



# Jefferson

Philadelphia University +  
Thomas Jefferson University

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HOME OF SIDNEY KIMMEL MEDICAL COLLEGE

**EAST FALLS CAMPUS  
ANNUAL FIRE SAFETY  
AND SECURITY REPORT: 2017**

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## **INTRODUCTION**

Your safety and security is extremely important to us at Jefferson (Philadelphia University + Thomas Jefferson University). The following information is provided to you to share our commitment to the security of our University family and to inform you about the steps you can take to ensure a safe and secure campus.

## **CAMPUS LAW ENFORCEMENT POLICIES**

The Jefferson East Falls Campus Department of Safety and Security provides 24-hour patrol protection to the campus. The Department is a non-sworn private security entity. Officers do not have the authority to make arrests. The department consists of a director, two managers, an administrative assistant, three safety and security supervisors, and thirteen patrol officers. The communications section consists of four communications officers. Many of the officers have prior police or security training. The University also provides an ongoing program of in-service and on-the-job training for patrol officers in the area of patrol procedures, emergency response, CPR, first aid, report writing, etc. Patrol officers are not armed and no one is allowed to possess a weapon on campus.

Jefferson East Falls Campus Department of Safety and Security works very closely with the Philadelphia Police Department, and other law enforcement agencies, such as Pennsylvania State Police and the FBI. Arrests of individuals on University property are made by the police with the assistance of the Department of Safety and Security. Criminal incidents on campus are reported to the Pennsylvania State Police.

There is no memorandum of understanding between the Jefferson and any municipal police department relative to investigations of crime.

## **REPORTING PROCEDURES**

We encourage you to report all crimes and emergencies, no matter how small, to the Department of Safety and Security immediately. In addition to emergency phone call boxes, the University provides two telephone numbers: The 24-hour communication center can be reached 215-951-2999 to report all criminal activity and/or emergencies. An additional number that can be used in emergencies is 215-848-5555. The Office of Safety and Security is available for walk-in complaints, and the business phone number for the Office is 215-951-2620. Local Police Departments may be reached via 911.

Upon receipt of any complaint (criminal or otherwise), an officer will respond to take a report and include crimes in our crime statistics. A follow-up investigation will be conducted in appropriate situations. Anyone who is the victim of a crime is encouraged to call and report the crime to the appropriate Police Agency. Safety and Security cannot report the crime for them. Often, municipal police departments, such as Philadelphia, will only take a report from the victim. If deemed necessary, municipal police may conduct an investigation and potentially work with Jefferson Security. There is no memorandum of understanding between Jefferson and any municipal police department relative to investigations of crime.

To the extent possible, confidentiality and anonymity are respected; however, no formal confidential reporting process is in place. Jefferson has no formal procedure in place to encourage both pastoral and professional counselors, at their discretion, to inform those they counsel, of procedures for reporting crimes voluntarily and confidentially for inclusion in the institution annual security report and web based report to the Department of Education.

A Daily Fire and Crime Log is available at the Safety & Security office. This log includes the incident type, the date an incident is reported, the date and time of occurrence and general location of each reported incident type, as well as the disposition of the incident, if this information is known. The Department of Safety & Security posts information to the Daily Crime and Fire Log within two business days of receiving the report.

## **LOCAL POLICE DEPARTMENT**

Jefferson works closely with Philadelphia Police in meetings such as the 39<sup>th</sup> District Captain's Town Hall meeting and the 39th District Police Service Area (PSA) 1 community meeting in an attempt to monitor student behavior off campus. Jefferson has no student organizations officially recognized by the institution with non-campus housing facilities.

## **CAMPUS SECURITY AUTHORITY**

The law defines "Campus Security Authority" as: "An official of an institution who has significant responsibility for student and campus activities, including, but not limited to: student housing, student discipline and campus judicial proceedings." An example would be a dean of students who oversees student housing, a student center or student extra-curricular activities and has significant responsibility for student and campus activities. Similarly, a director of athletics, team coach, and faculty advisor to a student group also has significant responsibility for student and campus activities. A single teaching faculty member is unlikely to have significant responsibility for student and campus activities, except when serving as an advisor to a student group. Clerical staff, as well, is unlikely to have significant responsibility for student and campus activities.

## **TIMELY WARNING PROCEDURES**

Crime reports at Jefferson East Falls will be evaluated by the Director of Safety and Security or his designee for an ongoing or continuous threat. If, in the judgment of the Director or designee, a threat exists a timely warning will be issued. The warning will be provided to all students and employees in a manner that is timely, withholds the names of victims as confidential, and will aid in the prevention of similar occurrences. The Department of Safety and Security is responsible for developing the content and sending the report. Time permitting, the Department of Safety and Security will seek assistance and consultation with Public Relations, Vice President for Operations, the Dean of Students, or Philadelphia Police. The warning will be provided by e-mail or posters.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

Jefferson East Falls Campus Emergency Guide and Emergency Operations Manuals include information about the Emergency Resource Team and University operating status parameters; incident priorities and performance expectations; evacuation guidelines; and contingency planning. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University's emergency guide can be seen at:

<http://www.eastfalls.jefferson.edu/security/inc/documents/emergencyresourceguide2017.pdf>

In the event of an immediate threat to health or safety of students or employees Jefferson East Falls will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation. The Department of Safety and Security is responsible for confirming a significant emergency or dangerous situation exists. Confirmation will be obtained through consultation with Philadelphia Police, Pennsylvania State Police, or Federal Agencies. The process the University would use to consider a segment of

campus to be notified would include the type of emergency, section of campus affected, and consultation with emergency responders.

Content of the notification will be developed by the department of safety and security with consultation with authorities listed above. The department of safety and security will initiate a text message, e-mail or posters with the assistance of the emergency resource team time permitting. In the event of an immediate threat to the health or safety of students and employees occurring on campus, follow-up information will be provided through the use of email, text message, signs, posters, or web page postings. This action will take place without delay and take into account the safety of the community.

The notification system will not be used if, in the professional judgment of responsible authorities, it compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The University conducts numerous emergency response exercises each year such as table top exercises, task specific drills, and internal and external tests of the emergency notification system. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution.

On May 10, 2016 Jefferson East Falls conducted a tabletop exercise on a Campus Emergency titled Commencement Crisis dealing with infectious disease on campus. The emergency response team participated in the exercise. Subsequent emergency notification and communication drills were conducted.

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

The campus residence halls and Falls Center Apartments are always locked and staffed. There is one security monitor, trained in access-control procedures and general security practices, posted at the entrance of each residence hall 24 hours a day to restrict access and register guests. Electronic alarms/delayed egress hardware is installed on exit doors to deter propping and limit access. All windows are equipped with screens and locking devices to deter unauthorized entry. Residence hall room doors are equipped with locks and one-way door viewers.

Safety and Security officers routinely patrol the outside and inside of residence halls. Security education and awareness programs are presented annually at orientation sessions. Each student is provided with security information and enforcement procedures for housing policies.

During low-occupancy periods, the residence halls are locked and the keyways plugged or changed. Students who stay on campus during these periods must register with the Office of Residence Life. The Department of Safety and Security is made aware of the students' location and a security monitor is assigned 24 hours a day at the entrance to those residence halls. Occasionally, outside groups and guests of the University are permitted to live on campus, usually when no students are present. They are subject to strict policies. Undergraduate student housing is available on campus in the form of singles, doubles, triples and quads. We have single sex and co-ed residence halls. All students, after advising and mediation, may apply for changes in room assignments when necessary.

For extended housing purposes, the University leases apartments outside the contiguous area of campus. In accordance with the Clery Act, they were considered "non-campus" In calendar year 2014 and 2015 and "on campus" residence halls for 2016. Statistics for the Falls Center apartment complex are reported in the non-campus statistics section of this report in 2014 and 2015 and in the on campus residence hall sections for 2016. Security is provided by the Falls Center. The Department of Safety and Security, Residence Life, and Facilities,

Operations and Management have an excellent working relationship with the Falls Center Management and Security Staff. Some security features include card access, CCTV, roving patrols, and escorts.

The academic buildings are locked after normal business hours and unlocked in the morning when classes are scheduled. The buildings are posted with trespass warnings and the Department of Safety and Security patrols them on a regular basis. Building hours may be adjusted based on academic needs. This is done through the Provost's office in consultation with the Department of Safety and Security. Any buildings used after hours require card access and the "Two Person Rule" is in effect.

The University is private property and is only open to students, faculty, staff, guests and those with business at the University. Campus boundaries are defined through marked entrances and visual landscape design, however, the campus is physically open to people coming on campus. While known trespassers are escorted off campus and/or arrested, it is virtually impossible to limit access only to individuals who have a right to be on campus. All persons entering campus are expected to abide by current University policies and procedures.

Security lighting has been installed throughout the campus and in parking areas.

## **MAINTENANCE TO CAMPUS FACILITIES**

The Safety and Security Staff work with the Facilities, Management and Operations office to periodically checks the lighting as well as trims shrubs, hedges, and trees. In addition to the Department of Safety and Security, the campus community may file Facilities work requests to address safety issues as well as general maintenance requests. The Facilities, Management and Operations office manages requests with TMA software system. Safety related problems are given a high priority in the system. Requests are regularly monitored so problems are addressed in a timely and efficient manner.

## **EDUCATION PROGRAMS**

Routinely through brochures, pamphlets, handbooks, memorandums, in-house publications, presentations, and orientations, members of the community receive crime prevention information. The majority of the programs occur during the start of the traditional academic year in August. These programs are heavily focused on security procedures, practices and awareness information. Separate Men's and Women's Self Defense classes are held weekly from September through April as a part of the University's recreation program. In addition to addressing sexual assault through the women's Rape Aggression Defense and men's Reducing Aggression with Defense (RAD), general crime prevention and safety is addressed. Any student, faculty or staff may attend. Once each semester security reminders are sent to all students, faculty and staff. Equipment and Services designed to assist the safety program include blue light emergency telephones throughout campus, Campus Shuttle service from 7a.m. – 3a.m. and escorts. Throughout the year programs and services listed below occurred to raise awareness of potential problems and encourage the campus community to look out for themselves and others.

All new students (first year and transfer) are required to complete EverFi's Haven Program during their first semester on campus. Haven is an online program addressing important safety issues including sexual assault, relationship violence, stalking, and sexual harassment, drugs and alcohol. Jefferson East Falls is on its third year of Haven implementation for new students. Haven has two parts. Part one is the online informational program which steps students through multiple interactive modules and includes customizable content that points students back to Jefferson East Falls' resources. Part one occurs in the 4 weeks prior to arriving on campus and has a deadline of the second week of the semester. Part two is a survey that asks students about their experiences during the first six weeks of the semester. Part two occurs 45-60 days after the student completes part one. In addition, a First Year Seminar is required of all first year students. It is a one credit course that meets

weekly for 50 minutes. The course is taught by faculty and staff as well as an upperclassman peer mentor. Required crime prevention and awareness type programs include alcohol, drug, and Title IX. Several instructors include information on Campus safety and Active Shooter.

First year resident students receive additional information regarding residence hall and campus security practices as well as other general crime prevention awareness information during their first 2 meetings. Additional programs held throughout the year related to Alcohol Awareness and open to all students in the residence halls included, Alcohol Seminars in each area such as Mansion Seminar, Ronson Ranger, Sobriety Circus, BBQ and Alcohol Awareness Mario Kart and Beer Goggles and Rules of the Game Poster campaign.

Active shooter programs are periodically held for the Faculty and Staff during building/ departmental meetings. A poster campaign utilizing the Department of Homeland Security's "How to Respond" to an active shooter was conducted campus wide to expose faculty, staff and students to information on how to respond to an active shooter situation. A campus wide poster campaign to protect against thefts from parked cars has been continuously conducted on and around campus. Posters designed by a Jefferson East Falls student and those distributed by the Philadelphia Police have been used.

## **ALCOHOL AND DRUG POLICIES**

Jefferson expects all students to adhere to all federal, state and local laws regarding the unlawful possession, use or distribution of alcohol, drugs, and illegal substances. The University is required by law to inform students of the sanctions which may be imposed on them for violations of those laws. In addition, Jefferson is required to inform students of the standards of conduct, University penalties, health risks, and counseling options as they pertain to substance abuse. All members of the Jefferson community are hereby notified of the primary components of the Substance Abuse Prevention Policy in compliance with Drug-Free Schools and Community Act of 1989 and subsequent amendments.

### **Alcohol Policy**

The possession, use and sale of alcoholic beverages is prohibited by those under the age of 21 years old. Violations of Pennsylvania State law will be referred to the Director of Safety and Security and the Dean of Students or Human Resources.

### **Drug Policy**

The possession, use and sale of illegal drugs on the campus of Jefferson East Falls is prohibited. Jefferson will enforce Federal and State Drug laws. When University officials confiscate illegal drugs, such items will be surrendered to the Police Department as required by law. Charges for violation of the law will be made at the discretion of the Police Department. Campus community violators will also be referred to the Director of Safety and Security and the Dean of Students or Human Resources.

### **Drug and Alcohol Programs**

Many programs and orientation activities for both students and staff are conducted by University departments including, but not limited to, CPS Staff, Student Engagement, Safety and Security, and Human Resources contain written, verbal and electronic policy review men's and women's self-defense instruction, Employee Assistance Program and electronic interactive assessment tools. Some of these programs are specific to drug and alcohol issues and some are more general programs with a drug and alcohol component. They all combine to send a cohesive message in support of the Drug Free Schools and Community Act.

For additional information, see the complete Drug and Alcohol Policy at:  
<http://www.philau.edu/studenthandbook/#/52/>

## **ANNUAL FIRE SAFETY REPORT**

If a fire occurs in a Jefferson East Falls building, community members should immediately notify Jefferson East Falls Department of Safety and Security at 215-951-2999. Safety and Security will initiate a response with Philadelphia Bureau of Fire. If any member of the community finds evidence of a fire, no matter how small, Safety and Security should be notified to investigate and document the incident for the purpose of including the fire in the statistics in the annual fire safety report.

Fire alarms alert community members of potential hazards and community members are required to heed their warning and evacuate the buildings immediately upon hearing a fire alarm in any facility including student housing. Use the nearest stairwell and/or exit to leave the building immediately. Community members should familiarize themselves with the exits in each building. Elevators should not be used for exiting during fire alarms. The elevators in most buildings will automatically stop on the nearest floor with an exit. Fire drills are conducted in residence halls at least 2 times per year and once per year in academic and administrative buildings.

Fire safety and education is provided to all first-year students as part of their orientation on campus. Building specific information on fire safety and evacuation is provided in the first Residence Hall meeting for student housing. Faculty and Staff receive fire safety information in the Employee Handbook and all hazard approach to safety issues such as evacuation in orientation programs. Additional fire safety education and training is offered based on activities, responsibility and assignments of Students, Faculty and Staff on campus.

Candles, incense, lanterns, potpourri and other flammable items including but not limited to hot plates, electric frying pans, halogen lamps, immersion coils, fireworks, flammable liquids, open flames, smoking and flammable decorations are not permitted in student housing facilities unless officially sanctioned and supervised by University officials. Tampering with alarm-pull stations and/or fire extinguishers without just cause and/or failing to evacuate from a building during a fire alarm is strictly prohibited.



**Fire Table 1 – Residence Hall Fire Safety**

	<i>Ronson</i>	<i>Fortess</i>	<i>Partridge</i>	<i>Mott</i>	<i>Scholler</i>	<i>IP/Franklin</i>	<i>IP/Madison</i>	<i>IP/Jefferson</i>	<i>T Houses A – T</i>	<i>Falls Center</i>
24-hour staffed safety/security station in each lobby	X	X	X	X	X	X	X	X		X
Central smoke detection alarm system in place	X	X	X	X	X	X	X	X		X
Central pull station alarm system in place	X	X	X	X	X	X	X	X	X	X
110-Volt Common area smoke detection in each bedroom	X	X	X	X	X					
110-Volt Common area smoke detection in each apartment/T House						X	X	X	X	X
Detection systems certified annually by an independent service	X	X	X	X	X	X	X	X	X	X
Fire extinguishers in each apartment/T House						X	X	X	X	X
Fire extinguishers in common areas	X	X	X	X	X	X	X	X	X	X
Fire extinguishers certified annually by an independent service	X	X	X	X	X	X	X	X	X	X
Building is fully sprinkled			X	X		X	X	X		X
Sprinkler system present in common area stairwells & foyers	X									
Hoses standpipes present	X		X							

Fire Table 2 – Annual Fire Safety Reporting in Student Housing 2014

Building	Fire and Evacuation Drills	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Injuries that Required Transport to Medical Facility	Number of Deaths Related to Fire	Value of Property Damages Caused by Fire	Report Number
<i>Ronson</i>	2	0	0	0	0	0	0	0	0	0
<i>Partridge</i>	2	0	0	0	0	0	0	0	0	0
<i>Mott</i>	2	0	0	0	0	0	0	0	0	0
<i>Fortess</i>	2	0	0	0	0	0	0	0	0	0
<i>Scholler</i>	2	0	0	0	0	0	0	0	0	0
<i>IP/Franklin</i>	2	0	0	0	0	0	0	0	0	0
<i>IP/Madison</i>	2	0	0	0	0	0	0	0	0	0
<i>IP/Jefferson</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses A – F</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses G – J</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses K – N</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses O – T</i>	2	0	0	0	0	0	0	0	0	0

**Fire Table 3 – Annual Fire Safety Reporting in Student Housing 2015**

Building	Fire and Evacuation Drills	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Injuries that Required Transport to Medical Facility	Number of Deaths Related to Fire	Value of Property Damages Caused by Fire	Report Number
<i>Ronson</i>	2	0	0	0	0	0	0	0	0	0
<i>Partridge</i>	2	0	0	0	0	0	0	0	0	0
<i>Mott</i>	2	0	0	0	0	0	0	0	0	0
<i>Fortess</i>	2	0	0	0	0	0	0	0	0	0
<i>Scholler</i>	2	0	0	0	0	0	0	0	0	0
<i>IP/Franklin</i>	2	0	0	0	0	0	0	0	0	0
<i>IP/Madison</i>	2	0	0	0	0	0	0	0	0	0
<i>IP/Jefferson</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses A – F</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses G – J</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses K – N</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses O – T</i>	2	0	0	0	0	0	0	0	0	0
<i>Falls Center</i>	2	0	0	0	0	0	0	0	0	0

Fire Table 4 – Annual Fire Safety Reporting in Student Housing 2016

Building	Fire and Evacuation Drills	Total Fires in Each Building	Fire Number	Date	Time	Cause of Fire	Injuries that Required Transport to Medical Facility	Number of Deaths Related to Fire	Value of Property Damages Caused by Fire	Report Number
<i>Ronson</i>	2	0	0	0	0	0	0	0	0	0
<i>Partridge</i>	2	0	0	0	0	0	0	0	0	0
<i>Mott</i>	2	0	0	0	0	0	0	0	0	0
<i>Fortess</i>	2	0	0	0	0	0	0	0	0	0
<i>Scholler</i>	2	1	1	11/2/2016	8:30 PM	Unintentional	0	0	\$100-\$999	2016-00371/ 2013-00128
<i>IP/Franklin</i>	2	0	0	0	0	0	0	0	0	0
<i>IP/Madison</i>	2	0	0	0	0	0	0	0	0	0
<i>IP/Jefferson</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses A – F</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses G – J</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses K – N</i>	2	0	0	0	0	0	0	0	0	0
<i>T Houses O – T</i>	2	0	0	0	0	0	0	0	0	0
<i>Falls Center</i>	2	0	0	0	0	0	0	0	0	0

## **WEAPONS POLICY**

Jefferson faculty, staff, students whether working or not, and visitors and members of the University community, may not possess or use weapons on campus including, but not limited to, firearms of any kind, ammunition and explosives (or explosive chemicals), among other dangerous weapons or substances. Anyone found to be in possession of such weapons or substances are subject to sanctions ranging up to termination and expulsion from the University as well as any applicable criminal charges.

## **MISSING STUDENTS**

If a member of the University Community has reason to believe that a student is missing they should contact the Department of Safety and Security immediately at 215-951-2999 or 2999 from a campus telephone.

Residential students can identify a missing person's confidential contact while completing their on line Housing Application. This includes students who request to move on campus mid-year. The application must be updated annually. The contact information will be registered confidentially and will only be accessible to Safety and Security, Police and campus officials involved in the investigation of a missing student.

If the missing student is under age 18, and is not an emancipated minor, Jefferson must notify the student's parent or legal guardian within 24 hours of the determination that the student is missing.

Once the student is determined missing, Safety and Security will notify Philadelphia Police 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 was missing. The department of Safety and Security or the Dean of Student's Office will notify the student confidential contact person within 24 hours of the determination that the student is missing.

The Department of Safety and Security and Dean of Students office will notify Police and the student's emergency contact information regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor with 24 hours that a student is determined missing.

## **POLICY AND PROCEDURES RELATED TO DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT AND STALKING**

Jefferson 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, Jefferson issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic 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.

### **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:*

- A Felony or misdemeanor crime of violence committed—
  - o 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; or
- 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.

*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.

- 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.
- 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.

*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:**

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 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.

*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

### **Domestic Violence:**

There is no distinct definition of “Domestic Violence” under the Pennsylvania Crimes Code. The following section describes probable cause in domestic violence cases.

*§ 2711. Probable cause arrests in domestic violence cases. General rule—A police officer shall have the same right of arrest without a warrant as in a felony whenever he has probable cause to believe the defendant has violated section 2504 (relating to involuntary manslaughter), 2701 (relating to simple assault), 2702(a)(3), (4) and (5) (relating to aggravated assault), 2705 (relating to recklessly endangering another person), 2706 (relating to terroristic threats) or 2709.1 (relating to stalking) against a family or household member although the offense did not take place in the presence of the police officer. A police officer may not arrest a person pursuant to this section without first observing recent physical injury to the victim or other corroborative evidence. For the purposes of this subsection, the term “family or household member” has the meaning given that term in 23 Pa.C.S. § 6102 (relating to definitions).*

### **Dating Violence:**

The state of Pennsylvania does not have a definition of dating violence.

### **Sexual Assault:**

The state of Pennsylvania defines sexual assault as follows:

*§ 3121. Rape: (a) 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) Rape of a child—A person commits the offense of rape of a child, a felony of the first degree, when the person engages in sexual intercourse with a complainant who is less than 13 years of age. (c) Rape of a child with serious bodily injury—A person commits the offense of rape of a child resulting in serious bodily injury, a felony of the first degree, when the person violates this section and the complainant is under 13 years of age and suffers serious bodily injury in the course of the offense.*

*§ 3122.1. Statutory sexual assault: (a) Felony of the second degree—Except as provided in section 3121 (relating to rape), a person commits a felony of the second degree when that person engages in sexual intercourse with a complainant to whom the person is not married who is under the age of 16 years and that person is either: (1) four years older but less than eight years older than the complainant; or (2) eight years older but less than 11 years older than the complainant. (b) Felony of the first degree—A person commits a felony of the first degree when that person engages in sexual intercourse with a complainant under the age of 16 years and that person is 11 or more years older than the complainant and the complainant and the person are not married to each other.*

*§ 3123. Involuntary deviate sexual intercourse: (a) Offense defined—A person commits a felony of the first degree when the person engages in deviate 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 him or her incapable of consent; (6) (Deleted by amendment); (7) who is less than 16 years of age and the person is four or more years older than the complainant and the complainant and person are not married to each other. (b) Involuntary deviate sexual intercourse with a child—A person commits involuntary deviate sexual intercourse with a child, a felony of the first degree, when the person engages in deviate sexual intercourse with a complainant who is less than 13 years of age. (c) Involuntary deviate sexual intercourse with a child with serious bodily injury.—A person commits an offense under this section with a child resulting in serious bodily injury, a felony of the first degree, when the person violates this section and the complainant is less than 13 years of age and the complainant suffers serious bodily injury in the course of the offense.

§ 3124.1. Sexual assault: Except as provided in section 3121 (relating to rape) or 3123 (relating to involuntary deviate sexual intercourse), a person commits a felony of the second degree when that person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent.

§ 3125. Aggravated indecent assault: (a) Offenses defined—Except as provided in sections 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse) and 3124.1 (relating to sexual assault), a person who engages in penetration, however slight, of the genitals or anus of a complainant with a part of the person's body for any purpose other than good faith medical, hygienic or law enforcement procedures commits aggravated indecent assault if: (1) the person does so without the complainant's consent; (2) the person does so by forcible compulsion; (3) the person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution; (4) the complainant is unconscious or the person knows that the complainant is unaware that the penetration is occurring; (5) 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; (6) the complainant suffers from a mental disability which renders him or her incapable of consent; (7) the complainant is less than 13 years of age; or (8) the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other. (b) Aggravated indecent assault of a child—A person commits aggravated indecent assault of a child when the person violates subsection (a)(1), (2), (3), (4), (5) or (6) and the complainant is less than 13 years of age.

§ 3126. Indecent assault: (a) Offense defined—A person is guilty of indecent assault if the person has indecent contact with the complainant, causes the complainant to have indecent contact with the person or intentionally causes the complainant to come into contact with seminal fluid, urine or feces for the purpose of arousing sexual desire in the person or the complainant and: (1) the person does so without the complainant's consent; (2) the person does so by forcible compulsion; (3) the person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution; (4) the complainant is unconscious or the person knows that the complainant is unaware that the indecent contact is occurring; (5) 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; (6) the complainant suffers from a mental disability which renders the complainant incapable of consent; (7) the complainant is less than 13 years of age; or (8) the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.

§ 4302. Incest. (a) General rule—Except as provided under subsection (b), a person is guilty of incest, a felony of the second degree, if that person knowingly marries or cohabits or has sexual intercourse with an ancestor or descendant, a brother or sister of the whole or half blood or an uncle, aunt, nephew or niece of the whole blood. (b) Incest of a minor—A person is guilty of incest of a minor, a felony of the second degree, if that person knowingly marries, cohabits with or has sexual intercourse with a complainant who is an ancestor or descendant, a brother or sister of the whole or half blood or an uncle, aunt, nephew or niece of the whole blood and: (1) is under the age of 13 years; or (2) is 13 to 18 years of age and the person is four or more years older than the complainant.



(c) Relationships—The relationships referred to in this section include blood relationships without regard to legitimacy, and relationship of parent and child by adoption.

### Stalking:

The state of Pennsylvania defines stalking as follows:

§ 2709.1. *Stalking: (a) Offense defined—A person commits the crime of stalking when the person either: (1) 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 (2) 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. (b) Venue: (1) An offense committed under this section may be deemed to have been committed at either the place at which the communication or communications were made or at the place where the communication or communications were received. (2) Acts indicating a course of conduct which occur in more than one jurisdiction may be used by any other jurisdiction in which an act occurred as evidence of a continuing pattern of conduct or a course of conduct. (c) Definitions—As used in this section, the following words and phrases shall have the meanings given to them in this subsection: "Communicates." To convey a message without intent of legitimate communication or address by oral, nonverbal, written or electronic means, including telephone, electronic mail, Internet, facsimile, telex, wireless communication or similar transmission. "Course of conduct." A pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct. The term includes lewd, lascivious, threatening or obscene words, language, drawings, caricatures or actions, either in person or anonymously. Acts indicating a course of conduct which occur in more than one jurisdiction may be used by any other jurisdiction in which an act occurred as evidence of a continuing pattern of conduct or a course of conduct. "Emotional distress." A temporary or permanent state of mental anguish. "Family or household member." Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.*

### Consent:

The state of Pennsylvania does not have a definition of consent, in relation to sexual activity. Jefferson Defines Consent as permission, approval, or agreement to sexual activity through clear words or actions. Silence or lack of resistance does not necessarily imply consent. When a person consents to some sexual activity, this does not constitute consent to other forms of sexual activity; furthermore, the existence of a previous dating, marital, or sexual relationship is not sufficient to constitute consent to any subsequent sexual activity. Consent must be given at the beginning of each and every sexual encounter and at each and every stage of intimacy. Consent may be withdrawn at any time. It is not necessary for a person to physically resist, scream, say "no", or otherwise expresses resistance to be deemed incapable of providing consent if any of the following circumstances occur:

- A person is subject to or threatened with physical force
- A person is threatened, intimidated, coerced, isolated, or confined
- A person is incapacitated due to the influence of drugs or alcohol
- A person is a minor
- A person is mentally disabled
- A person is asleep, unconscious, or losing and regaining consciousness
- A person's own use of drugs and/ or alcohol does not relieve that person from obtaining proper consent.

### 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." 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 of some ways to be an active bystander. Further information regarding bystander intervention may be found. 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.

1. 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.
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

## Risk Reduction

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org))

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you** and charged and that you have cash money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. **If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.)**. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. **Remember that being in this situation is not your fault**. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself**. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.

- d. **Lie.** If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
  17. **If you and/or the other person have been drinking,** you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

## 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.

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

- A. A statement that the institution prohibits the crimes of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act);
- B. The definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. What behavior and actions constitute consent, in reference to sexual activity, in the State of Pennsylvania
- D. 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 structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- E. 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. Information regarding:
  - a. procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and 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); and
  - 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);
  - e. procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in "Adjudication of Violations" elsewhere in this document).

### *Primary Prevention and Awareness Programs*

Jefferson East Falls primary prevention and awareness programs for students on campus begin with orientation, We are Jefferson: Includes programs on respect, inclusion and appropriate campus culture, Sex Signals: includes bystander intervention and decision making, distribution of the student handbook, campus wide Title IX notice and the availability of the Annual Security and Fire Safety Report. All first year students complete EverFi's Haven Program. Haven is an online program addressing the critical issues of sexual assault, relationship violence, stalking, and sexual harassment. Jefferson is on our third year of Haven implementation for new students. All new students (first year and transfer) are required to take Haven during their first semester on campus. Haven has two parts. Part one is the online informational program which steps students through multiple interactive modules and includes customizable content that points students back to Jefferson East Falls' Title IX resources. Part one occurs in the 4 weeks prior to arriving on campus and has a deadline of the second week of the semester. Part two is a survey that asks students about their experiences during the first six weeks of the semester. Part two occurs 45-60 days after the student completes part one. In 2014, we had 650 total first year and transfer students interact with the program. In 2015, we had 580 total first year and transfer students interact with the program. In 2016, we have had 566 total first year and transfer students interact with the program. In total 1,793 current students have participated in Haven since Fall 2014.

All first year students are required to take a First Year Seminar FYS-100. It is a one credit course that meets weekly for 50 minutes. The course is taught by faculty and staff as well as an upperclassman peer mentor. There are 30 sections of the class with up to 20 students in each section. All 30 sections address Title IX in one of the 50 minute classes, either in Week 4 or Week 5 of the semester. Topics covered include introduction to the Jefferson Title IX website and resources, discussions about consent and bystander intervention, and most often utilization of current media to relay the points (such as showing the "Consent as Tea" video or even the "It's On Us" video). Each resident's student's first floor meeting includes a review of the Sexual Misconduct Policy. Faculty and Staff receive orientation for new employees which includes information on Title IX, responsible employee's requirements, dating violence, domestic violence, sexual assault and stalking. In addition, employees receive the employee handbook, faculty handbook, in appropriate cases the adjunct faculty handbook and notice regarding the availability of the Annual Security and Fire Safety Report.

### *Ongoing Prevention and Awareness Campaigns*

The University has developed an annual educational campaign open to all students, faculty and staff consisting of the following events throughout the year:

Rape Aggression Defense (RAD for Women) and Reducing Aggression with Defense (RAD for Men) are central components of the self-defense classes held weekly in the Recreation Program from September to April. They not only identify and discuss risk reeducation, prevention, and bystander intervention regarding dating violence, domestic violence, sexual assault and stalking, but they also provide physical training to avoid potential attacks. The "White Ribbon Campaign" is a popular awareness campaign that distributes white ribbons and allows community members to pledge to prevent violence against women. The "Sex Food" program takes a unique approach to relating healthy food and a healthy body to healthy relationships. The "Brown Bag Teach In" seminar is conducted by the Philadelphia rape crisis center, WOAR, and covers sexual violence on college campuses focusing on trauma-informed education. The "Masks We Live In" program shows the film by the same name and leads to a thought-provoking, facilitator led conversation on the role of men in society as it relates to issues of sexual violence. A bystander intervention poster campaign was completed in an effort to inform students on the techniques of being an active bystander as it relates to sexual and relationship violence.

Specific programs conducted for Residents students in the fall included "Sobriety Circus", "BBQ and Alcohol Awareness," "Mansion Alcohol Seminar," "Ronson Ranger," and "Mario Kart and Beer Goggles." These are alcohol related programs with significant messages as it relates to Domestic Violence, Dating Violence, Sexual Assault and Stalking. Additional fall programs included: four specific "Consent Workshops" focused on each housing area of campus. These programs obviously delve into what is consent as it relates to sexual assault. A "Rules of the Game" poster campaign was conducted throughout the year.

## **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 at Philadelphia Sexual Assault Response Center (PSARC) 300 East Hunting Park Avenue, Philadelphia PA 19124 Hotline 215-425-1625. This locations offers staff trained in sexual assault response and access to physical evidence recovery. In Pennsylvania, evidence may be collected even if you chose not to make a report to law enforcement. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted, if the offense occurred within the past 96 hours, so that evidence that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. 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 communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/investigators 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 Campus Public Safety 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 that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

### *Involvement of Law Enforcement and Campus Authorities*

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, 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 Jefferson East Falls Safety and Security Department will assist any victim with notifying law enforcement if the victim so desires. The Philadelphia Police Department may also be reached directly by calling 911. The Special Victims Unit can be reached by calling 215-685-3251. Additional information about the Philadelphia Police department may be found online at: <http://www.phillypolice.com/>

### *Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking*

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, Zoe Gingold, Kanbar Center 102 or by calling 215-951-6830 or e-mailing [gingoldz@philau.edu](mailto:gingoldz@philau.edu) and Campus Public Safety if the victim so desires. Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Public Safety will automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant choses to pursue criminal charges.

## 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 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 housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to the local law enforcement. Students and employees should contact Zoe Gingold, Kanbar Center 102 or by calling 215-951-6830 or e-mailing [gingoldz@philau.edu](mailto:gingoldz@philau.edu)

If a report of domestic violence, dating violence, sexual assault or stalking is reported to the University, below are the procedures that the University will follow:

Incident Being Reported	Procedure Institution Will Follow
Sexual Assault	<ol style="list-style-type: none"> <li>1. Depending on when reported (immediate vs delayed report), institution will provide complainant with access to medical care</li> <li>2. Institution will assess immediate safety needs of complainant</li> <li>3. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>4. Institution will provide complainant with referrals to on and off campus mental health providers</li> <li>5. Institution will assess need to implement interim or long-term protective measures, if appropriate.</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> <li>8. Institution will provide written instructions on how to apply for Protective Order</li> <li>9. 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</li> <li>10. 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</li> <li>11. 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</li> </ol>

Stalking	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
Dating Violence	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND provide the complainant with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>
Domestic Violence	<ol style="list-style-type: none"> <li>1. Institution will assess immediate safety needs of complainant</li> <li>2. Institution will assist complainant with contacting local police if complainant requests AND complainant provided with contact information for local police department</li> <li>3. Institution will provide written instructions on how to apply for Protective Order</li> <li>4. Institution will provide written information to complainant on how to preserve evidence</li> <li>5. Institution will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate</li> <li>6. Institution will provide the victim with a written explanation of the victim's rights and options</li> <li>7. Institution will provide a "No trespass" (PNG) directive to accused party if deemed appropriate</li> </ol>

### 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

*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*

Jefferson complies with Pennsylvania law in recognizing orders of protection, restraining orders, no contact orders or similar no contact orders made by the University. Any person who obtains an order of protection from Pennsylvania or any reciprocal state should provide a copy to Campus Safety and Security and the Office of the Title IX Coordinator. A complainant may then meet with Campus Safety and Security to develop a Safety Action Plan, which is a plan for campus security and the victim to reduce 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 location or allowing a student to complete assignments from home, 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).

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.

*Accommodations and Protective Measures Available for Victims*

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Jefferson will provide written notification to students and employees about accommodations available to them, including academic, living, transportation 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 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 a 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, a victim should request these services from the Title IX coordinator, Zoe Gingold, Kanbar Center 102 or by calling 215-951-6830 or e-mailing [gingoldz@philau.edu](mailto:gingoldz@philau.edu)

*On and Off Campus Services for Victims*

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Jefferson 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:

### *Campus Resources*

#### **Title IX Coordinator**

Zoe Gingold  
4201 Henry Avenue  
Kanbar Center 102  
215-951-6830  
[gingoldz@philau.edu](mailto:gingoldz@philau.edu)

#### **Deputy Title IX Coordinator**

Ali Stefanik  
215-951-2856

#### **Deputy Title IX Coordinator**

Elizabeth Shepard-Rabadam, Associate Provost  
215-951-0353

#### **Counseling Services\***

Kanbar 323  
215-951-2868  
[counselingservices@philau.edu](mailto:counselingservices@philau.edu)

#### **Health Services\***

Scholler Hall  
215-951-2986  
[healthservices@philau.edu](mailto:healthservices@philau.edu)

#### **Coordinator of Spiritual Programs**

Kanbar 320  
215-951-6804  
[spiritualdevelopment@philau.edu](mailto:spiritualdevelopment@philau.edu)

#### **Safety and Security**

215-951-2999

*\*These resources are confidential.*

### *Off Campus Resources*

#### **Philadelphia Sexual Assault Response Center (PSARC)**

300 E. Hunting Park Avenue, Philadelphia, PA 19124  
215-685-3251 Hotline: 215-425-1625

#### **Women Organized Against Rape (WOAR)**

215-985-3333  
[www.woar.org](http://www.woar.org)

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

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

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

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

### **Confidentiality**

Victims may request that directory information on file with the University be withheld by request by contacting the Jefferson East Falls Registrar's Office, 4201 Henry Avenue, Archer Hall, First Floor 215-951-2990.

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.

### **Adjudication of Violations**

The University's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. 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. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. 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. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. 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. The advisor does not advocate on behalf of the complainant or respondent, or address the judicial hearing board in any way, but may, with the permission of the presiding judicial hearing officer, consult with the advisee. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and

5. 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.

Whether or not criminal charges are filed, the University or a person may file a complaint under the following policies, depending upon the status of the accused (student or employee):

## Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

Jefferson's Sexual Misconduct Policy is the name of the policy applicable to students accused of Domestic Violence, Dating Violence, Sexual Assault and Stalking

1. **How to File a Disciplinary Complaint Under this Policy**

Any complaints alleging that a student has been the victim of sexual misconduct, perpetrated by an employee, a student or a third party on campus is reported to the Title IX Coordinator for the University. As such, s/he is designated coordinator for compliance with this policy.

Title IX Coordinator  
Zoe Gingold  
4201 Henry Avenue  
Kanbar Center 102  
215-951-6830  
[gingoldz@philau.edu](mailto:gingoldz@philau.edu)

Deputy Title IX Coordinator  
Ali Stefanik  
4201 Henry Avenue  
Kanbar 301  
215-951-2856  
stefanika@philau.edu

Deputy Title IX Coordinator  
Associate Provost  
Elizabeth Shepard-Rabadam  
4201 Henry Avenue  
Reichlin House 2<sup>nd</sup> Floor  
215-951-0353  
sheparde@philau.edu

2. **How the University Determines Whether This Policy will be Used**

By accepting admission and registration, students accept responsibility for compliance with the Community Standards, along with other policies and regulations listed in The Student Handbook, such as the Sexual Misconduct Policy. Students are expected to abide by all local, state, and federal laws. When a student fails to abide by the above, the University will investigate and resolve those concerns through the University Community Standards Judicial System.

### 3. Steps in the Disciplinary Process

#### *The Complaint Process*

Any University community member who has witnessed or been victim of a violation of The Community Standards may file a complaint in writing to the Director of Judicial Affairs or Dean of Students. This includes incident reports from Safety and Security and the Residence Life staff. (For allegations of the violations of academic integrity, see The Academic Integrity Policy; for allegations of sexual misconduct, see The Sexual Misconduct Policy). Complaints from citizens outside the University community or the law enforcement officials may be grounds for adjudication under The Community Standards.

Written complaints should contain the following:

1. A description of the alleged violation with specific details re: date, time, location and incident.
2. The Community Standard alleged to have been violated.
3. Requested action sought.

The judicial officer will then arrange a meeting with the complainant to provide an overview of the University Judicial System and collect other information as needed.

#### *Initial Procedures for Complaints*

##### 1. Notice

Students who are accused of violations of The Community Standards will be contacted via their University e-mail account by a judicial hearing officer to set up an appointment to discuss the allegation and advise the respondent of his/her rights under The Community Standards. Students must respond to the notice within 48 hours to schedule an appointment. If the case advances to a judicial hearing board, both parties will be provided the hearing procedure guidelines which describe in full the procedure for the hearing. Failure to comply with the summons or failure to attend one's own hearing or to otherwise participate in any proceeding does not preclude the case from being heard and a decision being rendered in absentia.

##### 2. Advisors

In most cases, or upon the request of a party, the respondent and the complainant will be assigned advisors from faculty or staff of the University community. The advisor's role is to assist the student in understanding the judicial procedure. The advisor may accompany the respondent or complainant throughout the judicial process. The advisor does not advocate on behalf of the complainant or respondent, or address the judicial hearing board in any way, but may, with the permission of the presiding judicial hearing officer, consult with the advisee.

##### 3. Personal support

Because cases are often stressful and overwhelming, both the respondent and the complainant may have a person of their choosing accompany them throughout the investigation process, to the extent practicable, and at any hearing. Similar to the advisor, the support person does not advocate on behalf of the complainant or respondent, or address the judicial board in any way, but may, with the permission of the presiding judicial hearing officer, consult with the student.

### *Pre-Hearing Protocols*

1. The Director of Judicial Affairs or other judicial hearing officer (i.e., the Title IX Coordinator for sexual misconduct cases) will establish prompt timeframes and protocols for the investigation of the complaint and will advise all parties of the major milestones of the schedule.
2. Any party may request to present witnesses with first-hand knowledge of the alleged incident or having material information will be permitted to offer testimony. The decision to hear testimony from witnesses will be made by the hearing officer or judicial hearing board in consultation with the Director of Judicial Affairs.
3. The Director of Judicial Affairs or the judicial hearing officer will establish the procedure for the parties to submit evidence for review prior to the hearing. After receiving notice of a violation of community standards parties will have 48 hours to submit additional material evidence to the Director of Judicial Affairs or other hearing office (i.e. Title IX Coordinator) to review. In the event of a board hearing, the parties will receive copies of all information relevant to the incident to be shared at the hearing and a list of possible witnesses. The release of information pursuant to this Section may be subject to limitations imposed by state and Federal law. The judicial hearing officer may exclude any information from the hearing that a party fails to include in this exchange of information or fails to exchange according to these procedures.

### *Conflict of Interest*

In sexual misconduct cases and other allegations of serious misconduct in which a hearing Board is convened, the complainant and the respondent will be provided with a list of proposed Board members prior to the hearing to enable either party to raise any conflict of interest or other appropriate objection to one or more proposed members. Exclusion of a proposed Board member will be decided by the Director of Judicial Affairs, whose decision shall be final and binding on the parties.

### *Investigation*

1. Investigations will occur in the event of a Title IX case or at the discretion of the Director of Judicial Affairs.
2. The investigation will normally include interviews of the complainant, the respondent, and any material witness presented by either party, as well as the review of any material evidence. Both parties will have the opportunity to present witnesses and other evidence during the process.

### *Hearing Protocols*

1. All hearings shall be conducted in private and are confidential. Participants may not disclose any part of the proceedings outside the hearing. Hearings are limited to the respondent, complainant, advisors, any support persons, approved witnesses, the judicial hearing board members, and support staff.
2. In hearings involving more than one respondent, the Director of Judicial Affairs determines whether the hearings will be held jointly or separately.
3. All procedural questions are subject to the final decision of the Executive Secretary in consultation with the Chair of the judicial hearing board. Technical rules of evidence associated with criminal and civil courts are not applicable to University judicial hearings.
4. Hearings will be conducted in a timely manner, as determined by the Director of Judicial Affairs or the Dean of Students.
5. At least five days' notice of a hearing will be provided to the parties. Postponements or other changes to the hearing schedule will only be considered in the case of an emergency.

## *Evidence*

1. All parties will be allowed to present witnesses and other evidence at the hearing so long as such witnesses or evidence were presented during the investigation. Newly discovered evidence will be allowed only at the discretion of the judicial hearing officer. Parties will generally not be allowed to directly question or cross-examine witnesses but may submit questions to the Hearing Board for its consideration.
2. The judicial officer will present to the respondent any evidence pertaining to the allegations of the violation of The Community Standards.
3. The respondent will be asked to present a statement regarding responsibility for the alleged violation.
4. All materials introduced as evidence will be available to all parties during the hearing.
5. References to prior incidents or prior behavior of any party will not normally be permitted unless probative and material to the matter at hand in the opinion of the judicial hearing officer.

## 4. **Anticipated Timelines**

All investigations will be conducted as thoroughly and expeditiously as possible and normally shall be completed within 60 days from the initiation of the complaint, except where the appropriate or circumstances require a longer period.

## 5. **Decision-Making Process**

After all parties have testified and all evidence is considered, the respondent and complainant will be asked to make closing statements. All persons will then be dismissed, and the judicial hearing board will deliberate in closed session to determine whether the respondent is responsible for violation of The Community Standard in question.

In the case of a finding of responsible, the judicial hearing board will assign the appropriate sanctions. If the respondent has prior violations of the Community Standards, they will be introduced in the consideration of appropriate sanctions.

Decisions made by a judicial hearing board shall be final, pending the appeal process delineated below. Following the hearing, the respondent and the complainant will be recalled together, or separately, if appropriate, and told of the decision of the hearing and of the sanctions imposed, if applicable. The respondent will also receive written notice of the outcome. In sexual misconduct cases, the complainant will also receive written notice of the outcome of the proceeding.

## 6. **Standard of Evidence**

The decision of the judicial hearing board shall be made on the basis of the preponderance of evidence; that is, whether it is more likely than not that the respondent committed the violation.

## 7. **Possible Sanctions**

The following sanctions may be imposed upon any student found to have violated The Community Standards:

1. Warning and/or Censure: A written notice to the student that he or she is violating or has violated The Community Standards, and that such conduct will not be tolerated within the University community.
2. Probation: Probation is for a designated period of time and includes the probability of more severe judicial sanctions if the student is found to be in violation of The Community Standards during a probationary period. Probationary status may affect the student's eligibility for some

University programs or activities, including but not limited to study abroad, varsity athletic competition, and summer housing.

3. Suspension: Removal from classes and other privileges or activities as a student for a designated period of time. A suspended student must turn in campus photo ID, University keys, and all other University property at the time the suspension goes into effect. Students on suspension are considered persona non grata, i.e. loss of all privileges of enrolled students. The University may specify conditions prior to reinstatement.
4. Expulsion: Permanent removal from classes and other privileges or activities as a student. Expelled students must turn in their campus photo ID, University keys, and all other University property at the time expulsion goes into effect and are considered persona non grata at the University.
5. Educational Sanctions
  - a) Referral to counseling or other support services or educational programs.
  - b) Community Service or other service-work at or for the University.
  - c) Assignments as determined by the judicial hearing officer or judicial body.
6. Other Sanctions
  - a) Loss of Privileges: Denial or restriction of specified privileges or use of specified facilities for a designated period of time.
  - b) Fines
  - c) Restitution: Compensation for loss, damage or injury through the payment of money or through appropriate work requirement related to the offense.
  - d) Room/building reassignment: Immediate relocation of the student to another campus residence.
  - e) Termination of the Housing Agreement; removal from campus residence halls and/or restriction from access to campus housing;
  - f) Failing assignment or course grade (in cases of academic dishonesty only). If the sanction is failure of the course, an "F" will be given and will appear on the transcript; the student will not be allowed to drop the course, even within the drop period.
  - g) Persona Non Grata status: Prohibition from a specific area or all campus property and/or activities. Violation of a persona non-grata sanction may subject the violator to arrest for trespassing;

More than one of the above sanctions listed may be imposed for any single violation. Other than University expulsion, disciplinary sanctions shall not be made part of the student's academic transcript, but shall become part of the student's permanent judicial record. A student's record is, therefore, subject to review by those authorized to request it on a "need to know basis", other higher education institutions, and future employers, in cases where the student initiates the disclosure or waives his/her right to privacy.

7. Student Organization & Other Group Sanctions

When a student organization engages in some act(s) of misconduct, the University may take action not only against the student(s) involved, but also against the organization itself. Sanctions may include deactivation or loss of privileges, including University recognition, for a specified period of time.

8. Interim Sanctions

Should a student's presence on campus create a threat to the safety or well-being of members of the University community, the University reserves the right to immediately suspend that student from campus until a judicial hearing can be convened. The University shall provide the student notice of interim suspension as soon as practical.

Interim suspension may be imposed to help ensure the safety and well-being of members of the University community or preservation of University property; to help ensure the student's own physical or emotional safety and/or well-being; to help prevent disruption or interference with the normal operations of the University.

During interim suspension, students may be denied access to the residence areas and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible. Whenever interim sanctions are imposed a hearing will be convened at the earliest possible time. The interim sanction(s) may remain in effect until a final decision has been reached, including any appropriate appeals process.

#### **8. Range of Protective Measures Available to a Victim Alleging Misconduct**

Upon learning of a purported violation of this Sexual Misconduct Policy, the University may impose reasonable and appropriate interim measures designed to protect the parties involved, to eliminate a potentially hostile environment, to ensure the safety and well-being of members of the University community, to uphold the integrity of the investigative and/or adjudication process, and to prevent disruption or interference with the normal operations of the University.

If the University, in its sole discretion, believes at any point that the well-being or safety of an individual or the University community is at stake, the University may impose an involuntary interim suspension or leave of any faculty, staff, or student involved in a purported violation of this Sexual Misconduct Policy. An interim suspension may remain in effect until the grievance procedure has concluded, including any appropriate appeals process. An interim suspension or leave shall have no bearing on the guilt or innocence of any individual.

Any individual may request, or the University may implement, other interim measures including the following:

- Access and recommendations to counseling services both on and off campus
- Requiring that all parties involved have no on-campus contact
- Rescheduling exams, presentations, and other academic events so that parties have no contact
- Allowing individuals to complete coursework in a manner different from their peers
- Providing academic support services
- Changing work or class schedules, including the ability to transfer course sections or withdrawal from a course without penalty
- Reassigning individuals to different University owned or managed housing
- Limiting an individual's or organization's access to certain University facilities or activities
- Voluntary leaves of absence
- Escorts to ensure safe movement between classes and activities
- Any other measures that will achieve the goals of this Sexual Misconduct Policy

All individuals are encouraged to report another individual's failure, or suspected failure, to abide by any interim measure. The University will take immediate and responsive action to enforce a previously implemented measure.

Jefferson's Policy Against Discrimination, Sexual Harassment, Sexual Violence, and Retaliation is the name of the policy applicable to employees accused of domestic Violence, Dating Violence, Sexual Assault and Stalking



**1. How to File a Disciplinary Complaint Under this Policy**

The University strongly encourages administrators, faculty, staff, and employees who have suffered sex discrimination, harassment or violence, as defined by this policy, to file a complaint with his or her department head or equivalent manager and the Title IX Coordinator, Zoe Gingold, in person at 4201 Henry Avenue, Kanbar Center 102 or by calling 215-951-6830 or e-mailing [gingoldz@philau.edu](mailto:gingoldz@philau.edu)

**2. How the University Determines Whether This Policy will be Used**

This policy will also discuss the procedure to report, investigate, and remediate all incidents or complaints of discrimination involving administrators, faculty, staff, employees, and third-parties involving the Jefferson Community, whether on or off campus.

**3. Steps in the Disciplinary Process**

Once a complaint is filed, the Title IX Coordinator or Deputy Title IX Coordinator will respond promptly and appropriately to assign the complaint to a complaint coordinator—usually a member of the Title IX Coordinator’s staff. In certain circumstances, however, the Title IX Coordinator or Deputy Title IX Coordinator may address the complaint directly and act as the complaint coordinator. Once a complaint coordinator has been designated, the complaint coordinator will meet with the complainant to: (1) discuss his or her allegations; and (2) give a detailed explanation of the University’s complaint procedure. The complaint coordinator may also assign the complainant a University advisor to provide counseling and support services. The complainant will also be asked to write a formal statement regarding the substance of the complaint and intent to proceed with a formal investigation. Effective 9/1/2000 Revised 11/2015 Shortly thereafter, the complaint coordinator will contact the respondent—the person accused of violating the University’s non-discrimination policy—to inform him or her of the complaint. The complaint coordinator will then meet with the respondent to provide the same detailed explanation of the University’s complaint procedure. The complaint coordinator may assign the respondent a University advisor to provide counseling and support services. The respondent will also be asked to write a formal statement regarding their participation and perspective on the incident in question.

**4. Anticipated Timelines**

After both parties have submitted their statements, the Title IX Coordinator, Deputy Title IX Coordinator, or complaint coordinator will appoint an investigator to initiate the investigation. All investigations will be conducted as thoroughly and expeditiously as possible and normally shall be completed within 60 days from the initiation of the complaint, except where the appropriate circumstances require a longer period.

The scope of the investigation will not be limited to information provided by the parties or to the violations alleged in the complaint. In all cases, the investigator will conduct an adequate and impartial investigation into the allegations of the complaint. Refusal by any administrator, faculty, staff, or other employee to cooperate with the investigation may result in disciplinary action, including the possibility of termination. Once the investigative report is complete, the investigator will prepare and submit a written report to the Director for Human Resources.

**5. Decision-Making Process**

Once the investigator submits his or her report, the Title IX Coordinator will communicate a summary of the investigator’s findings and intended actions in a written document entitled, “Summary of Findings.” The Summary of Findings will be given concurrently to the complainant and the respondent. If the investigator finds that discrimination or harassment occurred, the respondent will be subject to

appropriate disciplinary action, as listed below under the heading entitled, "Disciplinary Action." In contrast, if the investigator finds that no discrimination or harassment occurred, the complainant will be promptly notified.

**6. Standard of Evidence**

The decision of the process listed above shall be made on the basis of the preponderance of evidence; that is, whether it is more likely than not that the respondent committed the violation.

**7. Possible Sanctions**

The Respondent will be subject to disciplinary action, including but not limited to reprimand, change in work assignment, loss of privileges, referral to counseling, mandatory training or suspension, and/or immediate termination.

**8. Range of Protective Measures Available to a Victim Alleging Misconduct**

Upon learning of a purported violation of this policy, the University may impose reasonable and appropriate interim measures designed to protect the parties involved, to eliminate a potentially hostile environment, to ensure the safety and well-being of members of the University community, to uphold the integrity of the investigative and/or adjudication process, and to prevent disruption or interference with the normal operations of the University. If the University, in its sole discretion, believes at any point that the well-being or safety of a University community member is at stake, the University may impose an involuntary interim suspension or leave of any administrator, faculty, staff, employee, or student who is involved in a purported violation of this policy. An interim suspension may remain in effect until the grievance procedure has concluded, including any appropriate appeals process. An interim suspension or leave shall have no bearing on the guilt or innocence of any individual. Any individual may request, or the University may implement, other interim measures including the following:

- Access and recommendations to counseling services both on and off campus
- Requiring that all parties involved have no on-campus contact
- Rescheduling academic events and/or work assignments so that parties have no contact
- Changing work schedules
- Limiting an individual's or organization's access to certain University facilities or activities
- Voluntary leaves of absence
- Any other measures that will achieve the goals of this policy

All individuals are encouraged to report another individual's failure, or suspected failure, to abide by any interim measure. The University will take immediate and responsive action to enforce a previously implemented measure. Keep in mind that the scope of the investigation will not be limited to information provided by the parties in their formal statements or to the violations alleged in the complaint. In all cases, the investigator will conduct an adequate and impartial investigation into the allegations of the complaint. Refusal by any administrator, faculty, Effective 9/1/2000 Revised 11/2015 staff, or other employee to cooperate with the investigation may result in disciplinary action, including the possibility of termination. Once the investigative report is complete, the investigator will prepare and submit a written report to the Title IX Coordinator.

**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 measure 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. Violations of the Title IX Coordinator's 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 Jefferson.

## Notification to Victims of Crimes of Violence

The University will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as 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.

## Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers services or is a student.

## HEOA Victim Notification

Jefferson will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Jefferson will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

## Sex Offender Registry

Information concerning registered sex offenders may be obtained from the Pennsylvania State Police website <http://www.psp.state.pa.us/>

## CRIME STATISTICS

Jefferson East Falls Department of Safety and Security is responsible for preparing the annual disclosure of crime statistics. We obtain statistics from the Philadelphia Police for the Main Campus and Non-Campus Property's Other police department's statistic requests for Non-Campus Properties include: the Whitemarsh Township Police, Galloway Twp. Police, Warren County Sheriff's Department and the Bensalem Township Police Department.

On Campus sources for statistical requests/information in preparation for the Annual Security Report are made from the Department of Safety and Security, Residence Life/Student Conduct, and Human Resources.

The total enrollment at Jefferson East Falls for the fall of 2016 was estimated to be 3,258 full-time equivalent students (FTES). Approximately 1314 students lived on campus and there were approximately 540 full time equivalent non-student personnel employed by the University. Jefferson East Falls employees are screened for previous criminal convictions at the time of hiring.

## Definitions of Crimes Reportable Under The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Higher Education Opportunity Act and the Violence Against Women Act

### *Criminal homicide*

Murder: The willful (non-negligent) killing of one human being by another.

### *Manslaughter*

Non-negligent Manslaughter [Murder]: the willful (non-negligent) killing of one human being by another.

Manslaughter by Negligence [Criminal Homicide]: the killing of another person through gross negligence.

### *Sex offenses*

Rape: is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration of a sex organ of another person, without the consent of the victim.

Fondling: is the touching of the private body parts of another 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 temporary or permanent mental or physical incapacity.

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

Statutory rape: Sexual intercourse with a person who is under the statutory age of consent.

In Pennsylvania, it is illegal for an adult (someone 18 or older) to have sex with a minor (someone younger than 16), even if the sex is consensual.

**Robbery**: The taking or attempting to take anything 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**: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of attack is usually assault accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury results from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed).

**Burglary**: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft**: The theft or attempted theft of a motor vehicle. (Classify as a motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned, including joyriding).

**Arson**: 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.

**Domestic Violence:** A pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

**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 is dating violence. The existence of such a relationship shall be determined based on a consideration of the length of the relationship; the type of relationship and the frequency of interaction between the persons involved in the relationship.

**Stalking:** A pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

**Hate Crimes:** Includes all of the crimes listed above, where the law requires the release of statistics by category of prejudice where the victim was intentionally selected because of the perpetrator's bias against the victim based on one of the Categories of Prejudice listed below, plus the following crimes.

- A. Larceny Theft: The unlawful taking, carrying, leading, or riding away of property from the possession, or constructive possession, of another.
- B. Intimidation: 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.
- C. Destruction/Damage/Vandalism of Property: 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.
- D. Simple Assault: 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.

**Categories of Prejudice under Hate Crimes are as follows:**

- A. Race – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity that distinguish them as a distinct division of humankind.
- B. Gender – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- C. 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.
- D. Sexual Orientation – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.
- E. Ethnicity/national origin – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs, and traditions.
- F. Disability – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.

- G. Gender Identity – A preformed negative opinion or attitude toward a group of persons because the perceived gender of those persons may be different from the gender traditionally associated with their gender at birth.

***Weapon Law Violations:*** The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.

***Drug Abuse Violations:*** Violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

***Liquor Law Violations:*** The violation of laws or ordinances prohibiting: the manufacture, sale, transportation, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Public Drunkenness and Driving Under the Influence are not included in this definition).

Crime Table 1 – Jefferson East Falls (4201 Henry Avenue)												
	CAMPUS						NON-CAMPUS			PUBLIC		
	ALL			RESIDENCE FACILITIES								
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	1		0	0	2
Rape	0	3	1	0	3	1	0	0	0	0	0	0
Fondling	0	2	0	0	2	0	0	0	0	1	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	1	1	1	0	1	0	0	1	0	0	0	0
Motor Vehicle Theft	1	0	1	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	5	2	1	1	0	1	0	0	2	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Violations (Referred for Disciplinary Action)	66	144	106	62	136	106	0	10	0	0	1	0
Drug Arrests	1	1	0	1	1	0	0	0	0	0	0	0
Drug Law Violations (Referred for Disciplinary Action)	16	18	37	16	12	37	5	17	0	0	0	0
Weapons Possession Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Possession Violations (Referred for Disciplinary Action)	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	2*	2*	1*	2*	2*	0*	0	0	0	0	0	0
Dating Violence	1	5	1	0	2	1	1	0	1	1	0	0
Domestic Violence	0	0	0	0	0	0	0	0	4	0	0	0
Stalking	1	1	3	0	0	0	0	0	0	0	0	0
Unfounded Crimes	0	1	0	0	0	0	0	0	0	0	0	0
<p>* 2016 There was one on-campus Vandalism characterized by Religious/Ethnic Bias  *2015: There was one on-campus (Residence Hall) Vandalism characterized by racial bias and one on-campus (Residence Hall) Harassment characterized by Physical Disability.  *2014: There were two on-campus (Residence Hall) Harassments. One characterized by sexual orientation bias and one by racial bias.</p>												

Pennsylvania UCR Table 2 – Jefferson East Falls (4201 Henry Avenue)						
	2014	RATE	2015	RATE	2016	RATE
Criminal Homicide	0	0	0	0	0	0
Rape	0	0	3	78	1	26
Robbery	0	0	0	0	2	53
Assault	1	26	1	26	1	26
Burglary	5	130	2	52	1	26
Motor Vehicle Theft	1	26	0	0	1	26
Arson	0	0	0	0	0	0
Fraud	0	0	0	0	3	79
Embezzlement	0	0	0	0	0	0
Weapons						
Carrying, Possession, etc.	0	0	0	0	0	0
Prostitution and						
Commercial Vice	0	0	0	0	0	0
Gambling	0	0	0	0	0	0
Offenses Against Family and Children	0	0	0	0	0	0
Driving Under the Influence	0	0	0	0	0	0
Liquor Law Violations	62	1,612	81	2,118	93	2,449
Drug Abuse Violations	23	598	23	601	27	711
Larceny	72	1,872	35	915	25	658
Forgery	0	0	2	52	1	26
Assault, Non-Aggravated	3	78	1	26	7	184
Receiving Stolen Property	0	0	0	0	0	0
Vandalism	9	234	17	445	9	237
Sex Offense -						
Non-Forcible	1	26	0	0	1	26
Drunkenness	1	26	3	78	0	0
Disorderly Conduct	4	104	21	549	12	316
All Other Offenses	10	260	2	52	3	79
<i>Rate per 100,000 population.</i>						



# CAMPUS MAP - Crime Reporting Area of East Falls

