



**2023-24 Academic Year DeSales University**

# **ANNUAL SECURITY & FIRE SAFETY REPORT**

**Containing crime statistics for Calendar Years 2022, 2021, 2020**

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### Telephone Numbers

University Police ....610.282.1002 or ext. 1250 from any campus phone  
 Health Center..... 610.282.1100 ext. 1776, 1221  
 Counseling Center..... 610.282.1100 ext. 1462  
 Ass't Dean of Students for Campus Life ..... 610.282.1100 ext. 1886  
 & Student Conduct  
 Assistant Dean of Students for Wellness.....610.282.1100 ext. 1462  
 Office of the Vice President of Student Life ..... 610.282.1100 ext. 1272  
 Title IX Coordinator..... 610.282.1100 ext. 1403  
 Lehigh County 911 Center ..... 610.437.5252 or 911  
 Crime Victims Council of the Lehigh Valley ..... 610.437.6611  
 Upper Saucon Township Police Department..... . 610.437.5252

# A MESSAGE FROM THE CHIEF OF POLICE

Your safety on the campus of DeSales University is important to us. DeSales University recognizes and supports the integral role that public safety plays as part of its commitment to academic excellence. Through the efforts of the members of the DeSales University Office of Police Operations & Public Safety, with assistance from many other departments, we strive to continually improve our ability to prevent crime.

DeSales University presents unlimited opportunities to experience the many advantages of life in a university community, but each of us must exercise precautionary measures to prevent ourselves from becoming victims of crime. We must however, involve all community members if we want to make a difference. Please be aware of the activity around you and contact DSUPD promptly to report crimes, suspicious activity, emergencies, and concerns about your safety, or have an unsafe condition to report. To contact DeSales University Police, dial extension 1250 from any campus phone, use a blue light emergency or elevator phone, or dial direct 610.282.1002. DeSales University strives to provide a well-staffed, trained, and professional police department, but security at DeSales begins with you.

In this report, details are provided to inform and educate DeSales University students, prospective students, faculty, staff, prospective employees, and visitors about various safety and security procedures, policies and resources.

We encourage you to read this information and consider how it can help you and the DeSales community to prevent and protect yourself against crime.

Thank you for joining us in our commitment to continue to make the DeSales University a safer campus for all.

**Richard Williams**  
**Chief of Police and Public Safety**

# PREPARATION OF THE ANNUAL SECURITY AND FIRE REPORT

The DeSales University Police prepares and distributes the Annual Security and Fire Report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites, Office of Student Life, Office of Judicial Affairs, Office of Emergency Services, and the Office of Campus Environment.

Campus crime, arrest and referral statistics include those reported to DSUPD, designated campus officials (including but not limited to directors, deans, judicial affairs, residence life, advisors to student organizations, athletic coaches, and other designated campus security authorities) and other law enforcement agencies. Though exempt from reporting, pastoral and professional health counselors inform their clients of procedures to report crime to the University Police on a voluntary or confidential basis, should they feel it is in the best interest of the client, or when there is an on-going threat to the DeSales University community.

Each year, an email notification is made to all enrolled students and current employees that provides the web site to access this report, and a brief summary of the contents of the report. The 2023 report contains crime and fire statistics for calendar years 2022, 2021, and 2020.

This report is available online at [WWW.DESALES.EDU/SECURITYREPORT](http://WWW.DESALES.EDU/SECURITYREPORT). Copies of the report can also be obtained from the DeSales University Police Department at 2755 Station Avenue, Center Valley, PA 18034-9568, or by calling 610.282.1100 extension 1740.

# CAMPUS SAFETY & THE DSU POLICE

The Office of University Police Operations & Public Safety is dedicated to providing the highest quality public safety and crime prevention services. Concern for the community's well-being, desire to provide service and assistance whenever possible, support of the academic mission of the University are all factors inherent in the department's daily operations and policies. This report is intended to inform the DeSales University community about issues related to safety and security and is distributed to all students, faculty, and staff as required by law.

## **ENROLLMENT**

In fall 2022, DeSales University's full-time equivalent (FTE) enrollment of undergraduate and graduate students was 2,586. There were 1,024 undergraduate and 13 graduate students living in on-campus housing. The University employed 435 full-time equivalent (FTE) employees, including faculty, administration, and staff. (Enrollment and employee FTE figures are based on federal IPEDS calculation.)

## **CRIMINAL BACKGROUND CHECKS**

In order to ensure a safe and secure environment for its employees and students and to verify the information provided by prospective employees, in conjunction with the employment process, the University conducts background investigations on applicants for employment. A criminal background investigation will be conducted with respect to all University positions. In accordance with Pennsylvania Act 153, all new faculty and staff at DeSales University whose position with the University has been determined to potentially have direct contact or routine interaction with individuals under 18 years of age must successfully complete a background check, including a Criminal History Report from the Pennsylvania State Police, a Child Abuse History Clearance from the Department of Human Services and a fingerprint based criminal history submitted through the FBI as a condition of employment.

As required by the specific requirements of the employee's position, other background checks, such as verification of academic credentials, motor vehicle report, credit check, etc., may be directed by the Director of Human Resources in conjunction with the hiring manager.

## **DE SALES POLICE DEPARTMENT**

The Office of University Police Operations & Public Safety is responsible for security and law enforcement on the campus of DeSales University. The chief of police organizes and staffs the department in accordance with guidelines of the Campus Association of Law Enforcement Administrators.

The Office of University Police Operations & Public Safety is located in the Lawless Center. The office is open 24 hours per day, 7 days a week. The communications center is located on the first floor. To report emergencies, a non-emergency, or request assistance on campus, call the University police at ext. 1250 from any campus phone or 610.282.1002 from an off-campus or cell phone.

The University police and public safety department is made up of sworn/commissioned police officers. The department consists of 16 full-time staff members and 4 part-time staff. The full-time staff includes: a chief of police, a police corporal, police officers, dispatchers, a program administrator, and a parking authority/access control coordinator.

DeSales sworn police officers have completed police academy training as prescribed by the Commonwealth of Pennsylvania Municipal Police Officers Training and Education Commission. In addition, police officers receive 16 hours of in-service training and legal updates annually at the Allentown Police Academy. All officers receive training in first aid/first responder, CPR, and the use of automated external defibrillators.

This department provides law enforcement and security services to all components of DeSales University. University police derive their authority from the Commonwealth of Pennsylvania under the provisions of Title 22 Pa.C.S.A., Chapter 5, Section 501. The department's police officers have the same authority to detain and arrest as municipal police officers. The primary jurisdiction of University police includes property owned, leased, or otherwise under the control of DeSales University. University police personnel are officials of the University with occupational responsibilities for safety, security, and traffic control and enforcement of State, Local and Federal Laws, and University policies. The University police department has a strong working relationship with the Upper Saucon Township Police Department. The departments work together to investigate and resolve cases involving DeSales University community members each year. Additionally, University police work closely with state and federal law enforcement agencies, as well as appropriate elements of the criminal justice system. Regarding the investigation of alleged criminal offenses, DeSales does not have any written memorandums of understanding or other formal agreements with any outside law enforcement agency.

The University police department has access through the Lehigh County Communications Center to criminal records, wanted persons, stolen property, and vehicle information. All crimes reported to DeSales police are thoroughly investigated and are referred for prosecution through the Lehigh County district attorney's office when appropriate. Criminal matters involving students may also be referred to the University administration for disciplinary action.

## **PREVENTING CRIMES**

The prevention of crime before it happens is a primary goal of the DeSales University police department. All members of the campus community are encouraged to take an active role in their personal safety and property protection. Prompt crime reporting may prevent someone else from becoming a victim. The DeSales University police department requests the support, cooperation, and involvement of all students and staff in maintaining the campus as a safe place to live, work, and study. Members of the campus community must assume responsibility for their own safety and the security of their personal belongings by taking simple, common sense precautions.

DeSales University conducts educational programs on sexual assault prevention, alcohol and other drugs, general issues of personal safety, and theft prevention during the orientation program for first-year students in August and at other times during the academic year. During the 2023-2024 academic year, prevention and security awareness programs will be offered at the beginning of the semester and during the semester; including topics such as personal safety, residence hall security and fire safety, drug abuse awareness and sexual assault prevention. All crime prevention and security awareness programs encourage students and employees to be responsible for their own security and the security of others. Upon request, members of the Office of University Police & Public Safety conduct safety workshops for residents and employees.

## **CHAPERONE SERVICE**

The University police department provides a year-round chaperone service for all members of the University community from sunset to sunrise seven days per week. Individuals requesting the use of the chaperone service should dial extension 1250 from a campus phone or dial direct 610.282.1002. The chaperone service is also provided for sick/injured members of the University community 24 hours per day.

# **REPORTING CRIMES & EMERGENCIES**

Like any community, DeSales University experiences crimes, accidents, injuries, and other emergencies. It is imperative that all crime and suspicious activity be reported to DeSales University Police accurately and promptly, when the victim of such crime elects or is unable to make such a report.

## **TO REPORT A CRIME OR EMERGENCY**

In the event anyone has information regarding crimes or emergencies on campus they should immediately notify DSUPD. Reports of crimes can also be made on a voluntary, confidential basis, by making this request known to the reporting officer. If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you may still want to consider making a confidential report. With your permission, a DSUPD officer can file a report on the details of the incident without revealing your identity (except to the Title IX Coordinator in the event of a reported sex offense or sexual harassment). The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to enhance the future safety of yourself and others. With such information, the DSU can keep an accurate record of the number of incidents involving students, employees, and visitors; determine where there is pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger.

Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution. DeSales University responds to all reports of crime and emergencies immediately. All other incidents and non-emergencies are handled promptly.

## **DE SALES UNIVERSITY MAIN CAMPUS**

DeSales University main campus can directly contact DSUPD by dialing 911 or extension 1250 from a campus phone, or by dialing direct 610.282.1002. These numbers can be used for both emergencies and non-emergencies and are staffed 24 hours a day by communications personnel.

The University also has an emergency blue light telephone network that are strategically located around campus. These call boxes are directly connected to the University police communications center, and are monitored 24 hours a day.

There are emergency telephones located in the elevators in Dooling Hall, Hurd Science Center, Gambet Center, Trexler Library, Fr. Harvey House, Fr. Finnegan House, Fr. Guerin House, Donahue Hall, Aviat Hall, Annecy Hall and Billera Hall. These emergency phones contact University Police when activated, and are monitored 24 hours a day.

A person reporting a crime to DSUPD has the right to report the crime to Upper Saucon Township Police Department by calling 911 from a cell phone, or directly at 610.437.5252. DSUPD officers can assist in reporting crimes to Upper Saucon Township Police.

## **RESPONSE TO A REPORT**

DeSales University dispatchers are available at 610-282-1002 or 610-282-1100 ext. 1250, 24 hours a day to answer your calls. In response to a call, DSUPD will take the required action either dispatching an officer or asking the victim to report to DSUPD to file an incident report. All reported crimes will be investigated by the University and may become a matter of public record. Some DSUPD incident reports are forwarded to the Dean of Students Office for review and referral to the Office of Student Conduct for potential action as appropriate. DSU investigators will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Student Conduct Office. If assistance is required from the Upper Saucon Police Department, DSUPD will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including DSUPD, will offer the victim wide variety of services.

## **REPORTING TO MEET DISCLOSURE REQUIREMENTS**

Members of the DSU community are helpful when they immediately report crime or emergencies to the DSUPD and/or the following for purposes of including them in the daily crime log, the annual statistical

The Office of Student Life located in Dorothy Day Student Center can assist students in reporting incidents.

Jen Bunting	Associate Dean of Students for Campus Life & Student Conduct	Jennifer.Bunting@desales.edu	Extension 1886
Joanne Carr	Director of Housing and Meal Plans	Joanne.Carr@desales.edu	Extension 1425
Wendy Kalamar	Associate Dean of Students for Wellness	Wendy.Kalamar@desales.edu	Extension 1462
Tammy Lippincott	Director of Health Center	Tammy.Lippincott@desales.edu	Extension 1221
Nicholas Luchko	Associate Dean of Students for Student Engagement and Leadership	Nicholas.Luchko@desales.edu	Extension 1843
Brian MacDonald	Director of International Learning	Brian.MacDonald@desales.edu	Extension 1510
Andy Auguste	Director of Residence Life	Andy.Auguste@desales.edu	Extension 1411
Linda Zerbe	Vice President	Linda.Zerbe@desales.edu	Extension 1272
Gracia Perilli	Deputy Title IX Coordinator Associate Director of Athletics	Gracia.Perilli@desales.edu	Extension 1218

The Office of Human Resources, located in Tucker House, can assist employees with reporting incidents.

Amy Bower	Human Resources Specialist	Amy.Bower@desales.edu	Extension 1660
Margie Grandinetti	Executive Director of Human Resources	Margie.Grandinetti@desales.edu	Extension 1485
Lisa Lightcap	HR Generalist	Lisa.Lightcap@desales.edu	Extension 1369
Donna Mikol	Assistant Director of Human Resources	Donna.Mikol@desales.edu	Extension 1508

The Title IX Coordinator, located in the Admin & Support Offices in the Lawless Center, can also assist students and employees in reporting incidents.

Tom Johnson	Title IX Coordinator	Thomas.Johnson@desales.edu	Extension 1403
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disclosure and assessing them for issuing a Timely Warning Notice, when deemed necessary. Crimes should be accurately and promptly reported to the DSUPD or the appropriate police agency, when the victim of a crime elects to, or is unable to, make such a report.

## DAILY CRIME LOG AND PA UCR

The Daily Crime Log, as required by the Clery Act, is available for viewing upon request at the DeSales University Police Administrative Office, located on the second floor of the Lawless Center, during regular business hours when the campus is open. The log contains the past 60 days of incidents and crimes reported to DeSales University Police. Any portion of the log that is older than 60 days will be made available within two business days of a request for public inspection. Each log entry encompasses the nature, date, time, general location and disposition of all reported crimes.

The University police report all crimes to the Pennsylvania State Police for inclusion in the Uniform Crime Reporting system. Reports are shared, if requested, with the Upper Saucon Township police and other local police departments.

## PASTORAL AND MENTAL HEALTH PROFESSIONALS

Although exempt from the reporting requirements of the Clery Act, pastoral and professional mental health counselors acting in this role are encouraged to inform the individuals they are counseling, if

and when they deem it appropriate to report crimes on a voluntary, confidential basis for inclusion in the annual statistics, especially if the incident poses a continuous threat to the campus community.

**Pastoral Counselor** - 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.

**Professional Counselor** - An employee of an institution whose official responsibilities includes providing psychological counseling to members of the institution's community, and who is functioning within the scope of his or her license or certification.

## MISSING PERSONS POLICY

It is DeSales University's policy to treat all reports of missing students as serious incidents and to investigate such reports completely. The University police will thoroughly investigate all reports of missing students, treating every report as one where the person reported missing may be at risk until significant information to the contrary is confirmed. This policy establishes a framework for cooperation among members of the University community aimed at locating and assisting students who are reported missing.

The University encourages timely reporting of missing students to the University police by all members of the DeSales community. This will assist in locating students who are reported missing and comply with federal law as stated in the Missing Person Procedures of the Higher Education Opportunity Act 2008.

## Reporting Missing Students

A student may be considered missing if the student's absence is contrary to his/her usual pattern of behavior and unusual circumstances may have caused the absence. Such circumstances could include, but are not limited to: (1) absence from multiple classes; (2) indicators that a student may be a victim of foul play; (3) expressed suicidal thoughts; (4) indicators of drug dependency; (5) indicators that the student may be in a life threatening situation or has been with persons who may endanger his/her welfare.

If there is a possibility that a student may be missing for 24 hours, contact the University police as soon as possible, by calling 610.282.1002.

Any University employee who receives information that a student may be missing must report this information to the University police immediately whether the student is a resident or non-resident student.

Any student who believes another student is missing should notify the University police as soon as possible.

DeSales University will notify the local law enforcement agency within 24 hours of the determination that the student is missing, unless the local law enforcement agency was the entity that made the determination that the student is missing. Regardless of whether the student has identified a contact person, is older than 18 years of age, or is an emancipated minor, DSU will inform the local law enforcement with jurisdiction that the student is missing within 24 hours. In the event a student under 18 years of age and not emancipated, DSU must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student.

University police will investigate all incidents of reported missing students and will exhaust all leads to locate resident students (those who live on campus). In situations where the student is a non-resident (lives off campus), the University police will notify the appropriate law enforcement agency in the jurisdiction where the student lives or was last seen. University police will cooperate fully with the investigation, providing assistance as requested. When applicable, University police will notify outside law agencies as soon as possible.

Upon receiving a report of a missing student and conducting a preliminary check of the student's room and other campus areas

that the student frequents, University police will notify the vice president for student life or his/her designee.

## Missing Person Contact Information & Procedures

At the beginning of each academic semester, all students residing in on-campus housing will be notified of the following:

1. The student will have an opportunity through MyDSU, and will receive electronic reminders/email in August, to identify a contact person(s) who will be notified within 24 hours of law enforcement's determination that the student is missing. Students also receive a reminder each semester to update this information;
2. This contact information will be confidential and will be accessible only to authorized University officials. It will not be disclosed, except to law enforcement personnel involved in a missing persons investigation;
3. For missing students, this notification to the designated missing person contact person will be made within 24 hours after the student is determined to be missing. If a designated person has not been identified by the student, the student affairs department or the University police will notify the student's custodial parent or guardian;
4. For students under 18 years of age and not emancipated, the student affairs department or the DeSales University police will notify the student's custodial parent or guardian within 24 hours of the determination that the student is missing and will also notify the student's designated missing person contact person.

## Timely Warning Alerts

In an effort to provide timely notice to the DeSales University community in the event of a criminal situation that may pose a serious or continuing threat to members of the campus community, a timely warning notice that withholds the names of victims as confidential, and that will aid in the prevention of similar crimes, is sent primarily by blast email to all students and employees on campus as soon as pertinent information is available. Alerts can also be sent/communicated by DeSales channel 7, LED signboards, and posted in key campus buildings and areas deemed necessary. The intent of a timely warning is to notify/warn the campus regarding a criminal incident, providing individuals an opportunity to take reasonable precautions to protect themselves.

Timely Warnings are generally written and distributed to the campus community by the Chief of Police or his/her designee, and may be reviewed by the Vice President prior to distribution. The Chief of Police has authority to issue a timely warning without such



consultation if consultation time is not available. Should the Chief of Police be directly impacted and involved in an incident response or otherwise unavailable, the notice may be written and sent by the Vice President or his/her designee.

Timely warnings are sent to the University community to notify members of the community about the report of a Clery Act crime (as described below) that has been reported to DSUPD and that has occurred on campus or on non-campus property or public property, where it is determined that the incident may pose a serious or continuing threat to members of the DSU community.

Crimes that occur outside of the campus' Clery geography, as stipulated, or other non-Clery crimes, will be evaluated on a case by case basis. Information related to these crimes may be distributed to the campus as a safety notice and could be distributed via blast email, posted on DeSales Channel 7, or posted on posters in key campus buildings and areas when deemed necessary.

Updates to the DSU community about a particular crime resulting in a timely warning alert may be distributed by email, and if necessary, update notices will be posted in key campus buildings and areas. DSU does not necessarily issue updates for every Timely Warning Notice issued, and will do so on a case-by-case basis.

DeSales University professional staff are informed of their responsibility to share alert information with their sponsored visitors and/or guests. Conference Services staff are instructed to inform conference attendees, camp counselors, and/or directors/leaders about alerts and posters that may be posted in areas or residence halls where conference or camp attendees are visiting and/or occupying.

Timely Warnings may be distributed for any of the following Clery Act crime categories/classifications: murder and non-negligent manslaughter, sex offenses (rape, fondling, incest, and statutory rape), robbery, aggravated assault, burglary, major incidents of arson, hate crimes, motor vehicle theft, domestic violence, stalking, or arrests and referrals for liquor law, weapons law, and drug law violations.

Timely Warnings for the crimes of aggravated assault, motor vehicle theft, burglary, sex offenses, domestic violence, dating violence, stalking, and arrests or referrals for liquor, drug, and weapon offenses are considered on a case-by-case basis and depend on a number of factors. These include the nature of the crime, the timeliness of the report, and the continuing or ongoing danger to the campus community – such as whether the perpetrator was apprehended, and the possible risk of compromising law enforcement efforts.

Alerts are typically not issued for any incidents reported that are

older than ten (10) days from the date of occurrence, as such a delay in reporting has not afforded the University an opportunity to react or respond in a timely manner.

Campus officials not subject to the timely reporting requirement are those with significant counseling responsibilities who were providing confidential assistance to a crime victim. At DeSales University, this would only apply to professional counselors from the Counseling Center and pastoral counselors who are performing that specific function and role as their primary employment with the University. The institution is not required to issue a Timely Warning with respect to crimes reported to a pastoral or professional counselor.

## EMERGENCY PREPAREDNESS

### Emergency Response Procedures

Upon confirmation of a significant emergency or dangerous situation that is an immediate threat to the health or safety of students or staff occurring on campus, authorized University officials will immediately notify the University community, unless the notification compromises efforts to contain the emergency. Emergency messages will include information about what occurred and directions on what to do next. Messages may be sent through DeSales e2Campus (text, social media, e-mail); messages on the University's website; DeSales channel 7; visible/audible warning systems including strobelights, speakers, and LED signboards. If any of these systems fail or the University deems it appropriate, in person communication may be used to communicate an emergency.

Emergency response and evacuation procedures are online on the MyDSU web portal under the policies and procedures tab. Students and employees are encouraged to read and regularly review the University's emergency response plan. Emergency response and evacuation procedures are tested, at minimum, on an annual basis. Additional information pertaining to these procedures is available from DSUPD, ext. 1837.

DSU maintains an Emergency Response Plan that outlines responsibilities of campus units during emergencies. This plan outlines incident priorities, campus organization and specific responsibilities of particular units or positions.

University units are responsible for developing emergency response and continuity of operations plans for their areas and staff. Campus emergency management provides resources and guidance for the development of these plans. Emergencies occurring on campus should be reported to DeSales University Police Department at 610 -282 -1002.

## **Process to Confirm Significant Emergency or Dangerous Situation**

If the Chief of Police, or designee, in conjunction with other University administrators, local first responders, Public Health Officials and/or the National Weather Service, confirms that there is an emergency or dangerous situation that poses an Immediate threat to the health or safety of some or all members of the DSU community, the emergency alert system will be activated.

The Lehigh County 911 Communications Center, Lehigh County Emergency Management Agency, Upper Saucon Township Police Department, or Upper Saucon Township Fire Department may also assist DSU officials with confirming of a significant threat immediately affecting the health, safety and well-being of our students, faculty, staff, and visitors, DeSales University will immediately activate the campus emergency alert systems. The Chief of Police or his/her designee are responsible to activate the campus emergency alert systems.

## **Which Segment(s) will Receive Notification**

All segments of the University community (i.e. faculty, staff, and students) will immediately receive emergency alerts from the campus emergency alert systems in the event of a confirmed threat or emergency affecting the University. Notification methods include text messaging, email, PC pop-up, social media (i.e. Facebook and Twitter), messages on the University's website and main telephone system, the University's Emergency Notification hotline 610.282.2650, as well as outdoor warning sirens and building visible/audio warning systems. In addition, emergency notification messages are also broadcasted on Channel 7, the University's in-house TV channel. This channel is received by all televisions connected to the DeSales University cable TV network.

## **Content of Notification**

DeSales University will, without delay, and taking into account the safety of the University community, determine the content of the notification and activate all components of the campus emergency alert systems, unless issuing a notification will, in the professional judgment of DeSales University Police and/or Upper Saucon Township Police, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. DeSales University uses two types of content for emergency messaging: pre-determined and user-determined. Pre-determined messages are short emergency messages that are built into our campus emergency alert systems, i.e. Shelter in Place, Weather Emergency, Lockdown, etc. User-determined messages are those created at the time of the system activation and can include any directions or necessary actions specific to the threat to safeguard our students, faculty, and staff from the threat or emergency. The Chief of Police,

Vice-President of Student Life, other University officials, and media relations may collaborate to determine the content of the message.

## **Initiating Notification System**

Upon confirmation of a significant threat immediately affecting the University community, the University Police communications center will begin the process of notification, without delay, to the University community, through the use of the outdoor warning sirens, as well as the building visible/audio warning systems. Simultaneously, the Chief of Police or his/her designee will activate the DeSales e2Campus mass notification system (text messaging, email, PC pop-up, social media) as well as place notification of the emergency on the University's main website and telephone system.

## **Disseminating Emergency Information**

The immediate notification capability of the mass notification system is designed to assist the University in immediately notifying the campus community upon confirmation of a significant emergency or dangerous situation occurring on or near campus that involves an imminent threat to the health and safety of the campus community. A threat is imminent when the need for action is instant, overwhelming, and leaves no moment for deliberation. Such situations would include, but are not limited to, a hazardous materials incident requiring a shelter-In-place or evacuation, an armed intruder on or near campus, and approaching tornado, or a fire actively raging in a campus building.

When an on-duty DeSales University Police officer become aware of a situation that may warrant the issuing of an immediate notification, the officer confirms the situation then immediately contacts the Chief of Police, who quickly evaluates the situation to determine if an alert is warranted, develops the content of the notification message, and identifies the appropriate segment(s) of the campus community who will receive notification. The Chief of Police, a Vice-President of the University, or the Executive Vice-President has the ability and authority to issue an alert without delay and without further consultation with any other University official.

In the event of a man-made threat or emergency (i.e. active shooter), the Chief of Police serves as the Incident Commander within the National Incident Management System (NIMS) and serves as the Incident Commander for all natural events (i.e. tornado, hurricane, flooding).

## **Statement of Notification**

In safeguarding and protecting our faculty, staff, students, and visitors, DeSales University will, without delay, upon confirmation of an immediate threat to the University community, begin to activate all components of our campus emergency alert systems

to provide guidance and direction during and after the emergency event. Any follow-up information, if necessary will be sent to the campus community via the campus emergency alert systems.

## **Dissemination of Emergency Information to the Larger Community**

Information detailing the emergency or immediate threat is conveyed to the larger community via the main DeSales University website, the University's main telephone number, as well as local media outlets throughout the Lehigh Valley and surrounding area through the WFMZ-TV Channel 69 StormCenter. In addition, TV Stations WBRE 28 and WYOU22 in the Wilkes Barre/Scranton areas are also notified.

If there is an immediate threat to the health or safety of students or employees occurring on campus, an institution must follow its emergency notification procedures. An institution that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the institution must provide adequate follow-up information to the community as needed.

## **Annual Emergency Services Test**

In conjunction with other emergency agencies, the University conducts emergency response drills and exercises each year, such as tabletop exercises, field exercises, and tests of the emergency notification systems on campus. These tests, which may be announced or unannounced, are designed to assess and evaluate the emergency plans and capabilities of the institution.

Each test is documented and includes a description of the exercise, the date and time of the exercise, and whether it was announced or unannounced.

The campus publicizes a summary of the emergency response and evacuation procedures via DeSales Daily, and/or email at least once a year in conjunction with a test (exercise and drill) that meets all of the requirements of the Higher Education Opportunity Act.

### **Procedure and Scheduling of Emergency Drills**

The University conducts two campus-wide emergency drills yearly during the fall and spring semesters for the University community. Topics are chosen each year prior to the start of the fall semester.

The date and time for the annual drills are determined by the Academic Oversight Committee of DeSales University. Immediately on completion of the drill, University stakeholders gather for a "hot wash" to review the overall drill, its effectiveness for the University community, as well as suggestions for improvement. In addition, feedback is solicited from the DeSales University community.

### **Alerts to University Community of Emergency Drills**

The annual campus-wide emergency drills in the fall and spring semesters are announced drills. Information regarding the drills, such as the type of scenario, date and time of the exercise are communicated to the DeSales University community via email and DeSales Daily (daily announcement blog).

# **CAMPUS EMERGENCY EVACUATIONS INSTRUCTIONS**

## **BUILDING EVACUATION**

- Stay calm, do not rush, and do not panic
- Use the nearest safe stairs and proceed to the nearest exit. DO NOT use the elevator
- Evacuate a minimum distance of 50 feet from the building.
- Please proceed to the designated Area of Rescue if you need assistance exiting the lower level or upper floors.
- Do not re-enter the building until directed by University Police

## **LOCKDOWN**

- Close and lock all doors
- Move away from, and out of sight of the door
- Turn off all light sources and switch cell phones to silent mode
- Remain quiet
- Seek concealment underneath a desk or behind another piece of furniture
- Stay away from windows and remain as low to the floor as possible.
- Remain in your area until directed by University Police

## **SHELTER IN PLACE**

- Remain at your current location
- Close all windows and doors
- Turn off all heating and air conditioning units in your area, if possible
- Stay calm and wait for further instructions via the Campus Emergency Alert System

## **SEVERE WEATHER**

- Move to the center of an interior room with no windows, or a hallway on the lowest floor possible
- Move to an interior stairwell if all rooms have windows
- Stay in place until the danger has passed
- Stay calm and wait for further instructions via the Campus Emergency Alert System

## **DeSales E2Campus EMERGENCY NOTIFICATION SYSTEM**

The most important way to get emergency messages is e2Campus! All students, faculty, and staff are encouraged to enroll in the e2Campus system. You will need your email address, cell phone number, and the name of your cell phone carrier. When signing up for this system, you have the option to register up to two cell phone numbers as well as two e-mail addresses.

- Go to MyDSU, under applications, click E2Campus
- Click on "Sign Up" on the upper right hand corner of the page.
- Remember to record your user name and password in a safe place so you can easily get back into the system to make changes.
- You can register up to two cell phone numbers and two e-mail addresses for your DeSales University e2Campus account.
- Once you enter your cell phone number and provider, you will receive a text message from 79516 with your validation code. Enter your validation code in the box and click validate. If successfully validated, your cell phone number(s) and carrier(s) will be listed in the "SMS Numbers" menu.
- If you would like to receive alerts via email, enter your email address in the "Email Addresses" tab and then follow the provider instructions to validate your email address.
- You are now signed up for e2Campus at DeSales University!
- Your account will expire four years from your sign-up date.

## **OFF-CAMPUS CRIMINAL ACTIVITY**

University police is notified of crimes occurring off campus from other law enforcement agencies when those agencies request assistance or when they have information that may be of mutual interest. The department frequently receives crime analysis bulletins from local law enforcement agencies and reviews these reports for any reported incidents. The jurisdiction of the University police extends to buildings or property owned by the University. The University police, therefore, have a limited role in investigating criminal activity in other locations. The University does not recognize non-campus locations of organizations such as sororities or fraternities. The University may take disciplinary action, independent of civil authorities, for activities which take place off-campus when the interests of the University are adversely affected.

## **ACCESS TO AND MAINTENANCE OF CAMPUS FACILITIES**

### **General Access**

Access to campus buildings and grounds is a privilege extended to students, faculty, staff, and authorized visitors. With the exception of the residence halls, which are locked at all times, most campus facilities are open and accessible when classes are in session or by special request coordinated with the Office of Auxiliary Services or University police. When classes are not in session and when the campus is closed, all buildings are locked and only faculty, staff, and students with proper authorization/identification are allowed access.

The general public may attend cultural and educational events on campus; access, however, is limited to the facility in which the event is held or public access buildings, i.e., Dorothy Day Student Union, DeSales University Center, Labuda Center, or Billera Hall.

Authorization for use of the campus grounds for assembly purposes must be obtained in advance from the Office of Student Life or the Office of Auxiliary Services.

### **Access to Residence Areas**

Access to residence areas is restricted to residents and their guests. Entrances to residence halls are monitored by an electronic key access system. Residence halls are locked 24 hours a day. All residence hall doors are alarmed. The University police are notified whenever a door is forced open or propped open for a significant period of time. Access to residence halls is also recorded by surveillance cameras that are monitored by University police.

Opposite sex visitation is permitted in upper class residence halls/floors from 9:00 a.m. to 1:00 a.m. Sunday through Thursday and 9:00 a.m. to 3:00 a.m. on Friday and Saturday. First year residence halls/floors allow opposite sex visitation from 10:00 a.m. to 12:00 a.m. Sunday through Thursday, and 10:00 a.m. to 2:00 a.m. Friday and Saturday.

### **Security Considerations Used in the Maintenance Campus Environment and Facilities**

The campus is maintained by DeSales University Campus Environment personnel who pay particular attention to safety and security issues, working closely with the University police to ensure a safe environment. Campus Environment maintains the buildings, grounds, and utility systems, and provides custodial services for DeSales University. Campus Environment personnel respond to reports of inoperable doors, trouble with lighting, broken windows, malfunctioning alarms, and other campus maintenance requests.

Students and employees are encouraged to report maintenance problems directly to the Office of Campus Environment at ext. 3789 (DSUW) or at [www.desales.edu/workrequest](http://www.desales.edu/workrequest). After normal business hours, any safety issues or emergency conditions should be reported to University police, ext. 1250, or dial direct to 610.282.1002, who will contact the on-call Campus Environment staff. If necessary, University police will stand by until the problem is corrected.

Campus Environment staff check exterior lighting levels weekly. Emergency blue light and elevator telephones are checked monthly.

## STUDENT HOUSING INFORMATION AND POLICIES

On-campus housing is available for full-time traditional day students. Housing includes traditional rooms, suites in which two residential rooms are joined by a shared bathroom, and town home style apartments for junior and senior students. A professional residence life staff member or member of the student affairs staff lives in every residential area.

In residence halls, each floor wing has one resident advisor—an undergraduate student trained to assist in the developmental growth of all students through educational programming efforts. The ratio of staff to students is 1:22.

Approximately 70% of full-time undergraduate students live on campus. The number of students in residence during the fall of 2022 was 1,029. The total number of traditional day students, full-time and part-time, was 1,468.

Returning students select their room and roommates in the spring semester for the following academic year. They are permitted to select rooms in residential areas designated for upper-class students. First-year students select rooms in either the all-male, all-female, or co-ed (by wing) first-year residence halls and can view their room and roommate assignments in July. Upper-class students can view their assignments in April. Students are obligated to remain in University housing for the entire upcoming academic year upon signing a housing contract the previous spring.

During the academic year, a student may want to move rooms. The student needs to work with his or her resident advisor and a professional staff member regarding his/her request before moving. The first and last two weeks of any semester is a room freeze period where no changes are permitted except in emergency situations. Once a room change is approved, the student will receive instructions from his or her RHD about how to obtain a new key.

During break periods, the residence halls close. Athletes and students with required commitments to the institution must have approval from their faculty, staff, or team advisor to remain on campus. These students may be relocated to one building on campus.

Students are permitted to have guests who are over 16 as visitors in the residence halls. Each guest must have valid picture identification and be escorted by the resident host at all times. Visitation hours vary by building and are listed in the student handbook. Overnight visitors of the same gender are permitted but must be at least 18 and be registered in accordance with student life policy.

Each residence has security card access. University police and residence life staff routinely patrol the inside and outside of the residence halls. Students play a significant role in the security of their residence and are encouraged to keep their windows and doors locked, take care not to lose their keys and access cards, and report suspicious behavior to University police immediately. All residence rooms are equipped with lockable doors. The exterior doors of the University Heights are equipped with an offline electronic lock system featuring dual validation credentials. To access their unit, students must swipe their University ID card and enter a unique personal identification number. The exterior doors of the residence halls and University Villages are equipped with an online proximity card access system. The first floor windows in all residence halls, except Conmy and Tocik, which have security screens, are equipped with window limiters.

Students are responsible for their room key or entry card. Students who compromise security by propping doors, using a window for entry, and/or giving their key or access card to others face strict University disciplinary action. All card access and fire egress doors are monitored by University police 24 hours a day. When a door is forced or propped open, University police receive notification of the location of the infraction and respond to investigate.

The facilities department maintains the grounds, lighting, and maintenance of all University buildings. Regular checks are made by University police and maintenance staff for lighting concerns or other potential dangers surrounding the campus facilities.

The residence life staff spends time before the start of the academic year training for the return of students. In addition to this training, the staff has weekly staff meetings and monthly in-service trainings throughout the year. This training includes professional staff training and RA training. During this training, the University police and other University officials will provide sessions on security, fire safety, sexual assault awareness, illegal drug use, and other pertinent information.

RAs conduct floor meetings with resident students about security and enforcement procedures at the beginning of each academic year and when needed. A copy of the DeSales University Student

Handbook, outlining various housing security policies, is available online. Upon request of the Office of Residence Life, University police also present safety and awareness programs to students.

# ALCOHOL, DRUGS, AND WEAPONS

## ALCOHOLIC BEVERAGES

The use, possession, sales, or distribution of beverages containing alcohol on University property, including residence halls, is governed by the laws of the Commonwealth of Pennsylvania and by the DeSales University Alcohol and Drug Policy ([www.desales.edu](http://www.desales.edu), key words "drug and alcohol policy.") DeSales University prohibits the unlawful possession, use, and sale of alcoholic beverages on campus.

Alcoholic beverages are prohibited outside all University residences and in all public areas of University residences, including but not limited to hallways, stairwells, laundry rooms, lounges, public restrooms, and outside of all University residences, including outdoor areas/patios at the University Heights. The University alcohol policy is strictly enforced in all residence halls.

The following University rules apply on property owned or controlled by the University or as part of any University activity:

- The possession or consumption of alcoholic beverages by persons under 21 is prohibited. Additionally, it is further prohibited for any student or employee to be in the presence of a person illegally possessing or consuming alcoholic beverages.
- Providing alcohol to or hosting alcohol gatherings with individuals under 21 is prohibited.
- Intoxication and the consumption of alcoholic beverages by students or employees so as to adversely affect academic or job performance and/or endanger the physical well-being of other persons and/or oneself, or which leads to damage of property is prohibited.
- It is prohibited to possess or dispense beer in a keg, beer ball, or anything else leading to excessive consumption. Bars, keg refrigerators, beer pong tables, and other physical items used for storing, serving, or consuming large quantities of alcohol are also prohibited.
- Students under 21 are not permitted to possess empty containers of alcohol (cans or bottles) or alcohol-related paraphernalia, as these items are considered acceptable evidence of illegal alcohol consumption.
- A resident who is 21 or older may not have more than one case of beer, one gallon of wine, or 1.75 liter liquor bottle in his/her possession or room.
- Homemade alcoholic beverages are prohibited.
- Drinking games involving alcoholic beverages are prohibited.
- The possession and use of any alcoholic energy drinks (eg. Four Loko, Joose, Sparks) on campus is prohibited regardless

of whether or not the student who possesses or consumes the drink is of legal age.

The following represents a summary of relevant statutes from the Pennsylvania Crimes Code (Title 18) and the Pennsylvania Liquor Code (Title 47) for alcohol related offenses:

1. A person under 21 years old commits a summary offense if he/she attempts to purchase, purchases, consumes, possesses, or knowingly and intentionally transports any liquor, malt, or brewed beverages. Maximum fine \$500 for the first violation and not more than \$1,000 for the second and each subsequent violation, plus court costs and mandatory loss of your drivers license for 90 days (first offense), 1 year (second offense), or a period of 2 years (third offense and any offense thereafter). Police making an arrest for this offense are obligated to notify the parents or guardians of the minor charged (Pa C.S.A. 6308).
2. A person is guilty of a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violations if he/she is under 21 and knowingly and falsely represents him/herself to be 21 years of age or older, for the purpose of obtaining any liquor, malt, or brewed beverages. Maximum fine is \$500 plus court costs and loss of driver's license (Pa C.S.A. 6307).
3. A person is guilty of a misdemeanor of the third degree if he/she knowingly, willfully, and falsely represents to any licensed dealer or other person that a minor is of legal age for the purpose of inducing a person to sell or furnish any liquor, malt, or brewed beverages. The minimum penalty is a fine of not less than \$300 (Pa C.S.A. 6309).
4. A person commits a misdemeanor of the third degree if he/she intentionally and knowingly sells, intentionally and knowingly furnishes, or purchases with the intent to sell or furnish any liquor, malt, or brewed beverages to a person who is less than 21 years old. Minimum penalty for violating this subsection is a fine not less than \$1000 for the first violation and a fine of \$2500 for each subsequent violation plus court costs (Pa C.S.A. 6310.1A).
5. A person commits a misdemeanor of the second degree if he/she intentionally, knowingly, or recklessly manufactures, makes, alters, sells, or attempts to sell an identification card falsely representing the identity, birth date, or age of another. Minimum penalty is a fine of not less than \$1000 for the first violation and a fine of not less than \$2500 for each subsequent violation (Pa C.S.A. 6310.2).
6. A person commits a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violation if he/she is under 21 years old and possesses an identification

card that falsely identifies the person as being 21. It is also a violation to use the identification card of another individual. Minimum penalty is a fine not more than \$500 plus court costs and the loss of drivers license (Pa C.S.A. 6310.3).

7. It is unlawful for any person who is an operator or any occupant in a motor vehicle to be in possession of an open alcoholic beverage container or to consume any alcoholic beverages or controlled substances. This is a summary offense with a maximum penalty of \$300 (75 Pa C.S.A. 3809).
8. A person is guilty of a summary offense if he/she appears in any public place under the influence of alcohol or a controlled substance. Penalty is a fine of not more than \$500 for the first violation and not more than \$1,000 for the second and each subsequent violation, plus courts costs (Pa. C.S.A. 5505)
9. A minor (under 21 years of age) shall not drive, operate, or be in physical control of a motor vehicle while having alcohol in his/her system. This is a summary offense with a fine of \$100 (75 Pa C.S.A. 3718).
10. A person shall not drive, operate, or be in physical control of the movement of a vehicle while under the influence of alcohol or a controlled substance to a degree that renders the person incapable of safe driving. For an individual who is 21 years or older, the blood alcohol content is .08%, for a minor under 21, the blood alcohol content is .02%. An individual who is in violation and has no more than one prior offense commits a misdemeanor; more than one prior offense commits a misdemeanor of the second degree (75 Pa C.S.A. 3802, 3803)

The University police department enforces the laws of the Commonwealth of Pennsylvania, including underage drinking laws. In addition to criminal prosecution, students who violate any law may be subject to formal disciplinary action. Refer to the student handbook for additional information.

## ILLEGAL DRUGS

The illegal possession, use, distribution, or sale of illegal drugs is prohibited at DeSales University. The University expresses its concern about drug use, not only because it is a violation of state and federal law, but because it is a serious detriment to the mission and goals of an academic community and to the health and well-being of young people. The Chief of Police has primary responsibility for enforcement of Federal and State drug laws.

DeSales prohibits illegal drugs and drug paraphernalia on property owned or controlled by the University or as part of any University activity. Drug paraphernalia is defined as any legitimate equipment, product, or material that is modified for making, using, or concealing illegal drugs and includes, but is not limited to, bongs, roach clips,

drug pipes and any items modified or adapted so that they can be used to consume drugs. Drug paraphernalia found on University property will be confiscated.

Both the Commonwealth of Pennsylvania and the United States of America have enacted laws concerning what are commonly known as illegal drugs or controlled substances. The unlawful manufacture, distribution, dispensing, possession, or use of illicit drugs is prohibited at DeSales. Additionally, it is prohibited for anyone to possess paraphernalia that may be used in conjunction with the use or sale of illegal drug substances.

Anyone who violates federal or state drug laws may be subject to criminal or civil prosecution. Students who violate the drug policy are also subject to disciplinary action ranging from residential suspension to expulsion. Refer to the student handbook for additional information.

The DeSales University Alcohol and Drug Policy is available at [www.desales.edu](http://www.desales.edu), key words “drug & alcohol policy.”

## Drug Free Schools and Communities Act

In compliance with the Drug Free Schools and Communities Act, DeSales University publishes information regarding the University’s prevention programs related to drug and alcohol abuse prevention which include standards of conduct that prohibit the unlawful possession, use and distribution of alcohol and illegal drugs on campus and at institution-associated activities; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use and abuse; and a description of available counseling, treatment, rehabilitation and/or re-entry programs for DSU students and employees. A complete description of these topics, as provided in the University’s annual notification to students and employees is available online under Alcohol & Drug Policy at: <https://www.desales.edu/policies>

## DRUG & ALCOHOL PREVENTION PROGRAMS

The following prevention programs are provided by DeSales University:

- Title IX, Alcohol, Respect and Safety Training (on-line alcohol education program that all incoming students are required to complete before coming to campus)
- Peer counseling and alcohol awareness campaign (provided by PACE)
- Alcohol screenings (available in person and online)
- First year orientation programs
- Character U presentations (national speakers on the dangers of drugs and alcohol)
- Resident advisor training, residence hall programming, and the wellness living/learning community (sponsored by the Office of Residence Life)

- Wellness Fair (sponsored by the counseling and health center)
- Current literature and resources available in the counseling and health center
- Healthy Choices for a Winning Future events (sponsored by the athletic department)

### On-Campus Resources

If calling from off-campus or a cell telephone, dial 610.282.1100 and then the following extension:

Counseling Center.....ext. 1776 or 1462  
 Health Center.....ext. 1776 or 1221

### Community Resources

Alcoholic Anonymous ..... 610.882.0558  
 Caron Foundation ..... 1.800.678.2332  
 Crime Victims Council Hotline ..... 610.437.6611  
 Treatment Trends Inc. .... 610.439.0218  
 Lehigh Valley Hospital (Cedar Crest) ..... 610.402.8000  
 Narcotics Anonymous Hotline.....610.439.1998  
 St. Luke’s Hospital  
 Sacred Heart Campus..... 610.776.4500  
 (Allentown)..... 610.770.8300  
 (Bethlehem)..... 610.954.4000  
 (Quakertown)..... 215.538.4500

### WEAPONS POLICY

To ensure that DeSales University maintains a community safe and free of violence for all employees and students, the University prohibits the possession or use of weapons on University property. A license to carry the weapon does not supersede the University policy. Any student in violation of this policy will be subject to prompt disciplinary action, up to and including expulsion. All members of the community are subject to this provision, including contract and temporary employees, visitors, and vendors on University property. “University Property” is defined as all University-owned or leased buildings and surrounding areas such as sidewalks, walkways, driveways and parking lots under the University’s ownership or control. This policy applies to all vehicles that come onto University property. Weapons include, but are not limited to, firearms, explosives, knives, pellet or BB guns, tasers, stun guns, wooden or metal batons, bows and arrows (sharpened or hunting tips) and other weapons that might be considered dangerous or that could cause harm. In addition, sports equipment derived from or similar to weapons such as baseball bats, fencing swords, bows & arrows, javelins, paint ball guns should be confined to sports facilities for their use or kept locked in a personal vehicle. DeSales University reserves the right at any time to contact law enforcement authorities if there are reasonable grounds to believe that an employee, student, or a visitor has a weapon on University property.

## JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013

DeSales University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the University community. Toward that end, DeSales University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

### Introduction

DeSales University is committed to a safe, ethical, values-centered campus culture that promotes respect for persons’ bodily integrity and the sacredness of human sexuality. In this way, our faculty and staff help our students to develop their minds and their characters. As a Catholic institution, DeSales University affirms the doctrine of the Catholic Church on the dignity of each person. In the tradition of Saint Francis de Sales and Saint Jane de Chantal, we seek to help all community members recognize the paramount importance of relational friendship as the cornerstone of building community and to live well.

The phrase “sex discrimination” as used in this Policy refers to every kind of discrimination based on sex including sexual harassment and gender-based harassment. It also includes sexual assault, dating violence, domestic violence, stalking, and any other conduct based on sex that creates a hostile campus environment.

Members of the DeSales community, guests, and visitors have the right to be free from all forms of sex discrimination; examples of which can include acts of sexual harassment, sexual assault, domestic violence, dating violence, and stalking. All members of the community are expected to conduct themselves in a manner that does not infringe upon the rights of others and respects the dignity of each person. The University believes in zero tolerance for sex/gender-based misconduct. Zero tolerance means that when an allegation of misconduct is brought to the Title IX Coordinator, protective and other supportive measures will be used to reasonably ensure that such conduct ends, is not repeated, and the effects on the complainant and community



are remedied, including serious sanctions when a responding party is found to have violated this policy.

The University's sex discrimination Policy is not meant to inhibit or prohibit educational content or discussions inside or outside of the classroom that includes controversial or sensitive subject matters protected by academic freedom.

All members of the DeSales University community share responsibility for maintaining a safe and welcoming educational atmosphere at our campus. The existence of sex discrimination in any form and against anyone on our campus or at an event sponsored by the University would threaten the safe environment that we work diligently to maintain. This prohibition applies to conduct by students, faculty, administrators, staff, and third parties (such as visitors and contractors on our campus).

## **Federal Clery Act Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking**

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

### **• Domestic Violence:**

- i. A Felony or misdemeanor crime of violence committed—
  - A) By a current or former spouse or intimate partner of the victim;
  - B) By a person with whom the victim shares a child in common;
  - C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
  - E) By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **• Dating Violence:**

- Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  - i. The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

- ii. For the purposes of this definition—
  - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - B) Dating violence does not include acts covered under the definition of domestic violence.
- iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **• Sexual Assault**

- An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."
  - Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
  - Fondling is defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
  - Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

### **• Stalking:**

- i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - A) Fear for the person's safety or the safety of others; or
  - B) Suffer substantial emotional distress.
- ii. For the purposes of this definition—
  - A) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
  - B) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
  - C) Substantial emotional distress means significant

mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## Jurisdictional Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

**Sexual Assault:** The state of Pennsylvania defines Sexual Assault as follows:

- Rape - Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Statutory offenses (no force used—victim under age of consent) are excluded.
- Sex offenses (except rape, prostitution, and commercialized vice)—Statutory rape, offenses against chastity, common decency, morals, and the like. Attempts are included.

**Domestic Violence/Abuse:** Pennsylvania law (PA 23 CSA §6102) defines domestic abuse as knowingly, intentionally or recklessly causing bodily injury of any kind, causing fear of bodily injury of any kind, assault (sexual or not sexual), rape, sexually abusing minor children, or knowingly engaging in a repetitive conduct toward a certain person that puts them in fear of bodily injury. These acts can take place between family or household members, sexual partners or those who share biological parenthood in order to qualify as domestic abuse.

**Dating Violence:** The state of Pennsylvania does not have a definition of Dating Violence.

**Stalking:** Pennsylvania law (PA 18 CS § 2709.1) defines Stalking when a person either:

- engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or
- engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

## DeSales University Consent Definition

In order to fully understand what prohibited sex discrimination at DeSales University is, it is necessary to understand the concept of consent.

In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing, and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't want. Consent cannot be inferred from silence, passivity, or lack of active resistance. A current or previous dating or sexual relationship is not sufficient to constitute consent, and consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent, once given, can be withdrawn at any time. There must be a clear indication that consent is being withdrawn. By definition, there is no consent when there is a threat of force or violence or any other form of coercion or intimidation, physical or psychological. A person who is the object of sexual aggression is not required to physically or otherwise resist the aggressor. The lack of informed, freely given consent to sexual contact constitutes sexual misconduct and a violation of Title IX's prohibition against sex discrimination.

A person incapacitated by alcohol or drug consumption, or because of age, or by any other means, or who is unconscious or asleep or otherwise physically impaired, is incapable of giving consent. A person's intoxication is not an excuse for failure to obtain mutual consent from another person before participating in any form of sexual activity with that person. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but a clear, knowing, and voluntary consent to any sexual activity is equivalent to a No."

Additionally, the University maintains a Consensual Relations Policy that governs appropriate relationships between student - teacher and supervisor - employee.

## The State of Pennsylvania defines Ineffective Consent as (PA 18 CS §311 (c):

i. Ineffective consent —Unless otherwise provided by this title or by the law defining the offense, assent does not constitute consent if:

A) it is given by a person who is legally incapacitated to authorize the conduct charged to constitute the offense;

B) it is given by a person who by reason of youth, mental disease or defect or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense;

C) it is given by a person whose improvident consent is sought to be prevented by the law defining the offense; or

D) it is induced by force, duress or deception of a kind sought to be prevented by the law defining the offense.

ii. The state additionally provides descriptors commonly associated with consent as part of its full definition when describing the offense of Rape (PA 18 CS §3121).

A) Rape Offense defined—A person commits a felony of the first degree when the person engages in sexual intercourse with a complainant:

(1) By forcible compulsion;

(2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;

(3) Who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring;

(4) Where the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;

(5) Who suffers from a mental disability which renders the complainant incapable of consent.

B) Further, under Clery and UCR(Uniform Crime Reporting) definitions, the Pennsylvania Crime Code sections relating to sexual assault (PA 18 CS § 3124.1), involuntary deviate sexual intercourse (PA 18 CS § 3123), and aggravated indecent assault (PA 18 CS § 3125), are considered rape for the purposes of Clery and PA UCR reporting.

## Protecting Yourself - Risk Reduction and Rape Drugs

When you are out with friends it is important to watch out for each other, especially if one of them becomes intoxicated in an unusually short period of time, which can be a warning sign that something may not be right. Sexual offenders will often play the part of the rescuer in these situations and offer care of your friends so you "do not have to ruin your night." Have the courage and character to disrupt a situation like this and other potentially unsafe situations. As a DeSales University community, we are called to intervene and protect one another. According to <http://www.womenshealth.gov>, nearly 11 million women in the United States have been raped while drunk, drugged, or high. If you've been assaulted, it is never your fault.

Awareness of common contributing factors to sex discrimination will help you protect yourself and your friends. Here are some suggestions to help protect yourself:

- Avoid excessive use of alcohol and do not use any drugs that are not prescribed or that are prescribed to someone else. Know your limitations and be aware of your surroundings.

- Trust your instincts/gut. If an individual makes you feel uncomfortable, remove yourself from the situation. If you are concerned about a person becoming angry, it's okay to lie to get out of a situation that makes you feel uncomfortable, threatened, or pressured; an urgent phone call, needing to help a friend, and not feeling well are some excuses that can be used.
- Be assertive. Do not do anything you do not want to do. State clearly what you want and do not want. When you say "no," or any form of no, the person should stop.
- Communicate. Think about what you really want before you get into a sexual situation, and clearly communicate your boundaries and limits. If someone makes you feel uncomfortable, tell him or her that early and firmly.
- Never assume anything, especially if alcohol or drugs are involved. If there is any doubt that what you are doing is consensual, stop what you are doing.
- Dangerous people often mask their true selves behind social media and online platforms. Take time to get to know any individual whom you meet online, especially someone who is not part of the University community, before inviting that person to campus.
- Be cautious about inviting someone into your room and/or going to someone else's room.
- Avoid walking alone if you are distracted, upset, or under the influence of any substance which may impair you.
- Never accept beverages, including non-alcoholic ones, from someone you do not know or trust. Never leave your drink unattended; get a new one if you do. Always open/pour your own drink. Keep your hand covering the opening of your drink, if possible. Never drink from punch bowls or other common containers. If you are having a mixed drink, make your own.
- Avoid individuals who do not listen to you, ignore personal space boundaries, make you feel guilty, accuse you of being "uptight" for resisting sexual advances, express sexist attitudes and jokes, act jealous and/or possessive.
- Make a plan AND a backup plan. If you go to a party, especially one off campus, go with people that have earned your trust. Agree to leave together and watch out for one another. Have multiple ride-share apps on your phone, and the number of a local taxi service saved in your phone in case plans change and you need a safe ride home. If your plans do change, be sure to communicate that with other people in your group so as to not leave someone stranded. Memorize and keep a list of important phone numbers written on a piece of paper in your wallet or purse in case your phone is not working. Consider taking a portable power bank to keep your phone charged when there is no access to a wall outlet.

- Know your resources both on and off-campus (see below). Save the number for University police (610) 282-1002 on your phone. Know where the emergency call boxes are located on campus.
- Be aware of your surroundings. Consider having a friend walk with you instead of walking alone. If you must walk alone, be sure to only use headphones in one ear to remain alert and aware of your surroundings.
- If you are worried about a friend's safety—tell them.

Many sexual offenders use alcohol and/or other drugs to make it easier for them to control their victims. It is important to understand that any drug can be used as a rape drug. The following drugs are most commonly used to facilitate sex discrimination:

- Alcohol
- Ecstasy (Molly)
- GHB (Gamma Hydroxy Butyrate)
- Special K (Ketamine)
- Roofies (Rohypnol)

If someone adds a date rape drug to a drink, it may change the color of a clear drink or make your drink look cloudy. However, changes can be hard to see if the drink is dark (such as cola or beer) or if the room is dark. You can't always tell if a drug has been added to your drink just by looking at it or tasting it. Often date rape drugs have no color, no smell, and no taste when added to a drink or food.

Someone could use any type of drug, including marijuana, cocaine, prescription, or over-the-counter drugs like antidepressants, tranquilizers, or sleeping aids to overpower a victim or make them not remember an assault (Rape, Abuse, and Incest National Network).

Symptoms of being dosed with rape drugs include:

- Rapid intoxication
- Slurred speech
- Dizziness, confusion (can lead to unconsciousness)
- Poor motor control
- Vomiting
- Decreased sexual inhibitions
- Periods of amnesia (brown-outs or blackouts)

If you think you or someone you know has been dosed with a rape drug, get to the hospital as soon as possible. Overdoses are life-threatening. Prompt medical attention can be life-saving. It is also important to visit the hospital as soon as possible to get tested if you or someone

you know may have been dosed with a rape drug or any other drug involuntarily. Rape drugs dissipate from the body quickly. You must specifically ask for a drug test because it may not be part of normal protocol. This evidence will aid in criminal prosecution if charges are filed.

Research shows that up to 3 out of 4 attackers had been drinking alcohol when they sexually assaulted someone and about half of sexual assault victims had been drinking. However, this does not mean that drinking causes sexual assault or that the assault is the victim's fault. (Abbey, A., Zawacki, T., Buck, P. O., Clinton, A. M., McAuslan, P. (n.d.). Alcohol and sexual assault. National Institute on Alcohol Abuse and Alcoholism.)

## How to Be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. They are "individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it."<sup>1</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list<sup>2</sup> of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble, or need help, ask if they are OK.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

<sup>1</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles*, 60, 779-792.

<sup>2</sup> Bystander intervention strategies adapted from Stanford University's Office of Sexual Assault & Relationship Abuse

## Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking

The University engages in comprehensive, intentional and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and

informed by research, or assessed for value, effectiveness, or outcome; and

B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

DeSales educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness programs and prevention campaigns for students that:

A. Clearly communicate that the institution prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act);

B. Provide the definitions of domestic violence, dating violence, sexual assault, and stalking according to any applicable jurisdictional definitions of these terms;

C. Define consent and describe what behaviors and actions constitute consent, in reference to sexual activity as defined by the student and employee codes of conduct;

D. Provide a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structure and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective interventions options, and taking action to intervene;

E. Provide information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims In order to promote safety and to help individuals and communities address conditions that facilitate violence;

F. Provide an overview of information contained in the Annual Security and Fire Safety Report in compliance with the Clery Act;

G. Provide information regarding:

- a) procedures victims should follow If a crime of domestic violence, dating violence, sexual assault, or stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this document);
- b) how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);

c) existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community (as described In “Assistance for Victims: Rights and Options” elsewhere in this document);

d) options for, available assistance in, and how to request changes to academic living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this document);and

e) procedures for institutional disciplinary action in cases of alleged sating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this document

## Primary Prevention and Awareness Programs

The University provides primary prevention and awareness programs to all incoming students and employees that involves the distribution of educational materials to new students, participating in and presenting information and materials during new student and employee orientations, providing programs by invitation at staff meetings or academic programs, and requiring incoming first-year students and returning upper-class students to take online courses related to sexual assault and high risk drinking awareness and education. These trainings include:

- Clearly articulated statements that the University prohibits the crimes of domestic violence, dating violence, sexual assault and stalking.
- The Federal and State definitions of domestic violence, dating violence, sexual assault and stalking.
- The University and State definitions of consent.
- A description of safe and positive options for bystander intervention.
- Information on specific risk reduction strategies.

## Ongoing Prevention and Awareness Campaigns

The University provides an annual educational campaign for all students designed to provide ongoing education and programming around issues of sexual violence - including sexual assault, domestic violence, dating violence, and stalking.

Ongoing prevention and awareness campaigns include:

- Resident Life programs and bulletin boards highlighting relevant topics and resources

- Flyers, brochures, and posters throughout the campus concerning domestic violence, dating violence, sexual assault and stalking and Title IX policy and resources
- Incoming first year students participate in a series of information session about the Clery Act and Title IX
- Incoming students learn about the sexual misconduct policy, bystander intervention, and resources

The following are some examples of annual programs currently offered by the University. This list is not all inclusive:

- Personal safety program for the “Gateway To Success” students
- RHDs and RAs receive Clery and Title IX Training
- Incoming students complete online, START, (Student Title IX Alcohol and Respect Training)
- PACE “Peers Advising Counseling Educating” healthy relationships program
- “Walk A Mile In Her Shoes” sexual assault awareness program

The Human Resources department provides to all new employees the University’s Title IX policy, Keeping Our Campus Safe/Preventing Sex Discrimination & the Clery Act. There are no on-going programs offered for employees

## **Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs**

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible (see below for locations). Get to a safe place as soon as you can. Contact someone you trust to be with you.

- If you are on campus, the University Police, with its department in the Lawless Center will assist you. Contact the University Police at ext. 1250 from a campus phone or call box or direct dial at 610-282-1002.
- If you are off-campus, dial 911 in case of an emergency. You may also directly contact the closest police department for the area in which you are located. The University Police will assist you in identifying proper police departments located off-campus. Simply dial the University Police at 610-282-1002 when you are off-campus. DeSales University is located within the jurisdiction of the Upper Saucon Township Police Department at 610-282-3064.
- Get medical attention as soon as possible: If you have a medical emergency, dial 911. You may also call the University Police at the numbers indicated above. The University Police will assist to get

you the necessary medical services, including the provision of transportation to a medical facility.

- Try to preserve all physical evidence: Although sexual offenses often make reporting parties want to wash or get rid of anything that reminds them of the trauma, it is important to preserve evidence. Do not wash your body, brush your teeth, use mouthwash, use the toilet, change your clothing, change bed linens, or wash any of these items. Do not eat or drink anything. If you have been consuming alcohol, refrain from drinking further. Do not use tobacco products or any other drugs. Prompt reporting will assist police in collecting and preserving evidence. It is important to have the evidence collected because, although you may not want to pursue a criminal complaint, you may change your mind in the future. Prompt reporting to the police will also contribute to an immediate, thorough, and fair investigation. It is strongly recommended that you discuss with medical personnel and the police, including the University Police, preservation of your physical evidence during your first contact with them.
- Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communication, and keeping pictures, logs or other copies of documents. If they have any, that would be useful to University adjudicators/investigations or police.
- As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with University Police or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving the alleged criminal offense occurred or that may be helpful in obtaining a protection order.
- For support and advice, talk with an advocate or counselor of your choosing. Consider obtaining professional assistance from the University’s Counseling Center which is located in the Dorothy Day Student Union and can be contacted at 610-282-1100, ext. 1462.

## **Medical Attention**

The following is a list of local options for medical treatment and other services which you can pursue through the University Police or on your own:

- Lehigh Valley Hospital Emergency Room, 1200 S Cedar Crest Boulevard, Allentown, PA 18103;

- Lehigh Valley Hospital Emergency Room, 1627 Chew Street, Allentown, PA 18102;
- Lehigh Valley Hospital (Muhlenberg) Emergency Room, 2545 Schoenersville Road, Bethlehem, PA 18017;

(These three emergency rooms are part of Lehigh Valley Health Network which has Sexual Assault Forensic Examiners (SAFE) Nurses on call 24 hours a day. For medical treatment and evidence collection, report to any of these listed Lehigh Valley Health Network emergency departments.)

- St. Luke's Hospital, 810 Ostrum Street, Bethlehem, PA 18015. This hospital has a Sexual Assault Nurse Examiner (SANE) Program.

## Reporting Sexual Assault, Domestic Violence, Dating Violence and/or Stalking

In the remainder of this Policy Statement, the term complainant refers to an individual who is alleged to be the victim of conduct that could constitute sex discrimination. Similarly, the term respondent refers to an individual who has been reported to be the perpetrator of conduct that could constitute sex discrimination. Both men and women may be the complainant or respondent parties.

DeSales University encourages all individuals to report any instance of sex discrimination involving any DSU student, staff, or faculty. If you have experienced sexual assault, it is not your fault. If you have experienced or know of sex discrimination, the University urges you to report it for the safety of all concerned. You have three reporting options.

1. **Reporting to Police:** If you believe that you experienced sex discrimination in the form of a sex crime that was committed **on-campus**, you may file a report with the University Police at its department located in the Lawless Center on campus. You may also dial the University Police from a campus call box or campus phone at 911 for an emergency or 1250 for a non-emergency. The University Police phone number is 610-282-1002. You may also report sex discrimination in the form of a sex crime directly to the Upper Saucon Township Police Department by dialing 911 from a non-campus phone for an emergency and by dialing 610-282-3064 for a non-emergency. In either of these events, the Upper Saucon Police will decide if there should be a criminal investigation and prosecution.

If a sex crime was committed **off-campus**, contact the police department where the crime was committed. The University Police will assist you in identifying and contacting the appropriate police department if the crime was committed off-campus. The University Police will assist you with any questions you may have.

To make a police report to DeSales University Police department,

you may report in person at the Lawless Building on DeSales Drive anytime during the day or night to an on-duty officer; or you may call direct 610.282.1002, or dial extension 1250 from a campus phone. This office is staffed 24 hours a day, 7 days a week.

The Upper Saucon Township Police Department may also be reached directly by calling 610.437.5252 during normal business hours, or 911 during off hours or in emergency situations; or in person at the Upper Saucon Township Police Department located at 5500 Camp Meeting Rd., in Center Valley. Additional information about the Upper Saucon Township Police Department can be found online at: <https://www.upsaucon.org/township-government/police-department/>

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement (including DSUPD and/or local police) it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the DeSales University Police Department and the University Office of Student Life, located in Dorothy Day Student Center will assist any student victim with notifying law enforcement if the student so desires; and the DeSales University Police Department and the Office of Human Resources located in the Lawless Center will assist any employee victim with notifying law enforcement if the employee so desires.

2. **Confidential Reporting:** There is an option for individuals to confidentially report incidents reasonably believed to be in violation of this policy. A Confidential Resource will not disclose any details of the report with anyone. At DeSales University, if a person seeks assistance from counselors at the University Counseling Center, the Health Center, University Chaplain, or off-campus resources such as the Crime Victims Council of Lehigh Valley, individuals consulted will honor the confidentiality of the person seeking assistance, unless there is an imminent danger to the reporting person or others. Sharing information with a Confidential Resource will not result in a report to DeSales University or investigatory or disciplinary action against a respondent. Statistical information about confidentially-reported incidents may still be included in the University's annual Clery Act reporting, but such statistical information will not include any identifying information about any student, faculty, or staff member.
3. **Reporting to Responsible Employee:** If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Tom Johnson, Admin & Support Offices, Lawless Center, 610-282-1100, ext. 1403, [Thomas.Johnson@desales.edu](mailto:Thomas.Johnson@desales.edu) by calling, writing, or coming into the office to report in person, and to DSUPD located in the Lawless Center, if the victim so desires. Re-

ports of all domestic violence, dating violence, sexual assault and stalking made to DSUPD will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.

DeSales University faculty and staff who are not listed above as Confidential Resources are considered a responsible employee and obligated to report information received relating to violations of this Policy to the Title IX Coordinator, who has been specifically trained to receive and respond to allegations of violations of this Policy. Any member of the DeSales University community who has experienced a violation of this Policy and would like the University to respond by offering supportive measures and/or investigating the incident should notify the Title IX Coordinator by completing the anonymous reporting form, which can be found at: <https://www.desales.edu/title-ix>

To the extent possible, with the reporting of sex discrimination, the University will respect a reporter's request for confidentiality or request to withhold identifying information. However, under the circumstances of given matters, the ability to honor such a request may be limited due to the University's Title IX obligation to protect everyone on campus through investigation and corrective action. Also, in a Title IX sex discrimination investigation and administrative disciplinary process, it may be necessary to share information with people, such as investigators, witnesses, and the respondent, who need to know the accumulated information for a variety of legitimate reasons. If it becomes apparent to the University at any point that it cannot honor a request for confidentiality or to withhold identifying information, the University will immediately inform the person who made the request.

The University will only notify an off-campus police department of discrimination in the form of a sex crime if the complainant gives permission to report the crime to that department. The University may conduct a Title IX investigation and take necessary corrective action upon the reporting of a sex crime. Before proceeding under Title IX with an investigation and administrative disciplinary proceeding against a respondent, however, the University will always seek the informed consent of the complainant of sex discrimination.

Reporting an incident is not the same as prosecuting a person. Even if an individual does not want to press charges, the University encourages individuals to report the incident to law enforcement authorities. All Lehigh County criminal justice agencies are required to notify the District Attorney's Office of any sexual offenses which are alleged to have occurred in the county.

## **Amnesty for Other Potential Policy Violations**

At times, people are hesitant to report the occurrence of sex discrimination to University officials or other personnel because they are concerned that they themselves may be charged with other pol-

icy infractions, for example, alcohol or visitation violations. While these other violations are not condoned, the importance of dealing with alleged sex discrimination outweighs the University's interest in addressing lesser violations. Accordingly, the University will not pursue disciplinary action against those who make a sex discrimination complaint or who are named as witnesses to an incident.

## **Retaliation**

A person who is contemplating or who has filed a sex discrimination report should not feel pressured in any respect by a third party. Retaliating directly or indirectly against a person who has in good faith made a report under this Policy or participated in an investigation is prohibited. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop or not support the complaint or to provide false or misleading information, engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment, threatening, intimidating or coercing the person, or otherwise discriminating against any person for exercising their rights or responsibilities under this Policy. Such conduct will result in administrative disciplinary proceedings by the University and, depending upon the circumstances, even criminal proceedings. A reporting party or witness who is threatened in any way should immediately report this to the University Police or to the University's Title IX Coordinators.

## **Process to submit a "Formal Written Complaint"**

A formal complaint is defined as a document filed by a complainant or signed by the Title IX Coordinator or Deputy Coordinator alleging sex discrimination against a respondent and requesting that the school investigate the allegation. While there is no time limit for reporting a violation of this Policy, the complainant and other reporting individuals are encouraged to report any violation as soon as possible in order to maximize the University's ability to respond and investigate promptly and effectively. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the University with which the formal complaint is filed.

- Complete and sign the online form "Report/Complainant of Sex Discrimination," at <https://www.desales.edu/title-ix>.
- Send the formal complaint to one of these Title IX Professionals at any time in person, by mail, by telephone, or by electronic mail:

### **Title IX Coordinator**

Tom Johnson

Admin & Support Offices, Lawless Center

610.282.1100, ext. 1403

[Thomas.Johnson@desales.edu](mailto:Thomas.Johnson@desales.edu)



### Deputy Title IX Coordinator

Gracia Perilli, Associate Director of Athletics  
Billera Hall, Room 101A  
610.282.1100, ext. 1218  
Gracia.Perilli@desales.edu

- The Title IX Coordinator and the Deputy Coordinator have the immediate “authority to institute corrective measures” and therefore, would have “actual notice” when made aware of potential policy violations.
- If the allegations in a formal complaint do not meet the definition of sex discrimination as defined by the Department of Education’s New Final Rule, or did not occur in a University- sponsored education program or activity against a person in the United States, the University will dismiss such allegations for purposes of Title IX but will address the allegations as a sexual misconduct matter as described in the Student, Employee, and Faculty Handbooks.
- The University may dismiss formal complaints if: the complainant withdraws the complaint; the respondent is no longer a student or employee at DeSales, or the circumstances prevent the University from gathering sufficient evidence to reach a determination.

## **Mandatory Response of the University - Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported**

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as changes to housing, academic, protective orders, transportation and working situations, if reasonably available. The University will make such accommodations or protective measures, if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the DeSales University Police Department or local law enforcement. Students should contact Jennifer Bunting, Assistant Dean of Students for Campus Life & Student Conduct at 610-282.100 Ext. 1886, or in person at the Office of Student Life located in the Dorothy Day Student Union, Room 125; employees should contact Margie Grandinetti, Executive Director of Human Resources at 610-282-1100 Ext. 1485, or in person at the Office of Human Resources located in Tucker House.

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, the procedures that the University will follow are listed on the chart starting on page 27.

- Once a formal written complaint has been received, the Title IX Coordinator will meet with the complainant and explain these options for the next step: to begin a Title IX administrative process with the University, to initiate a criminal complaint/report with the appropriate law enforcement agency, to engage both courses of action which may take place simultaneously, to engage in an informal resolution process, or to take no action.
- The parties (complainant and respondent) and any potential witnesses will be treated with courtesy and respect, and the University will take action for the parties safety.
- The University affirms that a complainant’s request concerning whether the school investigates will be respected unless the Title IX Coordinator determines that signing a formal complaint is not clearly unreasonable in light of the known circumstances.
- When a Title IX Coordinator signs a formal complaint, the Title IX coordinator is not a complainant or a party during the grievance process, and will comply with requirements for Title IX personnel to be free from conflicts of bias.
- An administrative investigation of the complaint will begin with notice to the complainant so that the University can identify and rectify, on an ongoing basis, any dangerous conditions on campus, patterns of discrimination or systemic problems that are uncovered.
- If the incident results in criminal proceedings, the University’s investigation of the complaint will still proceed but aspects of it may be temporarily suspended to accommodate the investigation in the criminal matter by the involved law enforcement agency. The University cooperates with the Lehigh County District Attorney’s Office, Upper Saucon Township Police Department, and other county law enforcement agencies to make sure incidents are properly investigated, to comply with Title IX, and to promote safety for all concerned.
- Both parties will receive written notice of the details of the allegations, including the identities of the parties involved, the date and location of the incident, the specific section(s) of the policy alleged to have been violated, and the conduct that would be considered sex discrimination. In addition, both parties will receive a copy of Keeping our Campus Safe with its explanation of the Title IX process at DeSales University, and the supportive measures available to them. Finally, the notice will include a presumption of innocence that the responding party is not responsible for the alleged conduct until a determination is made at the conclusion of the Hearing.

- Changes may be made in the complainant and respondent's academic, living and employment situation upon request, if the University can reasonably accommodate the request. The University may make such changes on its own initiative after weighing all of the circumstances of each party, including issuing no-contact directives to the parties involved. The goals of these adjustments are the safety, well-being, and academic stability of the parties.
- **Emergency Removal Process:** An interim suspension from living on-campus or from the University may occur, pending final resolution of the sex discrimination complaint, after taking into account an individualized safety and risk analysis to determine whether an immediate threat to the physical health or safety of a student or other individual is present. The respondent will receive notice before the action is implemented and an opportunity to challenge the decision. Employees who are named as a respondent may be placed on administrative leave.

### Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the University will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- information about how the institution will protect the confidentiality of victims and other necessary parties;
- a statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- a statement regarding the Institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for institutional disciplinary action

### Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, DeSales University will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, protective orders and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations

and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, University offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, living, working, protective measures or transportation situations regardless of whether the victim chooses to report the crime to campus police or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Possible changes to work situations may include changing working hours. Possible changes in transportation may include having the student or employee park in different location, assisting the student or employee with a safety escort, etc.

To request changes to academic, living, transportation and/or working situations or protective measures students should contact Jennifer Bunting, Assistant Dean of Students for Campus Life & Student Conduct at 610-282.100 Ext. 1886, or in person at the Office of Student Life located in the Dorothy Day Student Union, Room 125; employees should contact Margie Grandinetti, Executive Director of Human Resources at 610-282-1100 Ext. 1485, or in person at the Office of Human Resources located in Tucker House. If the victim wishes to receive assistance in requesting these accommodations, she or he should contact the Chief of Police at 610-282-1100 Ext. 1837, or in person at the Police Administrative Offices located on the second floor of the Lawless Center.

### On and Off Campus Services Available to Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, DeSales University will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement. These resources include the following:

On Campus Service	On Campus Provider
Counseling/Mental Health Assistant Dean of Students Victim Advocacy	Wendy Kalamar, Assistant Dean of Students for Wellness Dorothy Day Student Union 132 Wendy.Kalamar@desales.edu 610-282-1100 ext. 1462

*continued on page 28*

**Table 1. University Procedures for Sexual Assault, Stalking, Dating Violence or Domestic Violence**

INCIDENT BEING REPORTED	PROCEDURE INSTITUTION WILL FOLLOW
<b>Sexual Assault</b>	<p>Depending on when reported (immediate vs. delayed report), institution will provide complainant with access to medical care</p> <p>Institution will assess immediate safety needs of complainant</p> <p>Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</p> <p>Institution will provide complainant with referrals to on and off campus mental health providers</p> <p>Institution will assess need to implement interim or long-term protective measures, if appropriate.</p> <p>Institution will provide the victim with a written explanation of the victim’s rights and options</p> <p>Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</p> <p>Institution will provide written instructions on how to apply for Protective Order</p> <p>Institution will provide a copy of the policy applicable to Sexual Assault to the complainant and inform the complainant regarding timeframes for inquiry, investigation and resolution</p> <p>Institution will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</p> <p>Institution will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based discrimination or for assisting in the investigation</p>
<b>Stalking</b>	<p>Institution will assess immediate safety needs of complainant</p> <p>Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</p> <p>Institution will provide written instructions on how to apply for Protective Order</p> <p>Institution will provide written information to complainant on how to preserve evidence</p> <p>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</p> <p>Institution will provide the victim with a written explanation of the victim’s rights and options</p> <p>Institution will provide a “No trespass” (PNG) directive to accused party if deemed appropriate</p>
<b>Dating Violence</b>	<p>Institution will assess immediate safety needs of complainant</p> <p>Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</p>

**Table 1. University Procedures for Sexual Assault, Stalking, Dating Violence or Domestic Violence (Continued)**

	<p>Institution will provide written instructions on how to apply for Protective Order</p> <p>Institution will provide written information to complainant on how to preserve evidence</p> <p>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</p> <p>Institution will provide the victim with a written explanation of the victim's rights and options</p> <p>Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</p>
<b>Domestic Violence</b>	<p>Institution will assess immediate safety needs of complainant</p> <p>Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</p> <p>Institution will provide written instructions on how to apply for Protective Order</p> <p>Institution will provide written information to complainant on how to preserve evidence</p> <p>Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</p> <p>Institution will provide the victim with a written explanation of the victim's rights and options</p> <p>Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</p>

Health Services	Tammy Lippincott, Director of Health Center Dorothy Day Student Union 131 Tammy.Lippincott@desales.edu 610-282-1100 ext. 1221
International Student Support Visa and Immigration Assistance	Brian MacDoanld, Director of International Learning Dorothy Day Student Union Brian.MacDonald@desales.edu 610-282-1100 ext. 1510
Student Financial Aid	Joyce Farmer, Director of Financial Aid Dooling Hall 164 Joyce.Farmer@desales.edu 610-282-1100 ext. 1208

Police	Richard Williams, Chief of Police Lawless Building Richard.Williams@desales.edu 610-282-1100 ext. 1837
Assistant Dean of Students Student Conduct	Jennifer Bunting, Assistant Dean of Students for Campus Life & Student Conduct Dorothy Day Student Union 125 Jennifer.Bunting@desales.edu 610-282-1100 ext. 1886
Assistant Dean of Students Engagement & Leadership	Nicholas Luchko, Assistant Dean of Students for Engagement & Leadership Dorothy Day Student Union 172 Nicholas.Luchko@desales.edu 610-282-1100 ext. 1843

Title IX Coordinator	Tom Johnson, Admin & Support Offices Lawless Center Thomas.Johnson@desales.edu 610-282-1100 ext. 1403
<b>Off Campus Service</b>	<b>Off Campus Provider</b>
Mental Health	Lehigh County Mental Health Program Government Center 17 South Seventh Street Allentown PA 18101 <a href="https://www.lehighcounty.org/departments/human-services/mental-health">https://www.lehighcounty.org/departments/human-services/mental-health</a> 24 hour Emergency Mental Health Services Call 610-782-3127
Health Services	Lehigh Valley Hospital Emergency Room 1200 S. Cedar Crest Blvd. Allentown PA 18103
Sexual Assault Forensic Examiner Nurse	Lehigh Valley Hospital Emergency Room 1627 Chew Street Allentown PA 18102  Lehigh Valley Hospital Muhlenberg 2545 Schoenersville Rd. Bethle- hem PA 18017
Health Services Sexual Assault Nurse Examiner	St. Luke's Hospital 810 Ostrum Street Bethlehem PA 18015
Victim Advocacy	PA Coalition Against Domestic Violence Hotline: 717-420-2135 or 888-547-2405
Legal Assistance	Lehigh County Pennsylvania Legal Issues <a href="https://www.lehighcounty.org/Departments/Human-Services/Information-Referral/Faqs/Legal-Issues">https://www.lehighcounty.org/Departments/Human-Services/Information-Referral/Faqs/Legal-Issues</a>
Visa And Immigration Assistance Resource	Pennsylvania Immigration Re- source Center: Phone: 717-600- 8099 <a href="http://www.pirclaw.org">www.pirclaw.org</a> Pennsylvania Department of Com- munity and Economic Develop- ment (Immigration) <a href="https://dced.pa.gov/business-assistance/international/investment/immigration/">https://dced.pa.gov/business-assistance/international/investment/immigration/</a>
Visa and Immigration Assis- tance	US Citizenship and Immigration Services Office 30 N. 41st Street Philadelphia, PA 19104 Phone: 800-375-5283
Upper Saucon Township Police	5500 Camp Meeting Road Center Valley, PA 18034 Phone: 610-437-5252

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

Rape, Abuse and Incest National Network <http://www.rainn.org>

Department of Justice <https://www.justice.gov/ovw/sexual-assault>

Department of Education, office of Civil Rights <http://www2.ed.gov/about/offices/list/ocr/Index.html>

## Confidentiality

Victims may request that directory information on file with the University be withheld by request. This request can be made to the Registrar's Office in person by visiting Dooling Hall Room 157 or by calling 610-282-1100 Ext. 1223. Employees can contact the Office of Human Resources to make a similar request regarding directory information by visiting the Human Resources Office located Tucker House or by calling 610-282-1100, Ext. 1485.

Regardless of whether a victim has opted-out of allowing the University to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating/adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, the institution will maintain as confidential any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

The University does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime Log or in the annual crime statistics that are disclosed in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Furthermore, if a Timely Warning Notice is issued on the basis of a report of domestic violence, dating violence, sexual assault or stalking, the name of the victim and other personally identifiable information about the victim will be withheld.

## Rights of Victims and the Institution's Responsibilities for Orders of Protection, "No Contact" Orders, Restraining Orders, or Similar Lawful Orders Issued by a Criminal, Civil, or Tribal Court or by the Institution

DeSales University complies with Pennsylvania State law in recognizing orders of protection.

Any person who obtains an order of protection from Pennsylvania or any reciprocal state should provide a copy to the DeSales University

Police and the Office of the Title IX Director. A complainant may then meet with the chief of police to develop a safety action plan, which is a plan for public safety and the victim to reduce the risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: escorts, special parking arrangements, changing classroom/work site location, or working with academic advising on alternative class possibilities, allowing a student to complete assignments from home, allowing an employee to develop a flexible work schedule, etc. The University cannot apply for a legal order of protection, No Contact order, or restraining order for a victim from the applicable jurisdiction(s).

In Pennsylvania, a victim of domestic violence, dating violence, sexual assault, or stalking has the right to file a petition with the courts requesting protection through PFAs, SVPOs, and/or PFIs, which could include the following:

- An order restraining the abuser from further acts of abuse;
- An order directing the abuser to leave the victim's household/place of residence;
- An order directing the abuser to refrain from stalking or harassing the victim or other designated persons;
- Other protections based on issues related to cohabitation, residency, employment, and child custody.

When an abuser is not a present or past member of the victim's household or family, adults and minors can petition for a Sexual Violence Protection Order (SVPO). For example, a SVPO could be granted for a victim who is sexually assaulted by a coworker and who has no other relationship with the coworker – is not now or never was a family relation, spouse, dating partner, or member of the same household.

#### **Protection from Abuse (PFA):**

A protection from abuse order is a paper that is signed by a judge that tells or informs the abuser to stop the abuse or face serious legal consequences. It offers civil legal protection from sexual or relationship violence to both female and male victims. In Pennsylvania, there are a few different types of protection from abuse orders (PFA). These include:

- Emergency Order – Immediate protection when the courts are closed. A victim can contact the local police by dialing 911, and the police will connect the victim with the on-call magisterial district judge. The judge may grant an emergency order through this emergency process based on the facts of the case.
- Ex Parte Temporary Order – “Ex parte” means the judge will make a decision regarding a PFA, based only on the information provided by the victim, without the abuser being in court.

- Final PFA – A judge can grant a final protection from abuse order after a hearing involving the victim, abuser, witnesses, testimony, and evidence.

#### **Protection of Victims of Sexual Violence or Intimidation (PSVI) Act:**

The Protection of Victims of Sexual Violence or Intimidation (PSVI) Act defines sexual violence as conduct between persons who are not family or household members that constitutes one of the following crimes:

- Sexual offenses
- Endangering the welfare of children if the offense involved sexual contact with the victim
- Corruption of minors
- Sexual abuse of children
- Unlawful contact with minor
- Sexual exploitation of children

#### **Sexual Violence Protection Order (SVPO):**

An SVPO is a civil order designed to protect victims of sexual violence from further abuse and/or intimidation, regardless of whether or not criminal charges have been filed against the perpetrator. Adults and minors (with a parent or guardian to file on their behalf) can petition for an SVPO. Similar in many ways to a Protection from Abuse order or PFA, the key difference is that there is no relationship requirement between the alleged perpetrator and the victim. (While PFAs require an intimate or household relationship between the two parties, an SVPO does not, and is available to all victims of sexual violence.) Examples of situations where the SVPO may be appropriate relief:

- A victim is sexually assaulted by a co-worker (not related or in a relationship; not household members)
- A student is sexually assaulted by another student
- A tenant is fondled by a landlord
- A college student (an adult) who was sexually assaulted experiences harassment from the perpetrator's friends after reporting the assault

#### **Protection from Intimidation (PFI) Order:**

Definition of intimidation under the PSVI Act can be described as harassment or stalking (according to statutes) of a minor (under the age of 18) by an adult (18 or older), when there is no family, dating, intimate, or household relationship between them. The PFI order was created to protect minors who have experienced harassment or stalking when

the offender is age 18 or older. An adult (parent or guardian) must petition for the PFI order on the minor's behalf. Examples of situations where the PFI order may be the appropriate relief:

- A child victim whose offender repeatedly drives by the bus stop
- A teen athlete is stalked by an adult coach
- A teen is harassed online by a teacher

Both SVPOs and PFIs prohibit an offender from having any contact with the victim. Protections can include preventing the offender from entering the victim's home, workplace, or school. Both orders can also be expanded to prevent intimidation/contact from a third party on behalf of the offender, or extend to protection to related parties, such as parents, siblings, or children of the victim. The SVPO and PFI orders may be entered for up to 36 months.

The University may issue an institutional no contact order if deemed appropriate or at the request of the victim or accused. If the University receives a report that such an institutional no contact order has been violated, the University will initiate disciplinary proceedings appropriate to the status of the accused (student, employee, etc.) and will impose sanctions if the accused is found responsible for violating the no contact order

## Supportive Measures

- The Wellness Center: Any complaint of sex discrimination and anyone concerned about these issues should consider obtaining assistance from the University's Counseling Center or Health Center, which are located in the Dorothy Day Student Union. The counselors and health professionals in this office offer a range of services to all parties. Meetings with the licensed professional counselor and her trained staff are confidential. Meetings can be scheduled by calling 610-282-1100, ext. 1462 or filing out the online form at [www.desales.edu/consultingrequest](http://www.desales.edu/consultingrequest). Office hours are Monday, Tuesday, Thursday from 9 a.m. to 8 p.m.; Wednesday from 9:00 a.m. to 7 p.m.; and Friday from 9:00 a.m. to 4:00 p.m.
- The Crime Victims Council of the Lehigh Valley/Rape Crisis Center: This off-campus agency offers assistance in a variety of ways. This includes accompanying you during any medical examinations. The individuals at the agency can be contacted by telephone at 610-437-6611. Learn more about this resource on its website at <http://cvclv.org/>
- No Contact Administrative Directive: In an attempt to prevent contact, the University can issue an administrative directive for no contact between the complainant and the respondent. An administrative directive is a written notification from the University's administration for one student or campus employee to have no contact with another student or campus employee.

Failure to comply with an administrative directive could result in an administrative sanction and even criminal charges depending upon the nature of the conduct in not complying with the directive. An administrative directive is tailored by the University to take into account the parties' circumstances including class and extra-curricular schedules. Complainants and respondents can request the issuance of these directives which requests will be granted if the University can reasonably accommodate them or the circumstances warrant a directive's issuance. The University can issue an administrative directive on its own initiative in situations deemed appropriate by the relevant professional staff for the complainant and respondent involved.

- Protection from Abuse Act Order: Depending upon the nature of the conduct and relationship, if any, between the complainant and the respondent, the complainant may be able to obtain from the local court an order against the respondent under Pennsylvania's Protection from Abuse Act. Such an order, including a restraining order, could provide further protection for the complainant from sex discrimination by the respondent. The University Police can inform the complainant about how to apply for this order and all aspects of the Protection from Abuse Act.
- Chaperone Service: When requested, the University Police provides an escort for any member of the University community seven days per week and 24 hours per day. Call extension 1250 from any campus phone or dial 610-282-1002 from any non-campus phone.
- Educational Programs: The University Police and Student Life offer sexual assault education and information programs to students and employees. These are available upon request except where mandatory provision of the programs is noted below. Literature on sexual assault prevention and risk reduction is available at the Counseling Center and Health Center (both in the Dorothy Day Student Union) and the University Police Department (in the Lawless Center). On an annual basis, the University conducts or coordinates educational initiatives in conjunction with the following:
  - ◇ Health & Wellness Fair - Each fall semester, the Health Centers host a Health & Wellness community fair that welcomes various agencies, including the Crime Victims Council of the Lehigh Valley and Turning Point ([www.turningpointlv.org](http://www.turningpointlv.org)), which is an abuse counseling center and refuge.
  - ◇ First-Year Student Orientation - The University provides a mandatory program on Title IX topics including transitioning into a university community, types of sexual offenses, and the reporting of sexual offenses, for all incoming and new students. A copy of this publication, Keeping our

Campus Safe, is available online at [www.desales.edu/title-ix](http://www.desales.edu/title-ix). Each student during Orientation receives a Title IX brochure, which explains the University policy and on-campus resources.

- ◇ START - This online course Student, Title IX, Alcohol, and Respect Training (START) is to educate all University students about the elements of healthy relationships, the importance of sexual consent, the impacts of alcohol overuse and the role of “upstanders” in creating safe, healthy communities. All incoming students are required to complete this course prior to orientation.
- ◇ PACE - Peers Advising Counseling Educating (PACE) is a small group of students who provide peer education programs that focus on alcohol, tobacco, violence, sexual health and safety, and justice issues. Types of programs include Walk a Mile in Her Shoes (a sexual assault awareness program) and presentations on body image, social media, mental wellness, etc.
- Emergency Call Boxes: Emergency call boxes are strategically located throughout campus. They are either bright yellow in color or have a steady illuminated blue light near them to allow for easy locating. When activated, these call boxes immediately connect directly to the University Police.
- Campus Crime Alerts: Timely warning notices are communicated via email and text message to the campus community whenever certain sexual offenses, or other serious crimes that create an imminent threat to the community, are reported. These alerts comply with the requirements of the Clery Act.
- Bystander / “Upstander” Intervention: A bystander is someone other than the victim who is present when an act of sex discrimination is occurring or when a situation takes place in which a reasonable person feels as though some protective action is required to prevent a person from being subjected to sexual assault or other sex discrimination. Bystanders, through a series of active strategies, can be “Upstanders,” and can prevent harm or intervene before a situation gets worse.
- Examples of “Upstander” interventions include:
  - ◇ not leaving an intoxicated person in a bar/party alone;
  - ◇ creating a diversion/distraction in an unsafe situation,
  - ◇ walking a classmate to his/her car after class;
  - ◇ calling the police when a potentially violent or abusive situation is unfolding;
  - ◇ not leaving an unconscious person alone by staying with the person and alerting the University Police, emergency

medical services (EMS) or a Resident Advisor (RA);

- ◇ intervening directly or indirectly when someone else is being belittled, degraded or emotionally abused;
- ◇ escorting an individual from a dangerous situation;
- ◇ and contacting others for help in any uncomfortable or dangerous situation by alerting the University Police, staff at the Counseling Center, an RA or the Vice-President for Student Life.

## **Domestic Violence, Dating Violence, Sexual Assault and Stalking Investigation and Proceeding Process**

Once the consent of the complainant is received, the University will then conduct a prompt, thorough, and impartial investigation and resolution process. The purpose of the investigation is two-fold: to determine what occurred and whether there is sufficient evidence of a Title IX Policy violation, and for the University to eliminate any circumstances which led to sex discrimination, to address any effects of the discriminatory conduct on the complainant and others, and to ensure that the University is safe for an optimum healthy learning environment.

The University will ensure that coordinators, investigators, hearing panel members, and appeal officers do not have a conflict of interest or bias for/against the complainant or respondent parties. To that end, all investigations will be conducted (for both student and employee) jointly by trained Investigators (the Assistant Dean of Students for Campus Life and Student Conduct, the Chief of the University Police or an external investigator). If there is a conflict of interest, an alternative trained investigator will be used. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability

- The investigation generally will take no longer than 60 days; however, complex cases, the availability of witnesses, and other exceptional circumstances may require additional time and/or the modification of the timeframes described herein. If there are delays for good cause in the investigation, the Title IX Coordinator will notify the parties in writing of the delays and explain the circumstances causing the delays.
- In all instances, the process will be conducted in a manner that is consistent with the institution’s policy and that is transparent to the accuser and the accused. The accuser and the accused will have timely notice for meeting at which the accuser or accused, or both, may be present. The accuser, the accused and appropri-



ate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meetings and hearings.

- The complainant or respondent's past sexual history or records made or maintained by a health or mental health professional may not be referenced throughout the investigation or adjudication process unless the investigator obtains the party's voluntary, written consent to do so. Sexual history that relates to past complaints or findings of responsibility under this Policy may be considered when determining an appropriate sanction if a respondent is found responsible.
- DeSales University bears the burden of collecting evidence and proving a violation of the Title IX Policy and will use a preponderance of the evidence standard, meaning that the outcome will be based on a conclusion of what was more likely to have occurred than not.
- To the extent permitted by law, the complainant and the respondent will be afforded the same rights and opportunities throughout the investigation and adjudication process, including the opportunity to recommend witnesses (including expert witnesses), submit evidence, and appeal the outcome of any formal University disciplinary process. There are no restrictions on the ability of any party to discuss the allegations.
- Both complainant and respondent parties have a right to an advisor of their choice (including a lawyer), who may be present at all meetings, interviews, and proceedings. Any restrictions to advisor participation will be applied equally to all parties. If a party cannot obtain an advisor, the University will provide one from a pool of trained advisors from which a party can choose at no cost to the party. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. However, the role of the advisor is limited. An Advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing.
- All parties will be provided clear written notice before each and every interview or other meeting they are invited or expected to attend, including date, time, location, participants, and purpose of the investigative interview or meeting.
- Both complainant and respondent will have an equal opportunity to inspect and review all evidence obtained during the investigation. The parties will have at least 10 days to review and submit a written response to the evidence, which will be considered by the investigator(s) before finalizing the report.
- All parties including all witnesses interviewed or contacted during the investigation are expected to cooperate fully with the resolution of the complaint and/or investigation by providing complete,

accurate, and truthful information and any potentially relevant documentation in any format. If a party or witness does not cooperate fully or knowingly provides false statements or information, appropriate disciplinary action may be taken.

- The investigators will prepare a final investigative report and will submit the report to the Title IX Coordinator. The final investigative report will include the factual determinations made as a result of the proceeding. The complainant and the respondent will be simultaneously informed in writing by the Title IX Coordinator of the results of the proceeding and receive a copy of the report at least 10 days before a hearing to decide whether the respondent is ultimately responsible for the alleged policy violation. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.
- If the result of the Title IX investigation is the conclusion that, by a preponderance of the evidence, the respondent may have engaged in a policy violation, the respondent will be required to participate in the University's Title IX administrative disciplinary process. This may include an informal resolution or a live hearing with adjudication.

## The Informal Resolution

- For qualifying cases, both the complainant and respondent may request resolution of an allegation via the informal resolution process. This request can be made at any time before, during, or after the start of the investigation, or at any time prior to reaching a determination of responsibility. The request must be made to the Title IX Coordinator, and any party may withdraw from the informal resolution process any time prior to agreeing to a resolution.
- The following qualifications must be met before an informal resolution is used: both parties must provide voluntary written consent, both parties must be provided a written notice of the allegations and the requirements of the informal resolution process, and the facilitator must be adequately trained.
- The goals of an informal resolution are to provide an opportunity for closure through a mutually agreed-upon resolution, which does not include the possibility of sanctions or admission of a policy violation.
- The procedures for an informal resolution include, but are not limited to: both parties meet face to face, both parties will listen to each other without interruption, each will have an opportunity to speak and respond.

## Domestic Violence, Dating Violence, Sexual Assault and Stalking Hearing Process

If the result of the Title IX investigation is the conclusion that, by a preponderance of the evidence, the respondent may have engaged in a policy violation, and both parties do not support an informal resolution, then with the consent of the complainant, the respondent will be required to participate in the University's Title IX Hearing process.

- Within ten (10) days of the completion of the Title IX investigation, the Title IX Coordinator will set up a meeting with the complainant and a separate meeting with the respondent. The Title IX Coordinator will explain to the parties the Hearing process and provide them with a copy of this publication, *Keeping Our Campus Safe*, which addresses all matters related to the Hearing.
- A Hearing will be scheduled within 45 days from the time both parties receive a copy of the Final Investigation Report, absent any special circumstances. The purpose of the Hearing is to determine responsibility for Title IX policy violations.
- Both parties will receive a written Notice of Hearing 14 days prior to the hearing that will include the time, date, place, and purpose of the meeting, the names of the Hearing Panel, and a list of witnesses. All communications related to the Hearing shall be directed to the Title IX Coordinator. Timely notice will be given for any amendments to the notice.
- The Hearing Committee shall consist of three individuals selected by the Title IX Coordinator from a list of trained individuals. One member of the panel, who has been appropriately trained, will be appointed as the chair and the "decision-maker" for the Hearing.
- Each party may challenge one member of the Hearing panel for reason such as bias by submitting a written request to the Title IX Coordinator within two weeks from the date of the Notice of Hearing. The Title IX Coordinator shall review the request and select a new member for the Hearing Panel.
- Legal Counsel will be available to meet and review with the members of the Hearing panel the procedures as outline in *Keeping Our Campus Safe*, including the purpose of the Hearing, procedure guidelines, and possible sanctions, penalties, and remedial actions that can be recommended by the Hearing Panel.
- At the request of either party, the University will provide for the entire live hearing (including cross-examination) to occur with the parties located in separate rooms with technology enabling the parties to see and hear each other. Requests must be made in writing at least two weeks in advance of the hearing date to the Title IX Coordinator.
- Each party may request witnesses not listed on the Notice of Hearing by submitting the witness names and summary of the

witness testimony to the Title IX Coordinator at least two weeks prior to the hearing date.

## Procedures for a Live Hearing

- The Chair (decision-maker during the hearing) will introduce the members of the hearing panel, read the alleged University policy violation(s), and review the goals and procedures for the hearing.
- The respondent will enter a plea of responsible or not responsible of the policy violation.
- The Title IX investigators shall appear at the hearing in a neutral capacity and present all relevant witnesses for questioning.
- The chair (in consultation with the members of the Hearing Panel) will begin by asking all relevant questions of clarification for the parties and witnesses.
- The chair will provide an opportunity for each advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those raising concerns of credibility. Such cross-examination at the hearing will be conducted directly, orally, and in real-time by the party's advisor of choice, but never by a party personally.
- The advisor may ask only relevant cross-examination and other questions of a party or witness. However, before a complainant, respondent, or witness answers a cross-examination or other question, the chair will first determine whether the question is relevant and explain why any decision to exclude a question is not relevant.
- Cross-examination may not include questions sexual of behavior or disposition unless evidence of such behavior is offered to establish consent or to demonstrate that another party is responsible for committing the violation. In other words, questions that may be excluded are those protected by rape-shield protections, health information, and attorney-client privilege.
- If a party or witness does not submit to cross-examination at the live hearing, the hearing committee will not rely on any statement of that party or witness in reaching a determination regarding responsibility.
- Should the complainant or responding parties not appear at the Title IX Hearing, the hearing will be conducted without that party's presence and a decision will be rendered based on the evidence before the hearing panel.
- At the conclusion of the presentation of the evidence, all will be excused from the hearing room except for the Hearing panel, which will deliberate.
- Based only on the evidence presented at the hearing, the Hearing

Panel will make the following recommendations by using the “preponderance of the evidence” (more likely than not) standard and by a majority vote:

- ◇ The specific section(s) of the code alleged to have been violated,
  - ◇ A description of all the steps taken from the receipt of the formal complaint through the hearing,
  - ◇ Specific descriptions of all “findings of facts” that support the determination,
  - ◇ Conclusions regarding the application of the “findings of facts” to the alleged violations,
  - ◇ A statement and rationale with respect to each allegation, including determination, sanctions, and remedial measures.
  - ◇ Recommendations for prevention of future policy violations and to otherwise have a safe campus conducive to scholarly pursuits;
- Within 10 days of the completion of the hearing, the Hearing Committee’s written report shall be submitted to the Title IX Coordinator. The Executive Vice-President is the final decision-maker, who will render a decision within five business days from receiving the recommendations of the Hearing Committee.
  - The Title IX Coordinator will send a written determination simultaneously to all parties for each alleged policy violation as defined above. In addition, both parties will have access to the audio recording and/or transcript of the live hearing.

### **Possible Sanctions for Domestic Violence, Dating Violence, Sexual Assault and Stalking Violations**

If a respondent is found by the Hearing Panel to be responsible for a University policy violation, the panel will recommend any interim and/or long term measures or combination of them:

- Administrative Letter of Censure – This is a letter provided by the Hearing panel to the respondent indicating that he/she was found to have committed a policy violation and that any further misconduct will result in more severe disciplinary action.
- Community Service Hours – Work done throughout the University for any policy violation that was found to have been committed.
- Education Programs or Workshops – Attendance at sessions designed to address the facts of given cases, such as a victim’s awareness education.
- Counseling – Designed to address respondent’s individual circumstances.

- Loss of Privileges – Denial of specific campus privileges for a specified period of time.
- Residential Probation (for student respondents only) – An official warning taking into account the seriousness of the policy violation and the respondent’s disciplinary record at the University. The warning will indicate that any future policy violations or any other disciplinary violations may result in loss of residential and visitation privileges.
- Disciplinary Probation (for student respondents only) – A status between good standing and suspension from the University. It is imposed for a period of not less than one semester and may affect financial aid for the following semester. It may also include such restrictions as the denial of the opportunity to represent the University as an athlete or officer of a student organization. Future policy violations and any other disciplinary violations may result in the loss of the privilege of residing in or visiting residence facilities, suspension from the University, or expulsion from the University.
- Residential Suspension (for student respondents only) – Loss of the right to reside in or visit University residence halls and related areas for a specified period of time.
- Residential Eviction (for student respondents only) – Permanent loss of the right to reside in or visit University residence halls and related areas.
- Suspension (for student respondents only) – Separation of the student from the University for a stated period of time (minimum of one semester). The student will be barred from all University-owned property and will be barred from all University-sponsored activity for the period of the suspension.
- Expulsion (for student respondents only) – Permanent separation of the student from the University. The student will be barred from all University-owned property and will be barred from all University-sponsored activities.
- Suspension from the University with Pay (for faculty and other employees only) – This shall be for a specified time.
- Suspension from the University without Pay (for faculty and other employees only) – This shall be for a specified time.
- Termination from Employment (for faculty and other employees only).
- Other – Measure(s) recommended by the Hearing panel to promote the safety of the University and to enhance the educational experience for all members of the University community.

Table 2 is a guide and not “hard and fast” in its implementation, but serves as a template to construct reasonable sanctions for Title IX Vio-

**Table 2: Possible Sanctions for Title IX Violations**

	<b>Policy Violation</b>	<b>Potential Sanctions</b>
Level 1	<ul style="list-style-type: none"> <li>· Unwanted touching for sexual gratification</li> <li>· Sexual Exhibitionism</li> <li>· Sexual Harassment</li> <li>· Gender-based Harassment</li> <li>· Voyeurism</li> <li>· Retaliation</li> </ul>	<ul style="list-style-type: none"> <li>· Disciplinary Probation</li> <li>· Counseling</li> <li>· Education Programs or Workshops</li> <li>· Residential Probation</li> </ul>
Level 2	<ul style="list-style-type: none"> <li>· Sexual Exploitation</li> <li>· Unwanted touching of private body parts for sexual gratification</li> <li>· Stalking</li> <li>· Non-consensual video taping</li> </ul>	<ul style="list-style-type: none"> <li>· Disciplinary Probation</li> <li>· Residential Suspension</li> <li>· Loss of Privileges</li> <li>· Suspension</li> </ul>
Level 3	<ul style="list-style-type: none"> <li>· Dating Violence</li> <li>· Domestic Violence</li> <li>· Stalking with Violence</li> </ul>	<ul style="list-style-type: none"> <li>· Suspension</li> <li>· Residential Eviction</li> </ul>
Level 4	<ul style="list-style-type: none"> <li>· Sexual Assault</li> <li>· Rape</li> <li>· Statutory Rape</li> <li>· Incest</li> <li>· Sex Trafficking</li> </ul>	<ul style="list-style-type: none"> <li>· Expulsion</li> <li>· Termination of Employment</li> </ul>

lations at DeSales University. These are intended to be guidelines and are flexible given extenuating circumstances. A student’s cumulative conduct record, the severity of the violations, compound violations, student cooperation, and other factors may be taken into account when deciding how to apply these guidelines.

**Appeal Process**

Both the complainant and respondent have a right to appeal the decision of the University, including the right to appeal an initial dismissal for not falling within the Title IX parameters. A party may appeal the decision by filing a written appeal within ten (10) days of that party’s receipt of a copy of the decision.

- The written appeal must be filed at the office of the Title IX Coordinator (the office is on the second floor, Lawless Building) or at the office of the Assistant Title IX Coordinator (the office is in Room 101 in Billera Hall).
- The party requesting appeal must show clear error as the original finding and/or compelling justification to modify a sanction, as both finding and sanction are presumed to have been decided reasonably and appropriately during the original hearing.

- An appeal may be filed on one or more of the following grounds only:

- ◊ A procedural irregularity or substantive error occurred that significantly impacted the outcome of the hearing (ex. substantiated bias/ conflict of interest or material deviation from the established procedures as outlined in this Policy).

- ◊ Newly discovered evidence, which was not reasonably available at the time of the hearing. A summary of this new evidence and its potential impact must be explained on the appeal form.

- ◊ The sanctions imposed fall outside the range of sanctions designated for this offense and the cumulative conduct history of the responding party.

- The appeal shall be decided by the appeals officer, who is not the Title IX coordinator. If a party presents in the written appeal reason to believe that the party is entitled to relief under grounds of a procedure (or substantive) error, the appeals officer shall remand the matter to the Title IX Hearing Committee for further proceedings as the Hearing Committee determines appropriate adjustments consistent with fairness to the parties.

- As to unreasonable sanctions, the appeals officer shall grant relief when deemed appropriate under the responsible exercise of discretion by the appeal authority taking into account the entire hearing record.
- In rare cases where a procedural (or substantive) error cannot be cured by the original Hearing panel (ex. as in the case of bias), the Appeals Officer may order a new hearing with a new hearing panel.
- The procedures governing the hearing of appeals include the following:
  - ◊ All parties shall be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
  - ◊ Every opportunity to return the appeal to the original hearing body reconsideration (remand) should be pursued.
  - ◊ Appeals are not intended to be full re-hearings of the allegation. In most cases, appeals are confined to a review of

the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal;

- ◇ Appeals decisions are to be deferential to the original hearing, making changes to the finding only where there is clear error and to the sanction only if there is compelling justification to do so;
- ◇ An appeal is not an opportunity for appeals officers to substitute their judgment for that of the original hearing merely because they disagree with its finding and/or sanctions.
- ◇ Sanctions imposed are implemented immediately unless the Executive Vice-President stays its implementation in extraordinary circumstances, pending the outcome of the appeal.
- ◇ The appeals officer will typically render a written decision of the appeal to all parties within five (5) business days from the hearing of the appeal. The appeals officer's decision to deny an appeal request is final.

#### University-Initiated Protective Measures

In addition to those protective measures previously described, the Title IX Coordinator or their designee will determine whether interim interventions and protective measures should be implemented, and if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include, but are not limited to: a University order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved.<sup>3</sup> Violations of the Title IX Coordinators' directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent as determined by DeSales University.

DeSales University's Title IX Policy and Procedures are online at: [desales.edu/titleIX](http://desales.edu/titleIX).

*<sup>3</sup>Applicable law requires that, when taking such steps to separate the complainant and the accused, the University must minimize the burden on the complainant and thus should not, as a matter of course, remove the complainant from his or her job, classes or housing while allowing the accused to remain.*

#### Registered Sex Offenders

Pennsylvania keeps a database of registered sex offenders. In compliance with the Campus Sex Crimes Prevention Act, and Megan's Law in 42 Pa.C.S. § 9799.10 et seq., DeSales University Police maintain a record of registered sex offenders who have indicated they are

employed, enrolled, or reside within 1,000 feet of DeSales University. This information is provided by the Pennsylvania State Police through Upper Saucon Police Department.

Members of the public may search Megan's Law Website [www.pameganslaw.state.pa.us](http://www.pameganslaw.state.pa.us) for registered sex offenders who are homeless/transient, live, work, or attend school in their community. You may also contact the PA State Police at the following address: Pennsylvania State Police, Attn: Megan's Law Section, 1800 Elmerton Avenue, Harrisburg, PA 17110; phone: 1.866.771.3170 (toll free).

The Pennsylvania State Police is responsible for updating the information on every offender included within the website.

#### (HEOA) Notification to Victims of Crimes of Violence

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

## MANAGEMENT OF UNIVERSITY PROGRAMS AND FACILITIES FOR CHILDREN (NON-STUDENT MINORS)

We want our campus to be a welcome place for children. Every community member shares the privilege and responsibility to protect children. DeSales University students are not exempt from the law or University policies and regulations which safeguard children. DeSales has adopted a Code of Ethical Behavior entitled, Sustaining a Caring Culture, which is binding on all University community members, on all campuses, at all times. It provides excellent guidance which will protect you and children. You will be required to sign the Code if you are in a position where you will be working with minors, in addition to maintaining current criminal background checks in accordance with Act 153 of the Commonwealth of Pennsylvania.

If you suspect abuse of a child occurred, is occurring, or may occur, you must report it. Contact University Police at 610.282.1002 (Direct dial DSUPD) or extension 1250 from any campus phone. You may also contact any Campus Safety Authority (CSA). Employees in this category include, but are not limited to, all student affairs administrators, residence life staff including all resident advisors

(RAs), all student or campus activity advisors, all University Police and Public Safety personnel, the athletic director and all athletic coaches, and the director of human resources.

## CLERY ACT DEFINITIONS

### Crime Definitions

The Clery Act requires institutions to include four general categories of crime statistics:

**Criminal Offenses**—Criminal Homicide, including Murder and Non-negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault also referred to as Sex Offenses, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson.

**Hate Crimes**—Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/ Vandalism of Property that were motivated by bias;

**VAWA Offenses**—Any incidents of Domestic Violence, Dating Violence and Stalking. (Note that Sexual Assault is also a VAWA Offense but is included in the Criminal Offenses category for Clery Act reporting purposes); and

**Arrests and Referrals for Disciplinary Action**—for Weapons Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations and Liquor Law Violations.

Under the Clery Act, the purposes of counting and disclosing Criminal Offense, Hate Crime, arrest and disciplinary referral statistics are based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program.

The definitions for Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations, and Liquor Law Violations are from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program.

The definitions of Fondling, Incest and Statutory Rape are from the FBI's National Incident-Based Reporting System (NIBRS) Data Collection Guidelines edition of the UCR.

Hate Crimes are classified according to the FBI's Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual. Note that, although the law states that institutions must use the UCR Program definitions, Clery Act crime reporting does not have to meet all of the other UCR Program standards.

For the categories of Domestic Violence, Dating Violence and Stalk-

ing, the Clery Act specifies that institutions must use the definitions provided by the Violence Against Women Act of 1994 and repeated in the Department of Education's Clery Act regulations.

### Criminal Offenses

**Murder and Non-negligent Manslaughter** is defined as the willful (non-negligent) killing of one human being by another.

**Manslaughter by Negligence** is defined as the killing of another person through gross negligence.

**Sexual Assault (Sex Offenses)**. Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

**Rape** is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.

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

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

**Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.

**Robbery** is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault** is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** is the theft or attempted theft of a motor vehicle.

**Arson** is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### Hate Crimes

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.

Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported:

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.
- **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.
- **Sexual Orientation.** A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.
- **Gender.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.
- **Gender Identity.** A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.
- **Ethnicity.** A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
- **National Origin.** A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Disability.** A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias: Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property.

**Larceny-Theft** is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another.

**Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## VAWA Offenses

The third category of crime statistics institutions must disclose are those added to the Clery Act by the Violence Against Women Act. These are Dating Violence, Domestic Violence, Sexual Assault and Stalking. Sexual assault is included by the FBI as a Criminal Offense.

**Dating Violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition: Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

**Domestic Violence** is defined as *a felony or misdemeanor crime of violence committed:*

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking** is defined as *engaging in a course of conduct directed at a specific person that would cause a reasonable person to—*

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

For the purposes of this definition—

- **Course of conduct** means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the victim.
- **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

## Arrests and Referrals for Violation of Weapon, Drug Abuse and Liquor Laws

The fourth category of crime statistics institutions must disclose is the **number of arrests** and the **number of persons referred for disciplinary action** for the following law violations:

**Liquor Law Violations** are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Drug Abuse Violations** are defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs.

**Weapons: Carrying, Possessing, Etc.**, is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

**Arrest** for Clery Act purposes is defined as persons processed by arrest, citation or summons.

**Referred for disciplinary action** is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.

## Geography Definitions

**Under the Clery Act, the on-campus category includes the following:**

Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

Any building or property that is within or reasonably contiguous to the area identified in paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Under the Clery Act, public property encompasses the following:**

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

**The Clery Act definition of noncampus buildings or property is:**

Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Crime and geography definitions were taken from the U.S. Department of Education, *The Handbook for Campus Safety and Security Reporting*, 2016 Edition.

## Campus Map

For reference, DeSales University's Map and Guide to Campus are located here: [desales.edu/map](https://desales.edu/map)





# CRIME STATISTICS FOR DE SALES UNIVERSITY

## CENTER VALLEY CAMPUS: 2022 • 2021 • 2020

Offense	Year	GEOGRAPHIC LOCATION			
		On Campus Property	On Campus Student Housing Facilities*	Non-Campus Property	Public Property
<b>CRIMINAL OFFENSES</b>					
Murder/Non-Negligent Manslaughter	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Rape	2022	0	0	0	0
	2021	1	1	0	0
	2020	0	0	0	0
Fondling	2022	0	0	0	0
	2021	0	0	0	0
	2020	1	0	0	0
Incest	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Robbery	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Burglary	2022	0	0	0	0
	2021	1	0	0	0
	2020	3	0	0	0
Motor Vehicle Theft	2022	0	0	0	0
	2021	1	0	0	0
	2020	0	0	0	0
Arson	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0

**There was ONE (1) unfounded crime in 2021; There were no unfounded crimes in 2022 or 2020 at the Center Valley Campus.** 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. A reported crime cannot be designated “unfounded” if no investigation was conducted or the investigation was not completed. Nor can a crime be designated unfounded merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation.

**No hate crimes as defined by the Clery Act were reported for DeSales University Center Valley Campus for 2022, 2021, 2020.**

Offense	Year	GEOGRAPHIC LOCATION			
		On Campus Property	On Campus Student Housing Facilities*	Non-Campus Property	Public Property
<b>VAWA OFFENSES</b>					
Domestic Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Dating Violence	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Stalking	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
<b>ARREST AND DISCIPLINARY REFERRALS</b>					
Arrests: Weapons, Carrying, Possessing, Etc.	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Weapons, Carrying, Possessing, Etc.	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Arrests: Drug Abuse Violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	1	1	0	0
Disciplinary Referrals: Drug Abuse Violations	2022	1	1	0	0
	2021	3	3	0	1
	2020	8	5	0	0
Arrests: Liquor Law Violations	2022	0	0	0	0
	2021	0	0	0	0
	2020	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2022	22	22	0	0
	2021	20	16	0	0
	2020	20	20	0	0

**Clery Reportable Geography** - What this means at DeSales University Center Valley Campus, 2755 Station Ave., Center Valley, PA 18034

**On Campus Property**

The on-campus category covers all of DeSales owned property and buildings on DeSales main campus, including the University Bookstore in the University Center and Sandella's in the Dorothy Day Student Center. Please refer to the campus map. Any Clery crimes or incidents that occur in this area would be reported in the On-Campus category. **\*Any Clery crimes or incidents that occur in resident halls occupied by students would appear in BOTH the On-Campus Property category and On-Campus Student Housing Facilities category.**

**Non-Campus Property** The non-campus category would include any buildings not part of DeSales core campus that DeSales would rent, lease, or have a formal agreement for classroom or residential space, school sponsored international trips and some school sponsored domestic trips. This category also includes any leased or rented classroom space not located on DeSales core campus. DeSales does not have any buildings or property controlled by a student organization, such as a fraternity or sorority.

**Public Property** Public roads that are within the core campus (Station Ave., Landis Mill Rd., and Preston Lane) are considered public property. Any Clery crimes or incidents that would occur on these roads would be listed in the Public Property category. The public property that immediately borders the core campus property, (Upper Saucon Community Park, and Saucon Rail Trail from Preston Lane to Landis Mill Rd.) that is easily accessible, not fenced or inaccessible because of a dense wooded area, would be considered public property. Excluded are private homes and businesses. Any Clery crimes or incidents that may have been reported to Upper Saucon Township Police occurring in these areas would be included in this category IF Upper Saucon Township Police shares this information with DeSales University Police.

# UNIFORM CRIME REPORT

## Uniform Crime Statistics 2022, 2021, 2020

	Offenses Known	Index per 100,000	Offenses Known	Index per 100,000	Offenses Known	Index per 100,000
<b>Part I Offenses</b>	<b>2022</b>	<b>2022</b>	<b>2021</b>	<b>2021</b>	<b>2020</b>	<b>2020</b>
Criminal Homicide	0	0	0	0	0	0
Forcible Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	1	31.65	3	92.85
Larceny-Theft (Except Motor Vehicle)	5	165.50	4	126.58	8	247.60
Motor Vehicle Theft - other vehicles	0	0	1	31.65	0	0
Arson	0	0	0	0	0	0
<b>TOTAL PART I</b>	<b>5</b>	<b>165.50</b>	<b>6</b>	<b>189.88</b>	<b>11</b>	<b>340.45</b>
<b>Part II Offenses</b>						
Other Assaults	0	0	0	0	0	0
Forgery and 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, Possession	0	0	0	0	0	0
Vandalism	1	33.10	2	63.29	4	123.80
Weapons; Carrying, Possessing, etc.	0	0	0	0	0	0
Prostitution and Commercialized Vice	0	0	0	0	0	0
Sex Offenses	0	0	0	0	1	30.95
Drug Abuse Violations	1	33.10	1	31.65	6	185.70
Gambling	0	0	0	0	0	0
Offenses Against the Family	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0
Liquor Laws	6	198.60	6	189.87	6	186.70
Drunkenness	0	0	2	63.29	1	30.95
Disorderly Conduct	0	0	1	31.65	1	30.95
Vagrancy	0	0	0	0	0	0
All Other Offenses	0	0	0	0	0	0
<b>TOTAL PART II</b>	<b>8</b>	<b>264.81</b>	<b>12</b>	<b>379.75</b>	<b>19</b>	<b>588.05</b>

	<b>2022</b>	<b>2021</b>	<b>2020</b>
Total FTE	3021	3160	3231
Full-Time Equiv. Students	2586	2645	2735
Full-Time Equiv. Employees	435	515	496

The Pennsylvania Uniform Crime Reporting Act requires the release of crime statistics and rates to students and employees, and it requires that those statistics be available to applicants and new employees upon request. The rate is based on the actual number of Full Time Equivalent (FTE) students and employees, which is calculated according to state-mandated formula. The index in the table above is based on incidents per 100,000 FTE's. This rate can be calculated regardless of the number of individuals in a specific population. These crime rate statistics can be used to better compare crimes in areas of different size populations. The above crime rates were computed by multiplying the known offenses by 100,000 and then dividing the total FTE into that number. The total FTE is the combined sum of the full-time equivalent undergraduate and graduate student population, and the full-time equivalent employees. **NOTE: The number of offenses may differ from Clery statistics because some incidents have been turned over to Upper Saucon Township Police, and USTP would include those crimes in their UCR Report.** FTE Figures are based on the federal IPEDS calculation.

# CAMPUS FIRE SAFETY/ RIGHT-TO-KNOW

## On-Campus Student Housing Fire Alarm Systems

All campus residence halls (Aviat, Chappuis, Conmy, DeChantal, Donahue, Tocik, and Anney), the University Villages, and the University Heights have a centralized automatic fire alarm system. The fire alarm systems in all residence halls, the University Villages, and the University Heights are state of the art systems. These fire alarms systems are connected to a central computer located in the DeSales University police department and are monitored 24/7. All fire alarms systems send out an alert to notify university police of an alarm or system malfunction. The campus fire alarms systems meet or exceed NFPA 72, the National Fire Alarm Code.

BUILDING	VENDOR	MODEL
Anney Hall 2755 Station Avenue Center Valley, PA 18034	Simplex	Model 4100U
Aviat Hall 2755 Station Avenue Center Valley, PA 18034	Simplex	Model 4010
Conmy Hall 2755 Station Avenue Center Valley, PA 18034	Simplex	Model 4100U
DeChantal Hall 2755 Station Avenue Center Valley, PA 18034	Simplex	Model 4100U
Donahue Hall 2755 Station Avenue Center Valley, PA 18034	Simplex	Model 4100U
Tocik Hall 2755 Station Avenue Center Valley, PA 18034	Simplex	Model 4100U
University Heights 2755 Station Avenue Center Valley, PA 18034	Simplex	Model 4100U
Fr. Finnegan House 2755 Station Avenue Center Valley, PA 18034	Simplex	4100 ES
Fr. Guerin House 2755 Station Avenue Center Valley, PA 18034	Simplex	4010 ES
Fr. Harvey House 2755 Station Avenue Center Valley, PA 18034	Simplex	4100 ES

All student rooms, hallways, and lounges in all residence halls, the University Villages, and the University Heights townhouses are equipped with smoke detectors that are tied into a centralized fire alarm system and are thus monitored electronically. When fire or smoke is detected in any area, all detectors in the building will sound.

All campus residence halls are equipped with visual strobe lights for compliance with ADA. All strobe lights flash when the fire alarm system is activated. Activation of a fire alarm is either manual (alarm pull stations) or automatic (smoke detectors, sprinklers); which sounds alarms throughout the building. All campus buildings are equipped with manual alarm pull stations, located at the building exits and/or at stairwells. All fire alarm systems have secondary (backup) power—either generator, battery, or both.

All fire alarm systems and their component parts (pull stations, strobe lights, smoke/heat detectors, and sounders) are thoroughly inspected per NFPA code annually by a certified technician.

## On-Campus Student Housing Sprinkler Systems

The following residence halls have automatic wet pipe sprinkler systems: Aviat, Conmy, DeChantal, Donahue, Tocik, Anney Hall, the University Villages, as well as University Heights 1 - 6. Chappuis and University Heights 7 - 20 do not have sprinkler systems. All sprinkler systems are inspected per NFPA code annually by a certified technician. Sprinkler systems comply with NFPA 25 and 13.

## Fire Extinguishers

Fire extinguishers are located in all hallways and common areas of all campus buildings. Multi-class (ABC), multi-purpose dry chemical fire extinguishers are provided in all residence halls, the University Villages, and University Heights. In addition, multi-class (ABC) fire extinguishers have been installed in the kitchen areas of the University Heights 1-6 and the University Villages. Fire extinguishers are inspected monthly and annually per OSHA regulations by a certified fire suppression technician.

Per NFPA 10 and OSHA 29 CFR 1910.157, fire extinguishers receive six year maintenance and are hydrostatically tested every 5 or 12 years, depending on the type of fire extinguisher.

## Fire Safety Training & Drills

Resident advisors (RAs) and residence hall directors (RHDs) attend mandatory fire extinguisher, fire safety and evacuation training at the beginning of each school year. The Occupational Safety & Health Department also provides this same annual training to the facilities and University police departments, providing practical hands on experience with the fire alarm systems, fire extinguishers, and evacuation procedures.

The Office of Residence Life staff conducts resident floor meetings at the start of each semester to review fire safety regulations and emergency procedures. Residence life staff are also responsible for

<b>Residential Facilities</b>	<b>Fire Alarm Monitoring Done On Site</b>	<b>Partial Sprinkler System<sup>1</sup></b>	<b>Full Sprinkler System<sup>2</sup></b>	<b>Smoke Detection</b>	<b>Fire Extinguisher Devices</b>	<b>Evacuation Plans/Placards</b>	<b>Number of Evacuation (fire) drills each calendar year</b>
Annecy Hall 2755 Station Avenue Center Valley, PA 18034	YES	NO	YES	YES	YES	YES	2
Aviat Hall 2755 Station Avenue Center Valley, PA 18034	YES	NO	YES	YES	YES	YES	2
Chappius Hall 2755 Station Avenue Center Valley, PA 18034	YES	NO	NO	YES	YES	YES	2
Conmy Hall 2755 Station Avenue Center Valley, PA 18034	YES	NO	YES	YES	YES	YES	2
Dechantal Hall 2755 Station Avenue Center Valley, PA 18034	YES	NO	YES	YES	YES	YES	2
Donahue Hall 2755 Station Avenue Center Valley, PA 18034	YES	NO	YES	YES	YES	YES	2
Tocik Hall 2755 Station Avenue Center Valley, PA 18034	YES	NO	YES	YES	YES	YES	2
University Heights I 2755 Station Avenue Center Valley, PA 18034	YES	NO	YES	YES	YES	YES	2
University Heights II 2755 Station Avenue Center Valley, PA 18034	YES	NO	NO	YES	YES	YES	2
University Heights III 2755 Station Avenue Center Valley, PA 18034	YES	NO	NO	YES	YES	YES	2
Fr. Finnegan House 2755 Station Avenue Center Valley, PA 18034	YES	NO	YES	YES	YES	YES	2
Fr. Guerin House 2755 Station Avenue Center Valley, PA 18034	YES	NO	YES	YES	YES	YES	2
Fr. Harvey House 2755 Station Avenue Center Valley, PA 18034	YES	NO	YES	YES	YES	YES	2

*1 Partial Sprinkler System is defined as having sprinklers in the common areas only.*

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

verifying the presence of accurate evacuation route floor plans, and working condition of all fire safety equipment on their assigned floor. The University makes every effort to repair or replace damaged fire safety equipment in a timely manner.

One fire drill is conducted each semester by the Occupational Safety & Health Department in all on-campus residence housing. Students and guests are required to evacuate buildings during fire alarms and follow procedures for fire and emergencies. Lack of cooperation is considered a serious matter and students who refuse to evacuate a building will be subject to disciplinary action. To ensure that students evacuate the building when a fire alarm is sounded, the RAs are responsible for verbally instructing residents to evacuate, knocking on doors while exiting the building.

When a fire alarm sounds, students should leave the building as quickly as possible through the nearest safe exit, proceeding to the designated evacuation location to check in with their RA. Each building is assigned a designated evacuation assembly location that is at least 150 feet from the building. The RA/RHD is responsible for conducting a roll-call of students on their floor/wing. This information is then given to emergency responders. Assistance is provided to students with special needs during an evacuation. Additional evacuation instructions can be found in the Student Handbook.

Emergency evacuation floor plans are posted in all residence halls, the University Villages, and the University Heights. Occupational Safety & Health Department bulletin boards with fire safety and evacuation information are also located in all on-campus housing.

Fire drills are reviewed and evaluated by the Occupational Safety & Health Department. A report is prepared and presented at the University's monthly safety committee meeting.

## Fire Safety Policy

DeSales University has a policy prohibiting open flames and appliances with exposed heating elements.

Smoking is strictly prohibited inside all University buildings, including residence halls. Designated smoking areas have been established 15 feet away from entryways. Smoking receptacles are provided in these areas.

The following items are prohibited in all on-campus housing: open flames, candles, incense, fireworks, flammable liquids and gases, appliances containing exposed heating elements (space heaters, ovens, toasters, electric grills, hot plates, etc.), gasoline, kerosene, sun bulbs, lava lamps, oil, halogen lamps, and flammable holiday decorations such as live trees and wreaths made from boughs. Only

University wiring is allowed in on-campus housing with the following exceptions: UL listed and approved, fused power strips with cords 12 feet or less and UL listed and approved extension cords. Power strips may not be used in series to gain greater length. Electrical extension cords should not be routed unsafely under carpets, in pathways or through doorways. Extension cords may not be secured in place by tacking, nailing or taping. All electrical cords must be in good condition with no signs of fraying, splicing or taping. Splicing together of extension cords is not allowed, nor is the plugging together of multiple extension cords. If the cord on an appliance has a three-pronged adapter, the extension cord must also be three pronged. Non-breaker multi-outlet devices, such as cubes, are also prohibited.

Grills are only permitted on the patios at the University Heights. Propane tanks and lighter fluid must be stored outside. Campus-provided fire pits are allowed within the outdoor recreational fires policy.

## Future Fire Safety Plans

DeSales University is committed to the safety and well-being of all members of our community. Future fire safety plans include the installation of sprinkler systems in the University Heights Buildings 2 and 3, and Chappuis.

These future plans are intended to be implemented, barring any unforeseen circumstances.

## Fire Log

A fire log of all reported fires is maintained in the Occupational Safety & Health Department located at 2450 Station Ave., Center Valley, Pa. The Occupational Safety & Health Department maintains this written log which records the date, nature, time and general location of all on-campus student housing facility fires.

The Occupational Safety & Health Department prepares this report in compliance with section 485(i) of the Higher Education Opportunity Act, otherwise known as the Campus Fire Safety Right-to-Know Act. All currently registered students and employees are notified annually about the availability of the Annual Fire Report. The report is available at [WWW.DESALES.EDU/SECURITYREPORT](http://WWW.DESALES.EDU/SECURITYREPORT). Copies of the annual fire report may also be obtained from the University police or Occupational Safety and Health Department in the Lawless Center.

## Procedures for student housing evacuation in the case of a fire

If... Evacuation (anytime the alarm sounds, possible fire or other emergency)

- Proceed to the nearest exit and meet with a resident advisor at the designated evacuation location for your hall (see below).
- Remain at least 150 feet from the building until notified that it is safe to return to your room.
- Once the immediate crisis has passed, RAs will go through the building roster and identify who is present or not accounted for.
- Students should only re-enter the building when the “All Clear” has been confirmed.
- RAs will assist in determining any students who may need medical attention, counseling, or potential relocation of housing.

## Designated Evacuation Locations

Each residence area has a designated evacuation point at least 150 feet from the building. The designated evacuation points are:

- Aviat Hall – Middle row of parking lot behind Anney Hall
- Anney/Donahue Halls – Middle row of parking lot behind Aviat Hall
- Chappius Hall – Back row of the Brisson Hall parking lot
- Conmy/Tocik Halls – Basketball court area toward Dorothy Day Student Union parking lot
- DeChantal Hall – Outside the side entrance of Labuda Theatre
- University Heights – Grassy area by Marian Shrine statue
- University Village – Dorothy Day Student Center grassy area/parking lot

## Fire Safety

Residence life and the Occupational Safety & Health Department are committed first and foremost to the safety and well-being of our students. All fire-related incidents are reported each year in the University’s joint Annual Fire Safety and Security Report.

All campus residence halls, the University Heights townhouses, and the University Villages have a centralized automatic fire alarm system. The fire alarm systems in all residence halls and the University Heights townhouses are state of the art systems. These fire alarm systems are connected to a central computer located in the DeSales University Police Department and are monitored 24/7. All fire alarms systems send out an alert to notify campus police of an alarm or system malfunction. The campus fire alarms systems meet or exceed NFPA 72, The National Fire Alarm Code.

## Procedures for faculty and staff evacuation in the case of a fire

- Stay calm, do not rush and do not panic
- Use the nearest safe stairs and proceed to the nearest exit

- DO NOT use the elevator
- Evacuate a minimum distance of 50 feet from the building
- Please proceed to the designated Area of Rescue if you need assistance exiting the lower level or upper floors
- Do not re-enter the building until directed by University Police

## Procedures regarding fire safety education and training programs provided to faculty and staff

All members of the Facilities Department receive annual training on fire extinguisher use by a certified safety trainer with comprehensive knowledge in fire safety prevention.

## To report a fire:

Contact University Police immediately at extension 1250 (on campus) or 610-282-1002 (cellular phone).

For purposes of including a fire in the statistics in the Annual Fire Safety Report, please report that a fire occurred to the Occupational Safety and Health Department, 610.282.1100.





# ANNUAL FIRE SAFETY REPORT

## 2022 RESIDENCE HALL FIRE STATISTICS

Residence Hall	Fires	Injuries Requiring Medical Attention	Deaths	Value of Damaged Property	Cause of Fire
Annecy Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Aviat Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Chappuis Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Conmy Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
DeChantal Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Donahue Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Finnegan House 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Guerin House 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Harvey House 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Tocik Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
University Heights I 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
University Heights II 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
University Heights III 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA

## 2021 RESIDENCE HALL FIRE STATISTICS

Residence Hall	Fires	Injuries Requiring Medical Attention	Deaths	Value of Damaged Property	Cause of Fire
Annecy Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Aviat Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Chappuis Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Conmy Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
DeChantal Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Donahue Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA

Finnegan House 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Guerin House 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Harvey House 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Tocik Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
University Heights I 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
University Heights II 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
University Heights III 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA

### 2020 RESIDENCE HALL FIRE STATISTICS

Residence Hall	Fires	Injuries Requiring Medical Attention	Deaths	Value of Damaged Property	Cause of Fire
Anney Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Aviat Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Chappuis Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Conmy Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
DeChantal Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Donahue Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Finnegan House 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Guerin House 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Harvey House 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
Tocik Hall 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
University Heights I 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
University Heights II 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA
University Heights III 2755 Station Ave. Center Valley, PA 18034	0	0	0	NA	NA

## **Emergency Phone Numbers**

From a campus phone, dial ext. 1250 or 911, or call 610.282.1002 to speak to the DSU police

## **24 Hour Victim Hotline**

If you are a victim of a sexual assault and are unsure what to do or who to call, dial 610.282.1002 for the DSU police. All information will be treated as confidential upon request.

## **See Something? Say Something**

Text DSUTIP and your message to 79516

## **DSUTIP**

Members of the University community can text anonymous tips to University Police by texting DSUTIP and your message to 79516. All confidential and anonymous reports of crime are included in the annual statistical report and daily crime log.



DESALES  
UNIVERSITY

2755 Station Avenue  
Center Valley, PA 18034