



# 2017 - 2018 Annual Security and Fire Safety Report

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## **Non-Discrimination Statement**

Neumann University, founded and sponsored by the Sisters of Saint Francis of Philadelphia, is a Catholic institution of higher education in the Franciscan tradition. Neumann University educates a diverse community of learners based upon the belief that knowledge is a gift to be shared in the service of others and that learning is a lifelong process. Neumann University is an equal opportunity employer, dedicated to a policy of nondiscrimination on any basis including race, creed, color, age, sex, religion, national origin, handicap, or sexual orientation.

## **The Annual Security and Fire Safety Report**

Campus Safety is a shared responsibility of the Neumann University Community. Clearly, the best protection against campus crime is an aware, informed, alert campus community where students, faculty and staff use reason and caution. Many of our students, faculty, staff and visitors do not experience crime at Neumann University, however, despite our best efforts, crimes sometimes occur. This information is provided because of our commitment to campus safety and to comply with the federal law, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)). The report is distributed annually by university e-mail to all enrolled students, faculty and staff. The report is also available from the Campus Safety web site. Copies of the report may be obtained from the Department of Campus Safety located in the Rocco A. Abessinio Building room 101 or by calling 610-361-5410. All prospective employees may obtain a copy from the Human Resources Office located in the Rocco A. Abessinio Building. The University Admissions Office will provide copies of the report on request. This report is meant to be useful to the Neumann Community and the Department of Campus Safety encourages everyone to read it. Any concerns, questions or comments about federal or state law requirements or Neumann's compliance with these laws, please contact the Director of Campus Safety at 610-558-5584 or through email at [Francisl@neumann.edu](mailto:Francisl@neumann.edu).

No officer, employee, or agent of Neumann University shall retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

## **The Neumann University Campus**

The Neumann University campus consists of 68 acres owned and leased land located in Aston, Pennsylvania, a quiet residential suburb in Delaware County. The University campus is located on both the north and south sides of Convent Road. The University also takes responsibility for MacIntyre Drive and Neumann Drive, which runs from Concord Road to the south side of the campus.

The campus property on the north side of Convent Road is bounded by a row of private residences, and land belonging to the Sisters of St. Francis of Philadelphia. The campus property to the south of Convent Road is bounded by Concord Road, MacIntyre Drive and properties belonging to the Sisters of St. Francis of Philadelphia and Mount Hope United Methodist Church. An internal campus road, Neumann Drive, belongs to the University. The address for each University building is listed below; however, these addresses are not for mailing purposes.

**The official address for the campus is:**

**Neumann University  
One Neumann Drive  
Aston, PA 19014-1298**

Addresses of University Buildings (not for mailing purposes):

Bachmann Main Building One Neumann Drive Aston, PA 19014	Living and Learning Center I 517 Convent Road Aston, PA 19014
Thomas A. Bruder Jr. Life Center Two Neumann Drive Aston, PA 19014	Living and Learning Center II 519 Convent Road Aston, PA 19014
Child Development Center Three Neumann Drive Aston, PA 19014	Living and Learning Center III 519 Convent Road Aston, PA 19014
Rocco A. Abessinio Building One MacIntyre Drive Aston, PA 19014	Ministry House 605 Convent Road Aston, PA 19014
The Miranda Center for Sport, Spirituality and Character Development 501 Convent Road Aston, PA 19014	Counseling Center for Wellness 603B Convent Road. Aston, Pa. 19014
Honors House 603 Convent Road Aston, PA 19014	

The University leases a home at 4040 Concord Road and one residence hall:

The Buoni Building in Aston Township is owned by the West Cork Company, LLC. The street address is 4080 Concord Road, Aston, PA 19014. Its residential capacity is 84 students.

The University maintains no branch campuses, and it does not own or possess off-campus facilities of any kind.

Neumann University offers classes at the following additional locations:

Berks County Intermediate Unit  
1111 Commons Boulevard  
Reading, Pa. 19605

Bishop Shanahan High School  
220 Woodbine Road  
Downingtown, Pa. 19335

Chester County Intermediate Unit  
455 Boot Road  
Downingtown, Pa. 19335

Monsignor Bonner  
Archbishop Prendergast High School  
403 North Lansdowne Avenue  
Drexel Hill, Pa. 19026

Delaware County Intermediate Unit  
200 Yale Avenue  
Morton, Pa. 19070

Governor Mifflin School District  
10 South Waverly Street  
Shillington, Pa. 19607

Neumann Gorretti High School  
1736 South 10<sup>th</sup> Street  
Philadelphia, Pa. 19148

Phoenixville Commons  
400 Franklin Avenue  
Phoenixville, Pa. 19460

Springfield High School  
49 West Leamy Avenue  
Springfield, Pa. 19064  
Room 119

Neumann University is situated at one of the highest parts of the county, providing the University a panoramic view of parts of the Delaware River Valley. The University has approximately 2715 undergraduate and graduate students enrolled in classes, 93 full-time faculty, 174 full-time staff, and 165 part-time/adjunct faculty. In August of 1997, the University opened its first residential facility and in January 1999, it's second. The third residential hall opened in August of 2002, giving the on-campus Living and Learning Center Complex a residential capacity of approximately 662 students. With the Buoni Building Combined Campus residency is approximately 702 students.

### **The Department of Campus Safety**

The Neumann University Department of Campus Safety in collaboration with Allied- Universal Security Services is available 24 hours a day, every day. It provides a variety of services to ensure that the campus community is safe. The Department strives to achieve this mission by fair and equitable enforcement of University policies and federal, state and local laws with sensitivity to the diversity of its population. It also serves the University community by providing oversight and assistance in safety matters, crime prevention programs, and response to emergency situations.

Campus Safety officers (who are unsworn) conduct patrols in campus buildings, grounds and parking lots, residential halls and provide a Campus Safety presence for University athletic events and other campus activities. As part of their patrol responsibilities, officers regularly observe and report any facility maintenance problems to ensure that any deficiencies or hazardous conditions are quickly addressed. In addition, the Department is constantly on alert to issues such as proper lighting, landscaping, dark and concealed walkways and other areas, and campus conditions generally to endeavor for consistency with sound Campus Safety principles.

The Department of Campus Safety assists in providing an overall safe campus environment by reporting campus building and environmental problems to the Facilities Department.

The office of the Campus Safety Department is located on the ground floor of the Rocco A. Abessinio Building – Room 123. The Department is staffed by a Director, an Assistant Director, a Campus Safety Systems Manager and professional Campus Safety officers. In addition, Campus Safety operates a Communications Center 24/7 which is located at the Rocco A. Abessinio Building, Room 100. Campus Safety provides security coverage 24/7 at the Living and Learning Center desks (Residence Halls).

Neumann University Campus Safety has approximately 52 officers who are unsworn and unarmed and do not have police powers of arrest. The Department enjoys good professional relationships with the Delaware County District Attorney's office and the Aston Township Police Department,

Campus Safety officers are required to attend training in security principles and fundamentals as well as other relevant topics. They also are trained in fire safety alarms and procedures.

Students, faculty, staff members and alumni have access to all facilities on the campus during the University's normal operating hours, with the exceptions of the Child Development Center and student rooms, in the Living and Learning Centers. All campus buildings are locked by Campus Safety officers after business hours every day and are patrolled regularly.

Campus Safety, Housing/Residence Life, and Facilities, and the residents themselves share the responsibility for residential safety and security. As official University representatives, Housing and Residence Life Assistant Directors and other members of the Housing and Residence Life Staff have authority in residential buildings that is supported by the Director of Campus Safety, the Dean of Students and the Director of Housing and Residence Life. These individuals and departments work closely on a daily basis to create and maintain high levels of campus safety for residents and guests while striving to ensure that the Neumann University experience will continue to be one that is rich academically, culturally, and socially.

To provide a safe and secure environment for students and visitors, the University uses a combination of electronic access control and monitoring by Campus Safety officers in the entrance lobbies of all Living and Learning Centers. In addition to providing University ID when entering Living and Learning Centers, students are required to sign in their guests, who must also provide official identification (e.g. driver's license) to the person on duty.

Consistent with the Neumann University drug and weapons possession policies and as part of the University's Campus Safety goals, students are reminded that drugs and weapons are strictly prohibited on campus, including residential buildings (LLC's), rooms and buildings leased by Neumann University. In order to enforce these policies and to help make the Living and Learning Center halls as safe as possible, students' bags are subject to search upon entry to the Residence Halls.

Campus Safety services and procedures are included in the NU Policy Library and posted on the Campus Safety section of the Neumann University website. While the Department of Campus Safety regularly provides crime, security and safety information to the Neumann community, all members of the community are expected to cooperate with and participate in the University's Campus Safety advocacy initiatives. The Department of Campus Safety provides safety and security information in cooperation with other campus activities that are available to the campus community. Topics may include crime prevention as well as community fire safety and emergency preparedness programs.

### **Knight Rider Escort**

Campus Safety provides escort service for students, faculty, staff and visitors 24/7. To request an escort, call 610-558-5555.

### **Communication Services**

The Department of Campus Safety Office functions 24 hours a day, 365 days a year and uses modern technology to keep abreast of crime reported directly to the department. Campus Safety has Computer Aided Dispatch (CAD) which gathers information on all calls requesting assistance from the Neumann University community. The Department of Campus Safety is in regular contact with the Aston Township Police Department. All students, faculty and staff are encouraged to program the Neumann University Campus Safety phone number, 610-558-5555, into their cell phones in case of emergency.

### **Fire and Emergency Services**

The Department of Campus Safety manages the University's fire and emergency services programs. Working in collaboration with the Aston Township Fire Marshall, it monitors and enhances compliance with local, state and federal codes through building inspections, fire alarm inspections, sprinkler system inspections and fire extinguisher inspections. Under the direction of the Director of Campus Safety, the department serves as the lead agency for the University's emergency response functions by preparing people to respond appropriately in the event of an emergency and to oversee the readiness of all campus building life safety systems and equipment. In addition to its planning functions, Campus Safety collaborates with local governmental agencies, to prevent, prepare for, respond to and recover from crisis events on or near the campus. The department provides numerous additional services, including monitoring emergency drills, safety training to new students and employees. To contact the Department of Campus Safety, call 610-558-5555.

## **Security and Technical Services**

The Campus Safety Department provides guidance and oversight for the design and installation of all electronic security for the University. The department also provides campus-wide electronic security systems administration and support. Currently, this includes emergency blue light telephones, building intrusion alarm systems, electronic access control systems and closed-circuit video (CCTV) monitoring for safety and security purposes.

### **CCTV (Closed Circuit Television) locations**

#### **Bachmann Main Building**

- 2 cameras on the ground floor in the ARC hallway
- 2 cameras on the ground floor in the Information Technologies Resources hallway
- 1 camera on the ground floor in the University store
- 1 camera on the 1<sup>st</sup> floor in the main lobby
- 1 camera outside the Business office by room 103
- 3 cameras inside the Business office room 104
- 1 camera in the Business office vault room 104
- 4 cameras on the 1<sup>st</sup> floor of the Library
- 3 cameras on the 2<sup>nd</sup> floor of the Library
- 3 cameras on the 3<sup>rd</sup> floor in the Neumann Institute hallway
- 1 camera outside the 3<sup>rd</sup> floor of the Neumann Institute hallway

#### **Bruder Life Center**

- 1 camera by the Sodexo cashier
- 1 camera in the John J. Mullen Communication Center

#### **Buoni Building**

- 1 camera in the main lobby
- 1 camera in the elevator
- 1 camera in the main stairwell on the garage level
- 1 camera in the garage by the doors
- 1 camera in the garage by the elevator

#### **Living and Learning Centers**

- 1 camera in Living and Learning Center II by room G20
- 1 camera in Living and Learning Center III computer lab
- 1 camera in Living and Learning Center III by room G50
- 1 camera in Living and Learning Center III by room 143

#### **Living and Learning Center Gazebos**

- 1 camera at the Living Learning Center I gazebo
- 1 camera at the Living Learning Center II gazebo
- 1 camera at the Living Learning Center III gazebo

**Mirenda Center**

- 1 camera in the Atrium by the kitchen area
- 1 camera in the Atrium by the receptionist desk
- 1 camera by room 102
- 1 camera by room 116
- 1 camera by room 131
- 1 camera by room 138

**Rocco A. Abessinio Building**

- 1 camera on the 1<sup>st</sup> floor in the main lobby
- 1 camera on the 1<sup>st</sup> floor in the open computer lab
- 1 camera on the 1<sup>st</sup> floor in the Continuing Adult and Professional Studies hallway
- 1 camera in stair well 2 that leads to the outside by room 112
- 1 camera on the 2<sup>nd</sup> floor loading dock
- 1 camera in the 4<sup>th</sup> floor lobby
- 1 camera in the 5<sup>th</sup> floor lobby

**Exterior Cameras**

- 1 camera at the main entrance to the Rocco A. Abessinio Building
- 1 camera on the Bruder Life Center by Morgan Circle
- 1 camera on the Bruder Life Center at the John J. Mullen entrance
- 1 camera on the Bruder Life Center at the Main entrance
- 1 camera on the Bruder Life Center by the loading dock
- 1 camera in the Living and Learning Center I parking area
- 1 camera in the Living and Learning Center III parking area
- 1 camera in the Living and Learning Center court yard area
- 1 camera in the Mirenda Center parking area by Convent Road
- 1 camera in the Mirenda Center parking area by the Community Hall entrance
- 1 camera in the Mirenda Center parking area by the Tennis Court

**Emergency Blue Light Telephones**

- 1 in the Rocco A. Abessinio Building parking area
- 1 on Neumann Drive near the Rocco A. Abessinio Building
- 1 at Morgan Circle by the crosswalk
- 1 in the Bruder Life Center parking area far corner near the cemetery
- 1 in the Mirenda Center parking area by Convent Road
- 1 in the Mirenda Center parking area by the tennis courts
- 1 in Living and Learning Center parking area near LLC III
- 1 in the Living and Learning Center court yard



## **Reporting Crimes on Campus**

It is the general policy of Neumann University to encourage prompt and accurate reporting of crimes either directly to the Department of Campus Safety, local municipal police (Aston) or to the Dean of Students, Director of Housing and Residence Life or the Neumann University Human Resource, Risk Management Office.

The Neumann University Department of Campus Safety is under the administrative responsibility of the Vice President for Human Resources and Risk Management. As mandated, the Department of Campus Safety annually reports crime statistics using standards and definitions of the Federal Bureau of Investigation Uniform Crime Reporting system (UCR). In addition, crime statistics are also submitted annually to the Department of Education.

To report a crime or an emergency, anyone can call 610-558-5555. Calling this number will connect the caller to the Campus Safety Communications Center which will generate an immediate response. In the event of a serious crime or other emergency, students, staff, faculty, and visitors may also call 911, for police or emergency medical response. (Delaware County has a 911 system in place for police, fire and medical emergency calls).

## **Neumann University Department of Campus Safety**

Communications Center – RAB 100	610-558-5555
Director of Campus Safety - Leon Francis	610-558-5584
Assistant Director of Campus Safety - Lee Strofe	610-361-5410
Campus Safety Systems Manager- Charles Campbell	610-358-4545
Campus Safety Office RAB 123	610-361-5210

## **Other Neumann University Departments**

Vice President for Student Affairs	610-361-2448
Dean of Students – Bridget Haines-Frank	610-361-5494
Director of Housing and Residence Life Scott Hammell	610-361-2350
Neumann University Human Resources and Risk Management	610-558-5628

## **Timely Warnings**

When the Department of Campus Safety becomes aware of criminal incidents that, in the judgment of the University's senior leadership, constitute an ongoing threat to the campus community, the Department of Campus Safety issues a Crime Alert to notify the community. These Crime Alerts are disseminated via the Department of Campus Safety. Depending on the particular circumstances, a timely warning will be issued without delay by the Department of Campus Safety and the information may be disseminated by using one or a combination of the following: e-mail distribution, Neumann University website, campus publications and postings and/or activation of the externally hosted emergency notification campus alert system to advise the community of the situation. Neumann University withholds as confidential the names of victims.

## **Emergency Preparedness –Emergency Response Plan**

Emergency Preparedness is an attempt prior to the actual occurrence of a crisis to facilitate recognition of emergency demands and to make the community response more effective. Emergency Preparedness serves as a discipline for taking prompt and effective action in time of crisis.

For assisting University personnel in determining the appropriate response, the categories of emergencies are defined as follows:

**Level 1:** Any incident, actual or potential, which is not likely to seriously affect the overall functional capacity of the University.

**Level 2:** Any incident, actual or potential, which affects one or more buildings, and which will disrupt the overall operations of the University. Outside emergency services will probably be required, as well as major efforts from campus support services. Major policy considerations and decisions will usually be required from the University Administration during these incidents.

**Level 3:** Any event or incident that has occurred and has seriously impaired or halted the operations of the University. In rare cases, mass personnel casualties and severe property damage may be sustained. A coordinated effort of all campus-wide resources is required to effectively control the situation. Outside emergency services will be essential. In all cases of disaster, an Emergency Operations Center will be activated, and will be manned by University administrators to assure the emergency plans are properly implemented.

Any incident which fits one of the definitions above and concerns campus resources, and/or instrumentalities of the University immediately should be reported to the Office of Campus Safety at 610 558 5555. Campus Safety will immediately notify the appropriate Unit Vice President and/or the President of the incident.

## SCOPE

The response procedures in this document apply to designated Neumann University personnel and to all the buildings and grounds owned and operated by the University.

The University Emergency Response Plan includes response protocols for the following types of emergencies:

- Fire
- Utility failure
- Medical emergency
- Criminal Act
- Hazardous Material Incident
- Civil Disturbance/Demonstration
- Bomb Threat
- Natural Disaster
- Hostile Intruder
- Emotional Crisis
- Utilization of University facilities in support of community during natural or human caused events.

## CRISIS

When a crisis occurs decisions may have to be made without examining every aspect of a situation. A crisis is defined as any circumstance or event identified by the President as having a real or potential major impact on the campus community as a whole. Examples of such a situation include explosions, hazardous chemical or environmental spills, a hostage or firearm situation, major accidents, fire, violence, unexpected deaths and natural disasters. It does not include incidents of isolated crime, which are routinely handled by the Campus Safety Department and/or Aston Township Police and/or other law enforcement agencies. The term "crisis" most frequently refers to the period immediately following a situation which has widespread interest among the local, regional, state, and national community, thus generating greater media focus and requiring the University's full attention for the duration of the situation.

**In an Emergency:** Call Campus Safety at 610-558-5555.

**In Life Threatening Situations:** Call Police/Fire/Emergency Medical Services at 911.

**IMPORTANT:** When calling 911 or Campus Safety, it is important to give your name, location, and the nature of the emergency. Do not hang up until told to do so.

### General Evacuation Protocol

1. All building evacuations will occur when an alarm sounds and /or upon notification by Campus Safety.
2. When the fire evacuation alarm is activated during an emergency, leave by the nearest marked exit and alert others to do the same.

3. Use stairs in case of fire and/or other emergencies. Do not use elevators.
4. Once outside, proceed to a clear and safe area away from the building.
5. Keep driveways and walkways clear for emergency vehicles and personnel. Each administrator should have an accurate headcount for his/her department to assure that all persons are accounted for once outside.

**IMPORTANT:** Do not return to an evacuated building unless told to do so by a University official.

### **Fire Emergency Response Protocol**

The Department of Campus Safety recommends the Neumann community practices the following:

#### **Reporting a Fire**

1. Pull the nearest fire alarm box in the corridor.
2. Do not attempt to fight the fire. Use extinguishers for personal safety.
3. Exit through the nearest door to the outside of the building to the nearest assembly area.
4. Notify Campus Safety (610-558-5555) that you pulled the alarm and the location.

#### **Response to a Fire Alarm When You Are in the Area of a Fire**

1. Evacuate all people from the area.
2. Assist persons with mobility difficulties in exiting the building where possible.
  - a. Move persons with mobility difficulties to a stairwell and close all doors as you move to the first floor. This will keep the fire out of the stairwell.
  - b. Inform a Campus Safety Officer if a person is waiting in a stairwell.
  - c. Emergency Response personnel will evacuate persons in the stairwells.
3. Close the door to the room or corridor if possible.
4. Do not use elevators.
5. Leave the building by the closest exit.
6. Move to an external assembly area away from the building.
7. Do not return to an evacuated building unless told to do so by a university official.

#### **Response to a Fire Alarm When Fire is Located in Another Area of the University**

1. Leave the building by the closest exit. Do not use elevators.
2. Assist persons with mobility difficulties in exiting the building where possible.
  - a. Move persons with mobility difficulties to a stairwell and close all doors as you move to the first floor. This will keep the fire out of the stairwell.
  - b. Inform a Campus Safety Officer if a person is waiting in a stairwell.
  - c. Emergency Response personnel will evacuate persons in the stairwells.
3. Move to an assembly area.
4. Do not return to an evacuated building unless told to do so by a University official.

### **Bachmann Main Building Point of Refuge Area**

In the event of an emergency evacuation, there are designated areas on the 2<sup>nd</sup> and 3<sup>rd</sup> floors where any students, faculty, staff, or visitors with mobility difficulties should relocate. Emergency phones which are connected directly to Campus Safety have been installed on the 2<sup>nd</sup> and 3<sup>rd</sup> floors near the F stairwell and the A stairwell in the hallway outside the Science labs on the 3<sup>rd</sup> floor and near the elevator on the 2<sup>nd</sup> floor. Directly above the phones are red signs identifying the location of the phone being used. Any students, faculty, staff, or visitors with mobility difficulties should pick up the phone and notify Campus Safety of their exact location and need for assistance. Campus Safety will respond and alert emergency services personnel for evacuation assistance. Campus Safety shall check the building and the stairwells for remaining occupants and will remain with anyone in the point of refuge area until the emergency has been resolved or an evacuation by Fire Department personnel is required.

### **Rocco A. Abessinio Building Point of Refuge Area**

In the event of an emergency evacuation, the stairwells in the Rocco A. Abessinio Building are to be used for a point of refuge for any students, faculty, staff, or visitors with mobility difficulties. The elevators should not be used. Campus Safety shall check the building and the stairwells for remaining occupants and will remain with anyone in the point of refuge area until the emergency has been resolved or an evacuation by Fire Department personnel is required. The Rocco A. Abessinio Building is also equipped with emergency phones that contact Campus Safety directly. These phones are located near the elevators.

### **Medical Emergency & First Aid Response Protocol**

In the event of a medical emergency incident involving an injury or illness on campus, call Campus Safety at 610-558-5555. If the injury or illness is life threatening, call 911 first, then contact Campus Safety and do the following:

1. State the type of medical emergency.
2. Give the location of the victim(s).
3. Stay at the location of the emergency until Campus Safety arrives on the scene.

### **Automatic External Defibrillators (AEDs)**

There are Automatic External Defibrillators located in the following places on Campus:

1 in the Patrol 1 vehicle

1 in the Patrol 2 vehicle

1 in the Rocco Abessinio Building main lobby by the elevators

1 in the Bachmann Main Building 1<sup>st</sup> floor hallway next to the library entrance

1 in the Bruder Life Center by the Cashier

4 in the Miranda Center two on the ground floor hallways and two on the 1<sup>st</sup> floor located on opposite sides of the main gym in the Miranda Center Athletic Department

1 in the Buoni Building by the Campus Safety desk

1 in the Child Development Center in between the main classrooms

1 in LLC 1 by the Campus Safety Desk

1 in LLC 2 by the Campus Safety Desk

1 in LLC 3 by the Campus Safety Desk

The AEDs are checked annually.

## **Medical Transports**

During normal business hours, the Department of Campus Safety may provide transportation for Neumann University students to Crozer Chester Medical Center and Riddle Memorial Hospital. The transportation request is required to be coordinated through Health Services.

## **Violent or Criminal Incident Response Protocol**

If you observe a criminal act or whenever you observe a suspicious person on campus, notify Campus Safety at 610-558-5555 immediately and report the incident, including the following information:

1. Nature of the incident.
2. Location of the incident.
3. Description of person(s) involved.
4. Description of property involved.
5. Type of weapon, if any.

**NOTE:** If the incident poses a danger of death or bodily injury, call 911.

## **Active Shooter**

When an intruder in a campus building is actively causing serious bodily harm or the threat of imminently serious bodily harm:

1. Immediately seek cover and call 911 and the Department of Campus Safety at 610-558-5555. Give as many details as possible relative to the location, number of assailants, means of aggression and other information you can provide.
2. Do not sound the fire alarm to evacuate the building. People evacuating may be placed in danger.
3. Be aware of alternate exits if it becomes necessary to leave the building.
4. Stay low and away from windows, barricade and or lock doors if possible and use furniture or desks as cover.
5. If possible, cover any windows or openings that have a direct line of sight into the hallway.
6. Do not leave the building until directed by Campus Safety or a police officer unless the specific circumstances present a more dangerous situation by staying in the building, than in attempting to escape.

When an intruder is actively causing serious bodily injury or the threat of imminently serious bodily injury to people on the campus grounds:

1. Run away from the threat as quickly and as safely as possible.
2. Do not run in a straight line. Use buildings, trees, shrubs, cars, etc. as cover.
3. Once you are away from the immediate area of danger, summon help and warn others.

## Reporting and Communicating Emergencies

Emergency notifications are issued when it is determined that a significant emergency or dangerous situation involving an immediate threat to the health or safety of students, faculty and staff occurring on the Neumann University campus.

The person who becomes aware of the situation/incident should immediately report it to Campus Safety. Campus Safety will respond to the report, assess the situation, and act to protect life and property.

If Campus Safety determines that there is a need for notification beyond the department, they will notify the Vice President for Human Resources and Risk Management (VPHRRM) who will inform the President and the appropriate unit Vice President.

## State of Emergency

**Primary Communication:** If the President declares a campus state of emergency, communication\* to the campus community it will occur in the following ways, initiated simultaneously by those designated below.

1. Email to all users – sent by the President or by the Vice President for Human Resources and Risk Management (VPHRRM) if the President is unavailable.
2. Phone message to the entire campus system sent by Campus Safety.
3. Website message on the main page – posted by Director of Web Site Communications.
4. Door-to-door communication via notification of Housing and Residence Life Assistant Directors and Resident Assistants – initiated by Campus Safety.
5. Optional Emergency Alert System – E2 Campus.

\* The content of this message will be determined by the president or his or her designee in consultation with Campus Safety. Once notified, the Vice President of Institutional Advancement and University Relations and Executive Director of Marketing and Communications will assist with the creation of subsequent messages.

**Secondary Communication:** The President and members of the President's staff will inform other important constituencies about the emergency via telephone, email or other methods, as necessary. These groups include the leadership of the Sisters of St. Francis of Philadelphia, neighbors who live near or adjacent to the campus, and the Board of Trustees.

## **E2 Campus Emergency Alert System**

E2 Campus is a notification system that allows designated administrators to send time-sensitive messages via mobile phone and/or email to subscribers (students, faculty, staff, others). In the event of an emergency, subscribers can get notified immediately of the situation, wherever they are geographically.

Students, parents, faculty, and staff may receive campus-wide alerts on their smart phones, cell phones and e-mail. The externally hosted system, which is optional and free, offers another means of emergency notification in the event of a campus emergency.

Once registered, membership is good for two years. If already registered, subscribers utilize the user login to access accounts, change phone numbers, or view past messages.

The emergency notification system is tested once a semester. Additional testing may be conducted as part of training exercises, or as necessary.

## **Residence Life Community Standards**

Living on campus is a privilege that brings with it many benefits, as well as obligations. As guidelines for responsible and cooperative community living, the University has developed Residence Hall policies, regulations, and procedures to which all residents and guests must adhere. Any resident may request that a fellow student comply with stated policies and may report violations to the Housing and Residence Life and Campus Safety staffs.

## **Residence Hall Visitation Policy and Procedures**

All students actively enrolled in Neumann University - residents and commuters - can enjoy a relaxed residence hall visitation policy. All Neumann University students and their guests are expected to comply with the following policy.

Resident hosts are responsible for their behavior and the behavior of their guests. If residents and/or their guests disrupt the normal operation of the University community, residents and their guests will be sanctioned.

Commuters who disrupt the normal operation of the University community while visiting the residence halls will be sanctioned.

Sanctions include but are not limited to suspension of visitation and/or overnight guest privileges and other University sanctions as deemed appropriate.

The Housing and Residence Life Staff can revoke or deny visitation and/or overnight guest privileges at any time. The Housing and Residence Life staff must approve any visitation and overnight guest request that is not consistent with this policy.



## Visitation Policies and Procedures

Sunday-Thursday: 10:00 a.m. – 12:00 a.m.

Fridays and Saturdays: 10:00 a.m. – 2 a.m.

## Visitation and Guest Policy

### Residents

- Residents have 24/7 access to the residence hall in which they reside
- To gain access to all residence halls, residents must swipe their Neumann University ID card at the main entrance and again at each house door
- Residents have access to houses in their assigned residence hall during visitation hours
- After visitation hours residents must be accompanied by a resident host to enter a residence hall other than their assigned hall
- After visitation hours residents must be accompanied by a resident host to enter a house in their assigned residence hall
- Residents cannot sign in more than two guests at a time

### Commuters

- Commuter students who are actively enrolled in Neumann University have access to the residence halls during visitation hours
- To gain access to all residence halls, commuters must swipe their Neumann University ID card at the main entrance and again at each house door
- Commuters cannot sign guests into the residence halls
- After visitation hours commuters become guests; they must be accompanied by a resident host to enter a residence hall

### Guests

- A guest is defined as anyone who is not currently enrolled in Neumann University
- Guests must be accompanied by a resident/host at all times
- Guests are not permitted beyond the main desk unless accompanied by their resident host
- Guests must sign into to the residence halls
- Guests must leave a valid photo ID at the main desk
- Guests will receive a guest pass that must be returned when leave the residence halls
- If a guest pass is lost or not returned, the resident host and the guest will be subject to loss of guest privileges

## **Overnight Guest Visitation Policy**

- All Residents in the apartment/suite/room must agree to the overnight guest
- Residents cannot host overnight guests of the opposite gender
- Residents are permitted one overnight guest per night
- Overnight guests must be registered by their resident hosts at the main desk of their residence hall. Overnight guests need not be present at the time of registration
- Overnight guests and resident hosts must be present when the overnight guest arrives to complete the sign in procedures
- Resident hosts must sign in their own overnight guests
- Resident/hosts must accompany their overnight guests at all times
- Guests will receive an overnight guest pass. All passes are distributed at the main desk
- If a guest loses a pass or fails to return it to the main desk, the guest and the resident host will be subject to the loss of overnight guest privileges
- The total number of overnight visits per resident or per guest may not exceed 20 days per semester and no more than 2 consecutive nights per week
- Overnight guests under the age of 18 must have permission from their parent/guardian  
Permission forms are available online at:  
[https://cdn2.hubspot.net/hubfs/3924406/minor\\_overnight\\_form.pdf](https://cdn2.hubspot.net/hubfs/3924406/minor_overnight_form.pdf)

### **Violations of the Residence Hall Visitation and Guest Policy Include But Are Not Limited to:**

- Residents, commuters and guests in a residence hall room past visitation hours
- Unauthorized entry of the residence halls and/or rooms
- Failure to follow guest sign in procedures
- Having another resident sign in your guest
- Attempting to have a guest of the opposite gender stay past visitation hours
- Overnight guests staying beyond 20 days in a semester and/or two consecutive nights in a week
- No permission form for an overnight guest under 18 years of age.
- Failure of resident hosts to accompany their guests in the residence halls at all times

# **SEXUAL MISCONDUCT POLICY AND PROCEDURES FOR NEUMANN UNIVERSITY STUDENTS**

## **I. POLICY OVERVIEW**

Neumann University (“Neumann” or the “University”), following the Catholic Franciscan tradition embraces the profound reverence that Francis had for all creation and especially for the human dignity of each person. Consistent with its mission and institutional values, the University is committed to providing a learning, living, and working environment for all members of the University community that is free of the threat of sexual assault, sexual harassment, sexual exploitation, domestic violence, dating violence, and stalking (for purposes of this Policy, this conduct may be referred to, collectively, as “Sexual Misconduct”). Sexual Misconduct undermines the mission and character of the University and will not be tolerated. Sexual Misconduct, as defined by the University, may also constitute a crime.

## **II. POLICY**

### **A. SCOPE AND JURISDICTION**

This Policy applies to University students, whether Complainant or Respondent, and regardless of sexual orientation or gender identity, who are registered or enrolled for credit or non-credit bearing coursework.

The University prohibits Sexual Misconduct on its campus, on non-campus property owned or controlled by the University, and at University-sponsored events or programs (occurring either on- or off-campus, including University-sponsored study abroad programs). The Policy applies to any off-campus behavior of students, even if unrelated to a University-sponsored event or program which has actual or potential adverse impact on the University or any member of the University

The University prohibits Sexual Misconduct by all members of the Neumann community, including students, faculty, administrators, staff, independent contractors, and volunteers, and by third parties, regardless of sexual orientation or gender identity. The Harassment Policy and Procedure which is the Policy applicable to Faculty, Administrator, and Staff Complainants and Respondents, is available at IP 1.03.

Where the Respondent is a third party, independent contractor or volunteer, the University’s ability to take corrective action against the Respondent will be determined by the nature of the relationship of the Respondent to the University. The Title IX Coordinator will determine the appropriate manner of resolution consistent with the University’s commitment to a prompt and ss consistent with federal law, federal guidance, and this Policy.

## **B. PROHIBITED CONDUCT**

Conduct prohibited by this Policy (the “Prohibited Conduct”) includes:

1. Sexual Misconduct
  - a. Sexual Assault
  - b. Sexual Harassment
  - c. Domestic Violence
  - d. Dating Violence
  - e. Sexual Exploitation
  - f. Stalking
2. Retaliation
3. Intimidation

## **C. DEFINITIONS**

The Prohibited Conduct and other important terms and concepts relevant to this Policy are defined as follows:

**Sexual Misconduct:** An umbrella term encompassing a range of behavior, including Sexual Assault, Sexual Harassment, Gender-Based Harassment, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking (as each term is further defined below).

**Sexual Assault:** Having Sexual Intercourse or Sexual Contact with another individual by the use or threat of force, violence, or any other form of Coercion or intimidation; without consent; or where the other individual is incapacitated.

**Sexual Intercourse** is any penetration (anal, oral, or vaginal), however slight, with any object or body part performed by one person upon another person.

**Sexual Contact** is any touching, other than Sexual Intercourse, with any body part or object by one person upon another person, for purposes of sexual gratification of the touching party. Sexual Contact includes touching of intimate body parts (including, but not limited to, genitals, buttocks, groin, or breasts, and even if clothed) and the removal of another’s clothing for purposes of sexual gratification. Non-consensual Sexual Contact therefore includes the non-consensual removal of another’s clothing, indecent contact (i.e., the unwanted touching of intimate body parts), and causing an- other to have indecent contact with intimate body parts.

Sexual Assault is also prohibited by federal and Pennsylvania law. For purposes of this Policy, prohibited Sexual Assault includes: Rapes, Statutory Sexual Assault, Sexual Assault, Indecent Assault, Fondling, and Incest as those acts are defined in the

FBI's Uniform Crime Reporting Program (available at <http://www.fbi.gov/about-us/cjis/ucr/nibrs/nibrs-user-manual>), or the Pennsylvania Criminal Code. Applicable definitions from the Pennsylvania Criminal Code are provided in Appendix A.

**Sexual Harassment:** Unwelcome conduct of a sexual nature, including unwelcome requests for sexual favors, sexual advances, and other verbal, nonverbal, graphic, or physical conduct of a sexual nature, when: (1) submission to or rejection of such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing or is used as the basis for employment decisions or for academic evaluation, grades, or advancement (quid pro quo); or (2) such conduct creates a Hostile Environment.

**Gender-Based Harassment:** Unwelcome conduct (whether or not of a sexual nature), including acts of aggression, intimidation and hostility, and other verbal, nonverbal, graphic, or physical conduct based on or motivated by a student's actual or perceived gender, sexual orientation, gender identity, gender expression, or nonconformity with gender stereotypes when: (1) submission to or rejection of such conduct is made either explicitly or implicitly a condition of an individual's employment or academic standing or is used as the basis for employment decisions or for academic evaluation, grades, or advancement (quid pro quo); or (2) such conduct creates a Hostile Environment.

**Hostile Environment:** The environment caused by unwelcome verbal or physical conduct that:

(1) is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an education program or creates a hostile or abusive educational environment, or  
(2) explicitly or implicitly affects an individual's employment or educational environment, unreasonably interferes with an individual's work performance or educational environment, or creates an intimidating, hostile or offensive environment. In determining whether Sexual or Gender-Based Harassment created a Hostile Environment, consideration will be given not only to whether the conduct was unwelcoming to the person who feels harassed, but also to whether a reasonable person in a similar situation would have perceived the conduct as objectively offensive.

**Sexual Exploitation:** Taking non-consensual or abusive sexual advantage of another for the benefit of anyone other than the one being exploited, where that behavior does not otherwise constitute one of the other Sexual Misconduct offenses defined in this Policy. Sexual exploitation includes, but is not limited to:

- non-consensual video or audio recording or photographing of private sexual activity and/or a person's intimate body parts;
- non-consensual dissemination, streaming, or posting images of private sexual activity and/or a person's intimate body parts;

- allowing third parties to observe private sexual activity from a hidden location (e.g. closet) or through electronic means (e.g. Skype or live-streaming of images);
- engaging in voyeurism (e.g. watching private sexual activity without the consent of the participants or viewing another person's intimate body parts without consent and in a place where that person would have a reasonable expectation of privacy);
- knowingly transmitting a sexually transmitted infection to another;
- exposing one's genitals in non-consensual circumstances;
- prostituting another individual; or
- inducing Incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Consent: Words or actions that reasonably demonstrate to another a knowing and voluntary agreement to engage in mutually agreed upon sexual activity.

- Consent is active; not passive.
- An affirmative statement or action does not constitute Consent if such Consent is the product of threat or Coercion or is given by a person who is unable to make a reasonable judgment concerning the nature or harmfulness of the activity because of:
  - incapacitation;
  - unconsciousness; or
  - mental disability or incapacity.
  - In whatever way Consent is communicated, it must be mutually understandable.
  - Silence, in and of itself, or the absence of resistance, cannot be interpreted as Consent.
  - It is the responsibility of the initiator of sexual contact to make sure that they understand fully what the person with whom they are involved wants and does not want sexually.
  - A current or previous dating relationship, or prior consensual sexual activity, are not sufficient in and of themselves to constitute Consent.
  - Consent to one form of sexual activity does not imply Consent to other forms of sexual activity.
  - Consent to engage in sexual activity with one person does not imply Consent to engage in sexual activity with another.
  - Consent can be withdrawn through words or action at any time.

Incapacitation: The inability, temporarily or permanently, to give Consent. A person may be incapacitated because they are mentally and/or physically helpless, asleep, unconscious, or unaware that the sexual activity is occurring. Incapacitation may result from the use of alcohol and/or drugs—Incapacitation is a state beyond drunkenness or intoxication.

The impact of alcohol and other drugs varies from person to person; however, warning signs that a person may be approaching Incapacitation may include slurring speech, vomiting, unsteady gait, acting confused or incoherent, and/or emotional volatility.

Evaluating Incapacitation due to alcohol and/or drug consumption requires an assessment of how the consumption of alcohol and/or drugs affects an individual's:

- Decision making ability;
- Awareness of consequences;
- Ability to make informed judgments; and
- Capacity to appreciate the nature and quality of the act.

Evaluating Incapacitation, and its impact on Consent, also requires an assessment of whether a Respondent should have been aware of the Complainant's Incapacitation based on objectively and reasonably apparent indications of impairment when viewed from the perspective of a sober, reasonable person in the Respondent's position.

Coercion: Unreasonable pressure for sexual activity, such as blackmail, threats of violence, etc. Coercive behavior differs from seductive behavior.

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 will be determined by giving deference to the victim's characterization of the relationship, but also taking into consideration the following factors: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.

Dating Violence shall mean the use of abusive behaviors, including, but not limited to, internet, electronic (e-mail, text messages, social media platforms, etc.), written, verbal, sexual or physical contact by a person to harm, threaten, intimidate or control a current or former dating partner, regardless of sex, sexual orientation or gender identity.

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic violence or family violence laws of the Commonwealth of Pennsylvania, 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 Commonwealth of Pennsylvania.

- While there is no distinct definition of "Domestic Violence" under the Pennsylvania Crimes Code, it should be noted that if a criminal complaint is made to law enforcement outside of the University, the standard of probable cause set forth in Appendix B will apply to that criminal complaint.

• Note: The Pennsylvania standard is different than the procedures which apply to on-campus student conduct matters, which are set forth later in the Policy.

Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or to suffer emotional distress.

- An individual engages in an impermissible course of stalking conduct if they engage in two or more acts that include, but are not limited to, acts in which the individual
- 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 in a way prohibited as described above or interferes with a person’s property.
- Examples of stalking include, but are not limited to, unwelcome and repeated visual or physical proximity to a person; repeated oral or written threats; and unwelcome/un-solicited communication of any kind including communication through a third party.
- Stalking, as defined herein, includes Cyber-Stalking, a particular form of Stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

Retaliation: Any act or attempted act to seek retribution against anyone who has reported an alleged violation of this Policy or against anyone who has participated in an investigation or related proceeding under this Policy. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion, and discrimination. Retaliation does not include good faith actions lawfully pursued in response to a report of Sexual Misconduct.

Intimidation: Any act to deter an individual from making a report of an alleged violation of this Policy or participating in an investigation or related proceeding under this Policy by imposing fear through threats of physical or emotion harm to anyone.

Complainant: The person alleged to have been subjected to conduct in violation of this Policy.

Note: The University may investigate a report or complaint of Sexual Misconduct regardless of whether the Complainant desires the University to pursue the report or complaint, if the University has cause to believe that the action reported or complained of may constitute a violation of this Policy, breach of applicable law, or a threat to the University community.

Respondent: An individual accused of conduct that might be a violation of this Policy.

Reporter: An individual reporting alleged conduct prohibited by this Policy. The Reporter may be the Complainant or any other person (but not a Responsible Employee).

Responsible Employee: University employees required to report instances of Sexual Misconduct of which they become aware. With the limited exceptions identified below, the University has designated all employees, including faculty, adjunct and visiting faculty, administrators, staff, and student-employees (e.g., Resident Assistants) as Responsible Employees.



- If a Responsible Employee becomes aware of an alleged act of Sexual Misconduct that could violate this Policy, then they must promptly contact the Title IX Coordinator and report what they know.
- Exceptions (Confidential Reporting Locations): University employees who are professional and/or licensed counselors and pastoral counselors, including clergy, meaning those who have been appointed to serve at the University or were hired and are acting in the role of providing mental health counseling or pastoral/spiritual care to members of the University community will not report any information about an incident reported to them in these capacities (as opposed to reports that may be made to them in their roles as administrators, faculty, or otherwise). These are the University's Confidential Reporting Locations.

## **D. RESOURCES**

The University encourages all members of the University community who believe that they have witnessed, experienced, or are aware of conduct that constitutes Sexual Misconduct in violation of this Policy to seek immediate medical attention, take steps to preserve pertinent information and tangible materials, and/or report the violation, as applicable.

When Sexual Misconduct occurs, the University will take all necessary and reasonable steps to stop the alleged conduct and provide support to the Complainant and the Respondent and, as necessary, to other members of the University community. Law enforcement, medical, mental health, victim advocacy and legal resources are identified below. The University will also provide assistance with immigration and student financial aid issues and offer other services that may be relevant, all to be coordinated by the Title IX Coordinator or a Deputy Title IX Coordinator.

The University will provide a written explanation of rights and options to any student or employee who reports to the University that they have been a victim of Sexual Misconduct regardless of whether the offense occurred on or off campus.

### **1. Reporting an Emergency and Getting Medical Attention**

Options for Contacting Law Enforcement:

Contact Campus Safety and/or local law enforcement if you are in any immediate danger.

- Neumann University Department of Campus Safety

The Department of Campus Safety is available 24-hours a day, year-round Call (610) 558-5555 or x5555 from any campus phone

- Aston Township Police Department

Emergency: 911

Location: 5021 Pennell Rd, Aston, PA 19014

### Options for Seeking Medical Attention:

An individual who believes that they have been subjected to Sexual Misconduct is urged to be medically examined as soon as possible. Treatment for injuries, medication for sexually transmitted infections (STI) and HIV, and forensic exams are all options.

Both the Crozer Keystone and Main Line Health Systems have on-call Sexual Assault Nurse Examiners (“SANE Nurses”) who are trained to assist victims of sexual violence. The Crozer Key- stone and Main Line Health hospitals closest to Neumann’s campus are:

Crozer Chester Medical Center  
1 Medical Center Boulevard  
Upland, Pa. 19013  
610-447-2000

Riddle Memorial Hospital  
1068 W Baltimore Pike  
Media, PA 19063  
484-227-9400

A forensic exam, completed by a medical practitioner, is the process through which physical evidence is collected and may include a rape kit. Please note that obtaining a forensic exam, or taking other steps to gather evidence, does not require the individual to file a police report. There is a limited window of time (typically 72 to 96 hours) following an incident of Sexual Assault to pre- serve physical evidence. Physical evidence can include photo documentation of injuries, collection of fluids (blood, semen, urine, saliva) and other identifiable objects (e.g. hair, clothing with potential DNA). If you choose to have a forensic medical exam, you should not bathe, douche, brush your teeth or hair, drink, eat, smoke, or change your clothing, if possible. If you need to change your clothing, you should place it in a paper bag.

The University encourages individuals to bring a support person for accompaniment during medical treatment, including forensic exams. Campus Safety officers are also available to transport you to a medical exam.

### On-Campus Health Resources

- Neumann University Counseling Center for Wellness

Location: 603B Convent Road Phone: 610-358-4540

Hours: Monday through Friday, 8:00 a.m. to 5:00 p.m.

- Health Services Office:

Location: RM 235 Bachmann Main Building Phone: (610) 558-5540

Hours: Mon, Wed: 8:30 a.m. - 5:30 p.m.

Tues, Thurs: 8:30 a.m. - 4:30 p.m.

Fri: 8:30 a.m. - 3:00 p.m.

#### Off-Campus Resources

The following off-campus resources provide advocacy, legal, financial, and/or counseling assistance:

- Delaware County Women Against Rape  
Victims of Sexual Assault 24-hour Hotline: 610-556-4342  
Victims of other Serious Crimes Hotline: 610-566-4386

- Women Organized Against Rape  
24-Hour Hotline: (215) 985-3333  
Phone: (215) 985-3315  
<http://www.woar.org>

- National Domestic Violence Hotline  
1-800-799-SAFE (7223) OR 1-800-787-3224 (TTY)

- Pennsylvania Coalition Against Domestic Violence  
Phone: (717) 545-6400  
Toll Free: (800) 932-4632  
<http://www.pcadv.org>

- Women Against Abuse  
Hotline: (866) 723-3014  
<http://www.womenagainstabuse.org>

• The U.S. Department of Education, Office for Civil Rights

Phone: (215) 656-8541

Email: OCR.Philadelphia@ed.gov The Wanamaker Building

100 Penn Square East, Suite 515

Philadelphia, PA 19107-3323

While off-campus counselors and advocates may maintain confidentiality vis-à-vis the University, they may have reporting or other obligations under state or federal law. You should inquire of each as to the level of confidentiality they can provide.

## 2. Preservation of Information and Tangible Material

Preservation of information and tangible material is essential for both law enforcement investigations and campus disciplinary processes and may assist in proving that the alleged criminal offense occurred and may be helpful in obtaining a Protection From Abuse Order. Therefore, potential information and materials including, but not limited to, clothing, drinks, glasses, bed linens, electronic communications (e.g. text messages, emails), and photographs should be preserved, if possible.

## 3. Interim Relief and Remedial Measures

Interim relief and remedial measures may be requested and/or offered and instituted at any time following a reported violation of this Policy in order to ensure the safety and wellbeing of members of the Neumann community.

Examples of interim and remedial measures include: assistance in academic, living, transportation, and working situations, and protective measures such as options to obtain modification of or relief regarding financial aid, obtain on-campus escort services from the Department of Campus Safety, etc. The University may also issue no contact orders, which restrict contacts between Complainant and Respondent.

In assessing or delivering such interim relief or remedial measures, the University will attempt to keep personally identifiable information about the Complainant confidential (i.e., shared only with persons with a need to know) to the extent that maintaining such confidentiality would not impair the ability of the University to provide such support. The University will make an individualized assessment about the propriety of a particular interim or remedial measure in each case, and as to a particular Complainant and Respondent.

## **E. REPORTING ALLEGED VIOLATIONS**

Neumann University encourages any individual who believes he or she has been the victim of Sexual Misconduct or is aware of such Misconduct, to report the incident immediately to an on-campus reporting resource and/or local law enforcement. If safety is an immediate concern, contact Campus Safety or call 911 to reach the local police department for assistance.

A non-confidential report of an alleged violation of this Policy may be reported to the Title IX Coordinator, a Deputy Title IX Coordinator, or any Responsible Employee. Confidential Reports may be made to a Confidential Reporting Location, as defined above in Section II.C (under the definition of Responsible Employee).

### **1. Privacy and Confidentiality**

#### **Privacy**

Neumann is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this Policy. The University will accordingly make every effort to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the allegation(s).

Information related to a report under this Policy will only be shared with those University employees who “need to know” in order to assist in the review, investigation, or resolution of the report.

All University employees or others involved in the University’s Title IX response, including the Title IX Coordinator, the Deputy Title IX Coordinators, members of the Department of Campus Safety, Office of the Dean of Students, investigators and adjudicators, receive specific training and guidance about safeguarding private information.

#### **Confidentiality**

If a Reporter discloses an instance of alleged Sexual Misconduct to a non-confidential reporting source (e.g. Responsible Employee, Title IX Coordinator) but wishes to maintain confidentiality, or a Reporter or Complainant (if different) requests that no investigation into a particular incident be conducted or disciplinary action taken, the University will weigh that request against the

University’s obligation to provide a safe, non-discriminatory environment for all members of the Neumann community, including the Complainant and Respondent.

The Title IX Coordinator or a Deputy Title IX Coordinator will evaluate requests for confidentiality and/or that no investigation into a particular incident be conducted or disciplinary action taken. When evaluating such a request, the Title IX Coordinator/Deputy Title IX Coordinator may conduct a preliminary investigation into the alleged Sexual Misconduct and will weigh and consider a range of factors including, but not limited to, the increased risk that the alleged Respondent will commit additional acts of Sexual Misconduct, as well as:

whether there have been other Sexual Misconduct complaints about the same Respondent;

whether the Respondent has a history of arrests or records from a prior workplace or school indicating a history of violence;

whether the Respondent threatened further Sexual Misconduct or other violence against the Complainant or others;

whether the incident was committed by multiple Respondents;

whether the incident was perpetrated with a weapon;

whether the Complainant is a minor;

whether the University possesses other means to obtain relevant evidence of the Sexual Misconduct (e.g. security cameras or personnel, physical evidence); and

whether the information provided reveals a pattern of perpetration (e.g. via illicit use of drugs or alcohol) at a given location or by a particular group.

In order to provide a safe, non-discriminatory environment for all members of the Neumann community, there are times when the University may not be able to honor a request for confidentiality and/or that no investigation into a particular incident be conducted or disciplinary action taken. In this circumstance, the University will inform the requesting party if it cannot ensure confidentiality and the University will respect the privacy of those involved to the greatest extent possible. The University will also take immediate action as necessary to protect and assist the Complainant (and, in appropriate circumstances, the Reporter).

If the University is able to honor the request for confidentiality, a Reporter (and Complainant, if different) will be informed, and must understand, that the University's ability to meaningfully investigate the incident and/or pursue disciplinary action against the alleged Respondent may be limited. Even if the University cannot take disciplinary action against the Respondent because the Reporter/Complainant insists on confidentiality or request that the complaint not be investigated or adjudicated, the University will take prompt and appropriate action to limit the effects of the alleged Sexual Misconduct and to prevent its recurrence. The University reserves the authority to issue a no-contact order and other interim or remedial measures as indicated in this Policy.

## 2. Timeframe for Reporting

As explained above, it is best to report alleged Sexual Misconduct immediately. If at all possible, it is best to report Sexual Misconduct prior to the last date of enrollment or employment of the Respondent. Prompt reporting allows evidence to be preserved, witnesses to be interviewed, and any disciplinary/resolution process to move forward most effectively. While prompt reporting is important, reports may be made to the University at any time. It is important, however, to understand that the ability to investigate a report, and take action against a Respondent, becomes more limited as time goes on. Reports may be made to external law enforcement at any time.

## 3. Amnesty for Students who Report Sexual Misconduct

The University encourages reporting. The University recognizes, however, that a student who has been drinking or using drugs at the time of alleged Sexual Misconduct may be hesitant to make a report because of potential consequences for his/her own conduct. A student who reports Sexual Misconduct will not be subject to disciplinary action by the University for his/her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The University may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

## 4. Coordination with Law Enforcement

The University encourages, but does not require, Complainants to pursue criminal action for incidents of Sexual Misconduct that may also be crimes under Pennsylvania law. In certain circumstances, the University may report a Sexual Misconduct allegation to the appropriate law enforcement agency, even if the Complainant does not, because of the unique circumstances presented (e.g., any discernible threat to the safety of others).

It is important to emphasize, however, that neither law enforcement's decision of whether or not to prosecute a Respondent, nor the outcome of any criminal prosecution, will determine whether a violation of this Policy has occurred. Proceedings under this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

In certain circumstances, the University may need to delay temporarily the fact-finding portion of its internal disciplinary process while law enforcement officials are gathering evidence, but once notified that law enforcement has completed its gathering of evidence—but not the ultimate outcome of the investigation or the filing of any charges—the University will promptly resume and complete its internal disciplinary process.

Regardless of whether a criminal complaint is filed, the University will pursue its own internal processes to address the alleged conduct, and it expects that all those involved will participate in the process. The fact that an individual (Complainant, Reporter, Respondent and/or witness) refuses to participate in the University process does not mean that the disciplinary process will not take place if the University deems it appropriate to proceed.

## **F. NON-RETALIATION STATEMENT/GOOD FAITH REPORTING**

Neumann University will not engage in nor tolerate Retaliation of any kind against any individual who makes a complaint or third-party report of Sexual Misconduct or who participates in the investigation or disciplinary process (e.g. as a witness) of such a complaint. Complaints of Retaliation will be investigated and addressed in the same manner as any other complaint brought under this Policy.

Reports made in good faith under this Policy will not result in any adverse action against the Reporter, and no other person who participates in good faith in the disciplinary/resolution process will be treated adversely because of that participation. However, if an investigation results in a finding that the Reporter knowingly falsely accused another of an act of Sexual Misconduct, then the Reporter will be subject to appropriate sanctions, up to and including expulsion.

## **III. DISCIPLINARY PROCESS FOR ALLEGED VIOLATIONS OF THE SEXUAL MISCONDUCT POLICY**

### **A. PROCEDURES THAT MAY APPLY**

Any Neumann student who believes that they have been subjected to Sexual Misconduct by another student or a Neumann faculty member, administrator, or staff member may choose to participate in: (1) both the University disciplinary process and an outside law enforcement process; (2) the University disciplinary process only; (3) an outside law enforcement process only; or (d) neither the University disciplinary process nor an outside law enforcement process.

The University will provide a prompt, fair, and impartial disciplinary process—starting with the initial report through to the final result—conducted by officials who are trained annually on issues related to Sexual Assault, Sexual Harassment, Domestic Violence, Dating Violence, and Stalking, as well as on how to conduct a process that protects the safety of victims and promotes accountability.

Student complaints involving student Respondents will be resolved pursuant to the procedures set forth below in this Section III of the Policy.

Student complaints involving faculty, administrator, or staff Respondents will be resolved pursuant to the University's Harassment Policy and Procedure, IP 1.03.

For student complaints where the Respondent is an individual unaffiliated with the University, the University can assist the Complainant in many ways, even though it cannot pursue disciplinary action against the Respondent. For example, the University can ensure that the Complainant receives appropriate medical care, interim and remedial measures; coordinate reporting and follow-up with local police, if desired; issue University no contact orders and/or campus bans and provide support during off-campus procedures such as court appearances.



## **B. EVIDENTIARY STANDARD**

All allegations of Prohibited Misconduct in violation of this Policy will be resolved under a “preponderance of evidence” standard. This means that the Sexual Misconduct Board must find, in light of all of the information made available and considered, that a violation of this Policy is more likely to have occurred than not.

## **C. RESOLUTION OF A COMPLAINT**

### **1. Timeframe for Resolution of a Complaint**

Neumann University will strive to complete the formal resolution process, including the investigation, the hearing process, and rendering of a resolution, within sixty (60) days of receipt of a complaint; however, extenuating circumstances may arise that require the extension of the 60-day timeframe. Extenuating circumstances may include, but are not limited to, the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other unforeseen circumstances.

If an investigation, hearing process and a resolution cannot be completed within sixty (60) days of receipt of the complaint, the University will notify both the Complainant and the Respondent of that fact and provide a timeframe for completing the investigation and provide additional updates/extensions as appropriate.

In general, a Complainant and Respondent can expect to receive periodic updates as to the status of the review or investigation. In the event that the investigation and resolution exceed the anticipated timeframe, the University will notify all parties in writing of the need for additional time, and best efforts will be made to complete the process in a timely manner while balancing principles of thoroughness and fundamental fairness with promptness.

### **2. Advisors**

The Complainant and Respondent both have the right to be assisted by an advisor of their choosing (“Advisor”) during the informal and formal disciplinary processes under this Policy. The decision to invite, or not invite, an Advisor to any meeting is solely that of the Complainant and the Respondent.

An Advisor serves as guide to the Complainant/Respondent through the disciplinary process. At any stage in the process, the individual may seek guidance from the Advisor, and the Advisor may give advice to the Complainant/Respondent. However, the Advisor may not speak for the Complainant/Respondent or otherwise direct questions to or address others present in any disciplinary process meeting or hearing (e.g. the Investigator, opposing party, witnesses, and/or the person conducting the meeting or hearing). An Advisor cannot also serve as a witness or perform any other role during the disciplinary process.

The University may remove or dismiss an Advisor who becomes disruptive or who does not abide by the restrictions on their participation, as determined by the person conducting the meeting/hearing.

### 3. Initial Review and Charge

The Title IX Coordinator, or a Deputy Title IX Coordinator, makes an initial review of every report of an alleged violation of this Policy. The initial review will consider the nature of the report, the safety of all parties and of the campus community, and the Complainant's expressed preference for resolution, if any. As part of the initial review, the Title IX Coordinator/Deputy Title IX Coordinator will determine whether the report, if true, could constitute a violation of the Policy and is thus sufficient for a formal charge to be made.

If the Title IX Coordinator/Deputy Title IX Coordinator finds that the report, if true, could constitute a violation of the Policy, the Respondent will receive a Notice of Charge, which shall state:

- the nature of the alleged Sexual Misconduct;
- the Respondent's obligation to attend an Administrative Meeting by the date designated in the Notice of Charge;
- the right to be accompanied by an Advisor at any disciplinary meeting, interview, or proceeding, and advise them of the role, and limitations, of such an Advisor; and
- that the deadline to attend an Administrative Meeting can be extended solely at the discretion of the Dean of Student or his/her designee.

The Reporter, and Complainant, if different, will also receive a copy of the Notice of Charge and be put on notice that they must also schedule an Administrative Meeting.

If the report, if true, could not constitute a violation of the Policy, but might otherwise constitute a violation of another University policy, the report will be referred to the Office of the Dean of Students. Reporter (and Complainant, if different), and Respondent will receive written notice of the referral.

If the report, if true, could not constitute a violation of the Policy, nor of any other University policy, the Reporter (and Complainant, if different), will be notified in writing and the matter will be closed.

During the Initial Review, the Title IX Coordinator or Deputy Title IX Coordinator will also review and assess whether there is reasonable cause to believe that a Respondent poses a significant threat of harm to the health, safety, and welfare of others or the University community and if he/she does, whether interim suspension is appropriate from Residence life or University. This decision will be made by the Title IX Coordinator or Deputy Title IX Coordinators in conjunction with the Office of the Dean of Students and consistent with the University's Student Conduct and an individualized and particularized basis in each case.

Note: The University may delay the conferral of a degree and place a hold on the Respondent's transcript/file pending the outcome of an investigation conducted under this Policy.

#### 4. Administrative Meetings

##### Administrative Meeting with Complainant

During an Administrative Meeting with the Complainant, the Dean of Students or his/her designee will:

- Notify the Complainant of the range of interim and remedial measures available;
- Remind the Complainant of the right to contact law enforcement and seek medical treatment;
- Provide the Complainant with information about on- and off-campus resources, including confidential resources;
- Explain the charges against Respondent;
- Explain the Sexual Misconduct disciplinary process and procedural options;
- Explain the University's policy prohibiting Retaliation; and
- Advise the Complainant of his/her right to an Advisor in any disciplinary meeting, interview, or proceeding, and advise them of the role, and limitations, of such an Advisor.

##### Administrative Meeting with Respondent

During an Administrative Meeting with the Respondent, the Dean of Students or his/her designee will:

- Provide the Respondent with information about on- and off-campus resources, including confidential resources;
- Explain the charges against Respondent;
- Explain the Sexual Misconduct disciplinary process and procedural options;
- Explain the University's policy prohibiting Retaliation; and
- Advise the Respondent of his/her right to an Advisor in any disciplinary meeting, interview, or proceeding, and advise them of the role, and limitations, of such an Advisor.

During his/her Administrative Meeting, the Respondent may:

- choose not to contest the charge(s) by signing a form verifying this decision; or
- choose to contest the charge(s).

In cases where the Respondent chooses not to contest the charge(s) and/or admits to a violation of the Policy, the Dean of Students or his/her designee will determine appropriate sanctions.

If a Respondent fails to attend an Administrative Meeting within the prescribed time, the facts will be reviewed by the Dean of Students or his/her designee and a decision—on both responsibility and sanctions—will be rendered in the Respondent’s absence. The decision as to responsibility and sanctions will be made within 5 (five) days of the date on which the Administrative Meeting had been scheduled to take place and will be immediately communicated, in writing, to Respondent and Complainant.

## 5. Informal Resolution

If the Complainant and Respondent agree, certain complaints of Sexual Misconduct may be resolved informally. All Informal Resolution processes will be conducted by the Dean of Students or the Dean’s designee and overseen by the Title IX Coordinator or a Deputy Title IX Coordinator. Under no circumstances will a Complainant be directed to resolve a matter directly with Respondent. Informal Resolution may be unavailable if the Title IX Coordinator or Deputy Title IX Coordinator determines that it is inappropriate based on the facts and circumstances of the particular case, or where a possible outcome is suspension, expulsion, or revocation of a degree. This means, among other things, Informal Resolution is never used in the case of alleged Sexual Assault.

During the Informal Resolution process, both the Complainant and Respondent will have the ability to present information and suggest witnesses related to an allegation of Sexual Misconduct to the Dean of Students/designee. The Complainant and Respondent will each have equal and timely opportunity to review any information that will be used by the Dean of Students/designee in meetings and deliberations associated with the Informal Resolution process, consistent with FERPA and in a manner intended to protect confidential and privileged information.

After considering all of the information available, the Dean of Students/designee will use the pre-ponderance of the evidence standard to conclude if the Respondent is in violation of the Policy. If the Dean of Students/designee concludes that the Respondent is in violation of the Policy, the Dean of Students/designee will apply an appropriate sanction, including but not limited to an official warning, disciplinary probation, and/or the suspension of specific student rights and privileges for a designated period of time.

The Complainant and Respondent will receive written notification of the outcome of the Informal Resolution process. A copy of the written outcome and notice will also be placed in the Respondent’s educational record.

Either the Complainant or the Respondent may withdraw their agreement to proceed informally at any time and initiate the formal University conduct processes instead. In such cases, statements or disclosures made by the parties in the course of the Informal Resolution process

may not be used as evidence in the formal University conduct process. However, the Title IX Coordinator or a Deputy Coordinator may consider such statements in determining whether to impose interim and remedial measures.

## 6. Formal Resolution

### a. The Investigation

Once a Notice of Charge has been issued and the Administrative Meetings are completed, if Informal Resolution is not appropriate/not selected, the University will initiate an investigation. The investigation is designed to provide a thorough, impartial, and fair gathering of facts, and all individuals will be treated with appropriate sensitivity and respect throughout the process.

The University may designate an Investigator of its choosing from either inside or outside of the University. The University will typically designate a member of Campus Safety or a Deputy Title IX Coordinator to conduct an investigation but may also choose to engage an external Investigator at its discretion. The Investigator will be an individual who has specific training and experience (and who receives annual training on) investigating allegations of Sexual Misconduct and how to conduct an investigation that protects the safety of Complainants and promotes accountability.

The University will seek to conduct the investigation within 30-45 days of receiving the complaint. This time may be extended depending on the complexity of the circumstances of each case.

The Investigator will coordinate and conduct fact gathering from the Complainant, the Reporter (if different from the Complainant), the Respondent, and any other individuals who may have information relevant to the ultimate determination of responsibility under the Policy. The

Investigator will also gather any available physical or medical evidence, including documents, communications between the parties, and electronic records as appropriate. The first step of an investigation will usually be an interview of the Complainant. The interview of the Complainant will inform next steps. It may be, and often will be, appropriate to interview other witnesses before the Respondent.

After the investigation is complete, as soon as feasible, the Investigator shall prepare a Draft Investigation Report that summarizes the information gathered and outlines what information was contested and what was uncontested.

The Complainant and the Respondent will have an opportunity to review, but will not be given copies of, the Draft Investigation Report. The Complainant and Respondent, after receiving the Draft Investigation Report, may also: (a) meet with the Investigator; (b) submit additional comments and information to the Investigator; (c) identify any additional witnesses or evidence for the Investigator to pursue; and (d) submit any further questions that they believe should be directed by the Investigator to the other party or to any witness. The Investigator will designate a reasonable time for this review and response by the parties, not to exceed ten (10) calendar days.

In the absence of good cause, information discoverable and witnesses identifiable through the exercise of due diligence that is not provided to the Investigator during the designated review and response period will not be considered by the Sexual Misconduct Board and will not be considered in the determination of responsibility for a violation of the Policy.

Unless there are significant additional investigative steps requested by the parties or identified by the Investigator, within seven calendar days after receipt and consideration of any additional comments, questions and/or information submitted by the parties during the designated review and response period, the Investigator will prepare a Final Investigation Report.

The Final Investigation Report will include assessments of credibility, a recommended finding as to responsibility, and recommended sanctions, if appropriate. In making the responsibility determination, the Investigator will use a “preponderance of the evidence” standard, as that standard is defined in Section III.B of this Policy.

The Investigator will deliver the Final Investigation Report to the Dean of Students.

#### b. A Note on Evidence

Information that does not directly relate to the facts at issue, but instead reflects upon the reputation, personality, qualities, or habits of an individual is character evidence and is not relevant to the determination of whether there is a policy violation and will not be included in the Final Investigative Report nor considered by the Sexual Misconduct Board.

An individual’s character or reputation with respect to other sexual activity is not relevant and will not be considered as evidence. Similarly, an individual’s prior or subsequent sexual activity is typically not relevant and will only be considered as evidence under limited circumstances. For example, prior sexual history may be relevant to explain the presence of a physical injury or to help resolve other questions raised by the report. The Investigator will determine the relevance of this information and both parties will be informed if evidence of prior sexual history is deemed relevant.

Where the parties have a prior sexual relationship with one another, and the existence of Consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship, which may have bearing on whether consent was sought and given during the incident in question. However, this does not assume that the prior sexual history was consensual, and this should be a factor in considering relevance.

#### c. Notice of Hearing

Within seven days of receipt of the Final Investigation Report, the Dean of Students or designee will issue a written Notice of Hearing to the Complainant and Respondent. The Notice of Hearing provides the parties with notice of the date, time, and place of the hearing. The hearing will generally, be set for a date within 20 calendar days of the date on which the Notice of Hearing is sent. Either party can request to have a hearing rescheduled for good cause. Absent

extenuating circumstances, requests to reschedule must be submitted to the Dean of Students at least seven (7) business days prior to the hearing. The Dean of Students shall be the sole authority for determining whether good cause exists to reschedule the hearing.

The Notice of Hearing will also identify the individuals who will serve as Sexual Misconduct Board members at the hearing. The Complainant and Respondent may object, in writing, to the inclusion of a Board member on the basis of a potential conflict of interest. Such objection must be received by the Dean of Students within three days of the issuance of the Notice of Hearing.

The Dean of Students shall evaluate the objection and determine whether to replace the Board member.

#### d. Pre-Hearing Review of Documents

Complainant and Respondent will each be given the opportunity to review the Final Investigative Report and any additional information that will be provided to the Sexual Misconduct Board for use at the hearing, which may include materials redacted consistent with FERPA. Complainant and Respondent will not be provided with copies of the Final Investigative Report or other information and may not take any photographs of the records (whether via camera, phone, etc.). The Complainant and Respondent are not entitled to review, or to copies of, the Investigator's personal/underlying notes, if any.

Advisors may accompany the Complainant and Respondent during their review, but sharing of the report by either party, their families, advisors, or outside counsel with any other person is strictly prohibited.

#### e. Hearing Witnesses

The Complainant, Respondent, and members of the Sexual Misconduct Board all have the right to call witnesses to participate in the hearing. Witnesses must have information relevant to the incident and cannot participate solely to speak about an individual's character.

In general, neither the Complainant nor Respondent will be permitted to call as a witness anyone who was not interviewed by the Investigator as part of the University's investigation. If either the Complainant or Respondent wishes to call witnesses, whether or not they were previously interviewed as part of the University's investigation, the following must be submitted to the Dean of Students in writing no later than seven (7) calendar days before the hearing:

- The names of the party's proposed witnesses;
- A description of why the witness's presence is relevant to making a decision about responsibility at the hearing, if the witness was not previously interviewed by the Investigator; and
- The reason why the witness was not interviewed by the investigator, if applicable and known.

The members of the Sexual Misconduct Board may only propose to call witnesses previously interviewed by the Investigator.

The Dean of Students or designee has sole discretion to determine if the proposed list of witness(es) has relevant information and if there is sufficient justification for permitting the attendance of a witness who was not interviewed by the Investigator.

If witnesses are approved to be present, the Respondent and Complainant will be provided with a list of witnesses and any relevant documents related to their appearance at the hearing no later than three (3) business days before the hearing.

#### f. Sexual Misconduct Board

The Sexual Misconduct Board (the “Board”) assigned to preside over the hearing will consist of three non-student members of the University’s Student Conduct Board.

The Dean of Students or designee serves as an administrative advisor to the Sexual Misconduct Board. The administrative advisor is a non-voting member of the Board and is responsible for the administration of the hearing process, including procedural matters and decisions leading up to the hearing, determinations about information that will be considered or not at the hearing, appropriate and inappropriate lines of questioning, and the overall decorum and conduct of the proceedings.

The Board will receive the Final Investigation Report seven (7) calendar days in advance of the hearing.

#### g. The Hearing

Note: There may be circumstances when a Complainant decides he/she no longer wishes to participate in the investigative or disciplinary processes once they have commenced, including by ceasing his/her participation in advance of hearing. In these situations, the University reserves the right to step into the shoes of the Complainant if it chooses and to keep the process moving forward.

The hearing will begin with a reading of the University’s Mission Statement, recitation of the responsibilities of the Sexual Misconduct Board, and a statement of confidentiality to which all participants must agree to abide. The Complainant and Respondent will not be in the hearing room together, unless both parties agree in writing. The Complainant and Respondent (and their advisor, as applicable) will have audio or video access to the hearing via telephone, videoconference, or other means when not present in the hearing room.

The hearing will be held in private. Only the person being interviewed (and that person’s Advisor, if applicable) will be present in the hearing room during interviews. The Investigator will be the first witness interviewed by the Board, followed by Complainant, Respondent, and then any remaining witnesses. The Board has wide latitude when questioning witnesses and deciding which witnesses shall be called, including the Investigator, Complainant, and Respondent.



Only the Board may ask questions of witnesses, including the Investigator, Complainant, and Respondent. During the course of the hearing, Complainant and Respondent may propose, in writing, specific questions that they believe important to ask of the other party or witnesses and submit them to the Board. The administrative advisor to the Board will determine the relevance as well as the appropriateness of the proposed questions, and may accordingly place restrictions on, include, or exclude testimony or other information from the hearing.

#### h. Sanctioning Phase

After the hearing concludes, the Board (excluding the administrative advisor) will convene in private to deliberate and render a decision, by majority vote, regarding whether the Respondent violated the Policy by a “preponderance of the evidence.” The Board will make this determination as to each charge against Respondent. No member may abstain from the deliberations. If the Board determines that the Respondent is responsible for one or more violations of the Policy, it will then deliberate as to an appropriate sanction for any such violation. The Board will be permitted to consider Respondent’s prior policy violations, if any, in determining an appropriate sanction.

Sanctions for a violation of the Sexual Misconduct Policy may include any of the sanctions that are available for violations of the University’s Student Code of Conduct, including disciplinary probation, suspension or loss of residence life privileges, suspension from the University, expulsion from the University, or revocation of the conferral of a degree.

The Board will arrive at its conclusion as expeditiously as possible and will promptly advise both the Complainant and Respondent, as well as the Dean of Students, in writing of its decision with respect to responsibility and, if applicable, sanctions. In keeping with guidelines for timely resolution, the written decision will be provided as soon after the conclusion of the hearing as possible. The Dean of Students will provide Complainant and Respondent with a written explanation of appeal rights.

Decisions made by the Board are considered final, subject only to appeal as outlined below.

#### Appeal of Outcome and/or Sanctions

The Board’s decision (as to both outcome and sanctions) is subject to appeal by either party on the limited grounds of:

- Substantial procedural error(s) that had a material impact on the outcome of the process;
- New, material evidence not reasonably available at the time of the hearing; and/or
- A decision or sanction clearly contrary to the weight of the evidence.

Dissatisfaction with the outcome of the hearing, or a sanction, is not grounds for appeal.

An appeal must be submitted in writing to the Title IX Coordinator no more than ten (10) days after the date of the Board’s decision. Letters of appeal should explain in detail the grounds for appeal. The letter of appeal will be immediately shared with the non-appealing party. The non-

appealing party may provide a written response to the appeal. Any response by the non-appealing party must be submitted within five (5) business days from receipt of the appeal.

An Appellate Officer shall be named from the pool of trained Sexual Misconduct Board members not yet involved in the resolution of the complaint. The Appellate Officer's responsibility will be strictly limited to determining if there was substantial procedural error that materially affected the outcome, new evidence not reasonably available at the time of the hearing, and/or a decision and/or sanction that is clearly contrary to the weight of the evidence. If any or all are found by the Appellate Officer, the appeal will be granted. If the appeal is denied, the matter is closed, and the Board's decision and any sanctions stands.

There are two (2) possibilities in the event that an appeal is granted. The Appellate Officer may, in its discretion:

1. Remand the case to the Board and provide instructions regarding the nature and extent of its reconsideration. The Board will act promptly to reconsider the matter consistent with those instructions. Following reconsideration, the finding of the Board or the sanction imposed by the decision-maker will be final and not subject to further appeal.
2. Modify the decision and/or sanction consistent with his/her decision to grant the appeal. The modified decision and/or sanction will be final and not subject to further appeal.

#### **IV. ROLE OF THE UNIVERSITY'S TITLE IX COORDINATOR**

David W. Brownlee is the University's Title IX Coordinator. In his role as Title IX Coordinator, Mr. Brownlee coordinates the University's compliance with Title IX and oversees the University's investigation and resolution process for reports of Sexual Misconduct. Mr. Brownlee is supported by several trained University personnel who serve as Deputy or Co-Title IX Coordinators and who may assist Mr. Brownlee in the discharge of his responsibilities.

Mr. Brownlee and the Deputy Title IX Coordinators are knowledgeable and trained in state and federal laws that apply to matters of Sexual Misconduct, as well as University policy and procedure.

Contact information for the Title IX and Deputy Title IX Coordinators, who can be contacted by telephone, email, or in person during regular office hours, is as follows:

David W. Brownlee  
Vice President for Human Resources and Risk Management // Title IX Coordinator  
Rocco Abessinio Building, Room 404  
dbrownle@neumann.edu  
610-558-5628

Bridget A. Haines-Frank  
Dean of Students // Deputy Title IX Coordinator  
Bachmann Main Building, Room 139  
hainesb@neuman.edu  
610-361-5494

Chuck Sack  
Director of Athletics and Recreation // Deputy Title IX Coordinator  
Miranda Center (MCSSCD), Room 220  
sackc@neumann.edu  
484-840-4711

Christy Fleagle  
Associate Athletic Director for Compliance//Deputy Title IX Coordinator  
Miranda Center (MCSSCD) Room 219  
malonec@neumann.edu  
484-840-4710

Scott Hammell  
Director of Residence Life // Deputy Title IX Coordinator  
Living and Learning Center I  
websterm@neumann.edu  
610-361-2350

Maria Marx  
Campus Minister // Deputy Title IX Coordinator  
Bachmann Main Building, Room 131  
marxm@neumann.edu  
610-558-5525

## **V. EDUCATION AND TRAINING**

Neumann University is committed to providing programming designed to educate the University community about Sexual Misconduct in all of its forms and to prevent its occurrence. Such programming includes but is not limited to Everfi on-line educational modules; campaigns such as the Red Flag and It's on Us! and programs offered through new student orientation, welcome back activities and during the course of the academic year. The University also requires all employees to complete an on-line educational program.

The University also provides specific training to faculty and staff members who may be responsible for responding to, investigating or adjudicating complaints of Sexual Misconduct.

## **VI. RELATED POLICIES**

Human Resources IP 1.03

## **VII. POLICY UPDATES AND REVISIONS**

The Title IX Coordinator will initiate an annual review of this Policy. Additional review will be conducted, and additional revisions completed as needed to comply with legal requirements.

## **APPENDIX A**

### **Sexual Assault under Pennsylvania Crimes Code**

In addition to the definitions identified above in Section II.C, the following definitions are applicable to this Policy. The conduct described in each definition below is prohibited by this Policy as a form of Sexual Assault.

Each definition is pulled directly from Title 18 of the Pennsylvania Crimes Code; the section number (e.g., § 3121, § 3122, etc.) is also pulled directly from the Pennsylvania Crimes Code. The pertinent definitions are:

#### **§ 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

(6) incapable of consent; or

(7) (Deleted by amendment).

(8) 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

(c) 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.

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

## Appendix B

### Standard for Probable Cause under Pennsylvania Crimes Code

While there is no distinct definition of “Domestic Violence” under the Pennsylvania Crimes Code, it should be noted that if a criminal complaint is made to law enforcement outside of the University, the following standard of probable cause will apply. NOTE: This is

being provided for informational purposes only. This standard is different than the procedures which apply to on-campus disciplinary matters, as set forth in this Policy.

§ 2711. Probable cause arrests in domestic violence cases.

(a) 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).

## Appendix C

Where to Look:

A Guide for Neumann University Students to Navigating University’s Sexual Misconduct Policy and Procedures

What types of conduct are prohibited under the Policy?

- All Sexual Misconduct—including Sexual Assault, Sexual Harassment, Domestic Violence, Dating Violence, Sexual Exploitation, and Stalking, as well as Retaliation and Intimidation related to sexual misconduct.
- Section II.C of the Policy defines each of these terms.

Where can I learn more about the resources available to victims of Sexual Misconduct?

- Section II.D of the Policy explains where to go to get emergency help and medical attention and provides contact information for on- and off-campus resources.
- Section II.D.3 of the Policy explains that interim relief/remedial measures—including, for example, assistance in making changes to your academic, living, transportation, and working situations, and protective measures such as options to obtain modification of or relief regarding financial aid that might also be available.



What are the options for reporting Sexual Misconduct?

- If safety is an immediate concern, contact Campus Safety at 610-558-5555 or call 911 to reach the [Aston] local police department for assistance. Note that such reports will not necessarily be confidential.
- Section II.E of the Policy provides details on how to make a non-confidential report of Sexual Misconduct to the Title IX Coordinator.
- If you want to keep your report confidential, contact the Neumann University Counseling Center for Wellness at 610-358-4540 or Health Services: 610-558-5540. Section II.E of the Policy explains how confidentiality works.

If I decide to pursue a complaint, or a complaint is filed against me, how will the student conduct process work?

- Reminder: any Neumann student who believes that they have been subjected to Sexual Misconduct by another student or a Neumann faculty member, administrator, staff member, volunteer, visitor or vendor may choose to participate in: (1) both the University conduct process and an outside law enforcement process; (2) the University student conduct process only; (3) an outside law enforcement process only; or (d) neither the University student conduct process nor an outside law enforcement process.

Section III of the Policy explains the University's disciplinary procedures applicable to complaints about students.

Student complaints about faculty, administrator, or staff will be resolved pursuant to the University's Policy and Procedure, IP 1.03.

### **Other relevant university policies**

Based on the nature of the incident and the complaint, sexual misconduct, sexual violence and sexual harassment may constitute violations of other University policies and the Student Code of Conduct including, but not limited to: Bullying and Harassment including Hate Crimes.

## **The Neumann University Campus Victim's Bill of Rights**

Neumann University, following the Franciscan tradition, embraces the profound reverence Francis had for all creation and especially for the human dignity of each person. Neumann University reaffirms its long standing philosophy and principles of non-harassment and non-retaliation against any person having business with the university, whether a student, employee, faculty or third party. The university is committed to offering campus and University-related activities to all students, faculty and staff that are free from offensive and unwelcome conduct, actions and words directed at anyone. This includes, but is not limited to bullying, dating violence, domestic violence, any form of discrimination, harassment (including cyber bullying and cyber harassment), intimidation, retaliation, sexual assault, sexual violence and stalking.

The Neumann University Campus Victim's Bill of Rights incorporates The Campus Sexual Assault Victims' Bill of Rights which was signed into law by President George Bush in July of 1992. This law requires that all colleges and universities (both public and private) participating in federal student aid programs afford sexual assault victims certain basic rights. Below is a list of those rights.

To be safe and free from a hostile environment.

To be protected from sexual harassment and assault.

To take legal action when a crime is committed against you.

To work with police, campus officials and the prosecutor.

To be notified of counseling and other support services from University or external resources.

To make reasonable changes in academic and living accommodations and situations.

To have the same opportunity as the accused to have others present in any disciplinary proceeding.

To unconditionally be notified of the final results of any institutional disciplinary proceeding.

To have your name kept private.

## **Campus Security Authorities (CSA)**

Campus Security Authorities are individuals who have a significant responsibility for students and campus activities. The primary responsibility of the CSA is to report allegations made in good faith to the reporting structure established by Neumann University.

### **CSA's include:**

Campus Safety

Housing and Residence Life

Student Affairs

Campus Life Programs

Athletics

Faculty Advisors

Coordinator, International Studies Education & Designated School Official

VPSA – Vice President for Student Affairs

VPHRRM – Vice President for Human Resources and Risk Management

Advisors to Student Organizations

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

The Federal Campus Sex Crimes Prevention Act 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 registered sex offenders to provide notice to the state as to whether the person is a student, or works at an institution of higher education, identify each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student, and must also alert the state of any change in enrollment or employment status. In Pennsylvania, the Pennsylvania State Police make this type of information available through their web site at <http://www.pameganslaw.state.pa.us/>. Please note that not all sex offenders are required to be included in this document. The Department of Campus Safety also provides access to Megan's Law websites for Pennsylvania, New Jersey and Delaware. Access to these sites can be located on the Campus Safety portion of the Neumann University website.

## **ALCOHOL, DRUG, AND GOOD SAMARITAN POLICY**

As part of Neumann's culture of caring, and its status as a Catholic institution of higher education, students are expected to conduct themselves in a manner consistent with University values and to be mindful of personal well-being and the well-being of others. This policy reinforces the University's commitment to maintaining an environment that is dedicated to the physical, emotional, spiritual, and psychological development of all persons.

The University is required to enforce its own policies in cooperation with local, state, and federal laws pertaining to alcohol and illegal drug possession or use. The University cooperates with government authorities to ensure the safety and security of the University community. Additionally, all NCAA guidelines are required to be followed with respect to athletic events.

## **Alcohol**

Neumann educates students regarding the use and the abuse of alcohol by providing programs, counseling, and alcohol related information. The University monitors the use of alcohol in order to provide students with a safe and healthy learning environment.

The consumption, distribution, or service of alcoholic beverages on University grounds must be in compliance with the Pennsylvania liquor and crime codes, which define the lawful consumption and service of alcohol and prescribe sanctions for violations. Pennsylvania law prohibits the sale, purchase, possession, consumption, or transport of alcoholic beverages by any person under the age of 21.

In addition to violations of University policies, there are state and local laws, including, but not limited to, Title 18 (Pennsylvania Crimes Code) and Title 75 (the Pennsylvania Vehicle Code)

- misrepresenting age to secure alcoholic beverages;
- carrying any form of false identification for the purpose of falsifying age in order to secure alcohol;
- misrepresenting to another that a minor is of legal age;
- inducing a minor to purchase, or offering to purchase alcohol for a minor; and/or
- manufacturing or selling false identification cards.

Additionally, Neumann adheres to and enforces the Codified Ordinances of Aston Township (Section 608.1(a)) which provides for an open container law: No person shall carry or possess an open container of beer, wine, liquor or other alcoholic beverage on the streets or other public ways of the Township, or on private property in the Township without the express permission of the owner or lessee of such private property.

Title 18: Note, in particular, Sections 5505 (Public Drunkenness); 6307 (Misrepresentation of Age to Purchase Liquor or Malt Brewed Beverages (Beer)); 6308 (Purchase, Consumption, Possession or Transportation of Liquor or Malt or Brewed Beverage by A Minor); 6310.1 (Selling or Furnishing Liquor or Malt or Brewed Beverages to Minors); 6310.7 (Selling or Furnishing Non-Alcoholic Beverages to Persons Under 21); 6310.2 (Manufacture or Sale of False Identification Card); 6310.3 (Carrying a False ID); and, 3809 (Restriction on Alcoholic Beverages (Open Container)).

Title 75: Note, in particular, Sections 3718 (Minor Prohibited from Operating with Any Alcohol in System); 3802 (Driving Under the Influence of Alcohol or Controlled Substance); 3802(a) (General Impairment); 3802(b) (High Rate of Alcohol); 3802(c) (Highest Rate of Alcohol); 3802(d) (Controlled Substances); 3802 (e) (Minors); 3802(f) (Commercial or School Vehicles); 3735 (Homicide by Vehicle While Driving under the Influence); and, 3735.1 (Aggravated Assault by Vehicle while Driving under the Influence).

Pennsylvania Liquor Laws: <http://www.lcb.state.pa.us/>

The Drug-Free Schools and Communities Act Amendments of 1989 (amends the Higher Education Act), 20 U.S.C. § 1011i; 34 C.F.R. § 86.1 et seq., 55 Fed. Reg. 33,580 (Aug. 16, 1990), may also be implicated.

Additionally, pursuant to the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 U.S.C. § 1092(f) (the “Clery Act”), with implementing regulations at 34

C.F.R. 668.46, a violation may be a Clery-reportable offense pursuant to 20 U.S.C. § 1092(f)(1)(F)(i)(IX) and 34 C.F.R. 668.46(c)(1)(ii) (as the impending regulation).

Only under the conditions clearly stipulated in the below-outlined University guidelines is the possession or consumption of alcoholic beverages by students 21 years of age and older permitted on University owned, controlled or operated property, or at University sponsored-events. This conditioned permission should not be interpreted to mean that the University encourages the use of alcoholic beverages. Furthermore, the University considers intoxication, disorderliness or offensive behavior deriving from the use of alcoholic beverages, regardless of a person’s age, to be unacceptable and subject to disciplinary action.

Students 21 years of age or older, who reside in the Buoni Building, Living and Learning apartments, or in other authorized University housing may consume alcohol in their rooms in accordance with the guidelines below:

- Moderate amounts of alcohol may be consumed responsibly; “moderate” is defined as no more than one 12-pack of beer per student, per week, cans only, or one bottle of wine per student, per week, not to exceed 2 liters.
- Students must register their alcohol at the front desk of their assigned residence halls where possible at the time of entrance with the Resident Assistant on duty. If the Resident Assistant is not available, the front desk campus safety officer will register the alcohol.
- Students can only register alcohol into their assigned rooms.
- Regardless of age, guests cannot bring alcohol into the residence halls
- Guests who are under 21 years of age may not be present in a room where there are open containers of alcohol.
- Drinking and open containers in public areas including hallways, lounges, stairwells etc. are prohibited.
- Intoxication, disorderly, disruptive, or offensive behavior will be sanctioned and may result in individuals being removed from the residence halls and/or revocation of a student’s alcohol registration privileges.

- Paraphernalia associated with the rapid ingestion of alcohol and/or drinking games, funnels, beer pong tables etc. are not permissible and constitute a violation of this policy.

Except for the Buoni House, Living and Learning apartments, or in other authorized University housing, all University residence halls are alcohol free. Alcohol is not permitted in these residence halls regardless of the age of students. Alcohol found in a student's room will be considered the responsibility of everyone in the room at the time the alcohol is found.

Violations of this policy include, but are not limited to:

- underage possession and/or consumption of alcohol;
- Students under 21 years of age in the presence of alcohol or alcohol paraphernalia (as described above) while on campus, excepting for University authorized events and activities where students' presence are approved by the President, a Vice President, or a Director or Dean. Students under 21 years of age may not consume alcohol at these events;
- Students under 21 years of age permitting individuals who are of legal drinking age to consume alcohol in their rooms or apartments;
- knowingly furnishing, transporting, and/or allowing minors to consume alcohol;
- use of alcohol resulting in involuntary, erratic and/or abusive behavior;
- possession of a keg/beer ball;
- involvement in the high-risk use of alcohol;
- exceptional number of persons observed in a residence on campus or off-campus when an open container of alcohol is present; or
- possession of an open container of alcohol in a public area.

The University reserves the right to confiscate and dispose of any and all items, that in its sole discretion, contribute to the use and misuse of alcohol when found on its premises.

The University expects that all of its students, whether on or off campus, will abide by the University's regulations and all state and local laws concerning alcohol. When a student engages in conduct off-campus that violates the University's regulations concerning alcohol use and such violation results in behavior which, in the University's sole judgment, is destructive, abusive, or detrimental to the University in any way, the University's Student Conduct Process (see SA 4.02) shall apply and such matters will be processed accordingly. It should be understood that the University in no way is a co-sponsor of off-campus alcoholic events where alcohol is served unless it has specifically stated this prior to the event.

## **Drugs**

The use, possession and/or distribution of illegal narcotics or other controlled substances is expressly prohibited, except for those medically prescribed, properly used, and in the original container. All prescription drugs must be labeled with the student's name, prescription ID, date, name of physician and pharmacy so that proper use can be identified by Neumann University staff and/or campus safety personnel.

The University reserves the right to invoke the Student Conduct Process (see SA 4.02) to the extent that drug use leads to behavior that in the University's sole judgment is harmful, destructive, abusive, or detrimental to the University's mission and interests. Any and all types of drug paraphernalia including, but not limited to, bongos, pipes, hookahs, water pipes, or any items modified or adapted for drug use, are not permitted on University property. Drugs and drug paraphernalia will be confiscated when found on University property. Students who are knowingly present where illegal substances are kept, are in the company of a person, knowing said person is illegally in possession of a controlled substance are, by their presence, in violation of the Student Affairs Handbook. A violation of this policy may be grounds for separation from the University.

Violations of this policy include, but are not limited to:

- illegal or improper use, possession, cultivation, distribution, manufacture, or sale of any drug(s), including prescribed medications;
- sharing, distributing or using prescription drugs not prescribed for user;
- possession of drug paraphernalia;
- illegal or improper use of solvents, aerosols, or propellants;
- administration or employment of drugs or intoxicants causing another person to become impaired without his or her knowledge.

## **Alcohol and Drug Violations and General Sanctioning Guidelines**

Any student that is alleged to have engaged in behavior prohibited by this policy may face disciplinary proceedings and sanctions as provided for in the Student Conduct Process Policy SA 4.02 and Student Code of Conduct Policy SA 4.01.

Each incident is reviewed on a case-by-case basis. Sanctions are imposed according to the severity of the incident and the student's past disciplinary record (if any). Repeat violators are subject to more severe sanctioning. Sanctions may include, but are not limited to, imposition of a warning, imposition of monetary fines, imposition of probation, suspension, suspension or loss of residence

life privileges, expulsion or dismissal, withholding of diplomas or transcripts pending compliance with the rules or pending payment of fines. Sanctions will also usually include alcohol or drug education, a reflection, and contributory/community service. Depending on the specifics of the incident counseling and/or a counseling assessment may also be mandated. In incidents involving a violation of this policy the student's parents/guardians may receive a letter from the University describing the incident and sanctions, where permitted by law.

Violation of this policy may result in referral to law enforcement authorities, in addition to any penalty imposed by the University.

In accordance with federal law, students convicted of certain crimes, including without limitation, drug crimes, may face revocation of all federal financial aid. The University cannot and will not protect any individual who is so convicted.

Even in cases in which the University does not conclude that a policy violation has occurred, or that the evidence is such that a definitive conclusion cannot be reached, the University nonetheless may determine that appropriate remedial measures are necessary or advisable. Such measures may include disciplinary action and/or counseling, training, and monitoring.

Appeals: Any student found to be in violation of this policy has the right to appeal the decision as outlined in the Student Conduct Process Policy SA 4.02.

What should I do if I am witness to a drug or alcohol violation?

When a student knowingly is in the presence of a drug or alcohol violation, the University expects him or her to do one or more of the following: notify University staff, ask the individual(s) in violation to stop, or remove himself or herself from the situation immediately. All students should recognize that their presence during a violation may subject them to disciplinary action.

### **Reporting and Good Samaritan Policy:**

In cases of a medical emergency or crisis, Neumann University students are expected to care for others in the Neumann community by seeking help from appropriate University staff members or medical providers. The Good Samaritan Policy is in place to ease concerns and eliminate any reason for hesitation that Neumann students may have in seeking help for others should an emergency or crisis arise. Students are expected to immediately report conduct or activity which poses a danger to the health or safety of the community or its members.

For example, all students – even those that are underage – are expected to seek appropriate assistance for themselves or others in situations where help is needed to ensure proper care of a person who is significantly intoxicated or under the influence of drugs. All students – even those who are underage – should not hesitate to seek help because of fear of disciplinary action.

The help seeker and the student in need generally will not be charged with a policy violation involving alcohol or drug use that occurred at or immediately before the time of the incident.



Although students may be required to meet with a University official regarding the incident, the University will support and encourage this behavior by treating it as a health and safety matter, not as a disciplinary incident. In rare circumstances, such as cases of repeated, flagrant, or serious violations of University policy or policies in conjunction with the drug or alcohol violation (e.g., bodily harm, sexual misconduct, physical or verbal abuse or harassment, distribution of drugs, hazing, theft) or violations that caused the harm to another person requiring emergency response, a student's behavior, even if otherwise a "Good Samaritan" or student in need, may be considered more than a health and safety matter and subject to discipline.

Other violations of the University policies do not fall within the scope of this policy. In addition, the University may be obligated by applicable law to report all violations of the law to local law enforcement authorities and pursuant to the Clery Act and The Drug-Free Schools and Communities Act Amendments of 1989.

In situations involving danger to the health and safety of one or more individuals, students are expected to do the following:

1. To contact:

- Neumann University Department of Campus Safety

The Department of Campus Safety is available 24-hours a day, year-round Call (610) 558-5555 or x5555 from any campus phone; or

- Aston Township Police Department

Emergency: 911

Location: 5021 Pennell Rd, Aston, PA 19014

2. To remain with individual(s) needing emergency treatment and cooperate with emergency personnel as long as it is safe to do so; and

3. To meet with appropriate University Officials after the incident and cooperate with any university investigation.

## Other Resources

### On Campus Mental Health Resources

Neumann University Counseling Center for Wellness

Location: 603B Convent Road Phone: 610-358-4540

Hours: Monday through Friday, 8:00 a.m. to 5:00 p.m.

Health Services Office:

Location: RM 235 Bachmann Main Building Phone: (610) 558-5540

Hours: Mon, Wed: 8:30 a.m. - 5:30 p.m.

Tues, Thurs: 8:30 a.m. - 4:30 p.m.

Fri: 8:30 a.m. - 3:00 p.m.

Students who abuse the protections of the policy by seeking help for others when there is no good-faith basis for doing so will not be able to claim the benefits of the policy. Students who fail to take appropriate action in situations involving danger to the health or safety of others who are part of the Neumann University community remain liable for violations of the Student Code of Conduct.

## **MISSING PERSONS POLICY**

In accordance with the Higher Education Opportunity Act of 2008, the following procedure has been established to investigate when, based on the facts and circumstances known to Neumann University, a student is determined to be missing.

### **Procedures for Designation of a Confidential Contact**

At the beginning of each semester during the registration process, each resident student has the option to designate a confidential contact by submitting a form to the Director of Residence Life. The form can be obtained by contacting the Director of Residence Life. The confidential contact person will be contacted within 24 hours of the time that a student is considered missing by the Director of Residence Life, Dean of Students, or Campus Safety. The Director of Residence Life will notify the Dean of Students and Campus Safety, who in turn will notify Law enforcement officials (including campus security) of a student's absence no later than 24 hours after the student has been deemed missing and will follow their own investigation procedures.

If a student who is under the age of 18 and not emancipated is determined to be missing, Neumann is required to notify a custodial parent or guardian within 24 hours of the time that a student is considered missing.

To assist with the administration of this policy, students are encouraged to keep fellow students, residence life staff, and/or their confidential contact informed of their whereabouts and, in particular, when they will not be returning to their residence overnight.

### **Notification Procedure**

Any individual on campus who has information that a resident student may be missing must notify the Department of Campus Safety as soon as possible. The Department of Campus Safety will conduct a thorough investigation and obtain all necessary information (including, but not limited to, the person's description, clothes last worn, where the student might be, with whom the student might be, a description of the student's vehicle or the vehicle in which the student was last seen, information about the physical and mental well-being of the student, the student's class schedule, and a current photograph of the student).

The Department of Campus Safety may also request assistance from Resident Assistants or others to assist in a search for the student.

If the above actions are unsuccessful in locating the student or it is apparent immediately that the student is a missing person, the Department of Campus Safety will contact the appropriate local law enforcement agency to report the student as a missing person.

No later than 24 hours after determining that a resident student is missing, the Director of Residence Life will notify the emergency contact (for students at least 18 years of age) or the parent/guardian (for students under the age of 18 and who are not emancipated) that the student is believed to be missing.

### **Campus Communications**

In cases involving missing persons, local law enforcement agency will handle all communications to the media regarding missing students. All inquiries to Neumann regarding missing students, or information provided to any individual at Neumann regarding a missing student, shall be referred to the Department of Campus Safety, who shall refer such inquiries and information to law enforcement authorities. Any media requests to Neumann shall be referred to the Executive Director of Marketing and Communications, who shall consult with the Department of Campus Safety.

### **Protecting Minors on Campus**

The Neumann University Child Abuse Reporting Policy and Pennsylvania State Law mandate that any employee/faculty member who comes in contact with children in the course of their employment has a mandatory obligation regarding any witnessed or suspected child abuse. Any non-accidental actions or omissions that causes or may cause physical or mental injury to a child or sexual abuse/exploitation of a child must be reported including any uncertainty regarding an obligation to report. Reports are to be made to the Vice President for Human Resources and Risk Management (610-558-5628) and the Director of Campus Safety (610-558-5584)

If a University employee/faculty member sees a child in imminent danger or a crime against a child in progress on campus or at a University sponsored event or activity, the employee/faculty member must immediately call 911. The employee/faculty member should then call the Vice President for Human Resources and Risk Management and/or the Director of Campus Safety to report the incident immediately after reporting it to the police. Any person making a good faith report of child abuse may not be subject to retaliation in regards to their employment.

## Neumann University Campus Crime Statistics

In compliance with federal and state laws, Neumann University, on an annual basis, provides crime statistics to all current students and employees, and to any applicant for enrollment or employment upon request. The following information represents crime incident and related statistical data as reported to state and federal agencies.

### Definitions Used in This Report

Definitions for the following crimes come from the FBI Uniform Crime Report, National Incident-Based Reporting System and Violence Against Women's Act. Neumann University strongly encourages the reporting of any and all instances of offenses.

**Clery Crimes:** aggravated assault; arson; burglary; dating violence, domestic violence, drug abuse violations, liquor law violations, motor vehicle theft; murder and non-negligent manslaughter, negligent manslaughter, robbery, rape, sodomy, sexual assault with an object, fondling, incest, statutory rape, hate crimes, and weapons: carrying, possessing, etc.

**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.

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

**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.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft.

**Dating Violence:** Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be based on a consideration of the following factors:

- length of time the relationship has existed
- type of the relationship
- frequency of the interaction between the persons involved in the relationship

Dating Violence shall mean the use of abusive behaviors, including, but not limited to, internet, electronic (e-mail, text messages, social media platforms, etc.), written, verbal, sexual or physical contact by a person to harm, threaten, intimidate or control a current or former dating partner, regardless of sex, sexual orientation or gender identity.

**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.

**Domestic Violence:** Domestic violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic violence or family violence laws of Pennsylvania, 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 Pennsylvania.

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

**Hate Crimes:** Any occurrence of murder, sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property and other crimes involving bodily injury to any person, in which the victim is intentionally selected because of the actual or perceived race, gender, religion, sexual orientation, ethnicity/national origin, or disability of the victim.

**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.

**Larceny-Theft (Except Motor Vehicle Theft):** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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

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

**Murder and Non-Negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**Negligent Manslaughter:** The killing of another person through gross negligence.

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

**Stalking:** Stalking includes any behaviors or activities occurring on more than one occasion that collectively instill fear in a victim, and/or threaten his or her safety, mental health, or physical health. Examples of stalking include but are not limited to unwelcome and repeated visual or physical proximity to a person; repeated oral or written threats; and unwelcome/unsolicited communication of any kind including communication through a third party. Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person.

**Weapons (Carrying, Possessing, etc.):** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

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

**Rape:** is defined as the carnal knowledge of a person, 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 or physical incapacity. 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.

**Sodomy:** is defined as oral or anal sexual intercourse with another person, 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 or physical incapacity.

**Sexual Assault with an Object:** is defined as to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, 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 or physical incapacity.

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

**Statutory Rape:** is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent.

**Clery Geography:** Includes on campus, public property, non-campus, and residence hall locations.

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

**On Campus:** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities that are within the campus, or immediately adjacent to and accessible from the campus.

**Residence Halls:** Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution, is a residence hall

## Pennsylvania Uniform Crime Reports

This information is designed to comply with the reporting requirements mandated by the Pennsylvania College and University Security Information Act PA Act 73: 24 P.S. Sec. 2502-1 ~ 2502-5.

The chart below includes the number of offenses for the past three years. The crime rate per 100,000 population for 2017 is determined by multiplying the number of offenses by 31.77 which is 100,000 divided by the 2017 University population of 3147 (2715 students, 93 faculty, 174 staff, 165 part-time/adjunct faculty)

## Pennsylvania Uniform Crime Reports

Offense/Year	2015	2016	2017	RATE
Murder	0	0	0	0.00
Manslaughter	0	0	0	0.00
Sex offenses, Forcible	0	0	0	0.00
Sex Offenses, Non-Forcible	0	0	0	0.00
Rape	0	2	0	0.00
Sodomy	0	0	0	0.00
Sexual Assault with an Object	0	0	0	0.00
Fondling	0	0	0	0.00
Incest	0	0	0	0.00
Statutory Rape	0	0	0	0.00
Robbery	0	0	0	0.00
Assault	0	0	0	0.00
Burglary	4	7	2	63.54
Auto Theft	0	0	0	0.00
Arson	0	0	0	0.00
Theft	7	8	3	95.31
Vandalism	0	0	1	31.77
Disorderly Conduct	3	1	3	95.31
Weapons Possession	0	0	0	0.00
Drug Offenses	1	0	2	63.54
Liquor Law	0	1	2	63.54
Vagrancy	0	0	0	0.00
All Other	1	1	2	63.54
Total Offenses/Cleared	16/6	20/5	15/9	NA

## Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act – 20 United States Code 1092 – requires the reporting of specific criminal offenses and a breakdown of the crimes by the following geographical locations:

- On Campus
- Residence Halls
- Non-Campus
- Public Property



The Clery Act also mandates the reporting of “Hate Crimes” (motivated by bias) as well as arrests and disciplinary actions for alcohol, drugs and weapons.

The following tables provide information for the past three years in compliance with the Clery Act.

LOCATION	ON CAMPUS			RESIDENCE HALLS		
	2015	2016	2017	2015	2016	2017
Offense/Year						
Murder	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Sex Offences, Forcible	0	0	0	0	0	0
Sex Offenses, Non-Forcible	0	0	0	0	0	0
Rape	0	2	0	0	2	0
Sodomy	0	0	0	0	0	0
Sexual Abuse with an Object	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	4	7	2	4	7	2
Auto Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Domestic Violence	0	3	4	0	2	2
Intimidation	0	0	0	0	0	0
Dating Violence	5	4	4	4	0	4
Stalking	0	0	1	0	0	0
Total Offenses	9	16	11	8	11	8
Unfounded Crimes	0	0	0	0	0	0

LOCATION	NON CAMPUS			PUBLIC PROPERTY		
Offense/Year	2015	2016	2017	2015	2016	2017
Murder	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0
Sex Offences, Forcible	0	0	0	0	0	0
Sex Offenses, Non-Forcible	0	0	0	0	0	0
Rape	0	0	0	0	0	0
Sodomy	0	0	0	0	0	0
Sexual Abuse with an Object	0	0	0	0	0	0
Fondling	0	0	0	0	0	0
Incest	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0
Robbery	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0
Burglary	0	0	0	0	0	0
Auto Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Domestic Violence	0	0	0	0	1	0
Intimidation	0	0	0	0	0	0
Dating Violence	1	0	0	2	4	0
Stalking	0	0	0	0	0	0
Total Offenses	1	0	0	2	5	0
Unfounded Crimes	0	0	0	0	0	0

### Hate Crimes (by prejudice)

LOCATION	ON CAMPUS			RESIDENCE HALLS		
Offense/Year	2015	2016	2017	2015	2016	2017
Race	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0
Gender	0	0	0	0	0	0
Disability	0	0	0	0	0	0
Ethnicity/National Origin	0	0	0	0	0	0
Total Offenses	0	0	0	0	0	0

### Hate Crimes (by prejudice)

LOCATION	NON CAMPUS			PUBLIC PROPERTY		
Offense/Year	2015	2016	2017	2015	2016	2017
Race	0	0	0	0	0	0
Religion	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0
Gender	0	0	0	0	0	0
Disability	0	0	0	0	0	0
Ethnicity/National Origin	0	0	0	0	0	0
Total Offenses	0	0	0	0	0	0

### Arrests

LOCATION	ON CAMPUS			RESIDENCE HALLS		
Offense/Year	2015	2016	2017	2015	2016	2017
Weapons Possession	0	0	0	0	0	0
Drug Offenses	1	0	2	1	0	0
Liquor Law Offenses	0	1	2	0	1	2
Total Offenses	1	1	4	1	1	2

### Arrests

LOCATION	NON CAMPUS			PUBLIC PROPERTY		
Offense/Year	2015	2016	2017	2015	2016	2017
Weapons Possession	0	0	0	0	0	0
Drug Offenses	0	0	0	0	0	0
Liquor Law Offenses	0	0	0	0	0	0
Total Offenses	0	0	0	0	0	0

## Disciplinary Actions/Judicial Referrals

LOCATION	ON CAMPUS			RESIDENCE HALLS		
Offense/Year	2015	2016	2017	2015	2016	2017
Weapons Possession	2	6	0	2	6	0
Drug Offenses	32	33	19	32	33	19
Liquor Law Offenses	169	130	72	169	130	72
Total Offenses	203	169	91	203	169	91

## Disciplinary Actions/Judicial Referrals

LOCATION	NON CAMPUS			PUBLIC PROPERTY		
Offense/Year	2015	2016	2017	2015	2016	2017
Weapons Possession	0	0	0	0	0	0
Drug Offenses	0	0	0	0	0	0
Liquor Law Offenses	0	0	0	0	0	0
Total Offenses	0	0	0	0	0	0

## Public Crime Log

The Department of Campus Safety maintains a Public Crime Log of all incidents reported to the Department of Campus Safety. This includes all crimes and other serious incidents that occur on campus. The Public Crime Log includes the incident type, date incident is reported, 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 Campus Safety posts specific incidents in the Public Crime Log within two business days of receiving a report of an incident and reserves the right to exclude reports from a log in certain circumstances as permitted by law.

## Annual Fire Safety Report

The Higher Education Opportunity Act (HEOA) requires institutions that participate in federal student financial aid programs which follow:

*1. Fire Log:* Institutions must keep a fire log that states the nature of the fire, date, time, and general location of each fire in on-campus student housing facilities. Neumann University complies with this rule by including all fire-related incidents in the Daily Fire Safety Log. The Daily Fire Safety Log can be viewed at the Campus Safety main office in Rocco A. Abessinio in room 123 and at the Communications Center in the Rocco A. Abessinio Building in room 100.

*2. Annual Fire Safety Report:* Institutions with on-campus student housing facilities must publish annually a fire safety report that provides information on campus fire safety practices and standards. Neumann University complies with this regulation by including all fire-related incidents at on-campus student housing facilities as part of the “Annual Security & Fire Safety Report.” Information contained in this annual fire safety report includes: number and cause of fires at all on-campus student housing facilities; number of fire-related deaths; related injuries; value of fire-related property damage; information on evacuation procedures; fire safety education and training programs; fire safety systems in each student housing facility; number of

regular mandatory supervised fire drills; and policies on portable electrical appliance, smoking and open flames. The “Annual Security & Fire Safety Report” must include three years of data.

If a fire occurs in any building, community members should immediately sound the fire alarm, then call Campus Safety at 610-558-5555. This will initiate a response and notify the fire department if needed. If a member of the Neumann community finds evidence of a fire that has been extinguished, and the person is not sure whether Campus Safety has already responded, the community member should immediately notify Campus Safety to investigate and document the incident. The campus fire alarm systems alert community members of potential hazards.

Community members are required to heed an activated fire alarm system and evacuate a building immediately. Use the nearest available exit to evacuate the building.

### **Fire Protection Equipment/Systems**

All Campus buildings are equipped with automatic fire alarm systems which are monitored 24 hours a day, 365 days a year at the Campus Safety Communications Center. In addition, campus fire alarm systems are monitored by external contractors 24 hours a day, 365 days a year. An off-campus residence leased by Neumann University at 4040 Concord Road is equipped with battery powered smoke detection and is monitored by the occupants. The Honors House located at 603 Convent Road and the Wellness Center located at 603B Convent Road also are equipped with battery powered smoke detection.

### **Building and Fire Safety Inspections**

The Campus Safety Department performs monthly safety inspections. The inspections are conducted to identify safety violations as well as conditions which may be detrimental to the health or wellbeing of the Neumann community.

### **Fire Extinguisher Inspections**

The Campus Safety Department performs monthly inspections of all fire extinguishers on campus. Visual inspections are conducted to ensure the extinguishers are charged and in working condition.

## **Fire Definitions**

*Fire:* Rapid oxidation of combustible material accompanied by heat, light and smoke of combustible material, which is found outside of its normal appliance, whether or not it is extinguished prior to arrival of emergency.

*Fire-related Deaths:* Number of persons who were fatalities because of a fire incident, including death resulting from a natural or accidental cause while involved in fire control, attempting a rescue, or persons escaping from the fire scene (an individual who dies within one (1) year of injuries sustained as a result of a fire).

*Fire-related Injuries:* Number of persons receiving injuries from fire-related incidents, including an injury from a natural or accidental cause who received medical treatment at a local medical facility. This includes first responders attempting to control the fire, attempting a rescue, or persons escaping from the fire scene. Persons may include students, faculty, staff, visitors, firefighters, or any other individuals.

*Estimated U.S. Dollar Loss Related to Fire Incidents:* Estimated total U.S. dollar loss of both contents and structure or property destroyed because of a fire incident, not loss of business.

*Evacuation Procedures:* When a fire alarm is activated, evacuation is mandatory. DO NOT use elevators; evacuate the building using the nearest available exit and proceed to a designated area to begin an accountability and assessment process.

*Buildings Equipped with Fire Alarm Systems and Smoke Detectors:* Buildings that have functional fire alarm systems and smoke detectors installed. Please note, all Living and Learning Centers are equipped with a functional fire alarm system and smoke detectors.

*Buildings Protected with Automatic Sprinkler System Throughout:* Indicates an automatic sprinkler system protects all areas of a building. All Living and Learning Centers are equipped with wet-pipe automatic sprinkler systems throughout.

*Emergency Evacuation Drills:* The number of supervised scheduled drills or actual events at campus residence halls that are facilitated and certified by the Department of Campus Safety. Various drills are conducted throughout the year to familiarize students, faculty and staff with emergency procedures and individual roles.

## **Fire Alarm Response**

The Campus Safety Department responds to all fire alarms on Campus. Upon arrival, Campus Safety Officers ensure the safe evacuation of all building occupants. A Campus Safety Officer will immediately attend to the fire alarm panel to determine location and alert additional arriving officers who will respond to the origin. Once the origin is determined, Campus Safety Officers will initiate action and make appropriate notifications.

## **Fire Safety Policies for On-Campus Student Housing Facilities**

*1. Electrical Appliances:* Electrical appliances such as hot plates, electric frying pans, space heaters, and other exposed coil elements may not be used in the Living and Learning Center rooms for safety reasons. Irons are permitted only with an automatic shut-off feature. Microwaves are permitted. Residents may have refrigerators in their rooms that are UL-approved and have a capacity of no more than 4 cubic feet. Apartments are supplied with a refrigerator.

*2. Smoking:* As a Catholic University in the Franciscan tradition, Neumann University is committed to care for the environment and to the values and standards that promote health and wellness on campus. In the culture of caring, the University recognizes that the practice of smoking is contrary to these values, especially the health and wellness of its students, and has established the following policy for use of tobacco products on the Neumann University campus. Smoking is prohibited on the Neumann University campus with the exception of “designated smoking areas” established for this purpose. Smoking is strictly prohibited in all University buildings, including residence halls, and University-owned transportation. All members of the campus community share in the responsibility of enforcing this policy. Assistance is available from Campus Safety, Student Affairs and Campus Ministry throughout the campus. The University provides information and assistance to those who wish to stop smoking through cessation services. Additional information is available to all community members by contacting Counseling Services (610-358-4540) or Health Services (610-558-5540)

*3. Open Flames:* Having or burning candles, incense or potpourri and other such items or use of lighters and matches is prohibited in the Living and Learning Center and Buoni Building because of fire hazards involved.

### **Fire Evacuation Procedures**

Any Resident Assistant, who is in their room at the time an alarm is activated, should assist the Campus Safety Department with evacuating students from their house. This should be done by a loud knocking on the door and entering the room to inform them to evacuate. Resident Assistants should not enter into a confrontation with a resident who refuses to evacuate. If there are residents who do not leave their rooms, the Resident Assistant shall report that information immediately to the emergency responders. An incident report shall be documented by the person who witnessed it. Never should a Campus Safety Officer or a Resident Assistant document a report based on someone else’s information. All reports are to be given to the Director of Housing and Residence Life and Campus Safety.

After the appropriate House (Living and Learning Center floor) has been informed of the alarm, the Resident Assistant should leave the building and direct students to their designated area. It is essential that all entrances and fire lanes be accessible to the responding fire departments. At no time should an area in and around a building be occupied by students.

Residents may only enter the building once the incident is over and all appropriate alarms have been reset.

**Campus Safety Officers are responsible for the following during a fire alarm:**

- Respond to the alarm location
- All communication with the Fire Alarm Monitoring Company and Fire Department
- Evacuation of the building (Residence life staff on duty will assist)
- Report to the responding Incident Commander
- Determine when the resident students can re-enter the building
- Open the Miranda Center for Sport Spirituality and Character Development if temporary emergency shelter is required. Alternate emergency shelter is the Thomas A. Bruder Jr. Life Center.
- Reset fire alarm systems and components
- Document an incident report

**Housing and Residence Life Staff are responsible for the following during a fire alarm:**

- All Housing and Residence Life Staff in the building shall assist Campus Safety with evacuating students.
- The Assistant Director of Housing and Residence Life on duty shall supervise the RAs in confirming resident evacuation and occupancy accountability.
- All Housing and Residence Life Staff are to direct students to other locations as directed by Campus Safety.

**Fire Evacuation Plan Residence Life**

When a fire alarm is activated, the campus safety officer working the desk shall call 610-558-5555 to inform the Communications Center that a fire alarm has been activated. All residents shall exit the building in an orderly manner to the designated area. The primary location for the designated area for LLC I and III is the parking area next to the concrete barrier adjacent to Our Lady of Angels Convent. The primary designated area for LLC II is the parking lot adjacent to the new athletic field near the tennis courts. This will provide a maximum safe distance of egress from the Living and Learning Center Buildings. If the primary location is not accessible or the Living and Learning Centers cannot be re-entered due to the existing emergency, the Miranda Center for Sport Spirituality and Character Development shall be designated as an emergency shelter and a secondary designated area. The alternate emergency shelter is the Thomas A. Bruder Jr. Life Center. Smoking is prohibited in an emergency evacuation.

**Living and Learning Center I**

**517 Convent Road**

**House One – Clare House**

Walk towards the lobby and exit out the front door. Walk to the designated area.



### **House Two – Gubbio House**

Rooms 201 - 204 & 210 – 213: Walk towards the main stairwell, walk down the stairs, exit out the front door and walk to the designated area.

Rooms 205 - 206 & 207 – 209: Walk towards the fire exit door, walk down the fire exit stairs, exit out the side of the building and walk to the designated area.

### **House Three – Greccio House**

Rooms 301 – 304 & 310 – 313: Walk towards the main stairwell, walk down the stairs, exit out the front door and walk to the designated area.

Rooms 305 – 306 & 307 – 309: Walk towards the fire exit door, walk down the fire exit stairs, exit out the side of the building and walk to the designated area.

### **House Four – Francis House**

Walk toward the fire exit door, walk down the fire exit stair, exit out the door and walk to the designated area.

### **House Five – San Damiano House**

Walk toward the fire exit door, walk down the fire exit stair, exit out the door and walk to the designated area.

## **Living and Learning Center II**

### **519 Convent Road**

#### **House Six – Assisi House**

Rooms 108 – 114: Walk towards the main stairwell, walk down the stairs, exit out of the ground floor exit and walk toward the parking lot and continue to the designated area.

Rooms 115 – 120: Walk towards the fire exit doors, walk down the fire exit stairs, exit out the side of the building and walk past the courtyard to the parking lot and continue to the designated area.

#### **House Seven - LaVerna House**

Rooms 207 - 214: Walk towards the main stairwell, walk down the stairs, exit out of the ground floor exit and walk toward the designated area.

Rooms 215 - 220: Walk towards the fire exit door, walk down the fire exit stairs, exit out the side of the building and walk to the designated area.

#### **House Eight – Rieti House**

Rooms 307 - 314: Walk towards the main stairwell, walk down the stairs, exit out the front door and walk to the designated area.

Rooms 315 - 320: Walk towards the fire exit door, walk down the fire exit stairs, exit out the side of the building and walk to the designated area.

## **Living and Learning Center III**

### **519 Convent Road**

#### **House Nine – Umbria House**

Rooms 124 – 133: Walk toward LLC II, make a right and walk down the exterior stairs that run between LLC II and LLC III. At the bottom of the stairs walk to the designated area.

#### **House Ten – Canticle House**

Rooms 149 - 154: Walk towards the main stairwell, walk down to the ground floor exit out the stairwell door and walk to the designated area.

Rooms 155 - 160: Walk towards the fire exit door, walk down the fire exit stairs, exit out the door and walk to the designated area.

#### **House Eleven – Juniper House**

Rooms 224 – 232: Walk into LLC II and enter the main stairwell. Walk down the stairs, exit out the ground floor and walk to the designated area.

#### **House Twelve – Tau House**

Rooms 249 – 254: Walk toward the main stairwell. Walk down to the ground floor, exit out of the stairwell door and walk to the designated area.

Rooms 255 – 260: Walk toward the fire exit, walk down the fire exit stairs. Exit out the door and walk to the designated area.

#### **House Thirteen – Alverno House**

Rooms 324 – 333: Walk into LLC II and enter the main stairwell. Walk down the stairs, exit out the ground floor and walk to the designated area.

#### **House Fourteen – Bonaventure House**

Rooms 349 – 354: Walk toward the main stairwell. Walk down the fire exit stairs. Exit out the door and walk to the designated area.

## **LLC Buoni Building**

### **4080 Concord Road, Aston, Pa.**

When a fire alarm is activated, the campus safety officer working the desk shall call 610-558-5555 to inform the Communications Center that a fire alarm has been activated. All residents shall exit the building in an orderly manner to the designated area. The primary location for the designated area for the Buoni Building is the sidewalk on Convent Road heading toward main campus. This will provide a maximum safe distance of egress from the Buoni Building. If the primary location is not accessible or the Buoni Building cannot be re-entered due to the existing emergency, the Miranda Center for Sport Spirituality and Character Development shall be designated as an emergency shelter and a secondary designated area. The alternate emergency shelter is the Thomas A. Bruder Jr. Life Center. Smoking is prohibited in an emergency evacuation.

**House Fifteen**

Walk out your door toward the closest stairwell. Walk down the stairs and exit out the building and proceed to the designated area.

**House Sixteen**

Walk out your door toward the closest stairwell. Walk down the stairs and exit out the building and proceed to the designated area.

**House Seventeen**

Walk out your door toward the closest stairwell. Walk down the stairs and exit out the building and proceed to the designated area.

**Fire Safety Log**

The Department of Campus Safety maintains a Fire Safety Log of all fire-related incidents reported to the Department of Campus Safety. This includes all fire-related incidents that occur on campus. The Fire Safety Log includes the incident type, date incident is reported, 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 Campus Safety posts specific incidents in the Fire Safety Log within two business days of receiving a report of an incident and reserves the right to exclude reports from a log in certain circumstances as permitted by law.

**Reported Fires for 2017 by Building Location for All  
Neumann University Residence Halls**

	<b>Date</b>	<b>Time</b>	<b>Cause of Fire</b>	<b>Number of Injuries that Required Treatment at a Medical Facility</b>	<b>Number of Deaths Related to a Fire</b>	<b>Value of Property Damaged Caused by Fire</b>	<b>Case Number</b>
<b>Buoni Building</b>	<b>09/28/2017</b>	<b>1858hrs</b>	<b>Cooking</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>092920171858</b>
<b>Buoni Building</b>	<b>11/07/2017</b>	<b>2025hrs</b>	<b>Cooking</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>110720182025</b>
<b>Buoni Building</b>	<b>11/09/2017</b>	<b>2058hrs</b>	<b>Cooking</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>110720172058</b>
<b>Buoni Building</b>	<b>12/06/2017</b>	<b>2002hrs</b>	<b>Cooking</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>120620172002</b>
<b>LLC 1</b>	<b>09/06/2017</b>	<b>1935hrs</b>	<b>Cooking</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>090620171935</b>
<b>LLC 1</b>	<b>09/11/2017</b>	<b>2024hrs</b>	<b>Cooking</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>091120172024</b>
<b>LLC1</b>	<b>09282017</b>	<b>1710hrs</b>	<b>Cooking</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>092020171710</b>
<b>LLC1</b>	<b>10/19/2017</b>	<b>1531hrs</b>	<b>Cooking</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>101920171531</b>
<b>LLC 1</b>	<b>10/29/2017</b>	<b>1339hrs</b>	<b>Cooking</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>102920171339</b>
<b>LLC 1</b>	<b>12/05/2017</b>	<b>2058hrs</b>	<b>Cooking</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>120520172058</b>
<b>LLC 2</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>LLC 3</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Reported fires for 2016 by Building Location for All  
Neumann University Residence Halls**

	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damaged Caused by Fire	Case Number
LLC 1	0	0	0	0	0	0	0
LLC 2	0	0	0	0	0	0	0
LLC 3	0	0	0	0	0	0	0
Buoni Building	04/04/2016	0018hrs	Cooking	0	0	0	040420160018
Buoni Building	04/11/2016	1218hrs	Cooking	0	0	0	041120161218
Buoni Building	10/19/2016	2340hrs	Cooking	0	0	0	101920162340
Buoni Building	11/19/2016	1501hrs	Cooking	0	0	0	111920161501

**Reported fires for 2015 by Building Location for All  
Neumann University Residence Halls**

	Date	Time	Cause of Fire	Number of Injuries that Required Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damaged Caused by Fire	Case Number
LLC 1	0	0	0	0	0	0	0
LLC 2	0	0	0	0	0	0	0
LLC 3	0	0	0	0	0	0	0
Buoni Building	0	0	0	0	0	0	0

**2017 Residential Fire Safety Amenities by Building Location for All  
Neumann University Residence Halls**

	Fire Alarms Monitored by Campus Safety/Contract Services 24/7/365	Bldg. Equipped With Full Sprinkler System	Bldg. Has Fire Alarms & Smoke Detectors	Evacuation Plans Posted & Fire Safety Training Conducted	Number of Evacuation Drills Conducted Each Academic Year
<b>LLC 1</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>
<b>LLC 2</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>
<b>LLC 3</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>
<b>Buoni Building</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>

**2016 Residential Fire Safety Amenities by Building Location for All  
Neumann University Residence Halls**

	Fire Alarms Monitored by Campus Safety/Contract Services 24/7/365	Bldg. Equipped With Full Sprinkler System	Bldg. Has Fire Alarms & Smoke Detectors	Evacuation Plans Posted & Fire Safety Training Conducted	Number of Evacuation Drills Conducted Each Academic Year
<b>LLC 1</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>
<b>LLC 2</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>
<b>LLC 3</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>
<b>Buoni Building</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>

**2015 Residential Fire Safety Amenities by Building Location for All  
Neumann University Residence Halls**

	Fire Alarms Monitored by Campus Safety/Contract Services 24/7/365	Bldg. Equipped With Full Sprinkler System	Bldg. Has Fire Alarms & Smoke Detectors	Evacuation Plans Posted & Fire Safety Training Conducted	Number of Evacuation Drills Conducted Each Academic Year
<b>LLC 1</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>
<b>LLC 2</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>
<b>LLC 3</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>
<b>Buoni Building</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>2</b>