the event of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the University community or individual members, the Department of Safety and Protection will send an *Emergency Notification* advising of the nature of the emergency and guidelines to follow to reduce risk of injury.

The Director of Campus Safety and Protection or designee, will consult with department staff, local police department(s), and other campus authorities (as deemed necessary and/or in accordance with the Emergency Operations Plan) in determining whether to issue an Emergency Notification or a

Timely Warning. Each Notification must be approved by both the Vice President for Student Development and Engagement (or designee) and the Director of Campus Safety and Protection (or designee).

The University will, determine the content of the notification and initiate the notification system, without delay. A notification may be withheld if it compromises efforts to assist a victim or to contain, respond to, or mitigate the emergency. Methods of dissemination may include, but are not limited to, e-mail, text message, voicemail, the University website, e2 Campus mass notification system, MyIU portal, fliers, use of local media outlets and any other appropriate methods. Following issuance, Emergency Notifications/Timely Warnings will be posted in a conspicuous location within the Lourdes campus safety office for public view. The posting will be for a period of no less than 60 days.

The authority to declare a campus state of emergency rests with the President of the University or, in his/her absence, a Vice President. The Director of Campus Safety and Protection or designee shall immediately consult with the President or a Vice President where there is the possible need for a declaration of a campus state of emergency and follow the procedures established in the Emergency Operations Plan. The Emergency Notification shall be issued to all members of the University community advising of the nature of the emergency and the guidelines to follow to reduce the risk of injury.

In the event of an emergency where there is not a need for a declaration of a campus-wide state of emergency, the Director of Campus Safety and Protection or designee shall, after consultation with the Vice President for Student Development and Engagement or designee, issue an Emergency Notification to the affected members of the University Community advising of the nature of the emergency and the guidelines to follow to reduce the risk of injury.

When a Timely Warning is issued, it is the responsibility of the issuing authority to cause immediate notification to the university's Emergency Management Team as defined in the Immaculata University Emergency Operations Plan. Consideration should be given to notifying local police departments and the Chester County 911 dispatch center. The following two-prong test shall be applied to determine if a Timely Warning will be issued for an incident:

1. The incident is classified as a Clery Act crime (murder, manslaughter, sex offense, (forcible/non-forcible), robbery, aggravated assault, burglary, motor vehicle theft, arson);  
AND
2. The crime is considered to pose a serious or continuing threat to the health and safety of students, faculty, staff or visitors.

Emergency Notifications/Timely Warnings will contain in the subject line the appropriate phrase "Emergency Notification" or "Timely Warning". The body of each Timely Warning will include information regarding the Clery Act requirement; the corresponding university case number (i.e. IUSP Case Number: 20016-00001); a brief description of the crime/incident including the time and date, location, reported offense, suspect description, weapon used (if any), suspect vehicle (if any) and method of operation (MO) used to facilitate the crime. The Timely Warning must also include personal safety information to aid members of the University community in protecting themselves from becoming victims of a similar crime and promote overall safety for the community. Emergency

Notifications will include the nature and location of the emergency, what actions are being taken, and personal safety information.

When an Emergency Notification/Timely Warning is issued, a corresponding Action Report shall be completed and filed in the Clery Report Annual retention file with attached copies of the Notification. With the exception of case reports involving juveniles, a copy of the associated incident report(s) shall also be attached. With regard to juvenile case reports, a notation will be placed in the "Miscellaneous Comments/Information" section on the Action Report identifying the location of the related case report (i.e. juvenile record file cabinet). For all Timely Warnings of crimes not required by the Clery Act, a Timely Warning Action Report shall be filed in the Department of Campus Safety and Protection. For all Emergency Notifications, an Emergency Notification Action Report (Non-Criminal) shall also be filed in the Department of Campus Safety and Protection.

When it is decided that a Timely Warning will not be issued, such as when the possible risk of compromising law enforcement efforts or for a crime reported to a pastoral or professional counselor, the appropriate Action Report will be completed documenting the reason for non-issuance of a Timely Warning.

Status updates as to the resolution and/or un-founding of a crime and issued Emergency Notifications/Timely Warnings will be disseminated and updated as soon as possible.

## **Emergency Response and Evacuation Procedures**

University policies guide emergency response and evacuation procedures. These policies and procedures require authorized University officials (Director of Safety and Protection and/or Vice President for Student Development and Engagement) to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on campus, unless issuing a notification will compromise efforts to contain the emergency. Emergency messages will include information on what has occurred and directions to the community on what to do next.

The possible mediums through which messages may be sent include recorded voice messages to office telephones; text messages; email messages; the University's web site and MyIU portal and loudspeaker voice messages in buildings equipped with fire panels with this capability. *e2Campus* is the University's mass notification system. Student and employees are encouraged to register for and maintain contact information with the university *e2Campus* emergency notification system. Information on the *e2Campus* notification system is provided to students and their families at the university new student orientation sessions. The system is tested periodically to ensure it is operating properly.

The steps in evaluating the need for an evacuation are set forth in the Campus Emergency Evacuation Plan, Appendix 3, of the Emergency Operations Plan. Timely notice of a full or partial evacuation shall be provided to the affected members of the University community in accordance with the terms of the Campus Emergency Evacuation Plan.



The Department of Safety and Protection annually conducts drills and exercises to test the University's emergency response and evacuation procedures. These exercises and drills include fire drills and a tabletop exercise conducted with local law enforcement and emergency response agencies. An assessment of these activities is conducted to evaluate the Emergency Operations Plan and its implementation.

## **Security and Access Policy**

During business hours, the University is open to students, parents, employees, contractors and visitors. During non-business hours, access to all University facilities is by key, access card or with the assistance of Safety and Protection officers. During periods of extended closing, the University will admit only individuals who have prior written approval to enter specific buildings. Every student, faculty and staff member must carry an ID card issued by the University and it is requested that this ID be worn on campus. A photo ID is required for access to a variety of University services.

## **Residence Halls**

Immaculata University houses approximately 500 students, 36 faculty/administrative staff and occasional guests in its residence halls. Four residence halls, one faculty residence hall and two apartment buildings comprise resident facilities. During 2013 and the first six months in 2014, students were also housed at an off campus location, a section of the Marchwood Apartments, Exton, Pennsylvania. These rooms were under the control of the University and were considered noncampus property for reporting purposes.

Responsibility for the security and safety of the residence halls is shared by the Department of Safety and Protection, Student Development and Engagement/Residence Life and Housing staff, resident assistants (RAs) as well as the residents themselves. Safety officers are not specifically assigned to residence areas.

Residence halls are secured 24 hours a day. Entry is by access card only. The exterior entrances to residence halls are access controlled and individual rooms are accessible only to those students who possess keys. Peephole viewers have been installed in residence room doors. At the two apartment buildings on campus, each individual apartment entrance and the building entrances are access controlled. Individual bedrooms in each apartment are controlled by the use of an individualized access code. All windows in residence areas have screens, with terrace level room windows having 'stops' installed, limiting their opening. External doors in the residence halls and the apartment buildings are equipped with alarms that notify campus safety that the door is being held open.

In residence halls, a visitor is defined as any person who does not reside in University housing, or a residential student who is not a resident of the residence hall he or she is visiting. Each visitor must present a photo ID to the safety officer stationed at the designated security desk and obtain a visitor's pass. The visitor must be escorted by their host and carry the visitor pass at all times while in the residence hall. After visitation hours, the residential student/host must escort the non-residential guest to the designated security desk to notify security of his/her status. The Department of Residence Life and Housing establish visiting hours. The complete details of the Visitation Policy can be found in the University Policy Manual, Volume VI.

During low occupancy periods, such as extended holiday periods, general student access to residence halls is not permitted. Entry into the residential areas require accompaniment of the student by a Safety and Protection officer. Some campus facilities may have individual hours to accommodate the needs of those individuals utilizing that facility. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility, in concert with the Department of Safety and Protection.

## **Alcohol Policy**

In compliance with Pennsylvania law, students who are under the legal age of 21 years old are not permitted to possess, consume, purchase, attempt to purchase, or transport alcohol on or off campus. Students who are 21 years old or older but reside within the residence halls (DeChantal, Marian, Lourdes, and Villa Maria Halls) are not permitted to possess, consume, or transport alcohol on campus. Students who are 21 years old or older and reside in a University apartment are permitted the following:

1. To possess and consume a moderate amount of alcohol in their University apartment where all other residents who are the legal age of 21 and older and no one under the age of 21 is present
2. To allow legal-aged guests to consume a moderate amount of alcohol in a University apartment

The residents of the apartment are responsible for assuring compliance with all University policies and ensuring that all guests are of legal drinking age. The University will not tolerate abusive or dangerous consumption or any disruptive or disorderly conduct related to the consumption of alcohol either on or off the campus. All residents who live in a University apartment and want to possess alcohol must participate in the alcohol education training program sponsored by the University.

A moderate amount of alcohol is defined and monitored by the University. The maximum amount of alcohol in a University apartment at one time can be no more than 2 total units of the following combination:

- a. Two (2) bottles of wine (750-mL)
- b. One (1) bottle of hard liquor or natural or distilled spirits with a maximum 80 proof (750-mL)
- c. Twelve (12) beers (12-ounce bottles or cans)
- d. Six (6) or similar alcoholic products, such as hard lemonade and hard ciders (12-ounce bottles or cans), i.e. a combination of a. 2 bottles of wine (750-mL)” and “b. 1 bottle of hard liquor or natural or distilled spirits with a maximum 80 proof (750-mL)” or “c. 12 beers (12-ounce bottles or cans)” and “d. 12 beers (12-ounce bottles or cans)”

The following are prohibited, regardless of age, and may result in disciplinary action:

1. Visitors are not permitted to bring alcohol into the University apartments
2. Drinking and open containers in any location outside of a University apartment
3. Public intoxication, disorderliness, or offensive behavior resulting from alcohol use
4. Beer kegs, beer balls, or similar types of common source containers equivalent in volume
5. Paraphernalia associated with the rapid ingestion of alcohol and/or drinking games (including but not limited to funnels, beer pong tables, etc.)
6. The presence of any type of grain alcohol or unmarked containers/bottles where the alcohol proof is unknown.

All social events to be held in a University apartment serving alcohol must be registered in the Office of Residence Life and Housing, in accordance with the University Housing Social Event with Alcohol Policy.

The possession, presence and/or consumption of alcohol is not permitted while on University premises and while off campus participating in a University sponsored activity or event, with the exception of a University apartment in which all residents are of the legal age of 21 and those University-sponsored student events at which alcohol is part of the menu provided by dining services, in which case, students who are 21 years of age or older may consume alcohol on campus at such events. The University reserves the right to sanction students under the following applicable provisions:

1. The University reserves the right to sanction the residents of a room or an apartment where a violation occurs regardless if the alcohol containers are empty or full and whether or not the residents are present at the time of the violation.
2. The consumption of alcoholic beverages or possession of alcoholic beverages on University Premises is prohibited with the exception of a University apartment in which all residents are of the legal age of 21. This prohibition includes vehicles parked on University Premises.
3. The use or possession of paraphernalia specifically associated with the consumption of alcohol (e.g. funnels, kegs, keg taps, beer balls, beer pong tables) by students is prohibited on University premises;
4. Driving while under the influence of alcohol is prohibited. Pennsylvania has set .08% Blood Alcohol Content (BAC) as the legal limit for a Driving Under the Influence (DUI) conviction. Students may be convicted of DUI at .05% and above if there is supporting evidence of driving impairment.
5. The prohibitions set forth in this Alcohol Policy also apply to all University sponsored activities or events held at off-campus venues. It is the responsibility of the sponsoring club, organization or department to ensure proper enforcement.
6. Students found in violation of the University alcohol policy must comply with any sanction specified through the disciplinary system as outlined in the student code of conduct.

For purposes of this policy, University premises is defined to include: all buildings within which the University provides educational and related student services and/or conducts its business operations, whether owned, leased, or provided without charge for use, the campus as well as surrounding grounds and parking areas adjacent to these buildings, and vehicles owned or leased by the University.

When a student is found to be in violation of the University alcohol policy, the University reserves the right to notify parents/legal guardian(s) about the disciplinary status consistent with the provisions of the Family Educational Rights and Privacy Act.

Immaculata University supports the Pennsylvania state laws concerning drinking and accepts the responsibility to inform each student of the obligation to obey these laws. The University offers no protection for violators of these laws. Pennsylvania law provides that it is unlawful for anyone under the age of 21 to possess, consume, purchase, attempt to purchase or transport alcoholic beverages. State law further provides that it is unlawful to furnish alcoholic beverages to anyone under the age of 21. Additional state laws pertinent to alcohol related issues include: carrying a false identification card and public drunkenness.

In any case when a student is considered to be a problem drinker, a University representative may request the student to seek professional counseling. If the student refuses to seek professional counseling and the student's behavior is considered to be disruptive, the student can be prohibited from University housing and face suspension from the University. The requirement of professional counseling may be implemented with or without disciplinary action.

### **Drug Policy (Controlled Substances)**

Immaculata University Campus Safety and Protection officers cannot arrest individuals for violations of local, state and federal laws regarding alcohol and drugs, because the officers are not sworn law enforcement authorities. Safety and Protection officers will notify the appropriate law enforcement authorities for serious violations that warrant police action. Safety and Protection officers do enforce the Student Code of conduct, and violations will be referred to the Dean of Students office.

The University adheres to the Drug Free Schools and Communities Act (DFSCA). Refer to the DFSCA section for specific information regarding University compliance. Immaculata University recognizes drug abuse not only as a likely safety and security concern, but as an illness and serious health problem. The University offers a range of resources and services. Counseling and support services are available at the Immaculata University Student Wellness Center.

Elements of the University's policies include:

1. The University does not allow the sale, production, use possession and/or distribution of, as well as the attempt to sell, produce, and /or distribute illegal drugs (including but not limited to heroin, cocaine and its derivatives, marijuana, barbiturates, amphetamines, hallucinogens or other addictive or illegal substances) while on University premises and/or while off-campus participating in any University sponsored activity or event.
2. Use or possession of illegal drugs may result in disciplinary action. A second offense may result in expulsion from the University. The University reserves the right to sanction all students assigned to a residence hall room or apartment where the violation occurs and/or those present at the time of the violation.
3. The University reserves the right to sanction students in cases where indicia of illegal drugs use is present, but where no illegal drugs are recovered. These indicia may include, but are not limited to: the odor of illegal drugs, the presence of drug paraphernalia, lack of cooperation or attempts to mask odors upon confrontation, deliberate attempt to block airways or other such similar behavior designed to avoid detection.

4. The University does not allow for any possession or use of drug paraphernalia on any part of University premises as well as while off campus participating in any University sponsored activity or event. Any student found in possession of or using of drug paraphernalia is in violation of the Drug Policy.
5. For purpose of this policy, “University Premises” is defined to include: all buildings within which the University provides educational and related student services and/or conducts its business operations, whether owned, leased, or provided without charge for use, the campus as well as surroundings grounds and parking areas adjacent to these buildings and vehicles owned or leased by the University.

When a student is found to be in violation of the Immaculata University Drug Policy (Controlled Substances), the University reserves the right to notify a parent or legal guardian about the student’s disciplinary status, consistent with the provisions of the Family Education Rights and Privacy Act (FERPA).

### **Drug and Alcohol Abuse Education Programs**

The Student Development and Engagement office, together with the Immaculata University Student Wellness Center provides overall coordination of the drug and alcohol education programs. All incoming freshman are required to satisfactorily complete an alcohol education program called AlcoholEdu.

Information and support services for university employees with substance abuse problems may be obtained from the Human Resources Department the University’s Employees Assistance program.

### **Drug Free School and Communities Act**

Immaculata University is in compliance with the Drug Free School and Communities Act (“DFSCA”), which requires colleges and universities to adopt and enforce policies that include sanctions for illegal alcohol and other drug use and to provide students with appropriate information and services to back up those policies. Orientation sessions for new students, alcohol awareness programs and other special events aid in the dissemination of the pertinent information. Reduced alcohol availability and consistent enforcement activities are also part of the compliance efforts.

Immaculata University maintains written policies that set forth standards of conduct clearly prohibiting the unlawful possession, use, or distribution of alcohol or illicit drugs on University property or as part of any University activity. These policies clearly state that sanctions apply to student acts committed under the influence, such as public disturbances, endangerment to self or others, or property damage.

In addition, the university annually distributes a document entitled “Towards a Drug Free University”, which sets forth the following information:

1. The University’s written policies prohibiting the unlawful possession or distribution of illicit drugs and abuse of alcohol by students;
2. A description of applicable legal sanctions under local, state or federal law;
3. A description of health risks associated with the use of illicit drugs and the abuse of alcohol;
4. A description of available drug or alcohol counseling, treatment and rehabilitation programs;

5. A clear statement of the disciplinary action that the university will impose on students for violating university policy; and
6. A summary of the University's biennial review practice of its program to determine its program effectiveness and to ensure that disciplinary sanctions are consistently enforced.

## **Missing Student Policy**

If a member of the University community has reason to believe that a student is missing, whether or not the student resides on campus, all possible efforts will be made to locate the student to determine his or her state of health and well-being. These efforts will be undertaken through collaboration with the various departments in the University as well as local law enforcement agencies.

Each student is given the opportunity to identify an individual to be contacted no later than 24 hours after the student is determined missing. Students may review or revise his/her information at any time. If students wish to register confidential contact information to be used in the event that the student is determined to be missing for a period of more than 24 hours they should contact the Registrar's Office who will make the proper notation to the student record.

Any missing person report relating to a student enrolled at the University must be immediately referred to the Department of Safety and Protection. If the student is an off-campus resident, the Department of Safety and Protection will contact the law enforcement agency with the appropriate jurisdiction. Family members or associates are encouraged to make an official missing person report to the law enforcement agency with jurisdiction. The Department of Safety and Protection will cooperate, aid and assist the primary investigative agency in all ways prescribed by law.

If the student is an on-campus resident, the Department of Safety and Protection will secure authorization from the Dean of Students to make a welfare entry into the student's room. If the student is not found in the room or in another University facility, the Department of Safety and Protection will open an official investigation. Concurrently, University officials will endeavor to determine the student's whereabouts through contact with friends, associates, and/or employers of the student and, where available, the student's confidential contact information.

If the Department of Safety and Protection determines that a student has been missing for more than 24 hours, it will notify University officials, as well as any designated contact persons. The University will notify the custodial parent or guardian of a student residing in campus housing who is under 18 years of age and unemancipated (under the laws of the student's state of residence) not later than 24 hours after the student is determined to be missing. Appropriate law enforcement agencies, including neighboring municipal, county, or state agencies; those agencies located along suspected travel corridors or place of original domicile, will be notified no later than 24 hours after the time the student is determined missing. Consideration will be given to providing a photo of the missing student to external agencies.

If located, verification of the student's state of health and intention of returning to the campus will be made. When appropriate, a referral will be made to the Counseling Center and/or the University Student Wellness Center. Upon closure of the investigation, all parties previously contacted will be advised of the status of the case.

## **Sex Offender Registry and Access to Related Information**

The federal Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act was included in the Federal Violent Crime Control and Law Act of 1994. It requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained.

The law also required sex offenders to provide notice as required under state law, of each institution of higher education in that state at which the person is a student. It should be noted that the Family Educational rights and Privacy Act of 1974 (FERPA) permits an educational institution to disclose information provided by a state concerning registered sex offenders. The law further requires that this registered sex offender list employment location and residency. The Commonwealth of Pennsylvania maintains a system for making certain Registry information on violent sex offenders publicly available. Pennsylvania's Megan Law, 42 Pa C.S. 9799.1, requires the State Police to create and maintain a registry of persons who have either been convicted of or entered a plea of guilty to, or adjudicated delinquent of certain sex offenses listed in Megan's Law.

The Pennsylvania State Police is required to make certain information on registered sex offenders available to the public through an internet website. The Pennsylvania State Police has established this website according to the requirements of 42 Pa. C.S. 9798.1. The pertinent web address for securing related information is: <http://www.pameganslaw.state.pa.us/> .

Community notification is the process by which the chief community law enforcement officer notifies the community of the presence of the violent predator. The chief law enforcement officer notifies the community using a community notification flyer. Megan's Law requires notification of the President of each college, university and community college located within 1,000 feet of a sexually violent predator or out-of-state offender residence. Additionally, if this person lists employment or being a student at a college or university, the chief law enforcement officer in the municipality will notify the affected college or university.

The East Whiteland Township Police Department provides law enforcement services for Immaculata University. Their telephone number is 610-647-2100. Additional information regarding Megan's Law may be available from the Pennsylvania State Police, telephone 866-771-3170.

## **Weapons Policy**

Department of Safety and Protection officers do not carry firearms or any other weapons. Law enforcement personnel who are authorized to possess weapons may do so on the University campus within the scope of their authority. No other persons are permitted to possess weapons on University premises, even if such weapons are legally registered. This policy is an effort to reduce the probability of violence and injury to all who constitute the Immaculata University community.

This prohibition conforms to the Pennsylvania Uniform Firearms Act, Chapter 61 and Section 301 of the Pennsylvania Crimes Code which defines a deadly weapon as any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or serious bodily injury or any device or instrument which, in a manner in which it is used or it is used or intended to be used, is calculated or likely to produce death or serious bodily injury.

Those who have been issued a government permit to carry concealed firearm may not bring the firearm on campus or to any University sponsored events held off campus. Authorized law enforcement personnel, and members of the United States armed forces, may possess a firearm on University owned property while they are on duty. No person shall carry, maintain, or store a weapon, canceled or otherwise, on any property owned, leased, or controlled by Immaculata University. This policy applies to weapons carried about the person and maintenance or storage of any weapon in any part of University or leased property. This includes vehicles parked on University or leased parking lots.

There may be theatrical productions, displays, props used in plays, props used in class presentations or educational workshops that may appear to violate the letter of the law, but this is not the intent of this policy. In such cases, written approval, granting permissible use of the props, from the Director of Campus Safety and Protection is required before the activity may take place. Those responsible for the activity must remove the props from the university property at the end of the term of the permission.

The Director of Campus Safety and Protection will undertake to notify the campus community that a weapon will be allowed on campus for the purpose and duration of the permission granted. Any Immaculata University student, faculty, or staff member in violation of this policy may be subject to disciplinary action. Sanctions will be commensurate with the severity and or/ frequency of the offense.

## **Sexual Assault Policy and Procedures**

Immaculata University is committed to providing a campus environment which fosters mutual respect and concern for the entire community. Immaculata University prohibits the offenses of domestic violence, dating violence, stalking and sexual assault.

These offenses are defined as follows:

Domestic Violence: Domestic Violence is a felony or misdemeanor crime of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of Pennsylvania or by any other person against an adult or youth victim who is protected from the person's acts under the domestic of family violence laws of Pennsylvania.

Dating Violence: Dating Violence is violence committed by a person (i) who is or has been in a social relationship of a romantic or intimate nature with the victim; (ii) where the existence of such a relationship shall be determined based on a consideration of the following factors: (a) length of the relationship (b) the type of relationship (c) the frequency of interaction between the persons involved in the relationship.

Stalking: Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or safety or the safety of others or (b) suffer substantial emotional distress.



Sexual Assault: Sexual assault is any sexual physical contact that involves the use or threat of force or violence or any other form of coercion or intimidation; or any sexual physical contact/indecent contact with another person without that person's consent, or any such contact with a person who is unable to consent due to incapacity or impairment, mental or physical. "Incapacity" or "impairment" normally includes, but is not limited to: being under the influence of alcohol or drugs;

Consent: Consent to engage in sexual activity must be knowing and voluntary; it must exist from the beginning to end of each instance of sexual activity and for each form of sexual contact. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage freely in sexual activity. Consent is active, not passive. Silence does not necessarily constitute consent.

All acts of sexual assault against a member of Immaculata University community shall be considered a form of sexual harassment. Therefore, where there is reason to believe that Immaculata University's policies prohibiting sexual assault have been violated, the University will investigate the matter in accordance with the University's Title IX Policy. Immaculata will respond to all reports in an integrated, consistent manner that treats each individual with dignity and respect and will take prompt responsive action to end the misconduct, prevent its recurrence, and address its effects.

Administrators, students, faculty members and staff are protected under this policy in connection with all the University's administrative, academic, educational, extracurricular, athletic, and other programs. Further, the prohibitions apply, whether or not the incidents occur on the University campus and whether or not the incidents occur during working/educational hours. This means that administrators, students, faculty and staff are protected under this policy in connection with all the University's administrative, academic, educational, extracurricular, athletic, and other programs, whether those programs take place on campus or elsewhere. The University will respond to complaints that arise from events that initially occurred off University property or outside a University program or activity. In responding to off campus events, the University will consider the effects of the off campus conduct on an individual's working, educational and living experience.

A student or employee charged with sexual assault or certain forms of violent behavior may also be prosecuted under the Crimes Code of Pennsylvania. Even if criminal justice authorities choose not to prosecute, the University will investigate any instances of sexual assault and exploitation against a member of the Immaculata community in accordance with the procedures set forth in the University's Title IX Policy.

The University will not engage in nor tolerate retaliation against an individual who makes a report of sexual assault, serves as a witness, or provides information concerning an act of sexual assault. Retaliation is a serious violation of this policy. Any acts of retaliation or threatened retaliation should be reported immediately to the Department of Campus Safety and Protection, the Dean of Students, or the Director of Human Resources. Any person found to have retaliated against another individual in violation of this policy will be subject to appropriate sanctions. Individuals, who believe they have been subject to any acts of retaliation or threatened with retaliation, should promptly report the same pursuant to the complaint procedure outlined in this policy.

The University encourages the reporting of any sexual assault directly to the Department of Safety and Protection. An individual may choose to report to other University authorities having significant responsibility for student and campus activities. These University officials, who learn about an alleged sexual assault, as well as other crimes, will advise the victims that the officials can take their complaints to the police or to the University and that they will assist the victim in notifying these authorities. A victim of sexual assault has the right to notify local law enforcement officials and to pursue criminal charges and/or to pursue disciplinary action through the University's disciplinary system.

A victim of sexual assault is encouraged to contact the Title IX Coordinator at telephone number 610-647-4400 ext. 3077, e-mail [TitleIXCoordinator@immaculata.edu](mailto:TitleIXCoordinator@immaculata.edu) , or by calling Campus Safety and Protection at ext. 5555. A victim will be provided written information on reporting options. The Title IX Coordinator, or designee, will assist a victim in notifying local police authorities, if the victim wishes to do so. However, a victim retains the right to decline to notify local law enforcement authorities.

If an individual believes that they have been a victim of a sexual assault, misconduct, or harassment, or believe that a sex offense has occurred, they should, as soon as possible:

- If possible, find a safe place away from the perpetrator or from any other potential danger.
- Report the incident immediately to Campus Safety and Protection by calling 610-647-4400, ext. 5555 (on campus) or 610 854-2451 (24 hours, off campus)
- Call 911 to contact local police

The individual should also seek medical attention as soon as possible and preserve any evidence (do not shower, bath, eat, drink, smoke or change clothing prior to a medical or legal examination). It is important to have a forensic medical exam to check for internal injuries, receive medication for sexually transmitted infections, discuss options for HIV and pregnancy prevention, and gather forensic evidence. Victims can contact Campus Safety and Protection or the Crime Victim's Center of Chester County (24-hour hotline): 610 692-7273, for assistance.

The Office of the Dean of Students will adjust the victim's academic and living situation in order to provide a safe environment for the victim to be able to continue matriculation at the University without undue interruptions or forced interactions with the alleged perpetrator, when these accommodations are reasonably available. The University will take interim measures as necessary to prevent the complainant from being subjected to discrimination or harassment during the investigative and complaint process. The University will take steps to ensure that any interim measures taken do not adversely affect the complainant and will provide written notice to a complainant of such options. By way of example only, such changes may include, but are not limited to arranging for excused absences, extended periods of time to make up examinations, tutoring or changes in class schedule, placing the respondent on leave, making alternative living arrangements, or authorizing other types of temporary measures to ensure the safety and well-being of the complainant and the campus community while the investigation and complaint process is pending, including but not limited to "no contact orders". These changes will be made regardless of whether the complainant chooses to report the crime to campus police or local law enforcement.

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The University provides support to victims of sexual assault through on and off campus resources. Caring professionals are available to discuss the individual's options and to offer support, compassion and practical assistance.

## On Campus Resources:

- IU Counseling Services, Bruder Center, 610 647-4400 ext. 3478 or ext. 3506 (After 4:30 PM contact Campus Safety and Protection to contact the on-call counselor)
- IU Campus Safety and Protection ext. 5555 or 610 854-2451
- IU Residence Life and Housing ext. 3130 (After 4:30 PM contact Campus Safety and Protection to contact the on-call professional.)
- IU Student Health Services ext. 3500 (After 4:30 PM contact Campus Safety and Protection to contact a member of the Student Health Services staff.)

## Off Campus Resources:

- Phoenixville Hospital (610 983-1222) or Brandywine Hospital (610 383-8000). There are specially trained nurses at these hospitals that can assist victims of sexual assault. These are the only hospitals in our area that have the resources to provide the proper care for victims of sexual assault.
- Crime Victim's Center of Chester County, 24-hour hotline 610 692-7273, [www.cvcofcc.org](http://www.cvcofcc.org). Counselors are specifically trained to help sexual assault victims and to offer confidential support and information about legal, medical, and mental health resources.

Immaculata University is committed to the prevention of sexual assault through a variety of educational programs and awareness activities. These include:

- Presentations during New Student Orientation focused on freshman and transfer students.
- On line courses concerning sexual assault prevention including domestic and dating violence. Emphasis is placed on the importance of "bystander intervention" and "risk reduction".
- Creation of public service announcements (PSA) by students
- Ongoing prevention and awareness programs and workshops are conducted throughout the year, with special emphasis during Respect Week, Dating and Domestic Violence Awareness Month, and Sexual Assault Awareness Month.
  - *Love Shouldn't Hurt* – presented by the Chester County Crime Victim's Center
  - *The Clothesline Project*
  - *Men's Night Out* presented in cooperation with the University Athletics Department
  - *Red Flag Campaign*
  - *Men in Action* – topics include consent and bystander intervention
- Educational material disseminated throughout the year regarding dating rape drugs, physical and emotional abuse, sexual violence, and stalking

The University respects the rights of complainant confidentiality and will honor complainants' requests to keep reports confidential to the extent permitted by law, and to the extent consistent with the University's obligation to investigate allegations. Complainants are encouraged to inquire about confidentiality when seeking assistance and support from the varying offices.

The University understands and appreciates that, at times, an individual who reports an act of sexual violence or other sexual offense may wish to remain anonymous and may not wish to pursue the internal disciplinary process. In such instances, consistent with its Title IX obligations, if the University has credible notice of a report of an act of sexual assault against a member of the University community, the University will take immediate and appropriate steps to evaluate what occurred, determine if further action is required as well as prevent any further recurrence. Any response to such notice may be limited if the events giving rise to such notice cannot be verified by independent facts.

Under the Clery Act, federal law mandates the disclosure of certain statistics regarding sexual violence that occurs within the geographic boundaries of an institution of higher education. Clery Act reports do not include the names of anyone involved, or any other information that identifies an individual. In addition, consistent with applicable law, the University will take appropriate steps to protect the identity of a complainant in connection with any publicly available recordkeeping. Consistent with applicable law, in any Timely Warning involving an incident of sexual violence, the University will withhold the name of the complainant.

## **Disciplinary Procedures**

Any student, administrator, faculty member or staff, who after appropriate investigation, has been found to have engaged in sexual assault or other act of sexual violence will be subject to appropriate disciplinary action, as set forth in the Title IX Policy, see next section. Sanctions include but are not limited to suspension or expulsion from the University or dismissal from employment. The final results of the disciplinary proceeding will be disclosed to both parties in writing simultaneously. If the alleged victim is deceased as a result of such offense, the next of kin of such victim shall be treated as the alleged victim.

## **Title IX Policy**

This policy covers all University administrators, students, faculty and staff. All members of this community (current and prospective students, current and prospective faculty and current and prospective administrators and staff) are both protected by this policy and share the responsibility for creating and maintaining an environment that promotes the safety and dignity of each individual. Title IX of the Education Amendments of 1972 ("Title IX") prohibits discrimination on the basis of sex in any federally funded education program or activity. Sex discrimination includes sex-based harassment, discrimination on the basis of sex and retaliation related to complaints of sex discrimination.

Sex-based harassment is unwelcome conduct which includes sexual harassment, including sexual assault, other forms of sexual violence and other sexual misconduct, and gender-based harassment. The term sexual harassment is unwelcome conduct of a sexual nature and includes unwelcome sexual advances, requests for sexual favors, and other verbal, non-verbal, or physical conduct of a sexual nature. The term gender-based harassment means non-sexual harassment of a person because of the person's sex and/or gender, including but not limited to, harassment based upon nonconformity with gender stereotypes.

Sexual assault is a form of sexual harassment prohibited by Title IX. Under the University Sexual Assault Policy, the University prohibits rape, sexual assault, sexual exploitation, indecent exposure, indecent assault, aggravated indecent assault, involuntary deviate sexual intercourse.

As a recipient of federal funds, Immaculata University complies with Title IX and has appointed Geri Larsen, Executive Director of Human Resources, as its Title IX Coordinator with overall responsibility for Title IX compliance. Geri Larsen can be reached at Office of Human Resources, Villa Maria Hall, (610) 647-4400 x3077.

Any administrator, faculty member, student, staff, or applicant for employment or admission to the University, visitor or third party who believes that he or she has been discriminated against on the basis of sex (including sexual harassment) or who has experienced an incident of sexual assault, sexual violence or other sexual misconduct, may file a complaint with the Title IX Coordinator or Deputy Coordinators as well as the Office of Civil Rights (OCR). The Title IX Coordinator or Deputy Coordinators will assist the complainant in informing him/her of the process by which a complaint will be resolved in a prompt and equitable manner.

The Title IX Coordinator/Deputy Coordinators are:

**Geri Larsen/Title IX Coordinator**

Executive Director of Human Resources  
14 Villa Maria Hall  
610-647-4400 x3077  
[glarsen@immaculata.edu](mailto:glarsen@immaculata.edu)

**Janelle Cronmiller/Deputy Title IX Coordinator**

Assistant Director of Athletics  
Alumnae Hall  
610-647-4400 x3753  
[jcronmiller@immaculata.edu](mailto:jcronmiller@immaculata.edu)

**Dennis Dougherty/Deputy Title IX Coordinator**

Director of Campus Safety and Protection  
2 Lourdes Hall  
610-647-4400 x3598  
[ddougherty1@immaculata.edu](mailto:ddougherty1@immaculata.edu)

**Dr. Thomas O'Brien/Deputy Title IX Coordinator**

Dean of Graduate Studies  
130 Loyola Hall  
610-647-4400 x3210  
[tobrien@immaculata.edu](mailto:tobrien@immaculata.edu)

**Dr. John Stafford/Deputy Title IX Coordinator**

Vice President, Student Development and Engagement/Dean of Students

130 Villa Maria Hall

610-647-4400 x3110

[jstafford@immaculata.edu](mailto:jstafford@immaculata.edu)

**Lydia Szyjka/Deputy Title IX Coordinator**

Director of University Communications

200 Lourdes

610-647-4400 x3143

[lszyjka@immaculata.edu](mailto:lszyjka@immaculata.edu)

**Prohibition of Sex Discrimination, Sex-Based Harassment and Sexual Assault/Violence**

Sex discrimination, sex-based harassment, and sexual assault, in the University's educational, working and living environment is unacceptable and a violation of this policy. The University is committed to investigating and promptly and equitably resolving complaints of sex-discrimination, sex based harassment and sexual assault.

The prohibitions set forth below apply not only in the working and educational environment including, but not limited to the classroom and living environment, but also to all other work-related and educational settings, such as business trips and business-related social functions, educational field trips and placements.

Further, the prohibitions apply, whether or not the incidents occur on the University campus and whether or not the incidents occur during working/educational hours. This means that administrators, students, faculty and staff are protected under this policy in connection with all the University's administrative, academic, educational, extracurricular, athletic, and other programs, whether those programs take place on campus or elsewhere. The University will respond to complaints that arise from events that initially occurred off University property or outside a University program or activity. In responding to off campus events, the University will consider the effects of the off-campus conduct on an individual's working, educational and living experience.

It is important to remember that these prohibitions apply not only to oral and written communications, but also to e-mail, voice mail, internet communications, social media, and any other electronic and technology-assisted communications.

It is no defense to inappropriate behavior that there was no bad intent, that it was only a "joke," or that it was not directed at any particular person.

**Definition and Examples of Sex-Based Harassment**

For purposes of this policy, sex-based harassment is unwelcome conduct which includes both sexual harassment, including but not limited to sexual assault, other forms of sexual violence and other sexual misconduct, and gender-based harassment.

The term sexual harassment includes any unwelcome or unwanted conduct of a sexual nature, sexual attention, sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, whether by a person of the opposite or the same gender where:

1. Submission to or rejection of such conduct by an individual is used as a basis or factor in decisions affecting the terms or conditions of employment, educational instruction or status and/or participation in other University program or activity; or
2. Submission to or rejection of such conduct by an individual is used either explicitly or implicitly as a basis for a decision affecting an individual's employment, educational instruction or status and/or participation in other University program or activity; or
3. Severe or pervasive conduct occurs that has the purpose or effect of unreasonably interfering with an individual's working conditions, educational experience, living experience, and/or participation in a program or activity by creating an intimidating, hostile or offensive academic, employment, educational, or living environment. Hostile environment sexual harassment is only one form of sexual harassment.

Examples of the types of conduct that are inappropriate and violate this policy, regardless of whether they constitute unlawful sexual harassment include, but are not limited to:

- Threatening adverse employment or academic actions if sexual favors are not granted;
- Unwanted and unnecessary physical contact;
- Demands for sexual favors in exchange for favorable treatment or continued employment/academic standing;
- Display of and/or exposure to pornographic material;
- Excessively offensive remarks, including unwelcome graphic or suggestive comments about an individual's body, appearance or dress;
- Obscene jokes or other inappropriate use of sexually explicit or offensive language;
- The display of sexually suggestive objects or pictures which create an intimidating or hostile work, living or academic environment;
- Other unwelcome and unwanted conduct of a sexual nature, such as leering, name calling and sexual innuendos.

The term gender-based harassment means non-sexual harassment of a person because of the person's sex and/or gender, including but not limited to, harassment based upon nonconformity with gender stereotypes, whether by a person of the opposite or same gender.

*Note:* In determining whether the alleged conduct constitutes sex-based harassment, consideration shall be given to the record as a whole and to the totality of circumstances, including the nature and frequency of the conduct and the context in which the alleged incidents occurred. However, the University recognizes that a single instance of sex-based harassment and/or sexual assault may be sufficient to constitute a hostile environment. Further, both objective and subjective factors will be considered in determining whether sexual harassment has occurred.

## **Definition and Examples of Sexual Assault/Violence**

Sexual harassment also includes acts of sexual assault, sexual violence, and other sexual misconduct (collectively, “sexual assault/violence”).

Sexual assault/violence, as that term is used in this policy, refers to when a person is physically forced to engage in a sexual act or contact against a person’s will, is coerced into engaging in such acts or where a person is physically or mentally incapable of giving consent including, for example, due to the use of drugs or alcohol or an intellectual or other disability.

A number of different acts fall into the category of sexual assault/violence, including rape, sexual assault, sexual battery, stalking and sexual coercion/exploitation, whether such acts are engaged in by a stranger or an individual with whom someone has an intimate relationship. All such acts of sexual assault/violence against members of the Immaculata University community are forms of sexual harassment covered under this policy and are strictly prohibited by the University.

## **Roles and Responsibilities**

It is the responsibility of the Title IX Coordinator to coordinate the dissemination of information and educational and training programs to:

- Assist members of the University community in understanding what behavior is prohibited under this policy, regardless of whether it is criminal in nature;
- Ensure investigators are trained to respond to and investigate complaints of sex-discrimination, sex-based harassment and sexual assault/violence; and
- Ensure members of the Immaculata University community are aware of the procedures for addressing complaints of sex-discrimination, sex-based harassment and sexual assault/violence.

It is the responsibility of all University personnel with supervisory responsibilities (i.e., those who formally supervise other employees), to:

- Inform employees under their direction or supervision of the Nondiscrimination/Anti-Harassment and Anti-Retaliation Policy;
- Notify the Title IX Coordinator or a Title IX Deputy Coordinator promptly when they receive reports, witness or otherwise learn of complaints of discrimination and/or harassment; and
- Implement any corrective actions that are imposed as a result of findings of violations of this policy.

## **How to Report Sex Discrimination, Sex-Based Harassment or Sexual Assault/Violence**

Immaculata University requires any University employee who is an executive officer or other officer, manager, or supervisor and/or has a responsibility for student welfare or is in a position of authority (unless required to maintain confidentiality by law), and strongly encourages **all** other Immaculata community members, to report information about any incident of sex discrimination, sex-based harassment, sexual assault/violence, or other sexual misconduct involving a student, administrator, staff or faculty member, regardless of where and when the incident happened.



In addition, those employees who are “campus security authorities” are legally required to report such incidents to the Office of Campus Safety and Protection. All such employees to whom an incident is reported should strongly encourage the reporting party, whether it is the complainant or a third party, to speak directly with the Department of Safety and Protection, the Title IX Coordinator or a Title IX Deputy Coordinator.

A complainant does not have to decide whether or not to request any specific action by the University at the time the report is made, nor is there a time limit on reporting. Immaculata is committed to supporting the rights of a person reporting an incident of sexual assault, sexual harassment, or other sexual misconduct to make an informed choice among options and services available.

Immaculata will respond to all reports in an integrated, consistent manner that treats each individual with dignity and respect and will take prompt responsive action to end the misconduct, prevent its recurrence, and address its effects.

### **Absence of a Complaint; Anonymous Reporting**

Regardless of whether a complaint under the University’s complaint procedures is filed (including where a complainant is unwilling to participate in the investigation process), if the University has notice – either direct or indirect – of a possible incident of sex discrimination, sex-based harassment or sexual assault/violence or other sexual misconduct or retaliation against a member of its community, it will take immediate and appropriate steps to evaluate what occurred and determine if further action is required as well as prevent any further recurrence. Any response to such notice may be limited if the events giving rise such notice cannot be verified by independent facts.

Further, in general, the University shall conduct such an inquiry regardless of whether there is a concurrent criminal investigation being conducted by the local authorities.

By way of example, the University will investigate allegations of sexual harassment and/or sexual assault, and shall take appropriate action, even if a complainant does not wish to pursue the disciplinary process; or a complaint reports an incident without disclosing his/her name or identifying the respondent. However, a complainant should be aware that any response by the University may be hindered by the complainant’s wish to anonymity and/or inaction.

### **Interim Protections**

The University will take interim measures as necessary to prevent the Complainant from being subjected to discrimination or harassment during the investigative process. The University will take steps to ensure that any interim measures taken do not adversely affect the Complainant. By way of example only, the University may at any point in the complaint process elect to place the respondent on leave, make alternate living arrangements, or authorize other types of temporary measures to ensure the safety and well-being of the complainant and the campus community while the complaint process is pending, including but not limited to “no contact” orders. Further, in connection with an allegation of sexual assault/violence, the University shall promptly issue a written “no contact” order to all parties.

## **Complaint Procedure**

An employee, faculty member, student or other participant in the University's programs or activities who wishes to file a formal complaint should contact the Title IX Coordinator or a Title IX Deputy Coordinator.

The Title IX Coordinator or a Deputy Coordinator will then promptly assist the complainant in developing the written complaint. The University strongly urges individuals to put their complaint in writing, however, the University will investigate a complaint even in the absence of a written complaint that is signed by the complainant.

Note: A complainant has the option to file a formal criminal complaint with the appropriate law enforcement agency, to pursue the University's internal complaint process or to pursue both processes simultaneously. Upon receipt of a complaint of sexual assault, violence or other sexual misconduct, the complainant will be provided with written notice describing these options and the potential consequences of pursuing both options (i.e., possible deferral of Immaculata's investigative and disciplinary process). If the complainant wishes, the University will provide assistance to the complainant in contacting/meeting with the appropriate law enforcement agency.

When an external criminal complaint is being investigated by a law enforcement agency and/or an internal complaint is being investigated by the University, the University will proceed with its own internal investigation and will not unduly delay such investigation, even while law enforcement personnel are conducting their investigation. As a limited exception, the University may delay its investigation if directed by law enforcement based on law enforcement's belief that the University's investigation may impede the criminal investigation. However, under extraordinary circumstances, the University may continue to investigate where it has reason to believe that the alleged harasser may be a continued threat to the complainant or other members of the University community.

Complainants and other individuals bringing complaints will also be informed about the range of possible outcomes of the report, including interim protections, remedies, and disciplinary actions that might be taken against the accused as a result of the complaint, including information about the procedures leading to such outcomes.

The respondent will be given the option to respond in person or in writing within a reasonable time determined by the Title IX coordinator. If a respondent chooses not to participate or refuses to answer a complaint, such nonparticipation will not prevent the matter from proceeding.

The full and complete cooperation of the complainant is encouraged for the prompt and effective investigation and remediation of all complaints, as the University's response may be limited if information contained in the complaint report cannot be verified by independent facts.

In cases involving potential criminal conduct, the University will determine, consistent with state and local law, whether appropriate law enforcement or other authorities should be notified.

## **Formal Investigation and Resolution of the Complaint**

A Title IX deputy or deputies will be assigned by the Title IX coordinator to conduct the investigation. Any investigator assigned to the case will be impartial. The investigator(s) will not have an actual or perceived conflict. In the rare instance where such a conflict exists, the University will disclose the conflict and, if necessary, another investigator(s) will be assigned.

## **Formal Investigation Timeframe**

The University will strive to complete the formal investigation, including the issuance of a final report of findings and if applicable summary of discipline, to the complainant and respondent, in as timely and efficient a manner as possible within sixty (60) days of receipt of a written complaint (or within 60 days after it is determined that a written complaint will not be provided). However, this timeframe may be extended based on factors such as, but not limited to, schedule and availability of witnesses, holidays or semester breaks, and complexity of the complaint. If an investigation cannot be completed within sixty (60) days of receipt of the complaint, then the investigator(s) will notify the complainant and respondent of that fact and provide a timeframe for completing the investigation.

## **Investigation Procedures**

In conducting the investigation, the investigator may interview the parties if available and any other persons believed to have relevant factual knowledge, as well as a review of relevant documents/statements as appropriate. The parties shall have an equal opportunity to present relevant witnesses and other evidence. However, neither party shall have the right to cross examine the other party.

As stated above, at any time during the investigation, the investigator may recommend that interim protections or remedies for the complainant or witnesses be provided by appropriate University officials. These protections or remedies may include separating the parties, placing limitations on contact between the parties, or making alternative workplace, academic setting or student housing arrangements. Failure to comply with the terms of interim protections may be considered a separate violation of the University's policies.

Upon conclusion of the investigation, the investigator shall make a determination as to whether the alleged violations occurred. In making that determination, the investigator will use the preponderance of the evidence standard.

If the Title IX Coordinator, a Title IX Deputy Investigator or a designated investigator determines that the matter should be referred for further disciplinary action, the case will proceed as follows:

- 1. If the respondent is a student**, the investigator/s will forward the outcome of the investigation to the office of the vice president for student development and undergraduate enrollment for formal disciplinary resolution under procedures set forth in Volume VI of the Immaculata University Policy Manual.
- 2. If the respondent is an administrator or staff employee**, the investigator/s will forward the outcome of the investigation to the employee's respective supervisor or division vice president for formal resolution under the discipline and termination of employment policies set forth in Volume III of the Immaculata University Policy Manual.

3. **If the respondent is a faculty member**, the investigator/s will forward the outcome of the investigation to the employee's respective supervisor or vice president for academic affairs for formal resolution under the faculty dismissal/corrective discipline procedures set forth in Volume IV of the Immaculata University Policy Manual.

## **Training**

The Title IX Coordinator, Title Deputy Coordinators, and investigators receive annual training in conducting Title IX investigations and the issues related to sexual assault, domestic violence, dating violence, and stalking. University officials who conduct disciplinary proceedings are trained in these areas and in conducting fair and impartial proceedings that protect the safety of complainants and promote accountability.

## **Advisors**

Both the respondent and complainant are permitted to be accompanied by an advisor of their choice during any meeting or institutional disciplinary proceeding. An advisor is any individual who may provide support, guidance or advice.

## **Written Notification of Outcome**

Written notification of the disciplinary resolution will be provided to the Title IX Coordinator by the respective administrative officer managing the disciplinary proceedings.

The Title IX Coordinator will provide written notification of the disciplinary outcome to the parties. Unless otherwise prohibited by applicable privacy law (e.g., FERPA), the notification will contain the following information, the name of the respondent; whether the accused has been found responsible or not responsible for violation of the University's Title IX policy; and the sanction imposed, if any.

## **Appeals**

Both parties will be afforded an opportunity to file an appeal of the resolution in accordance with established University Grievance Policy set forth in Volume II of the Immaculata University Policy Manual.

## **Confidentiality**

The University will keep the complaint and investigation confidential, to the extent possible.

## **Prohibition of Retaliation**

The University will not retaliate against an individual who makes a report of discrimination, harassment sexual assault/violence or other sexual misconduct and/or retaliation or provides information relating to or serves as a witness, nor permit any other employee or student to do so. Retaliation is a serious violation of this policy. Any acts of retaliation or threatened retaliation should be reported immediately to the Title IX Coordinator or an officer in the Department of Campus Safety and Protection. Any person found to have retaliated against another individual for making a report under this policy will be subject to appropriate sanctions. Individuals, who believe they have been subject to any acts of retaliation or threatened with retaliation, should promptly report the same pursuant to the complaint procedure outlined in this policy.

## **Non-Discrimination and Anti-Harassment and Anti-Retaliation Policy and Complaint Procedures**

### **Coverage:**

This policy covers all University administrators, students, faculty, staff, and guests.

The University will not tolerate, condone or permit discrimination, harassment (including but not limited to ethnic intimidation, racial incidents, hate crimes and incidents, and/or sexual violence), and/or retaliation, whether engaged in by administrators, faculty, students, staff, supervisors, managers, contractors, visitors or other guests on the campus, vendors or other non-employees who conduct business with the University or non-employees who are acting on behalf of the University.

As stated in our Notice of Non-Discrimination and Equal Opportunity, the University complies with Title IX of the Educational Amendments of 1972, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, and other applicable statutes and University policies. Additional information can be found online at

<http://www.immaculata.edu/heoa>.

### **Roles and Responsibilities:**

It is the responsibility of all University personnel with supervisory responsibilities to:

- Inform personnel under their direction or supervision of the Non-Discrimination and Anti-Harassment and Anti-Retaliation Policy
- Notify Campus Safety and Protection, the Dean of Students, or the Director of Human Resources promptly when they receive reports, witness or otherwise learn of complaints of discrimination and/or harassment; and
- Implement any corrective actions that are imposed as a result of findings of discrimination and/or harassment.

### **Prohibition of Discrimination:**

Discrimination against a person on the basis of race, gender, ethnicity, religion, age, national origin, color, disability, marital status, familial status, veteran status, ancestry, genetic characteristics, pregnancy, or any other characteristic protected by federal, state, or local law is unlawful and in violation of this Policy. The University will not engage in nor will it tolerate such discrimination. The University expects all members of the University community, as well as visitors, to be treated equally on merit in all aspects related to its educational programs and activities, including admission, and with respect to employment.

Listed are examples of conduct that can constitute discrimination if based on an individual's protected characteristic. This list is not all-inclusive; in addition, each situation must be considered in light of the specific facts and circumstances to determine if discrimination has occurred.

- Singling out or targeting an individual for different or adverse treatment (e.g., more severe discipline, lower salary increase, raised or lowered grades) because of his or her protected characteristic.
- Failing or refusing to hire or admit an individual because of his/her protected characteristic.
- Terminating an individual from employment or an educational program or activity based on his/her protected characteristic.

## **Prohibition of Harassment on Account of Protected Factors:**

Harassment on account of a person's race, gender, ethnicity, religion, age, national origin, color, disability, marital status, familial status, veteran status, ancestry, genetic characteristics, pregnancy, or any other characteristic protected by federal, state, or local law in the University's educational, working, and living environment is unacceptable and a violation of this policy. The prohibitions set forth below apply not only in the working, educational (including, but not limited to the classroom), and living environment, but also to all other work-related and educational settings, such as business trips and business-related social functions, educational field trips, and placements.

Further, the prohibitions apply, whether or not the incidents occur on the University campus and whether or not the incidents occur during working/educational hours. This means that administrators, students, faculty and staff are protected under this policy in connection with all the University's administrative, academic, educational, extracurricular, athletic, and other programs, whether those programs take place on campus or elsewhere. The University will respond to complaints that arise from events that initially occurred off University property or outside a University program or activity. In responding to off campus events, the University will consider the effects of the off-campus conduct on an individual's working, educational, and living experience.

It is important to remember that these prohibitions apply not only to oral and written communications, but also to e-mail, voice mail, internet communications and searches, and other technology-assisted communications.

It is of no defense to inappropriate behavior that there was no bad intent, that it was only a "joke," or that it was not directed at any particular person.

## ***Definition and Examples of Harassment on Account of Protected Factors***

For purposes of this policy, harassment on account of protected factors includes any unwelcome or unwanted attention, and other verbal, visual, or physical conduct or other form of offensive behavior directed toward an individual because of or on account of race, gender, ethnicity, religion, age, national origin, color, disability, marital status, familial status, veteran status, ancestry, genetic characteristics, pregnancy, or any other characteristic protected by federal, state, or local law when:

1. Submission to or rejection of such conduct by an individual is used as a basis or factor in decisions affecting the terms or conditions of employment, educational instruction or status, and/or participation in other University program or activity; or
2. Submission to or rejection of such conduct by an individual is used either explicitly or implicitly as a basis for a decision affecting an individual's employment, educational instruction or status and/or participation in other University program or activity; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's working conditions, educational experience, living experience, and/or participation in a program or activity by creating an intimidating, hostile, or offensive academic, employment, educational, or living environment.

Examples of the types of conduct that are inappropriate and violate this policy, regardless of whether they constitute unlawful harassment on account of other protected factors include, but are not limited to:

- Communication or display of offensive material capable of a stereotypical or discriminatory meaning;
- Offensive remarks containing stereotypical or discriminatory references, including unwelcome comments about an individual's body, appearance, manner, speech or dress capable of a stereotypical or discriminatory meaning;
- Racial, religious, ethnic, or other stereotypical or discriminatory jokes or other inappropriate use of racial, religious, ethnic, or other discriminatory language capable of a stereotypical or discriminatory meaning;
- Racial, religious, ethnic or other stereotypical or discriminatory intimidation
- The display in the workplace of objects, drawings, or pictures which create an intimidating or hostile work environment; and
- Other unwelcome, unwanted or hostile conduct of a stereotypical or discriminatory nature, such as name calling and racial, religious, or ethnic innuendos.

### **Anti-Harassment Policies and Freedom of Speech:**

The University's policies and procedures relating to anti-harassment are not intended to inhibit or restrict free speech or the expression of ideas.

### **Prohibition of Retaliation:**

The University will not engage in nor tolerate retaliation against an individual who makes a report of discrimination, harassment, and/or retaliation or provides information concerning an act of discrimination, harassment, and/or retaliation. Retaliation is a serious violation of this policy. Any acts of retaliation or threatened retaliation should be reported immediately to the Department of Campus Safety and Protection, the Dean of Students, or the Director of Human Resources. Any person found to have retaliated against another individual in violation of this policy will be subject to appropriate sanctions. Individuals, who believe they have been subject to any acts of retaliation or threatened with retaliation, should promptly report the same pursuant to the complaint procedure outlined in this policy.

### **Options for Addressing Discrimination/Harassment/Retaliation:**

The University encourages individuals to report all incidents of harassment, discrimination and/or retaliation. If you feel that you have been harassed, discriminated against, subjected to retaliation, or otherwise experienced inappropriate treatment in violation of this policy, you have a variety of options. Please review options 1 through 5 below and use and consider the option(s) to which you feel most comfortable.

1. Tell the person who is harassing you or treating you unfairly to stop. The University encourages individuals who feel they have been subjected to treatment in violation of this policy to notify the offender firmly and promptly that the offender's behavior is unwelcome. However, the University recognizes that in some instances such action may not be appropriate and you are not required to do so.

In the event that such informal, direct communication between individuals is either ineffective or too difficult you are encouraged to file a formal complaint as explained below. Further, you are not required to use these informal communications if your allegation involves sexual violence (See Title IX Policy set forth in Volume II of the *Immaculata University Policy Manuals*).

2. Seek a confidential consultation. Again, this option is available to you, but is not required. Students may also request counseling from counseling services to assist with informal resolution of concerns. Employees may seek support from the Employee Assistance Program (EAP).
3. Tell someone. If you believe that you may have been, or anyone else may have been, unlawfully discriminated against, harassed by, or retaliated against by any executive officer or other officer, administrator, manager, supervisor, co-worker, faculty member, agent, student, or other non-employee with regard to any term or condition of employment in violation of this Non-Discrimination, Anti-Harassment, and Anti-Retaliation Policy you should report your concerns to Mr. Dennis Dougherty, Director of Campus Safety and Protection, Dr. John Stafford, Vice President of Student Development and Engagement /Dean of Students, or Ms. Geri Larsen, Executive Director of Human Resources/ Title IX Coordinator.

Similarly, if you have any question as to whether certain conduct is unlawful discrimination, retaliation, or harassment, you are encouraged to speak with any of the individuals identified above. Additionally, the following individuals are knowledgeable about the policy and will assist individuals in the resolution of the incident: Mr. Kevin Quinn, Vice President for University Advancement and Communications, Dr. Maria Green-Cowles, Vice President for Academic Affairs or Mr. Thomas Maher, Interim Vice President for Finance and Administration.

4. Informal Resolution. Disagreements and conflicts often vary in the level of seriousness. In some instances, an individual may feel that the conflict may be resolved informally by direct communication by the individuals involved or with the assistance of a facilitator. If you are interested in informal resolution, students should contact the Dean of Students and employees and faculty should contact the Director of Human Resources who can assist in identifying appropriate facilitators. These facilitators will assess the conflict, engage in fact gathering and seek to resolve the matter. Situations that are resolved through informal resolution will be subject to follow-up after a period of time to assure that resolution has been implemented effectively. Individuals who engage in discrimination, harassment, or retaliation are subject to disciplinary action as defined in Volume VI for students, Volume IV for faculty, and Volume III for all employees.

While the University encourages early resolution of a conflict, the University does not require that parties participate in the informal resolution process. Moreover, the parties have the right to end the informal resolution process at any time and begin the formal investigation stage of the complaint process. Finally, some reports of discrimination, harassment, ethnic intimidation, racial incidents, or hate crimes and incidents are never appropriate for informal



resolution and will require a formal investigation. These include, but are not limited to, complaints involving sexual violence and other physical assault.

5. File a Written, Internal Complaint. If the matter cannot be resolved through one of the above approaches, or an individual chooses not to pursue one of the above methods, students, faculty, or employees may file a written complaint. A student should report matters of alleged discrimination, harassment, or retaliation directly to the Department of Campus Safety and Protection.

## **Interim Protections**

The University may at any point in the complaint process elect to place the respondent on leave, reassignment, or authorize other types of temporary measures to ensure the safety and well-being of the complainant and the campus community while the complaint process is pending, including but not limited to “no contact” provisions.

## **Hate Crimes/Ethnic Intimidation**

According to state and federal law, certain crimes are considered to be more serious when motivated by hatred, malice or bias toward an individual’s race, color, gender, ethnicity, religion, gender identity, sexual orientation, national origin or other protected classification. These underlying offenses include, but are not limited to crimes against persons such as terroristic threats, criminal homicide, negligent manslaughter, forcible and non-forcible sex offenses, robbery, assaults or aggravated assaults, burglary, larceny, motor vehicle theft, arson, destruction, damage and vandalism to property—and intimidation

Immaculata will not tolerate incidents of hate crimes, ethnic intimidation, or other forms of harassment against individuals based upon their protected classification. Such activities may also constitute a violation of the University’s Non-Discrimination and Anti-Harassment and Anti-Retaliation Policy. If the University determines after an investigation that there is a substantial basis to conclude that there has been hate crimes or ethnic intimidation as outlined in this policy, appropriate disciplinary action will be taken. Any executive officer or other officer, administrator, manager, supervisor, employee, agent, student, or other nonemployee who, after appropriate investigation, has been found to have engaged in unlawful discrimination, harassment, or retaliation and/or inappropriate behavior inconsistent with this policy (even if not unlawful) will be subject to appropriate disciplinary and/or corrective action, as defined in Volume VI for students, Volume IV for faculty, and Volume III for all employees.

Individuals subjected to these types of activities and/or crimes should make an immediate report to the Department of Campus Safety and Protection, the Dean of Students, or the Director of Human Resources. Immaculata will cooperate with any agency in the investigation of such reported crimes and activities

## **Resolving the Complaint**

Upon completing the investigation of a discrimination, harassment, or retaliation complaint, the University will communicate its conclusion, subject to any limitations set forth in applicable privacy law (e.g., FERPA). Both parties will be afforded an opportunity to file an appeal of the resolution in accordance with established University grievance policy. If the University determines after an investigation that there is no substantial basis to conclude that there has been discrimination, harassment, or retaliation in violation of this policy, the University will inform the complainant and the respondent that a thorough investigation has been conducted and the University determined that there is no substantial basis to determine that there has been discrimination, harassment or retaliation.

If the University determines after an investigation that there is a substantial basis to conclude that there has been discrimination, harassment, or retaliation in violation of this policy, appropriate disciplinary action will be taken. Any executive officer or other officer, manager, supervisor, employee, agent, student, or other nonemployee who, after appropriate investigation, has been found to have engaged in unlawful discrimination, harassment, or retaliation and/or inappropriate behavior inconsistent with this policy (even if not unlawful) will be subject to appropriate disciplinary and/or corrective action, as defined in Volume VI for students, Volume IV for faculty, and Volume III for all employees.

The University's ability to discipline a non-employee harasser is limited by the degree of control, if any, that the University has over the alleged harasser. However, any employee or student who has been subjected to employment or academic related discriminatory harassment by a non-employee should file a complaint as outlined in this policy.

## Campus Crime Statistics

The Department of Campus Safety and Protection and other campus officials with significant responsibility for student and campus activities, report campus crime statistics. Pastoral and professional counselors have been advised that, while they are not obligated to report crimes for the purpose of compiling these statistics, they are encouraged to inform the person they are counseling of their ability to report any crimes on a voluntary confidential basis for inclusion in the annual statistics.

The Department of Campus Safety and Protection collects and reconciles gathered information from campus sources and municipal police departments. The East Whiteland Township Police Department also reports pertinent statistics from the required Clery defined geographical areas to Immaculata University annually. In 2013 and 2014, the Uwchlan Township Police Department reported statistics for the non-campus location, Marchwood Apartments. All statistics are incorporated in the following tables.

Immaculata University does not have any off-campus student organizations. If the situation occurs in the future, the appropriate law enforcement agency would be requested to monitor and record all criminal activity occurring at that location.

### **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) of 1998**

The Clery Act requires the release of statistics for specified criminal incidents, arrests and disciplinary referrals on campus to all students and employees. It requires that these statistics be available to prospective students and employees upon request. The Higher Education Reauthorization Act of 1998 amended the Campus Security Act to require statistics for an expanded area beyond the campus. The law requires these statistics to be shown in specific geographic categories. (Note that incidents shown in the *On-Campus Residential* category are also included in the statistics shown in the *On Campus* category.) The Violence Against Women Reauthorization Act (VAWA) of 2013 mandated the collection and reporting of statistics for dating violence, domestic violence and stalking. The following statistics are provided in compliance with the specific time periods, crime classifications, geographic categories and arrest data mandated by federal law. These statistics are for the calendar years 2013, 2014 and 2015.

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<b>CRIMINAL OFFENSES</b>					
<b>OFFENSE</b>	<b>YEAR</b>	<b>GEOGRAPHIC LOCATION</b>			
		<b>ON CAMPUS PROPERTY</b>	<b>ON CAMPUS STUDENT HOUSING FACILITIES</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
<b>MURDER/NON-NEGLIGENT MANSLAUGHTER</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>MANSLAUGHTER BY NEGLIGENCE</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>RAPE</b>	2013	2	2	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>FONDLING</b>	2013	0	0	0	0
	2014	2	1	0	0
	2015	1	1	0	0
<b>INCEST</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>STATUTORY RAPE</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>ROBBERY</b>	2013	0	0	0	0
	2014	0	0	1	0
	2015	0	0	0	0
<b>AGGRAVATED ASSAULT</b>	2013	0	0	2	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>BURGLARY</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	1	0	0	0
<b>MOTOR VEHICLE THEFT</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>ARSON</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0

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<b>VAWA OFFENSES</b>					
<b>OFFENSE</b>	<b>YEAR</b>	<b>GEOGRAPHIC LOCATION</b>			
		<b>ON CAMPUS PROPERTY</b>	<b>ON CAMPUS STUDENT HOUSING FACILITIES</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
<b>DOMESTIC VIOLENCE</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>DATING VIOLENCE</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>STALKING</b>	2013	0	0	0	0
	2014	1	0	0	0
	2015	1	0	0	0

<b>ARRESTS AND DISCIPLINARY REFERRALS</b>					
<b>OFFENSE</b>	<b>YEAR</b>	<b>GEOGRAPHIC LOCATION</b>			
		<b>ON CAMPUS PROPERTY</b>	<b>ON CAMPUS STUDENT HOUSING FACILITIES</b>	<b>NONCAMPUS PROPERTY</b>	<b>PUBLIC PROPERTY</b>
<b>ARRESTS: WEAPONS: CARRYING, POSSESSION, ETC.</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSION, ETC.</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>ARRESTS: DRUG ABUSE VIOLATIONS</b>	2013	0	0	0	0
	2014	0	0	0	0
	2015	0	0	0	0
<b>DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS</b>	2013	1	1	0	0
	2014	1	1	0	0
	2015	2	2	0	0
<b>ARRESTS: LIQUOR LAW VIOLATIONS</b>	2013	0	0	0	0
	2014	0	0	1	0
	2015	2	0	0	0
<b>DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS</b>	2013	53	53	0	0
	2014	30	30	0	0
	2015	14	14	0	0

## **Unfounded Crimes**

A crime is considered unfounded for *Clery Act* purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. The Department of Safety and Protection is staffed by non-sworn officers. The Department does not have the authority to designate a crime report as unfounded. Therefore, no statistics are provided for unfounded crime reports.

## **Hate Crime Statistics**

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

There were no reported Hate Crimes for the years 2013 and 2014.

In 2015, one (1) on-campus Intimidation incident characterized by racial bias. Incident involved a social media posting

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## The Pennsylvania College and University Security Information Act Campus Crime Statistics for Immaculata University

The following tables summarize the number of offenses and clearance rates for all reported crimes over the past three years. The crime rate per 100,000 populations is determined by multiplying the number of offenses by 100,000, then dividing this figure by the total number of combined full time equivalent (FTE), undergraduate, graduate student population and the FTE of employees, all which total 2492. The University's FTE population for 2013 was 2492, for 2014 was 2352. The 1998 Amendments to the Federal Higher Education Act (titled the Jeanne Clery Disclosure of Campus Crime Statistics Act) requires a further breakdown of specific reported offenses in the following categories.

Offenses	2013		2014		2015	
	Offenses Known	Crime Index	Offenses Known	Crime Index	Offenses Known	Crime Index
Criminal Homicide	0	0	0	0	0	0
Forcible Rape	2	80	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Simple Assault	0	0	0	0	1	40
Burglary	0	0	0	0	1	40
Theft	14	562	14	529	11	437
Motor Vehicle Theft	0	0	0	0	0	0
Attempted M.V. Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Forgery/Counterfeiting	0	0	0	0	0	0
Fraud	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0
Stolen Property (Buying, Receiving and Possessing)	0	0	0	0	0	0
Vandalism	16	642	7	264	22	873
Weapons Offense	0	0	0	0	0	0
Prostitution and Commercialized Vice	0	0	0	0	0	0
Sex Offenses (except Rape and Prostitution)	1	40	2	76	1	40
Drug Abuse Violations	1	40	1	38	1	40
Gambling	0	0	0	0	0	0
Offenses Against Family	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0
Liquor Laws	0	0	0	0	2	79
Drunkenness (except Liquor Law Violations)	0	0	0	0	0	0
Disorderly Conduct	2	80	6	227	13	516
Vagrancy	0	0	0	0	0	0
All Other Offenses	0	0	1	38	0	0

## **ANNUAL FIRE SAFETY REPORT**

This report is published in compliance with section 485(i) of the Higher Education Opportunity Act. All registered students as well as employees are mailed (via U.S. Postal Service or interoffice campus mail) a notice concerning this report by October 1 of each year. This notice includes a statement of the report's availability, the website address of the report, a brief description of the report's contents, and a statement that the University will provide a paper copy of the report upon request to the Department of Safety and Protection. Prospective students and employees of the university are provided with the same information.

### **Fire Log**

The Department of Safety and Protection maintains a written fire log that records all fires that occurred in an on-campus student housing facility. This log includes the nature of the fire, date, time and general location.

### **Fire Safety System, Training and Drills**

Fire alarms are monitored by an off campus central station. The central station is responsible for contacting the East Whiteland Fire Company when a fire alarm is received. The Department of Campus Safety and Protection also monitors the fire alarm system from the main office.

The fire safety system includes various detection devices, including smoke and heat detectors. Fire extinguishers and fire alarm pull boxes are deployed in all campus buildings. Emergency evacuation maps and emergency exit signs have been installed in each residence hall. The fire safety system is subject to an annual inspection to ensure system is operating properly. Throughout the year, safety officers and Facilities' staff monitor elements of the fire safety system and ensure any necessary maintenance or repairs are completed.

Supervised fire drills are conducted in each residence hall at least once a year. These drills serve to evaluate the operation of the fire safety system and practice building evacuations. Drills are supervised by safety officers, Residence Life and Housing staff and resident assistants (RAs). University policy requires that students evacuate a building in which an alarm is sounding.

Any individual found responsible for causing a false alarm (whether intentional or accidental) or damaging safety equipment may face disciplinary actions. Possible sanctions include removal from university housing, suspension from the University, legal action, or fines.

Fire safety education is provided annually to resident assistants (RAs) and other student leaders by members of the East Whiteland Fire Company. Topics include use of fire extinguishers and evacuation of a smoke filled building.



## **Student Housing Fire Reporting and Evacuation Procedure**

If a real fire is detected, a fire alarm sounds, or general evacuation is ordered, students should:

1. Isolate any fire by closing doors and windows when leaving, if practical. Students should activate the nearest fire alarm if it has not already been activated. Students should not attempt to extinguish fires unless they have been trained on the proper use of portable fire extinguishers.
2. Consult the emergency evacuation maps located in each student room that directs occupants to primary and secondary exits. Leave the building in a calm and orderly fashion by stairs and exits. Elevators should not be used.
3. Once outside of the building, stay outside and move away from the building to clear access for the Fire Department and other emergency responders. Students must not enter the building until expressly advised that it is safe to do so by the Fire Department Incident Commander or University safety officer.

## **Fire Prevention Related Policies**

The Immaculata University Policy Manual Volume VI addresses Fire Regulations by listing safety policy standards for students living in residence halls. Failure to comply with this policy could result in disciplinary sanctions.

To minimize the potential for fires at Immaculata University it is the policy of the University to prohibit open burning and the use of combustible decorations at all times. Open burning as defined by the University is any/exposed flame or combustion that produces heat, light, or smoke, and has the potential to cause a fire. Examples of open burning are, but not limited to, candles, incense, bonfires, campfires, barbecue grills and their related accessories such as: gasoline, propane, lighter fluid, charcoal, and pyrotechnics. Students are advised to be careful when using aerosol sprays, curling irons, and hair dryers. These items have been known to set off fire alarms.

All decorations and ornaments must be of fire-resistant or non-combustible material, U.L. rated and approved for use. They shall not be hung or posted on any fire protection equipment (fire hose cabinets, fire extinguisher, sprinkler head and piping, smoke detector, fire alarm pull boxes, etc.), on or near exit or emergency lights, on or near any other protective or operation feature provided by the University, or in any manner that could present a fall or trip hazard, or impede egress. Decorative lights including holiday lights, as well as floodlights, extension cords or electrically operated ornaments must be U.L. rated and approved for use.

Only heavy-duty extension cords and decorative lights in good condition (free from damage or exposed wiring) shall be used for decorations. Lights and cords must be unplugged at the end of each day and removed after the event or holiday season. Extension cords or decorative lights may not be routed under rugs or carpets, through doorways, or in any manner that could present a fall or trip hazard, or impede egress. It is the policy of the University that only artificial holiday trees will be used and shall be of fire-retardant or non-combustible material. Indoor trees must be placed out of the way of traffic and must not block doorways, exits, exit signs, or any of the fire protection equipment, or placed in any manner that could present fall or trip hazard or impede egress.

The following electrical appliances are restricted or prohibited in all University housing:

1. Appliances with closed heating elements, such as toasters, toaster ovens, popcorn poppers, sandwich makers and coffee makers are only permitted to be used in kitchens. Any appliance with an open heating element (such as but not limited to space heater, halogen lamps, etc.) is prohibited in the residence halls. Only microwaves provided by the University are permitted to be used in residence hall lounges and kitchenettes. Combination microwave/refrigerators provided through a Residence Life and Housing approved vendor are permitted in individual residence hall rooms.
2. Only one U.L. approved, unfrayed extension cord/multiple-plug attached to allowed per outlet, and it may not be placed under carpets, tacked or stapled.
3. Plug adapters should be U.L. approved and not rated less than 125 volts/15 am pers. Residents should employ the prudent use of surge protections to protect property from unexpected electrical damage.
4. Heavy drawing appliances (irons, hair dryers, television, refrigerators) should be plugged directly into socket outlets and not extension cords and unplugged when not in use. Extension cords are not to be used with these items.

Violation of these policies may result in immediate confiscation and disposal of the appliance(s), fining and /or referral for disciplinary action.

## **Clean Air Policy**

Immaculata University has adopted a smoke-free policy. All buildings, including academic, administrative, University Housing, dining service and mixed-use facilities and all vehicles which are owned, operated or leased by Immaculata University, will be entirely smoke free. The smoke-free policy will apply to all indoor air space, including all common areas and individually assigned spaces. Smokers are asked to deposit cigarettes in the designated containers.

## **Future Improvements Fire Safety**

Immaculata University maintains a constant evaluation of fire safety systems. Future plans include an upgrade of fire safety systems in a classroom building as part of a renovation and addition.

## **Fire Statistics**

The following chart lists the number of fires, the cause of each fire, the number of deaths related to the fire, the number of injuries related to the fire that resulted in treatment at a medical facility and the value of property damage related to the fire for each on-campus student housing facility.

For the purposes of the fire safety reporting, a fire is any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner. These are the cause categories that describe fires:

- Intentional fire: Fire set (done) purposely
- Undetermined fire: Unable to ascertain cause of the fire
- Unintentional fire: cooking, smoking materials, open flames, electrical, heating equipment, hazardous products, machinery/industrial, natural and order.

**Fires for 2013 by Residence Hall**

<b>Location</b>	<b>Total</b>	<b>Date</b>	<b>Cause</b>	<b>Injury</b>	<b>Death</b>	<b>Property Damage Value</b>
DeChantal Hall	0	N/A	N/A	N/A	N/A	N/A
Marian Hall	1*	4/11/2013	Unintentional	0	0	\$25
Lourdes Hall	0	N/A	N/A	N/A	N/A	N/A
Villa Maria Hall	0	N/A	N/A	N/A	N/A	N/A

\*This fire occurred in the Marian residence hall, and was associated with a microwave cooking fire. The microwave was destroyed.

**Fires for 2014 by Residence Hall**

<b>Location</b>	<b>Total</b>	<b>Date</b>	<b>Cause</b>	<b>Injury</b>	<b>Death</b>	<b>Property Damage Value</b>
DeChantal Hall	0	N/A	N/A	N/A	N/A	N/A
Marian Hall	0	N/A	N/A	N/A	N/A	N/A
Lourdes Hall	0	N/A	N/A	N/A	N/A	N/A
Villa Maria Hall	0	N/A	N/A	N/A	N/A	N/A
West Campus Apt.101	0	N/A	N/A	N/A	N/A	N/A
West Campus Apt.103	0	N/A	N/A	N/A	N/A	N/A

Note: The two West Campus apartment buildings were occupied beginning in August 20014.

**Fires for 2015 by Residence Hall**

<b>Location</b>	<b>Total</b>	<b>Date</b>	<b>Cause</b>	<b>Injury</b>	<b>Death</b>	<b>Property Damage Value</b>
DeChantal Hall	0	N/A	N/A	N/A	N/A	N/A
Marian Hall	0	N/A	N/A	N/A	N/A	N/A
Lourdes Hall	0	N/A	N/A	N/A	N/A	N/A
Villa Maria Hall	0	N/A	N/A	N/A	N/A	N/A
West Campus Apt.101	0	N/A	N/A	N/A	N/A	N/A
West Campus Apt.103	0	N/A	N/A	N/A	N/A	N/A