

# PUBLIC SAFETY

## 2020 Annual Security and Fire Safety Report

---

### Table of Contents

Introduction . . . . .	2	Policies regarding prevention of sexual assault, . . . . .	11
Report preparation for the . . . . .	2	dating violence, domestic violence, stalking and	
annual disclosure of crime statistics		investigation of reports of those offenses	
Overview of the Department of Public Safety . . . . .	3	Procedures the college will . . . . .	26
Working relationship with state and . . . . .	3	follow when a sex offense is reported	
local law enforcement agencies		Student conduct procedures . . . . .	28
College crime statistics for . . . . .	4	Appeal procedures . . . . .	31
calendar years 2017, 2018, 2019		Potential sanctions . . . . .	33
Procedures for students and . . . . .	7	Missing students . . . . .	39
others to report criminal activity		Alcohol, drugs, and weapons . . . . .	39
or other emergencies		College policies regarding alcohol . . . . .	39
Timely warning procedures . . . . .	8	Good Samaritan policy . . . . .	41
Emergency response and evacuation policies . . . . .	8	Sex offender registry . . . . .	42
and procedures		Annual Fire Safety Report . . . . .	42
Procedures to test emergency response and . . . . .	9	Fire protection equipment/systems . . . . .	42
evacuation procedures on an annual basis		Fire safety policies . . . . .	42
Recording of criminal activity by . . . . .	10	Fire safety education . . . . .	43
students at non-campus locations		Fire safety tips . . . . .	43
of recognized student organizations		Fire response procedure . . . . .	43
through local police agencies		Fire Safety Systems in Lafayette College . . . . .	44
Daily crime and fire log . . . . .	10	Student Housing Facilities	
Security and access to campus facilities . . . . .	10		
Educational programs about campus security, . . . . .	11		
procedures and practices, personal responsibility,			
and crime prevention			



**Jeff Troxell, Director of Public Safety**  
901 Bushkill Drive  
Easton, PA 18042 (610) 330-5330

## Introduction

This publication is the annual Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Report and the Annual Fire Safety Report for 2020 for Lafayette College. The Director of Public Safety is responsible for preparing this report. To gather policies for this report, the Department of Public Safety collaborated with the Division of Campus Life, Office of Human Resources, and other divisions and departments on campus. In addition, representatives from Communications assisted with the compilation of this report.

Students, faculty, and staff have a shared responsibility for protecting themselves and the Lafayette community. This is best accomplished by being aware of your surroundings, safeguarding your property and through the prompt reporting of any suspicious activity to Lafayette College Department of Public Safety. This report includes mandated crime and fire statistics for the 2017, 2018, and 2019 calendar years. Included in the statistics are certain reported crimes that occurred on campus, on non-campus property, and on adjacent public property. Incidents occurring within residence halls are also listed and are a subcategory to the on-campus reportable crimes.

A print copy of this report may be obtained at the Department of Public Safety located at 901 Bushkill Drive, Easton, PA.

## Report preparation for the annual disclosure of crime statistics

The Department of Public Safety is responsible for gathering statistics, identifying reportable crimes, and reporting/publishing statistics to U.S. Department of Education, the Pennsylvania State Police, the FBI, and to the public. Statistics are reported in different formats and categories depending upon specific legal requirements. FBI and Pennsylvania State Police reports include different crimes than does the Clery Act. While the Clery Act requires statistics to be reported from a wider geographic area than does the FBI (e.g. adjacent public property and non-campus properties), and also requires reporting of student disciplinary referrals and arrests for drug, alcohol, and weapons offenses. Further, the Clery Act mandates the collection of information regarding crimes from non-law enforcement “Campus Security Authorities” (i.e. Resident Advisers, Coaches and other Athletics Division Officials, Sports Club Coaches, Student Club Advisors, certain College administrators, Dean of Advising and Co-Curricular Programs, Faculty who reside in residence halls, Residence Life Staff) having “significant responsibility for students or campus activities,” while FBI statistics include only crimes reported to the Department of Public Safety.

The 2020 Annual Campus Security and Fire Safety Report has been compiled from statistics based upon crime reports received by the Department of Public Safety, from outside police agencies (Easton and Forks Police Departments) responsible for areas immediately adjacent to campus, and from reports received from Campus Security Authorities. Methods are in place to avoid duplicate, inaccurate statistical reporting and also to ensure that the crimes listed are consistent with Pennsylvania and FBI Uniform Crime Reporting classifications.

This report includes statistics for arrests for liquor law, drug, and weapons violations occurring on campus, in student housing, at non-campus buildings, and on public property

adjacent to campus. Additionally, the report includes internal disciplinary referrals for drug, liquor law, and weapons violations. A disciplinary referral is reported if it is not otherwise reported as an arrest.

## Definitions of Reportable Crimes

**Murder/Manslaughter**—is defined as the willful killing of one human being by another.

**Negligent Manslaughter**—is defined as the killing of another person through gross negligence.

**Sex offenses**—is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

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

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

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

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

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

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

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

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

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

**Hate Crimes**—includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes.

**Larceny/Theft**—includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

**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.

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

**Destruction/Damage/Vandalism or Property (except Arson)**—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.

### Categories of Prejudice

**Race**—a preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

**Religion**—a preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.

**Sexual Orientation**—a preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.

**Gender**—preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

**Gender Identity**—preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender nonconforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

**Ethnicity**—a preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term “race” in that “race” refers to a grouping based mostly upon biological criteria, while “ethnicity” also encompasses additional cultural factors.

**National Origin**—a preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias maybe against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.

**Disability**—a preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

### Overview of the Department of Public Safety

Located at 901 Bushkill Drive, the Department of Public Safety is responsible for around-the-clock protection of the Lafayette campus. The staff consists of a Director of Public Safety (who reports to the Vice President for Campus Life), an Associate

Director/Chief of Police, 1 lieutenant, 3 supervisors, 1 manager, a combination of full and part-time officers, dispatchers and office staff, along with, 3 environmental, health and safety specialists.

The Department of Public Safety is comprised of both commissioned police officers and security officers, with 17 officers being commissioned police officers who have Pennsylvania Act 235 training. The Department of Public Safety also requires Pennsylvania Act 120 training for all newly hired police officers.

A variety of patrol methods are employed including the use of marked and unmarked police vehicles, bicycles, and foot patrol. The men and women of the Department of Public Safety serve and protect the campus community through proactive patrol and by enforcing state laws and city ordinances, as well as College rules and regulations. The department may be reached by phone at (610)-330-4444 for emergencies and (610)-330-5330 for other matters. The department's web site is found at <http://publicsafety.lafayette.edu>.

**Enforcement Authority and Jurisdiction.** Pursuant to 22 PA 501, Lafayette's commissioned police officers are armed and have powers of arrest. Their jurisdiction includes all College owned and leased property and buildings, and the immediate and adjacent vicinity of the property of the College.

In addition to the commissioned police officers, there are 5, non-sworn, security officers who patrol the campus and provide other public safety services to the Lafayette College community. These officers do not have arrest authority.

Each year, all commissioned Lafayette police officers attend mandatory annual Pennsylvania in-service training at a certified police academy. Additionally, in-house training is provided on an on-going basis for all public safety personnel. All Lafayette police officers and security officers are trained to handle security and safety matters on campus, as well as to perform first aid, cardiopulmonary resuscitation, and in the use of automated external defibrillator devices (AED). All public safety patrol vehicles are equipped with oxygen and AEDs.

### Working relationship state/local law enforcement agencies

The Department of Public Safety does not have a formal Memorandum of Understanding with other area law enforcement agencies. Nonetheless, the Department of Public Safety maintains close working relationships with the City of Easton Police and Fire Departments; the Forks Township Police Department, the Northampton County District Attorney's Office; and the Pennsylvania State Police as necessary.

There is extensive information sharing between the Department of Public Safety and the Easton Police Department and other area law enforcement agencies including the PA State Police. If appropriate, public safety staff will notify other law enforcement agencies of crimes and suspicious activity and cooperatively investigate reported offenses.

The Pennsylvania State Police also provide our department with evidence analysis, PA criminal intelligence and information that may impact special events that occur on-campus.

The Department of Public Safety is responsible for College transportation services including the campus parking program, enforcing parking and traffic regulations, the LCAT Shuttles, and the Lafayette College car share program.

## College Crime Statistics for Calendar Years 2017, 2018, 2019

This chart includes offenses that were reported to the Lafayette College Department of Public Safety, law enforcement agencies with jurisdiction over all parts of Lafayette's Clery geography (including non-campus properties) other than the Lafayette Department of Public Safety, and to any official of Lafayette who has significant responsibilities for student and campus activities. Those offenses are compiled in accordance with the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

FEDERAL STATISTICS	ON-CAMPUS						Non-Campus Building or Property			Public Property			Unfounded		
	Lafayette Campus Areas (includes student housing facilities)			Student Housing Facilities Only (a subset of campus areas)											
Offense	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rape	7	13	11	1	11	10	0	0	0	0	0	0	0	0	0
Fondling	3	2	3	1	2	3	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	4	0	0	3	0	0	0	0	0	0	0	0	0
Burglary	9	3	10	4	3	9	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0
Arson	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	1	0	1	0	0	1	0	0	0	0	0	0	0	0	0
Dating Violence	0	2	1	0	2	1	0	0	0	0	0	0	0	0	0
Stalking	1	1	2	0	1	2	0	0	0	0	0	0	0	0	0
Total Unfounded Offenses													1	0	0
<b>ARRESTS</b>															
Liquor Law Violations	15	22	14	9	5	4	0	0	0	0	0	2	-	-	-
Drug Abuse Violations	1	2	0	0	2	0	0	0	0	0	0	0	-	-	-
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0	-	-	-
<b>DISCIPLINARY REFERRALS</b>															
Liquor Law Violations	124	85	27	43	52	27	0	0	0	0	0	0	-	-	-
Drug Abuse Violations	18	12	18	14	5	15	0	0	0	0	0	0	-	-	-
Weapons Possession	0	0	0	0	0	0	0	0	0	0	0	0	-	-	-

Lafayette College complies with all applicable federal and state legislation and does not discriminate in any way on the basis of gender, age, race, color, religion, creed, national origin, ancestry, physical ability, or sexual orientation. Department of Public Safety, 901 Bushkill Drive, Lafayette College, Easton, PA 18042; (610) 330-5330.



**Lafayette College  
Public Safety  
Pennsylvania State  
UCR Crime Statistics**

	2017			2018			2019		
	NO.*	Rate Per FTE Student/ Employee	Rate Per 100,000 FTE Students/ Employees	NO.*	Rate Per FTE Student/ Employee	Rate Per 100,000 FTE Students/ Employees	NO.*	Rate Per FTE Student/ Employee	Rate Per 100,000 FTE Students/ Employees
<b>Part I Offenses</b>									
Criminal Homicide	0	0.0000	0	0	0.0000	0	0	0.0000	0
Forcible Rape	3	0.0009	90	9	0.0026	263	9	0.0026	256
Assault to Rape - attempts	0	0.0000	0	0	0.0000	0	0	0.0000	0
Robbery (firearm)	0	0.0000	0	0	0.0000	0	0	0.0000	0
Robbery (knife or cutting instrument)	0	0.0000	0	0	0.0000	0	0	0.0000	0
Robbery (other dangerous weapon)	0	0.0000	0	0	0.0000	0	0	0.0000	0
Robbery (strong arm-hands,feet,etc.)	0	0.0000	0	0	0.0000	0	0	0.0000	0
Assault (firearm)	0	0.0000	0	0	0.0000	0	0	0.0000	0
Assault (knife or cutting instrument)	0	0.0000	0	0	0.0000	0	0	0.0000	0
Assault (other dangerous weapon)	0	0.0000	0	0	0.0000	0	0	0.0000	0
Assault (hands, fist, feet, etc.)	1	0.0003	30	1	0.0003	30	3	0.0009	85
Burglary (forcible entry)	1	0.0003	30	3	0.0009	88	4	0.0011	114
Burglary (unlawful entry - no force)	7	0.0021	209	1	0.0003	29	5	0.0014	142
Burglary (attempted forcible entry)	1	0.0003	30	0	0.0000	0	1	0.0003	28
Larceny - Theft	61	0.0182	1,821	46	0.0135	1,345	60	0.0171	1,707
Motor Vehicle Theft (Other Vehicles)	1	0.0003	30	1	0.0003	30	0	0.0000	0
Arson	1	0.0003	30	0	0.0000	0	0	0.0000	0
<b>TOTAL PART I</b>	<b>76</b>	<b>0.0227</b>	<b>2,269</b>	<b>61</b>	<b>0.0178</b>	<b>1,784</b>	<b>83</b>	<b>0.0236</b>	<b>2,361</b>
<b>Part II Offenses</b>									
Assault (other assaults-not aggrav.)	2	0.0006	60	2	0.0006	60	6	0.0017	171
Fraud	0	0.0000	0	2	0.0006	58	2	0.0006	57
Forgery and Counterfeiting	11	0.0033	328	13	0.0038	380	19	0.0054	541
Stolen Prop., Receiving Possession	2	0.0006	61	3	0.0009	88	3	0.0009	85
Vandalism	79	0.0236	2,358	50	0.0146	1,462	63	0.0179	1,792
Weapons, Carrying, Possession, Etc.	0	0.0000	0	0	0.0000	0	0	0.0000	0
Sex Offenses	6	0.0018	179	8	0.0023	234	8	0.0023	228
Drug Sale/Mfg-marijuana	2	0.0006	60	0	0.0000	0	0	0.0000	0
Drug Possession-opium-cocaine	0	0.0000	0	1	0.0003	29	0	0.0000	0
Drug Possession-marijuana	15	0.0045	448	12	0.0035	351	15	0.0043	427
Drug Possession-Synthetic	0	0.0000	0	0	0.0000	0	0	0.0000	0
Drug Possession-other	0	0.0000	0	0	0.0000	0	1	0.0003	28
DUI	0	0.0000	0	0	0.0000	0	1	0.0003	28
Liquor Laws	64	0.0191	1,910	54	0.0158	1,579	48	0.0137	1,366
Drunkness	0	0.0000	0	0	0.0000	0	1	0.0003	28
Disorderly Conduct	20	0.0060	597	16	0.0047	468	7	0.0020	199
Vagrancy	0	0.0000	0	0	0.0000	0	0	0.0000	0
All Other Offenses (except traffic)	17	0.0051	507	9	0.0026	263	13	0.0037	370
<b>TOTAL PART II</b>	<b>218</b>	<b>0.0651</b>	<b>6,507</b>	<b>170</b>	<b>0.0497</b>	<b>4,972</b>	<b>187</b>	<b>0.0532</b>	<b>5,320</b>
<b>GRAND TOTAL (I +II)</b>	<b>294</b>			<b>231</b>			<b>270</b>		
FTE Students =	2,571			2,620			2,646		
FTE Employees =	779			799			869		
Total =	3,350			3,419			3,515		

\* Number of Actual Offenses reported to the Department of Public Safety.

## Procedures for students and others to report criminal activity or other emergencies

Lafayette College strongly encourages accurate and prompt reporting of all crimes to the Department of Public Safety and the appropriate police agencies, including those instances when the victim of a crime elects to or is unable to make a report. Public Safety personnel promptly respond to all reports of suspicious acts, and emergencies occurring on campus.

Crimes and emergencies occurring on-campus may be reported to the Department of Public Safety in a number of ways:

- From hard-wired campus telephones found in all offices, dial ext. 4444.
- From a cell phone or public phone, dial (610)-330-4444.
- Via emergency “Blue Light” telephones which are located throughout the campus and parking decks. These Blue Light phones automatically connect to the Department of Public Safety as soon as the red button is pushed.
- Via emergency/convenience telephones located on the exterior of all campus residence halls. Each of these phones has an emergency button that automatically connects the caller to the Department of Public Safety dispatch center and identifies the location of the phone to the dispatcher.
- In person to any Lafayette College Department of Public Safety Officer.
- 9-1-1 should be called for crimes and other emergencies occurring off-campus. When making an emergency call, you should provide the location of the incident, the type of assistance needed (police, ambulance, or fire), your name and call back number.

### Who students and employees should report crimes to.

Crimes occurring on campus, in non-campus buildings or on non-campus property that Lafayette College owns or controls, or on public property that is within or immediately adjacent to campus should be immediately reported to the Department of Public Safety via any of the above means so that the Department of Public Safety can respond for inclusion in the annual disclosure of crime statistics and the transmittal of a Timely Warning, if appropriate.

### Voluntary, Confidential Reporting.

If you would like to report a crime, but do not want to pursue action within the Colleges or criminal justice systems, we ask that you consider filing a voluntary, confidential report. Anyone may call the Department of Public Safety at (610) 330-5330, or in an emergency (610) 330-4444 to report a crime or concerning information. Callers may remain anonymous.

Depending on the circumstances of the crime you are reporting, you may be able to file a report while maintaining your confidentiality. However, the Department of Public Safety cannot guarantee confidentiality in all cases. The purpose of a confidential report is to comply with your wish to keep your personal identifying information confidential, while taking steps to ensure your safety and the safety of others.

Confidential reports allow the College to compile accurate records on the number and types of incidents occurring

on campus. Reports filed in this manner are counted and disclosed in the Annual Security and Fire Safety Report (ASFSR). In limited circumstances, the Department of Public Safety may not be able to assure confidentiality and will inform you in those cases.

### Reporting to Other Campus Security Authorities

As a matter of policy, Lafayette directs people to report Clery crimes (without the inclusion of personally identifiable information) to the Department of Public Safety for the purpose of including a statistic in Lafayette’s ASFSR; though people may report crimes to any Campus Security Authority. The report must include sufficient information as to the location and type of incident for inclusion in the ASFSR. If the crime did not occur on Clery Act designated geography, or it cannot be determined from the report whether the incident(s) occurred on Clery Act designated geography or is a Clery crime, it will not be included in the ASR, as per federal regulations. However, Lafayette may be obligated to investigate when there is a report of sexual assault, domestic violence, dating violence and/or stalking.

The intent of including non-law enforcement personnel in the CSA role is to acknowledge that some community members and students, in particular, may be more likely to report incidents to other College partners who the person involved knows and trusts.

The Clery Act defines a Campus Security Authority (CSA) as:

- Officials with significant responsibility for student and campus activities
- A campus police or security department
- Individuals who have responsibility for campus security
- Individuals or offices designated to receive crime reports

Campus Security Authorities or CSAs are not investigators, but are required to report Clery crimes to the Department of Public Safety (DPS) as soon as they have knowledge of a reported crime. This timely reporting allows DPS to accurately monitor crime trends and assist in determining whether a Timely Warning Notice is necessary.

Public Safety’s website <https://publicsafety.lafayette.edu/> contains information about the Clery Act, contact information for Clery Compliance, definitions and requirements for Campus Security Authorities, and an online CSA Reporting Form that will allow CSAs to submit their crime reports directly to the Department of Public Safety. Please refer to [https://lafayettec.azi.qualtrics.com/jfe/form/SV\\_6nC7xftx7M5nzXD](https://lafayettec.azi.qualtrics.com/jfe/form/SV_6nC7xftx7M5nzXD) for the form.

### Anonymous Reporting

- Anyone may call the Department of Public Safety at (610) 330-5330, or in an emergency (610) 330-4444 to report a crime or concerning information. Callers may remain anonymous.
- Members of the campus community may also report crimes anonymously to the Department of Public Safety via the One Pard Universal Reporting Form found at <https://onepard.lafayette.edu>

- Non-emergency reports of sexual assault, sexual harassment, domestic violence, dating violence and stalking may be reported anonymously via a website <http://sash.lafayette.edu>. (Please see section entitled “Special Note on Confidentiality” on page 11.)
- Bias related incidents may also be reported anonymously via the Colleges’ Bias Incident Reporting form accessible at <https://deanofstudents.lafayette.edu/community-support-and-response/bias-response-team>

When an anonymous report is received, Lafayette College will conduct an investigation to the best of its abilities with the information available.

### Confidential Support and Information

#### Pastoral and Professional Counselors

Pastoral and professional counselors are available for confidential support and information. The information disclosed to them is not considered a report to the institution.

Pastoral and licensed counselors who are appropriately credentialed and hired by the College are legally exempt from Clery crime reporting requirements and are not considered Campus Security Authorities when they are acting in the counseling role. However, they are required to report cases of child abuse under Pennsylvania law.

Lafayette College encourages counselors, if and when they deem appropriate, to inform those they counsel of procedures for reporting crimes on a voluntary basis to the Department of Public Safety for inclusion in the ASFSR.

For confidential support and information contact one or more of the following confidential resources:

#### On-Campus

##### College Chaplain

107 Farinon College Center  
(610) 330-5959

##### The Counseling Center

Bailey Health Center (2nd floor)  
(610) 330-5005

#### Off-Campus

Crime Victims Council of the Lehigh Valley (CVCLV)  
801 Hamilton Street, Suite 300  
Allentown, PA 18101  
24-Hour Hotline: (610) 437-6611

##### Turning Point of Lehigh Valley

[www.turningpointlv.org](http://www.turningpointlv.org)  
444 E. Susquehanna Street  
Allentown, PA  
24-Hour Hotline: (877) 438-4957

##### Rape, Abuse and Incest National Network (RAINN)

[rainn.org](http://rainn.org)  
24-Hour Hotline: (800) 656-HOPE (4673)

### Timely Warning procedures

**Making the decision to issue a timely warning.** If a Clery Act crime occurs on campus, in non-campus buildings or on non-campus property that Lafayette College owns or controls, or on public property that is within or immediately adjacent to campus, that in the judgment of public safety officials constitutes a serious or continuing threat to members of the college community, a “timely warning” will be issued.

To assist the Department of Public Safety in making timely warnings, everyone should immediately report crimes and other serious incidents directly to the Department of Public Safety via any of the above methods.

**Determining the content of a timely warning.** The Director of Public Safety, or his designee, determines the content of timely warning notices. Timely warning notices will include information concerning the nature, location and time of the crime along with the description of any suspects if available. Timely warning notices will withhold the names of victims and other information that may identify the victim. The decision to issue a timely warning shall be decided on a case-by-case basis in compliance with the Clery Act and will consider all available facts.

**Issuing a Timely Warning.** The Director of Public Safety or his designee issues timely warning notices via Lafayette College email to every active student, faculty and staff member. Email notices may be supplemented by posting written notices.

### Emergency Response and Evacuation Policies and Procedures

#### Emergency Notification Process

The College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain respond to or otherwise mitigate the emergency.

All emergencies should be immediately reported to the Department of Public Safety via any of the following methods: 4444 from any “campus” telephone; (610)-330-4444 from any telephone other than a “campus” telephone; or from any “blue light” telephone located across the campus. The Department of Public Safety will use the following procedures to notify the campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the Lafayette College campus.

Upon being notified of an emergency situation on campus, the Department of Public Safety will immediately dispatch officers to the emergency. Confirmation of an emergency will be accomplished by a Lafayette College Department of Public Safety officer, or a local law enforcement or fire official, or the National Weather Service verifying that a legitimate emergency or dangerous situation exists on campus. Confirmation does

not necessarily mean that all of the pertinent details are known or even available. This determination is made on a case-by-case basis after considering the nature of the crime, the facts of the case and any other information known to the Department of Public Safety. In those cases where the reported crime occurs between two individuals who know each other, the Department of Public Safety will look at the totality of the circumstances in determining whether there is an ongoing threat to others. Upon confirmation, the dispatcher will, without delay contact the Director of Public Safety or a designee who, taking into account the safety of the Lafayette College community, will determine if an emergency notification is warranted. If an emergency notification is warranted, the system will be initiated without delay by logging onto Ominilert's on-line administrators log-in page. This official will select "Send Message" to initiate the three step process: 1. Select Who is to receive the message (i.e. All subscribers). 2. Select How or which endpoints to deliver the message (i.e. sms, email, Twitter and/or desktop; and 3. Create Message Content (i.e. templates) of the notification and initiate the Leopard Alerts by clicking "Send". All segments of the Campus Community will be included in emergency notifications. An exception to this may occur if/when, there is a fire in a building. In this case, the fire alarm system may serve as the sole method of emergency notification.

Determining the content of an emergency notification. The content of the notification will be constructed utilizing one of the College's existing template messages that address several different emergencies. The official authorizing the alert will select the template message most appropriate to the ongoing situation and modify it to address the specifics of the present incident. In those cases where there are no predetermined template messages in the system, the official authorizing the alert will develop the most succinct message to convey the appropriate information to the community. The goal is to give out pertinent information regarding a confirmed threat to campus safety, and if necessary, the steps students, faculty, and staff should take to help ensure their own safety from that particular threat. Lafayette College may not immediately issue a notification for an emergency if, in the professional judgment of public safety officials, the notification will compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Emergency Notifications will be made via the Leopard Alerts Emergency Alert Service. At times, this system may be supplemented through use of the College's outdoor mass alert siren/public address system, reminding members of the college community to check for text and email messages that will inform them of the nature of the emergency and appropriate steps to take. Information in the emergency notification will be updated as necessary via the Leopard Alerts Emergency Alert Service or College email to reflect the status of the incident in order to ensure the safety of the campus community. The Leopard Alerts Emergency Alert Service allows Lafayette College to communicate important information on an expedited basis with students and employees via text message and email. Participation in the Leopard Alerts Emergency Alert Service is voluntary and Lafayette

College students, faculty, and staff are strongly encouraged via email notices, orientation/group meetings and other media (ie. posters, flyers, cards and bookmarks) to register via <http://publicsafety.lafayette.edu/LeopardAlerts/>.

**Disseminating information to the larger community.** When appropriate, the Department of Public Safety will notify the Easton Police Department, Easton Fire Department, and Easton Emergency Squad as circumstances warrant. The Lafayette College Division of Communications will notify regional media outlets as appropriate.

**Evacuation of campus facilities.** Will be determined based on the magnitude and urgency of the incident. When evacuation is determined to be necessary, public safety officers assisted by other campus officials will facilitate an orderly evacuation of the affected building(s) and provide assistance to students, faculty and staff. To accomplish a building evacuation, the building fire alarm system may be utilized. If evacuation is called for in regard to a specific building, students, staff and faculty will be advised what location they should evacuate to. A complete evacuation of campus would require all campus occupants to leave campus by shuttle bus, private vehicles, and by foot in an extreme emergency situation.

#### **Testing the Emergency Notification System**

The Department of Public Safety annually tests the emergency notification systems (Leopard Alerts/sirens) on campus. The annual tests may be announced or unannounced. Tests are broadcast to the Campus Community via the College's email system. Emails announcing the system test contain information about the test; how to register for Leopard Alerts; where to find a summary of our Incident Action Plan and our emergency response and evacuation procedures which are on the Public Safety website at <http://publicsafety.lafayette.edu/crime-prevention/emergency-management/incident-action-plan>. Each test is documented to include a description of the exercise, the date the test was held, the time the test started and ended, and whether the test was announced or unannounced. The tests include follow-through activities designed to review the test to improve the notification system.

#### **Emergency Response and Evacuation Testing Procedures**

An evacuation fire drill is coordinated by the Department of Public Safety two times each year for all residence halls. Students learn the locations of the emergency exits, the location of each building's evacuation meeting point, as well as each building's primary and secondary assembly area (locations students will be directed to in the event the primary meeting place is unavailable or the incident will require evacuation for a protracted period), and become familiar with the sound of the fire alarm. During these evacuation drills, campus safety personnel provide students with information about shelter-in-place, evacuation, avoid area and lock-down procedures. Residential Advisors (RAs) are also trained in these procedures and are a continuing resource for students living in their residence halls.

**Shelter-in-Place:**

Sheltering in place means to remain indoors or to seek immediate shelter indoors and remain there during an emergency. Sheltering in place includes closing exterior doors and windows, drawing shades, turning off HVAC systems and possibly moving to a more protected interior area of a building depending on the nature of the emergency, and then remaining there until the “all clear” confirmation has been given.

Emergencies such as a hazardous material release or a severe weather occurrence will trigger a shelter-in place command.

**Evacuate:**

Evacuate means to exit a building using the nearest available exit, reporting to the buildings pre-determined meeting area and following further instructions from colleges officials or campus safety.

Emergencies such as an indoor hazardous material spill or release, fire, natural gas leak, or bomb threat will trigger an evacuate command.

**Avoid Area**

Avoid an area means to keep away from an event for your own safety. Do not approach the area and unless you are advised by police to shelter in place. Move away from and avoid the area where the situation is ongoing. This could be any part of or all of campus. Follow the directions and advice of law enforcement and first responders.

**Lockdown:**

A “lockdown” is a temporary sheltering technique utilized to limit human exposure to an apparent life-threatening, hostile or hazardous situation or threat. When a lockdown is declared by the Colleges’ officials or Department of Public Safety, occupants of any building within the impacted area are to remain in their respective spaces locking or, if unable to lock, barricading doors, closing and locking windows, drawing shades, covering classroom or office door windows, silencing cell phones, remaining quiet, and not allowing entry or exit to a secured area until the “all clear” confirmation has been given.

Emergencies such as an armed intruder on campus or an active shooter on campus (an individual actively engaged in killing or attempting to kill people with a firearm in a confined populated area) will trigger a lockdown command.

The Department of Public Safety conducts tests of its emergency response plans and capabilities at least annually. Tests may include table-top exercises; lockdown drills or a combination of exercises. These tests allow the Department of Public Safety to evaluate its response capabilities, the ability to interface cooperatively with Lafayette’s Incident Action Group, other Lafayette departments and other public safety agencies and improve plans and response procedures. The Department of Public Safety will document all drills and tests and record the description of the drill/test, the date, the time and whether the test was announced or unannounced. In addition, after action reviews are conducted for all emergency management exercises.

Publicly available information regarding the Colleges emergency response procedures is available on the Department of Public Safety’s Emergency Situations webpage at <https://publicsafety.lafayette.edu/crime-prevention/emergency-management/>

**Recording of criminal activity by students at non-campus locations of recognized student organizations through local police agencies.** The Easton and Forks Township police departments report any criminal activity involving Lafayette College properties and students in their jurisdictions to the Department of Public Safety. The Division of Campus Life maintains contact with recognized fraternity and sorority organization through the advisor to fraternities and sororities. The Department of Public Safety does provide services to off-campus residences of recognized fraternity and sorority organizations. Criminal activity at recognized fraternity and sorority residences is monitored and recorded by the Department of Public Safety.

**Daily crime and fire log**

The Department of Public Safety maintains a daily log of all crimes that are reported to the Department of Public Safety and of crimes that occurred within public safety’s patrol jurisdiction. The log lists the nature of the crime, the date, time, general location of the crime, and the disposition of the complaint if known. Entries are made into the Crime/Fire Log within two business days of the reporting of information to the department. On occasion, information concerning a crime may be temporarily withheld if release of the information poses a continuing danger to the victim or there is a need to keep the investigation confidential because the release of the information will likely jeopardize an ongoing investigation, jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. Additionally, in cases of sexual assault, domestic violence, dating violence or stalking, the name of victim and other identifying information will be withheld as confidential and, the specific location of the offense may be withheld from the crime log if divulging that information could potentially identify the victim.

Additionally, the department maintains a log of any fire that occurs in on-campus student housing.

The daily crime/fire log may be reviewed Monday through Friday during normal business hours at the Department of Public Safety for the most recent 60-day period. Data older than 60 days will be made available within two business days of a request for public inspection. All records required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act will be retained for a period of three years following the publication of the last annual campus security report to which they apply.

**Security and access to campus facilities**

Public Safety personnel also report non-working exterior lights and potential hazards observed during their daily campus patrols. Public Safety officers regularly check the

buildings and grounds during their patrols. Resident Advisers conduct regular walk-throughs in on-campus residence halls. Maintenance of facilities for security related issues are performed by Facilities Operations personnel.

All residence halls are normally locked 24 hours a day. Students and residence hall personnel are issued electronic access tags to their respective buildings, and students are issued one room key per occupant. Most residence halls are equipped with burglar-alarm systems designed to protect student property during vacations.

All academic, administrative, and athletic buildings are locked in the evenings and on weekends according to the scheduled use of the facilities. Access to these facilities is limited to students, faculty, staff, their guests, and visitors conducting official College business. All campus residence halls and some academic and athletic buildings are on an electronic access control system. To gain access to these buildings, students, faculty, and staff members use electronic access tags rather than keys.

Closed-circuit television cameras monitor various exterior areas and some campus parking lots.

### **Educational Programs about Campus Security Procedures and Practices, Personal Responsibility, and Crime Prevention**

#### **Programs about Campus Security Procedures and Practices**

There are a number of security awareness programs offered throughout the year to inform the campus community about campus security procedures and practices. The best way for Lafayette College to remain a safe campus is for all to be responsible for our own security and that of others. This is best accomplished by being aware of your surroundings and reporting any concerns or suspicious activities immediately to the Department of Public Safety.

The Department of Public Safety publishes crime prevention tips and other information on safety and security procedures and makes these materials available to students, faculty, administrators, and staff. Also, the Public Safety website contains crime prevention materials. Specially trained crime-prevention officers are available to make presentations. Students and staff are encouraged to be responsible for their own security and to promptly report matters of concern to the Department of Public Safety.

The following awareness and prevention programs were made available to all members of the campus community including:

<b>Topic</b>	<b>Presentations conducted during academic year</b>
Resource Table <i>(Providing general crime prevention and safety information)</i>	3
Crime Prevention <i>(Providing basic crime prevention information)</i>	2
Self Defense Program <i>(Providing information and training how to keep oneself safe)</i>	5
Wellness Program <i>(Providing information and training how to remain well)</i>	1

Additionally, the Office of Human Resources and Division of Campus Life have conducted ongoing training for faculty, staff, administrators, Appeals and Grievance Committee members, Student Conduct Committee members and Resident Advisors in a number of subject areas, including:

<b>Topic</b>	<b>Presentations conducted during academic year</b>
Sexual harassment	1
Policy review & sexual harassment	1
New employee orientation	12
Safe Zone training	16

The foregoing training programs are conducted by the College to educate faculty and staff regarding their rights and responsibilities to ensure a workplace that is free of discrimination or harassment. This training has been conducted in a number of modalities, including: in person presentations to small and large groups; pre-recorded media; email communications and on-line web based training modules.

### **Policies regarding prevention of sexual assault, dating violence, domestic violence, stalking and investigation of reports of those offenses**

Lafayette College's primary prevention and awareness programs for incoming students and new employees.

- All new students participate and complete the following programs:
- On-line education module Impressions through Edu-Risk. The Impressions course informs incoming and first-year college students how to prevent and report sexual assault. This course meets training obligations under Title IX and the Violence Against Women Act, and is meant to complement other prevention efforts at Lafayette College. Topics covered:
  - Definitions of sexual harassment, sexual violence, dating violence, domestic violence, and stalking
  - The "culture of care" at higher educational institutions
  - Prevention, including bystander intervention techniques

- How to report and where to go for support
- The meaning of consent
- Helping to Create a Lafayette Community that is Safe Inclusive and Equitable. Topics covered: Policies and definitions, Reporting Options and Resolution Procedures, Consent and Incapacitation, Support Resources, PASA and SM&RT

The College has developed a web site: <http://sash.lafayette.edu> that includes educational and other supportive resources for the community regarding gender-based harassment and sexual exploitation, sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

All new employees receive an overview of policies, online sexual harassment prevention module and sponsored in-person workshops on policies and mandatory reporter status.

- The Mosaic (Edu-Risk) learning program trains employees on how to prevent workplace discrimination, retaliation, and harassment and how to recognize and respond to sexual misconduct involving students, including sexual assault, stalking, and intimate partner violence. The courses use higher education-specific content and scenarios that help people understand their role in maintaining a safe and unbiased work environment.
- First-year orientation, Human Resources workshop - presented by TIXC / Director of Educational Equity - entitled "Title IX: Sexual Violence Prevention, Intervention and Response: Your Role as a Mandated Reporter"
- New Faculty orientation - presented by TIXC / Director of Educational Equity - entitled "Title IX and Sexual Harassment"

**Information on warning signs of abusive behavior and how to avoid potential attacks.** Lafayette College currently utilizes web-based educational materials to educate our students and staff concerning signs of abusive behavior and how to avoid potential attacks. The web site is found at <http://counselingcenter.lafayette.edu/developing-meaningful-relationships/>. The College offers OneLove workshops focused on recognizing warning signs of dating violence.

**Lafayette College prohibits the crimes of dating violence, domestic violence, sexual assault and stalking as defined for purposes of the Clery Act.** Lafayette College is committed to providing a learning and working environment that emphasizes the dignity and worth of every member of its community. This commitment is shared within our ongoing prevention programs as part of the content. Sexual exploitation, sexual assault, domestic violence, dating violence, and stalking in any form or context can threaten the safety, well-being, educational experience, and career of students, faculty, and staff and will not be tolerated in any form.

### Applicable Pennsylvania Statutes

#### Pennsylvania's Criminal Definition of "Consent"

Although the statutes of the Commonwealth of Pennsylvania do not contain a specific definition of "consent" in the context of dating violence, domestic violence, sexual assault,

or stalking, the Pennsylvania statutes do contain a general definition of "consent" as it pertains to crimes under the Pennsylvania Crimes Code.

#### 311. Consent.

**(a) General rule.**—The consent of the victim to conduct charged to constitute an offense or to the result thereof is a defense if such consent negatives an element of the offense or precludes the infliction of the harm or evil sought to be prevented by the law defining the offense.

**(b) Consent to bodily injury.**—When conduct is charged to constitute an offense because it causes or threatens bodily injury, consent to such conduct or to the infliction of such injury is a defense if:

- (1) the conduct and the injury are reasonably foreseeable hazards of joint participation in a lawful athletic contest or competitive sport; or
- (2) the consent establishes a justification for the conduct under Chapter 5 of this title (relating to general principles of justification).

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

- (1) it is given by a person who is legally incapacitated to authorize the conduct charged to constitute the offense; (2) it is given by a person who by reason of youth, mental disease or defect or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; (3) it is given by a person whose improvident consent is sought to be prevented by the law defining the offense; or (4) it is induced by force, duress or deception of a kind sought to be prevented by the law defining the offense.

#### Pennsylvania's Definitions Regarding Sexual Assault

##### 3101. Definitions

Subject to additional definitions contained in subsequent provisions of this chapter which are applicable to specific provisions of this chapter, the following words and phrases when used in this chapter shall have, unless the context clearly indicates otherwise, the meanings given to them in this section:

**"Complainant."** An alleged victim of a crime under this chapter.

**"Deviate sexual intercourse."** Sexual intercourse per os or per anus between human beings and any form of sexual intercourse with an animal. The term also includes penetration, however slight, of the genitals or anus of another person with a foreign object for any purpose other than good faith medical, hygienic or law enforcement procedures.

**"Forcible compulsion."** Compulsion by use of physical, intellectual, moral, emotional or psychological force, either express or implied. The term includes, but is not limited to, compulsion resulting in another person's death, whether the death occurred before, during or after sexual intercourse.

**"Foreign object."** Includes any physical object not a part of the actor's body.

**"Indecent contact."** Any touching of the sexual or other intimate parts of the person for the purpose of arousing or gratifying sexual desire, in any person.

**“Serious bodily injury.”** As defined in section 2301 (relating to definitions).

**“Sexual intercourse.”** In addition to its ordinary meaning, includes intercourse per os or per anus, with some penetration however slight; emission is not required.

### **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.

(6) (Deleted by amendment.)

(b) Additional penalties.—In addition to the penalty provided for by subsection (a), a person may be sentenced to an additional term not to exceed ten years’ confinement and an additional amount not to exceed \$100,000 where the person engages in sexual intercourse with a complainant and 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, any substance for the purpose of preventing resistance through the inducement of euphoria, memory loss and any other effect of this substance.

(c) 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.

(d) 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.

(e) Sentences.—Notwithstanding the provisions of section 1103 (relating to sentence of imprisonment for felony), a person convicted of an offense under:

(1) Subsection (c) shall be sentenced to a term of imprisonment which shall be fixed by the court at not more than 40 years.

(2) Subsection (d) shall be sentenced up to a maximum term of life imprisonment.

### **3122.1. Statutory sexual assault**

(a) Felony of the second degree.—Except as provided in section 3121 (relating to rape), a person commits a felony of the second degree when that person engages in sexual intercourse with a complainant to whom the person is not married who is under the age of 16 years and that person is either:

(1) four years older but less than eight years older than the complainant; or

(2) eight years older but less than 11 years older than the complainant.

(b) Felony of the first degree.—A person commits a felony of the first degree when that person engages in sexual intercourse with a complainant under the age of 16 years and that person is 11 or more years older than the complainant and the complainant and the person are not married to each other.

### **3123. Involuntary deviate sexual intercourse**

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

(1) by forcible compulsion;

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

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

(4) where the person has substantially impaired the complainant’s power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance; (5) who suffers from a mental disability which renders him or her incapable of consent; or

(6) (Deleted by amendment.)

(7) who is less than 16 years of age and the person is four or more years older than the complainant and the complainant and person are not married to each other.

(b) Involuntary deviate sexual intercourse with a child.—A person commits involuntary deviate sexual intercourse with a child, a felony of the first degree, when the person engages in deviate sexual intercourse with a complainant who is less than 13 years of age.

(c) Involuntary deviate sexual intercourse with a child with serious bodily injury.—A person commits an offense under this section with a child resulting in serious bodily injury, a felony of the first degree, when the person violates this section and the complainant is less than 13 years of age and the complainant suffers serious bodily injury in the course of the offense.

(d) Sentences.—Notwithstanding the provisions of section 1103 (relating to sentence of imprisonment for felony), a person convicted of an offense under:

(1) Subsection (b) shall be sentenced to a term of imprisonment which shall be fixed by the court at not more than 40 years.

(2) Subsection (c) shall be sentenced up to a maximum term of life imprisonment.

(e) Definition.—As used in this section, the term “forcible compulsion” includes, but is not limited to, compulsion resulting in another person’s death, whether the death occurred before, during or after the sexual intercourse.

### **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.

### **3124.2. Institutional sexual assault.**

(a) General rule.—Except as provided under subsection (a.1) and in sections 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse), 3124.1 (relating to sexual assault) and 3125 (relating to aggravated indecent assault), a person who is an employee or agent of the Department of Corrections or a county correctional authority, youth development center, youth forestry camp, State or county juvenile detention facility, other licensed residential facility serving children and youth, or mental health or mental retardation facility or institution commits a felony of the third degree when that person engages in sexual intercourse, deviate sexual intercourse or indecent contact with an inmate, detainee, patient or resident.

**(a.1) Institutional sexual assault of a minor.**—A person who is an employee or agent of the Department of Corrections or a county correctional authority, youth development center, youth forestry camp, State or county juvenile detention facility, other licensed residential facility serving children and youth or mental health or mental retardation facility or institution commits a felony of the third degree when that person engages in sexual intercourse, deviate sexual intercourse or indecent contact with an inmate, detainee, patient or resident who is under 18 years of age.

#### **(a.2) Schools.**—

(1) Except as provided in sections 3121, 3122.1, 3123, 3124.1 and 3125, a person who is a volunteer or an employee of a school or any other person who has direct contact with a student at a school commits a felony of the third degree when he engages in sexual intercourse, deviate sexual intercourse or indecent contact with a student of the school.

(2) As used in this subsection, the following terms shall have the meanings given to them in this paragraph:

(i) “Direct contact.” Care, supervision, guidance or control.

(ii) “Employee.”

(A) Includes:

(I) A teacher, a supervisor, a supervising principal, a principal, an assistant principal, a vice principal, a director of vocational education, a dental hygienist, a visiting teacher, a home and school visitor, a school counselor, a child nutrition program specialist, a school librarian, a school secretary the selection of whom is on the basis of merit as determined by eligibility lists, a school nurse, a substitute teacher, a janitor, a cafeteria worker, a bus driver, a teacher aide and any other employee who has direct contact with school students.

(II) An independent contractor who has a contract with a school for the purpose of performing a service for the school, a coach, an athletic trainer, a coach hired as an independent contractor by the Pennsylvania Interscholastic Athletic Association or an athletic trainer hired as an independent contractor by the Pennsylvania Interscholastic Athletic Association.

(B) The term does not include:

(I) A student employed at the school.

(II) An independent contractor or any employee of an independent contractor who has no direct contact with school students.

(iii) “School.” A public or private school, intermediate unit or area vocational-technical school.

(iv) “Volunteer.” The term does not include a school student.

**(a.3) Child care.**—Except as provided in sections 3121, 3122.1, 3123, 3124.1 and 3125, a person who is a volunteer or an employee of a center for children commits a felony of the third degree when he engages in sexual intercourse, deviate sexual intercourse or indecent contact with a child who is receiving services at the center.

**(b) Definitions.**—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise: “Agent.” A person who is assigned to work in a State or county correctional or juvenile detention facility, a youth development center, youth forestry camp, other licensed residential facility serving children and youth or mental health or mental retardation facility or institution, who is employed by any State or county agency or any person employed by an entity providing contract services to the agency.

“Center for children.” Includes a child day-care center, group and family day-care home, boarding home for children, a center providing early intervention and drug and alcohol services for children or other facility which provides child-care services which are subject to approval, licensure, registration or certification by the Department of Public Welfare or a county social services agency or which are provided pursuant to a contract with the department or a county social services agency. The term does not include a youth development center, youth forestry camp, State or county juvenile detention facility and other licensed residential facility serving children and youth. The Department of Public Welfare was redesignated as the Department of Human Services by Act 132 of 2014.

### **3124.3. Sexual assault by sports official, volunteer or employee of nonprofit association.**

**(a) Sports official.**—Except as provided in sections 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse), 3124.1 (relating to sexual assault) and 3125 (relating to aggravated indecent assault), a person who serves as a sports official in a sports program of a nonprofit association or a for-profit association commits a felony of the third degree when that person engages in sexual intercourse, deviate sexual intercourse or indecent contact with a child under 18 years of age who is participating in a sports program of the nonprofit association or for-profit association.

**(b) Volunteer or employee of nonprofit association.**—Except as provided in sections 3121, 3122.1, 3123, 3124.1 and 3125, a volunteer or an employee of a nonprofit association having direct contact with a child under 18 years of age who participates in a program or activity of the nonprofit association commits a felony of the third degree if the volunteer or employee engages in sexual intercourse, deviate sexual intercourse or indecent contact with that child.

**(c) Definitions.**—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

“Direct contact.” Care, supervision, guidance or control.

“Nonprofit association.” As defined in 42 Pa.C.S. § 8332.1 (relating to manager, coach, umpire or referee and nonprofit association negligence standard).

**“Sports official.”** A person who supervises children participating in a sports program of a nonprofit association or a for-profit association, including, but not limited to, a coach, assistant coach, athletic trainer, team attendant, game manager, instructor or a person at a sports program who enforces the rules of a sporting event sponsored by a sports program of a nonprofit association or a for-profit association, including, but not limited to, an umpire or referee, whether receiving remuneration or holding the position as a volunteer.

**“Sports program.”** As defined in 42 Pa.C.S. § 8332.1.

### **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.

(c) Grading and sentences.—

- (1) An offense under subsection (a) is a felony of the second degree.
- (2) An offense under subsection (b) is a felony of the first degree.

### **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.

(b) Grading.—Indecent assault shall be graded as follows:

(i) An offense under subsection (a)(1) or (8) is a misdemeanor of the second degree.

(2) An offense under subsection (a)(2), (3), (4),

(5) or (6) is a misdemeanor of the first degree.

(3) An offense under subsection (a)(7) is a misdemeanor of the first degree unless any of the following apply, in which case it is a felony of the third degree:

(i) It is a second or subsequent offense.

(ii) There has been a course of conduct of indecent assault by the person.

(iii) The indecent assault was committed by touching the complainant’s sexual or intimate parts with sexual or intimate parts of the person.

(iv) The indecent assault is committed by touching the person’s sexual or intimate parts with the complainant’s sexual or intimate parts.

### **3127. Indecent exposure**

(a) Offense defined.—A person commits indecent exposure if that person exposes his or her genitals in any public place or in any place where there are present other persons under circumstances in which he or she knows or should know that this conduct is likely to offend, affront or alarm.

(b) Grading.—If the person knows or should have known that any of the persons present are less than 16 years of age, indecent exposure under subsection (a) is a misdemeanor of the first degree. Otherwise, indecent exposure under subsection (a) is a misdemeanor of the second degree.

### **3129. Sexual intercourse with animal.**

A person who engages in any form of sexual intercourse with an animal commits a misdemeanor of the second degree.

### **3130. Conduct relating to sex offenders.**

(a) Offense defined.—A person commits a felony of the third degree if the person has reason to believe that a sex offender is not complying with or has not complied with the requirements of the sex offender’s probation or parole, imposed by statute or court order, or with the registration requirements of 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders), and the person, with the intent to assist the sex offender in eluding a law enforcement agent or agency that is seeking to find the sex offender to question the sex offender about, or to arrest the sex offender for, noncompliance with the requirements of the sex offender’s probation or

parole or the requirements of 42 Pa.C.S. Ch. 97 Subch. H: (1) withholds information from or does not notify the law enforcement agent or agency about the sex offender's noncompliance with the requirements of parole, the requirements of 42 Pa.C.S. Ch. 97 Subch. H or, if known, the sex offender's whereabouts;

(2) harbors or attempts to harbor or assist another person in harboring or attempting to harbor the sex offender;

(3) conceals or attempts to conceal, or assists another person in concealing or attempting to conceal, the sex offender; or

(4) provides information to the law enforcement agent or agency regarding the sex offender which the person knows to be false.

**(b) Definition.**—As used in this section, the term “sex offender” means a person who is required to register with the Pennsylvania State Police pursuant to the provisions of 42 Pa.C.S. Ch. 97 Subch. H or I.

### **3131. Unlawful dissemination of intimate image**

**(a) Offense defined.**—Except as provided in sections 5903 (relating to obscene and other sexual materials and performances), 6312 (relating to sexual abuse of children) and 6321 (relating to transmission of sexually explicit images by minor), a person commits the offense of unlawful dissemination of intimate image if, with intent to harass, annoy or alarm a current or former sexual or intimate partner, the person disseminates a visual depiction of the current or former sexual or intimate partner in a state of nudity or engaged in sexual conduct.

**(b) Defense.**—It is a defense to a prosecution under this section that the actor disseminated the visual depiction with the consent of the person depicted.

**(c) Grading.**—An offense under subsection (a) shall be:

(1) A misdemeanor of the first degree, when the person depicted is a minor.

(2) A misdemeanor of the second degree, when the person depicted is not a minor.

**(d) Territorial applicability.**—A person may be convicted under the provisions of this section if the victim or the offender is located within this Commonwealth.

**(e) Nonapplicability.**—Nothing in this section shall be construed to apply to a law enforcement officer engaged in the performance of the law enforcement officer's official duties.

**(f) Concurrent jurisdiction to prosecute.**—In addition to the authority conferred upon the Attorney General by the act of October 15, 1980 (P.L. 950, No. 164), known as the Commonwealth Attorneys Act, the Attorney General shall have the authority to investigate and to institute criminal proceedings for any violation of this section or any series of violations involving more than one county of this Commonwealth or another state. No person charged with a violation of this section by the Attorney General shall have standing to challenge the authority of the Attorney General to investigate or prosecute the case, and, if a challenge is made, the challenge shall be dismissed, and no relief shall be made available in the courts of this Commonwealth to the person making the challenge.

**(g) Definitions.**—As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

“Law enforcement officer.” Any officer of the United States, of the Commonwealth or political subdivision thereof, or of another state or subdivision thereof, who is empowered to conduct investigations of or to make arrests for offenses enumerated in this title or an equivalent crime in another jurisdiction, and any attorney authorized by law to prosecute or participate in the prosecution of such offense.

“Minor.” An individual under 18 years of age.

“Nudity.” As defined in section 5903(e).

“Sexual conduct.” As defined in section 5903(e).

“Visual depiction.” As defined in section 6321.

## **Pennsylvania Definition of “Stalking”**

### **2709.1. Stalking**

**(a) OFFENSE DEFINED.**— A person commits the crime of stalking when the person either:

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

(2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

**(b) VENUE.**—

(1) An offense committed under this section may be deemed to have been committed at either the place at which the communication or communications were made or at the place where the communication or communications were received.

(2) Acts indicating a course of conduct which occur in more than one jurisdiction may be used by any other jurisdiction in which an act occurred as evidence of a continuing pattern of conduct or a course of conduct.

**(c) GRADING.**—

(1) Except as otherwise provided for in paragraph

(2), a first offense under this section shall constitute a misdemeanor of the first degree.

(2) A second or subsequent offense under this section or a first offense under subsection (a) if the person has been previously convicted of a crime of violence involving the same victim, family or household member, including, but not limited to, a violation of section 2701 (relating to simple assault), 2702 (relating to aggravated assault), 2705 (relating to recklessly endangering another person), 2901 (relating to kidnapping), 3121 (relating to rape) or 3123 (relating to involuntary deviate sexual intercourse), an order issued under section 4954 (relating to protective orders) or an order issued under 23 Pa.C.S. § 6108 (relating to relief) shall constitute a felony of the third degree.

**(d) FALSE REPORTS.**— A person who knowingly gives false information to any law enforcement officer with the intent to implicate another under this section commits an offense under section 4906 (relating to false reports to law enforcement authorities).

**(e) APPLICATION OF SECTION.**— This section shall not apply to constitutionally protected activity.

(f) **DEFINITIONS.**— As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

**“Communicates.”** To convey a message without intent of legitimate communication or address by oral, nonverbal, written or electronic means, including telephone, electronic mail, Internet, facsimile, telex, wireless communication or similar transmission.

**“Course of conduct.”** A pattern of actions composed of more than one act over a period of time, however short, evidencing a continuity of conduct. The term includes lewd, lascivious, threatening or obscene words, language, drawings, caricatures or actions, either in person or anonymously. Acts indicating a course of conduct which occur in more than one jurisdiction may be used by any other jurisdiction in which an act occurred as evidence of a continuing pattern of conduct or a course of conduct.

**“Emotional distress.”** A temporary or permanent state of mental anguish.

**“Family or household member.”** Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.

### **Pennsylvania Statutes Relating to Dating Violence**

Pennsylvania does not contain a statute specifically addressing dating violence. The various statutes below address dating violence within the context of seeking a protective order from the applicable court.

#### **§ 62A02. Findings and purpose.**

The General Assembly finds and declares that:

- (1) Sexual violence is the most heinous crime against a person other than murder.
- (2) Sexual violence and intimidation can inflict humiliation, degradation and terror on the victim.
- (3) According to the Department of Justice, someone is sexually assaulted every two minutes in the United States.
- (4) Rape is recognized as one of the most underreported crimes, and studies indicate that only one in three rapes is reported to law enforcement.
- (5) Victims of sexual violence and intimidation desire safety and protection from future interactions with their offender, regardless of whether they seek criminal prosecution.
- (6) This chapter provides the victim with a civil remedy requiring the offender to stay away from the victim, as well as other appropriate relief.

#### **§ 62A03. Definitions.**

The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

**“Adult.”** An individual who is 18 years of age or older.

**“Certified copy.”** A paper copy of the original order of the issuing court endorsed by the appropriate clerk of that court or an electronic copy of the original order of the issuing court endorsed with a digital signature of the judge or appropriate clerk of that court, regardless of whether or not there is a raised seal on the copy of the order of the issuing court.

**“Confidential communications.”** As defined in section 5945.1 (relating to confidential communications with sexual assault counselors).

**“Coparticipant.”** As defined in section 5945.1 (relating to confidential communications with sexual assault counselors).

**“Court.”** The court or magisterial district judge having jurisdiction over the matter under and exercised as provided in this title or as otherwise provided or prescribed by law.

**“Family or household members.”** Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.

**“Hearing officer.”** A magisterial district judge, judge of the Philadelphia Municipal Court, bail commissioner appointed under section 1123 (relating to jurisdiction and venue), master appointed under section 1126 (relating to masters) or master for emergency relief.

**“Intimidation.”** Conduct constituting a crime under either of the following provisions between persons who are not family or household members:

18 Pa.C.S. § 2709(a)(4), (5), (6) or (7) (relating to harassment) where the conduct is committed by a person 18 years of age or older against a person under 18 years of age.

18 Pa.C.S. § 2709.1 (relating to stalking) where the conduct is committed by a person 18 years of age or older against a person under 18 years of age.

**“Master for emergency relief.”** A member of the bar of the Commonwealth appointed under section 62A09(e) (relating to emergency relief by minor judiciary).

**“Minor.”** An individual who is not an adult.

**“Plaintiff.”** An individual who applies for a protection order, either for the benefit of that individual or on behalf of another individual.

**“Protection order” or “order.”** An order issued under this chapter designed to protect a victim of sexual violence or intimidation.

**“Rape crisis center.”** As defined in section 5945.1 (relating to confidential communications with sexual assault counselors).

**“Sexual assault counselor.”** As defined in section 5945.1 (relating to confidential communications with sexual assault counselors).

**“Sexual violence.”** Conduct constituting a crime under any of the following provisions between persons who are not family or household members:

18 Pa.C.S. Ch. 31 (relating to sexual offenses), except 18 Pa.C.S. §§ 3129 (relating to sexual intercourse with animal) and 3130 (relating to conduct relating to sex offenders).

18 Pa.C.S. § 4304 (relating to endangering welfare of children) if the offense involved sexual contact with the victim.

18 Pa.C.S. § 6301(a)(1)(ii) (relating to corruption of minors).

18 Pa.C.S. § 6312(b) (relating to sexual abuse of children).

18 Pa.C.S. § 6318 (relating to unlawful contact with minor).

18 Pa.C.S. § 6320 (relating to sexual exploitation of children).

**“Sheriff.”** The sheriff of a county or, in a city of the first class, the chief or head of the police department.

**“Victim.”** A person who is the victim of sexual violence or intimidation.

## § 62A07. Relief.

**(a) Order or consent agreement.**—The court may issue an order or approve a consent agreement to protect the plaintiff or another individual, as appropriate, from the defendant.

**(b) General rule.**—An order or a consent agreement may include:

(1) Prohibiting the defendant from having any contact with the victim, including, but not limited to, restraining the defendant from entering the victim's residence, place of employment, business or school. This may include prohibiting indirect contact through third parties and also prohibiting direct or indirect contact with other designated persons.

(2) Granting any other appropriate relief sought by the plaintiff.

**(c) Duration and amendment of order or agreement.**—A protection order or an approved consent agreement shall be for a fixed period of time not to exceed 36 months. The court may amend its order or agreement at any time upon subsequent petition filed by either party.

**(d) Extension of protection orders.**—

(1) An extension of an order may be granted:

(i) Where the court, after a duly filed petition, notice to the defendant and a hearing, in accordance with the procedures set forth in sections 62A05 (relating to commencement of proceedings) and 62A06 (relating to hearings), finds that the extension is necessary because the defendant engaged in one or more acts or finds some other circumstances that, in the discretion of the court, demonstrate a continued risk of harm to the victim.

(ii) When a contempt petition or charge has been filed with the court or, in a county of the first class, a hearing officer, but the hearing has not occurred before the expiration of the protection order, the order shall be extended, at a minimum, until the disposition of the contempt petition.

(2) Service of an extended order shall be made in accordance with section 62A05(d).

(3) There shall be no limitation on the number of extensions that may be granted.

(e) Notice.—Notice shall be given to the defendant stating that violations of the order will subject the defendant to arrest under section 62A12 (relating to arrest for violation of order) or contempt of court under section 62A14 (relating to contempt for violation of order).

(f) Incarceration.—When the defendant is or was incarcerated and will be released from custody in the next 90 days or has been released from custody within the past 90 days, a plaintiff does not need to show that the defendant engaged in one or more acts that indicate a continued risk of harm to the victim in order to obtain an extension or a subsequent protection order under this chapter.

(g) Identifying information.—Any order issued under this chapter shall, when furnished by either party, specify the Social Security number and date of birth of the defendant.

## Pennsylvania Statutes Relating to Domestic Violence

Pennsylvania does not contain a statute specifically addressing dating violence. The various statutes below address dating violence within the context of seeking a protective order from the applicable court.

## 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) or 2718 (relating to strangulation) 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).

**(b) Seizure of weapons.**—The arresting police officer shall seize all weapons used by the defendant in the commission of the alleged offense.

**(c) Bail.**—

(1) A defendant arrested pursuant to this section shall be afforded a preliminary arraignment by the proper issuing authority without unnecessary delay. In no case shall the arresting officer release the defendant from custody rather than taking the defendant before the issuing authority.

(2) In determining whether to admit the defendant to bail, the issuing authority shall consider whether the defendant poses a threat of danger to the victim. In making a determination whether the defendant poses a threat of danger to the victim in cases under this section, the issuing authority may use a pretrial risk assessment tool as set forth in subsection (c.1). If the issuing authority makes such a determination, it shall require as a condition of bail that the defendant shall refrain from entering the residence or household of the victim and the victim's place of employment and shall refrain from committing any further criminal conduct against the victim and shall so notify the defendant thereof at the time the defendant is admitted to bail. Such condition shall expire at the time of the preliminary hearing or upon the entry or the denial of the protection of abuse order by the court, whichever occurs first. A violation of this condition may be punishable by the revocation of any form of pretrial release or the forfeiture of bail and the issuance of a bench warrant for the defendant's arrest or remanding him to custody or a modification of the terms of the bail. The defendant shall be provided a hearing on this matter.

**(c.1) Pretrial risk assessment tool.**—The president judge of a court of common pleas may adopt a pretrial risk assessment tool for use by the court of common pleas or by the Philadelphia Municipal Court, the Pittsburgh Magistrates Court or magisterial district judges when acting as the issuing authority in cases under this section. The issuing authority may use the pretrial risk assessment tool to aid in determining whether the defendant poses a threat of danger to the victim. However, the pretrial risk assessment tool may not be the only means of determining whether to admit the defendant to bail. Nothing in this subsection shall be

construed to conflict with the issuing authority's ability to determine whether to admit the defendant to bail under the Pennsylvania Rules of Criminal Procedure.

**(c.2) Pennsylvania Commission on Sentencing.**—The following apply to the Pennsylvania Commission on Sentencing:

(1) The commission shall develop a model pretrial risk assessment tool which may be used by the issuing authority in cases under this section, as set forth in subsection (c.1).

(2) Subject to any inconsistent rule of court, in order to ensure that the model pretrial risk assessment tool or other pretrial risk assessment tool adopted under this section is effective, accurate and free from racial or economic bias, prior to the adoption of the tool, the commission shall publish a report of validation using information from cases from the judicial district where the tool is to be utilized. The report shall be updated every two years.

**(d) Notice of rights.**—Upon responding to a domestic violence case, the police officer shall, orally or in writing, notify the victim of the availability of a shelter, including its telephone number, or other services in the community. Said notice shall include the following statement: "If you are the victim of domestic violence, you have the right to go to court and file a petition requesting an order for protection from domestic abuse pursuant to 23 Pa.C.S. Ch. 61 (relating to protection from abuse) which could include the following:

(1) An order restraining the abuser from further acts of abuse.

(2) An order directing the abuser to leave your household.

(3) An order preventing the abuser from entering your residence, school, business or place of employment.

(4) An order awarding you or the other parent temporary custody of or temporary visitation with your child or children.

(5) An order directing the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so."

## 6102. Definitions.

**(a) General rule.**—The following words and phrases when used in this chapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Abuse." The occurrence of one or more of the following acts between family or household members, sexual or intimate partners or persons who share biological parenthood:

(1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.

(2) Placing another in reasonable fear of imminent serious bodily injury.

(3) The infliction of false imprisonment pursuant to 18 Pa.C.S. § 2903 (relating to false imprisonment).

(4) Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services).

(5) Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any

criminal prosecutions commenced under Title 18 (relating to crimes and offenses).

**"Adult."** An individual who is 18 years of age or older.

**"Certified copy."** A paper copy of the original order of the issuing court endorsed by the appropriate clerk of that court or an electronic copy of the original order of the issuing court endorsed with a digital signature of the judge or appropriate clerk of that court. A raised seal on the copy of the order of the issuing court shall not be required.

**"Comparable court."** A foreign court that:

(1) has subject matter jurisdiction and is authorized to issue ex parte, emergency, temporary or final protection orders in that jurisdiction; and

(2) possessed jurisdiction over the parties when the protection order was issued in that jurisdiction.

**"Confidential communications."** All information, whether written or spoken, transmitted between a victim and a domestic violence counselor or advocate in the course of the relationship. The term includes information received or given by the domestic violence counselor or advocate in the course of the relationship, as well as advice, reports, statistical data, memoranda or working papers, records or the like, given or made in the course of the relationship. The term also includes communications made by or to a linguistic interpreter assisting the victim, counselor or advocate in the course of the relationship.

**"Domestic violence counselor/advocate."** An individual who is engaged in a domestic violence program, the primary purpose of which is the rendering of counseling or assistance to victims of domestic violence, who has undergone 40 hours of training.

**"Domestic violence program."** A nonprofit organization or program whose primary purpose is to provide services to domestic violence victims which include, but are not limited to, crisis hotline; safe homes or shelters; community education; counseling systems intervention and interface; transportation, information and referral; and victim assistance.

**"Family or household members."** Spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood.

**"Firearm."** Any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive or the frame or receiver of any such weapon as defined by 18 Pa.C.S. § 6105(i) (relating to persons not to possess, use, manufacture, control, sell or transfer firearms).

**"Foreign protection order."** A protection order as defined by 18 U.S.C. § 2266 (relating to definitions) issued by a comparable court of another state, the District of Columbia, Indian tribe or territory, possession or commonwealth of the United States.

**"Hearing officer."** A magisterial district judge, judge of the Philadelphia Municipal Court, arraignment court magistrate appointed under 42 Pa.C.S. § 1123 (relating to jurisdiction and venue), master appointed under 42 Pa.C.S. § 1126 (relating to masters) and master for emergency relief.

**"Master for emergency relief."** A member of the bar of the Commonwealth appointed under section 6110(e) (relating to emergency relief by minor judiciary).

**“Minor.”** An individual who is not an adult.

**“Other weapon.”** Anything readily capable of lethal use and possessed under circumstances not manifestly appropriate for lawful uses which it may have. The term does not include a firearm.

**“Safekeeping permit.”** A permit issued by a sheriff allowing a person to take possession of any firearm, other weapon or ammunition that a judge ordered a defendant to relinquish in a protection from abuse proceeding.

**“Secure visitation facility.”** A court-approved visitation program offered in a facility with trained professional staff operated in a manner that safeguards children and parents from abuse and abduction.

**“Sheriff.”**

(1) Except as provided in paragraph (2), the sheriff of the county.

(2) In a city of the first class, the chief or head of the police department.

**“Victim.”** A person who is physically or sexually abused by a family or household member. For purposes of section 6116 (relating to confidentiality), a victim is a person against whom abuse is committed who consults a domestic violence counselor or advocate for the purpose of securing advice, counseling or assistance. The term shall also include persons who have a significant relationship with the victim and who seek advice, counseling or assistance from a domestic violence counselor or advocate regarding abuse of the victim.

**“Weapon.”** Anything readily capable of lethal use and possessed under circumstances not manifestly appropriate for lawful uses which it may have. The term includes a firearm which is not loaded or lacks a magazine, clip or other components to render it immediately operable and components which can readily be assembled into a weapon as defined by 18 Pa.C.S. § 907 (relating to possessing instruments of crime).

(b) Other terms.—Terms not otherwise defined in this chapter shall have the meaning given to them in 18 Pa.C.S. (relating to crimes and offenses).

### **6108. Relief.**

**(a) General rule.**—The court may grant any protection order or approve any consent agreement to bring about a cessation of abuse of the plaintiff or minor children. The order or agreement may include:

(1) Directing the defendant to refrain from abusing the plaintiff or minor children.

(2) Granting possession to the plaintiff of the residence or household to the exclusion of the defendant by evicting the defendant or restoring possession to the plaintiff if the residence or household is jointly owned or leased by the parties, is owned or leased by the entireties or is owned or leased solely by the plaintiff.

(3) If the defendant has a duty to support the plaintiff or minor children living in the residence or household and the defendant is the sole owner or lessee, granting possession to the plaintiff of the residence or household to the exclusion of the defendant by evicting the defendant or restoring possession to the plaintiff or, with the consent of the plaintiff, ordering the defendant to provide suitable alternate housing.

(4) Awarding temporary custody of or establishing temporary

visitation rights with regard to minor children. In determining whether to award temporary custody or establish temporary visitation rights pursuant to this paragraph, the court shall consider any risk posed by the defendant to the children as well as risk to the plaintiff. The following shall apply:

(i) A defendant shall not be granted custody, partial custody or unsupervised visitation where it is alleged in the petition, and the court finds after a hearing under this chapter, that the defendant:

(A) abused the minor children of the parties or poses a risk of abuse toward the minor children of the parties; or

(B) has been convicted of violating 18 Pa.C.S. § 2904 (relating to interference with custody of children) within two calendar years prior to the filing of the petition for protection order or that the defendant poses a risk of violating 18 Pa.C.S. § 2904.

(ii) Where the court finds after a hearing under this chapter that the defendant has inflicted abuse upon the plaintiff or a child, the court may require supervised custodial access by a third party. The third party must agree to be accountable to the court for supervision and execute an affidavit of accountability.

(iii) Where the court finds after a hearing under this chapter that the defendant has inflicted serious abuse upon the plaintiff or a child or poses a risk of abuse toward the plaintiff or a child, the court may:

(A) award supervised visitation in a secure visitation facility; or

(B) deny the defendant custodial access to a child.

(iv) If a plaintiff petitions for a temporary order under section 6107(b) (relating to hearings) and the defendant has partial, shared or full custody of the minor children of the parties by order of court or written agreement of the parties, the custody shall not be disturbed or changed unless the court finds that the defendant is likely to inflict abuse upon the children or to remove the children from the jurisdiction of the court prior to the hearing under section 6107(a). Where the defendant has forcibly or fraudulently removed any minor child from the care and custody of a plaintiff, the court shall order the return of the child to the plaintiff unless the child would be endangered by restoration to the plaintiff.

(v) Nothing in this paragraph shall bar either party from filing a petition for custody under Chapter 53 (relating to custody) or under the Pennsylvania Rules of Civil Procedure.

(vi) In order to prevent further abuse during periods of access to the plaintiff and child during the exercise of custodial rights, the court shall consider, and may impose on a custody award, conditions necessary to assure the safety of the plaintiff and minor children from abuse.

(5) After a hearing in accordance with section 6107(a), directing the defendant to pay financial support to those persons the defendant has a duty to support, requiring the defendant, under sections 4324 (relating to inclusion of medical support) and 4326 (relating to mandatory inclusion of child medical support), to provide health coverage for the minor child and spouse, directing the defendant to pay all of the unreimbursed medical expenses of a spouse or minor child of the defendant to the provider or to the plaintiff when he or she has paid for the medical treatment, and directing the defendant to make or continue to make rent or mortgage payments on the residence of the plaintiff to the extent that the defendant

has a duty to support the plaintiff or other dependent household members. The support order shall be temporary, and any beneficiary of the order must file a complaint for support under the provisions of Chapters 43 (relating to support matters generally) and 45 (relating to reciprocal enforcement of support orders) within two weeks of the date of the issuance of the protection order. If a complaint for support is not filed, that portion of the protection order requiring the defendant to pay support is void. When there is a subsequent ruling on a complaint for support, the portion of the protection order requiring the defendant to pay support expires.

(6) Prohibiting the defendant from having any contact with the plaintiff or minor children, including, but not limited to, restraining the defendant from entering the place of employment or business or school of the plaintiff or minor children and from harassing the plaintiff or plaintiff's relatives or minor children.

(7) Ordering the defendant to temporarily relinquish to the sheriff the defendant's other weapons and ammunition which have been used or been threatened to be used in an incident of abuse against the plaintiff or the minor children and the defendant's firearms and prohibiting the defendant from acquiring or possessing any firearm for the duration of the order and requiring the defendant to relinquish to the sheriff any firearm license issued under section 6108.3 (relating to relinquishment to third party for safekeeping) or 18 Pa.C.S. § 6106 (relating to firearms not to be carried without a license) or 6109 (relating to licenses) the defendant may possess. A copy of the court's order shall be transmitted to the chief or head of the police force or police department of the municipality and to the sheriff of the county of which the defendant is a resident. When relinquishment is ordered, the following shall apply:

(i) (A) The court's order shall require the defendant to relinquish such firearms, other weapons, ammunition and any firearm license pursuant to the provisions of this chapter within 24 hours of service of a temporary order or the entry of a final order or the close of the next business day as necessary by closure of the sheriffs' offices, except for cause shown at the hearing, in which case the court shall specify the time for relinquishment of any or all of the defendant's firearms.

(B) A defendant subject to a temporary order requiring the relinquishment of firearms, other weapons or ammunition shall, in lieu of relinquishing specific firearms, other weapons or ammunition which cannot reasonably be retrieved within the time for relinquishment in clause (A) due to their current location, provide the sheriff with an affidavit listing the firearms, other weapons or ammunition and their current location. If the defendant, within the time for relinquishment in clause (A), fails to provide the affidavit or fails to relinquish, pursuant to this chapter, any firearms, other weapons or ammunition ordered to be relinquished which are not specified in the affidavit, the sheriff shall, at a minimum, provide immediate notice to the court, the plaintiff and appropriate law enforcement authorities. The defendant shall not possess any firearms, other weapons or ammunition specifically listed in the affidavit provided to the sheriff pursuant to this clause for the duration of the temporary order.

(C) As used in this subparagraph, the term "cause" shall be limited to facts relating to the inability of the defendant to

retrieve a specific firearm within 24 hours due to the current location of the firearm.

(ii) The court's order shall contain a list of any firearm, other weapon or ammunition ordered relinquished. Upon the entry of a final order, the defendant shall inform the court in what manner the defendant is going to relinquish any firearm, other weapon or ammunition ordered relinquished. Relinquishment may occur pursuant to section 6108.2 (relating to relinquishment for consignment sale, lawful transfer or safekeeping) or 6108.3 or to the sheriff pursuant to this paragraph. Where the sheriff is designated, the sheriff shall secure custody of the defendant's firearms, other weapons or ammunition and any firearm license listed in the court's order for the duration of the order or until otherwise directed by court order. In securing custody of the defendant's relinquished firearms, the sheriff shall comply with 18 Pa.C.S. § 6105(f)(4) (relating to persons not to possess, use, manufacture, control, sell or transfer firearms). In securing custody of the defendant's other weapons and ammunition, the sheriff shall provide the defendant with a signed and dated written receipt which shall include a detailed description of the other weapon or ammunition and its condition.

(iii) The sheriff shall provide the plaintiff with the name of the person to which any firearm, other weapon or ammunition was relinquished.

(iv) Unless the defendant has complied with subparagraph (i)(B) or section 6108.2 or 6108.3, if the defendant fails to relinquish any firearm, other weapon, ammunition or firearm license within 24 hours or upon the close of the next business day due to closure of sheriffs' offices or within the time ordered by the court upon cause being shown at the hearing, the sheriff shall, at a minimum, provide immediate notice to the court, the plaintiff and appropriate law enforcement agencies.

(v) Any portion of any order or any petition or other paper which includes a list of any firearm, other weapon or ammunition ordered relinquished shall be kept in the files of the court as a permanent record thereof and withheld from public inspection except:

(A) upon an order of the court granted upon cause shown;

(B) as necessary, by law enforcement and court personnel; or

(C) after redaction of information listing any firearm, other weapon or ammunition.

(vi) As used in this paragraph, the term "defendant's firearms" shall, if the defendant is a licensed firearms dealer, only include firearms in the defendant's personal firearms collection pursuant to 27 CFR § 478.125a (relating to personal firearms collection).

(7.1) If the defendant is a licensed firearms dealer, ordering the defendant to follow such restrictions as the court may require concerning the conduct of his business, which may include ordering the defendant to relinquish any Federal or State license for the sale, manufacture or importation of firearms as well as firearms in the defendant's business inventory. In restricting the defendant pursuant to this paragraph, the court shall make a reasonable effort to preserve the financial assets of the defendant's business while fulfilling the goals of this chapter.

(8) Directing the defendant to pay the plaintiff for reasonable losses suffered as a result of the abuse, including medical,

dental, relocation and moving expenses; counseling; loss of earnings or support; costs of repair or replacement of real or personal property damaged, destroyed or taken by the defendant or at the direction of the defendant; and other out-of-pocket losses for injuries sustained. In addition to out-of-pocket losses, the court may direct the defendant to pay reasonable attorney fees. An award under this chapter shall not constitute a bar to litigation for civil damages for injuries sustained from the acts of abuse giving rise to the award or a finding of contempt under this chapter.

(9) Directing the defendant to refrain from stalking or harassing the plaintiff and other designated persons as defined in 18 Pa.C.S. §§ 2709 (relating to harassment) and 2709.1 (relating to stalking).

(10) Granting any other appropriate relief sought by the plaintiff.

**(b) Identifying information.**—Any order issued under this section shall, where furnished by either party, specify the Social Security number and date of birth of the defendant.

**(c) Mutual orders of protection.**—Mutual orders of protection shall not be awarded unless both parties have filed timely written petitions, complied with service requirements under section 6106 (relating to commencement of proceedings) and are eligible for protection under this chapter. The court shall make separate findings and, where issuing orders on behalf of both petitioners, enter separate orders.

**(d) Duration and amendment of order or agreement.**—A protection order or approved consent agreement shall be for a fixed period of time not to exceed three years. The court may amend its order or agreement at any time upon subsequent petition filed by either party.

**(e) Extension of protection orders.**—

(i) An extension of a protection order may be granted:

(i) Where the court finds, after a duly filed petition, notice to the defendant and a hearing, in accordance with the procedures set forth in sections 6106 and 6107, that the defendant committed one or more acts of abuse subsequent to the entry of the final order or that the defendant engaged in a pattern or practice that indicates continued risk of harm to the plaintiff or minor child.

(ii) When a contempt petition or charge has been filed with the court or with a hearing officer in Philadelphia County, but the hearing has not occurred before the expiration of the protection order, the order shall be extended, at a minimum, until the disposition of the contempt petition and may be extended for another term beyond the disposition of the contempt petition.

(2) Service of an extended order shall be made in accordance with section 6109 (relating to service of orders).

(3) There shall be no limitation on the number of extensions that may be granted.

**(f) Support procedure.**—The domestic relations section shall enforce any support award in a protection order where the plaintiff files a complaint for support under subsection (a)(5).

**(g) Notice.**—Notice shall be given to the defendant, in orders issued under this section, stating that violations of an order will subject the defendant to arrest under section 6113 (relating to arrest for violation of order) or contempt of court under section 6114 (relating to contempt for violation of order or agreement). Resumption of coresidency on the part of the plaintiff and defendant shall not nullify the provisions of the court order.

(h) Title to real property unaffected.—No order or agreement under this chapter shall in any manner affect title to any real property.

These definitions are included as part of the content of prevention programs and awareness campaigns for new and current students and employees.

#### **Safe and positive options of bystander intervention.**

The following material is part of Lafayette College's training material for bystander intervention, and will be updated and expanded throughout the 2019-20 Academic Year.

#### **What prevents individuals from getting involved?**

Psychologists have often studied this subject—known as the bystander effect. A major factor is something called “diffusion of responsibility.” We take stock of what’s happening around us and if we are with a larger group of people, we assume that others will act. If they don’t, then there’s nothing we should be worried about. Here’s how you can break this pattern:

- Notice the incident.
- Interpret the incident as an emergency.
- Assume responsibility.
- Attempt to help.

#### **Some tips:**

- Approach everyone as a friend.
- Do not be antagonistic.
- Avoid using violence.
- Be honest and direct whenever possible.
- Recruit help if necessary.
- Keep yourself safe.

If things get out-of-hand or become serious, contact Public Safety at (610)-330-4444.

#### **Risk Reduction**

##### **It Only Takes One Pard to Make a Difference.**

The College provides information on reducing risk in various ways, and provides numerous opportunities for students and employees to increase both their knowledge on the risks and ways in which those risks can be addressed. Information includes bystander intervention tactics, options to decrease violence and options for victim support.

We are a community and we care about each other. One person stepping up to help another can make a world of difference, and as members of a common community anyone can be the one to make that difference for a fellow Pard. If you see something you are concerned about, the Lafayette community needs you to intervene and/or report. Any member of the Lafayette or broader community (students, faculty, staff, parents, alumni, etc.) can submit a report utilizing our universal reporting form, located at <http://onepard.lafayette.edu>.

The College is clear in the information that it provides that it is never the victim’s fault in these situations. It provides strategies that may reduce risk and allow individuals to take an active role in increasing their safety or the safety of those they care about. Those strategies include safety planning,

including having a back-up plan, keeping an eye on friends, practicing safe drinking, trusting your instincts and checking in with yourself, and being aware of your surroundings.

In addition, the Department of Public Safety offers instruction in the Rape Aggression Defense (“RAD”) program.

### **Lafayette College’s ongoing prevention and awareness campaigns for students and employees.**

#### **Impressions**

Is an on-line education module Impressions through Edu-Risk. The Impressions course informs incoming and first-year college students how to prevent and report sexual assault. This course meets training obligations under Title IX and the Violence Against Women Act, and is meant to complement other prevention efforts at Lafayette College. Topics covered:

- Definitions of sexual harassment, sexual violence, dating violence, domestic violence, and stalking
- The “culture of care” at higher educational institutions
- Prevention, including bystander intervention techniques
- How to report and where to go for support
- The meaning of consent

Also offered “Lasting Choices” for returning students: News about sexual assault on campus is prevalent and disturbing; these incidents harm students and damage institutions’ reputations. It’s important to enlist students in the fight against these crimes. This course will teach students ways to protect Lafayette’s campus from sexual assault. Topics covered include:

- Sexual assault investigations
- The role of alcohol in sexual assault
- How to report incidents
- Intervention strategies

#### **One Pard**

It only takes One Pard to make a difference. We are a community and we care about each other. One person stepping up to help another can make a world of difference, and as members of a common community anyone can be the one to make that difference for a fellow Pard. If you see something you are concerned about, the Lafayette community needs you to intervene and/or report. Resources at this website <https://onepard.lafayette.edu/> provide information about how to talk to someone about whom you are concerned, as well as what Lafayette can do to help. In addition to the reporting options, this site contains comprehensive resource information for a variety of issues.

#### **Safe Zone Training**

In order to help LGBTQ+ identified students, faculty, and staff navigate these experiences and find support or allies, Lafayette College provides Safe Zone Trainings. Safe Zone Trainings are opportunities to learn about LGBTQ+ identities, gender, and sexuality, allyship, and examine prejudice, assumptions, and privilege.

#### **Self-Defense Class**

The Rape Aggression Defense System is a program of realistic, self-defense tactics and techniques. This comprehensive course for women begins with awareness, prevention, risk

reduction, and avoidance, while progressing on to the basics of hands-on defense training.

#### **Sex Signals**

This program, given during orientation, examines our culture, sex, and prevention strategies like bystander intervention. Sex Signals is updated every six months to stay culturally relevant and regularly incorporates new teaching strategies based on best practices research from numerous fields of study.

### **Student Organizations—Campaigns**

#### **One Love Escalation Workshops (One Love)**

Lafayette works with the One Love Foundation to bring more education and awareness to campus about relationship abuse. One Love creates engaging tools that provide education about the varied signs of abuse, sparking eye-opening discussions about what healthy and unhealthy relationships looks like. Escalation Workshops are offered for students, faculty, and staff.

#### **Pards Against Sexual Assault (PASA)**

PASA is a peer educational group founded to provide support to survivors and educate Lafayette on gender violence and sexual assault awareness through programming. Some of the events held included Denim Day, Take Back the Night followed by a speak out, and panels on Title IX and the “me too.” movement. The group also facilitated individual student organization training and is the main organizers of SAAM on campus.

#### **Sexual Violence Awareness Month (SAAM)**

SAAM is an annual campaign to raise public awareness about sexual assault and educate individuals on how to prevent sexual violence. Each year during the month of April there are planned events and activities to highlight sexual violence as a public health, human rights and social justice issue that reinforce the need for prevention efforts.

#### **Take Back the Night (PASA)**

Lafayette’s annual Take Back the Night, is part of a weeklong initiative to create awareness, education, and engagement on issues of sexual violence, particularly as they apply to the Lafayette community. Take Back the Night is a national charitable organization whose mission is to “create safe communities and respectful relationships through awareness, events, and initiatives.” PASA adapts the night based on the event the national organization hosts for Lafayette students.

If you have been sexually assaulted, are in an unsafe relationship, or feel unsafe: **Tell someone what happened.**

#### **Support Resources On and Off Campus**

Lafayette College and the Lehigh Valley community offer important resources to the victims of sexual violence including medical treatment, counseling and advocacy they may wish to utilize. A victim need not make a formal report to Lafayette College or law enforcement to access these resources that include the following:

**The Office of Educational Equity and TIX offers guidance on:**

- Getting Medical Attention
- A Resource Guide on Considering Your Options
- Campus and Community Resources
- Reporting to the College

**The Crime Victims Council of the Lehigh Valley (CVCLV) has:**

- 24 hour hotline
- Individual and Group Counseling
- Prevention Education and Community Outreach
- Court Advocacy
- Victim Compensation

**The Turning Point of the Lehigh Valley offers:**

- Temporary Emergency Shelter
- Individual Counseling & Support Groups for Adults and Children
- Court Advocacy
- Advocacy with Agencies & Services such as Welfare, Housing Child Care and Police
- Community Education
- Prevention Programs
- Medical Advocacy

**Services offered by the Counseling Center**

- Consultation Clinic
- Group counseling
- Couples counseling
- Individual counseling
- Referrals to counseling professionals in the local community
- Advice on helping students in distress for students, faculty/staff, and parents
- Crisis intervention services
- Educational programs

The College's **Employee Assistance Program (EAP)** program gives you access to services that address personal life challenges, and connects you to valuable resources and guidance, while providing confidential support in areas concerning the management of work-life issues. Services include:

- Online, telephonic, and face to face counseling sessions
- Emergency counseling resources
- Financial and legal resources
- Self-assessments
- Videos and articles

**On-Campus Resources**

**Director of Educational Equity/Title IX Coordinator**

Amanda Hanincik  
202 Feather House  
hanincia@lafayette.edu  
(610) 330-5338

**Deputy Title IX Coordinators  
Assistant Dean of Students**

Jenn Dize  
205 Feather House  
dizej@lafayette.edu  
(610) 330-5082

**Assistant Director of Residence Life**

Terrence Haynes  
114 Kirby House  
haynest@lafayette.edu  
(610) 330-5335

**Director of Human Resources**

Lisa Rex  
012 Markle Hall  
rexl@lafayette.edu  
(610) 330-5814

**Dean of the Faculty and Professor of Psychology**

Jamila Bookwala  
219 Markle Hall  
bookwalj@lafayette.edu  
610-330-5070

**Bailey Health Center**

607 High Street  
(610) 330-5001

**Department of Public Safety**

901 Bushkill Drive  
(610) 330-5330  
(610) 330-4444 (emergency)

**International Student Adviser**

107A Farinon College Center  
(610) 330-5546

**Office of Student Conduct**

204 Feather House  
(610) 330-5082

**Financial Aid Office**

107 Markle Hall  
(610) 330-5758

**SM&RT: Sexual Misconduct & Resources**

Training team  
<https://sash.lafayette.edu/get-help/talk-with-someone/smart/>

**Confidential Resources**

**College Chaplain**  
107 Farinon College Center  
(610) 330-5959

**The Counseling Center**

Bailey Health Center (2nd floor)  
(610) 330-5005

**Off-Campus Resources**

**Easton Police Department**

48 N. Fourth St.  
Easton, PA 18042  
(610) 250-2282 (main number)  
911 (emergency)

## Confidential Resources

### Crime Victims Council of the Lehigh Valley (CVCLV)

www.cvclv.org

801 Hamilton Street, Suite 300

Allentown, PA 18101

24-Hour Hotline: (610) 437-6611

### Turning Point of Lehigh Valley

www.turningpointlv.org

444 E. Susquehanna St.

Allentown, PA

24-Hour Hotline: (877) 438-4957

### Rape, Abuse and Incest National Network (RAINN)

rainn.org

24-Hour Hotline: (800) 656-HOPE (4673)

You should report any incident of sexual assault, sexual harassment, domestic violence, dating violence, or stalking to the Title IX Coordinator or a Deputy Title IX Coordinator to request an investigation or file a formal complaint. You may also report anonymously using the One PARD report. If you would like to consider filing criminal charges, you may report the offense by phone, (610) 330-4444, or in person at the Department of Public Safety, 901 Bushkill Drive, or to any Public Safety Officer or Easton Police Department.

### Pennsylvania statute 23 § 6102, et seq. allows for protective orders to be issued in the following circumstances:

The occurrence of one or more of the following acts between family or household members, sexual or intimate partners or persons who share biological parenthood:

1. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.
2. Placing another in reasonable fear of imminent serious bodily injury.
3. The infliction of false imprisonment pursuant to 18 Pa.C.S. § 2903 (relating to false imprisonment).
4. Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services).
5. Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any criminal prosecutions commenced under Title 18 (relating to crimes and offenses).

The College has an obligation to assist victims in obtaining a College no-contact order/or a Protection from Abuse (PFA) order from the courts. The Department of Public Safety is the office responsible for assisting you in obtaining either a College “no contact” order, or a Protection from Abuse (PFA) order if appropriate.

- A College no-contact order is an internal written document that prohibits an individual from making direct contact with a complainant.
- A PFA order is a written document, signed by a judge which prohibits an individual from making contact with a complainant. This is a temporary court order that can be obtained from a (local) District Judge, or the Protection from Abuse Office, located on the lower level (Rm. L113), Northampton County Courthouse 669 Washington Street, Easton, PA 18042. The judge may order additional conditions against a subject. For further information on Protection from Abuse Orders, victims are encouraged to call the Northampton County Protection from Abuse Office at (610) 829-6698.
- After the petition for protection from abuse has been approved, the Clerk of Court will fax or email a copy of this order to the Department of Public Safety, which shall enforce the order in accordance with the instructions contained.
- The Northampton County Sheriff or the Lafayette College Department of Public Safety will serve a copy of the temporary order to the defendant forthwith and shall file a return of service in the Clerk of Courts Office. Lafayette College Department of Public Safety will notify the plaintiff to confirm that the temporary protection from abuse order has been served.
- A hearing will be held in approximately ten days during which a judge will determine if the protective order will be extended.
- Guidance on how to obtain a PFA is provided in writing to victims of sex offenses, dating violence, domestic violence, and stalking.
- The College will assist you in notifying local law enforcement authorities if requested, or you may decline to notify local police.
- For confidential assistance you may contact the Counseling Center, (610) 330-5005; the Office of Religions and Spiritual Life/College Chaplain (610) 330-5959; Crime Victims Council of the Lehigh Valley (610) 437-6611 (<http://www.cvclv.org/>); or the Rape Abuse and Incest National Network 24/7 at (800) 656-4673 or <https://rainn.org>.
- Talk with other individuals on campus that you trust: a resident adviser, professor, or administrator. Know that these individuals are required to report information concerning an incident of sexual assault, domestic violence, dating violence, or stalking to the Department of Public Safety and the Lafayette College Director of Educational Equity, Amanda Hanincik.
- The Director of Educational Equity or designee will work with you to address specific supportive measures available including: residence hall relocation, academic course changes, Dean’s excuses, changes in on-campus work assignments, transportation accommodations and no-contact orders.
- Get immediate medical attention.
- If you’d like to request a forensic examination for criminal charges, the following medical facilities offer a SAFE exam (Sexual Assault Forensic Examination):
  - **St Luke’s Hospital, Anderson Campus**  
1872 St. Lukes Blvd., Easton  
(484) 503-3000

**Lehigh Valley Hospital – Cedar Crest**  
1200 S. Cedar Crest Blvd, Allentown  
(610) 402-8027

**Lehigh Valley Hospital–Muhlenberg**  
484 Schoenersville Road, Bethlehem  
(484) 884-2521

**Lehigh Valley Hospital – 17th Street**  
17th and Chew St, Allentown  
(610) 969-2226

Victim Advocates are available and willing to meet you at the hospital 24 hours a day, 365 days a year. If you are interested in having an advocate's support during the exam, or have any questions about the exam process itself, please call the Crime Victim's Council of the Lehigh Valley (CVCLV) at 610-437-6611. Your call is completely confidential.

### **Procedures the College will follow for reported incidents of sexual assault, dating violence, domestic violence and stalking**

Following a report of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the Title IX Coordinator or designee will provide written notice to the complainant to offer supportive measures, and an invitation to discuss reporting options and resolution procedures. The Title IX Resource Guide will also be shared with the complainant at this time. They also receive information on the importance of preserving evidence and supportive measures that may include no-contact orders or similar lawful orders issued by a court.

#### **Preserve all physical evidence.**

- Even if you feel certain that you do not wish to bring charges against your assailant, it is important to gather as much physical evidence as possible should you change your mind at a later date. Additionally, preserving evidence may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining an order of protection.
- Avoid washing, douching, using the toilet, or changing clothes before your medical examination.
- If clothing is removed, place it in a paper bag and take it along to the examination.
- Retain all relevant electronic communication including text messages, social media posts, emails, and/or voice-mails.

#### **A special note on confidentiality in cases of sexual assault, domestic violence, dating violence, or stalking:**

- The following offices/individuals have full confidentiality and are not required by law to disclose any information regarding a sexual assault, domestic violence, dating violence and stalking other than applicable legal reasons (such as abuse of a minor) for such a disclosure: Counseling Services, College Chaplain, and Newman Center Adviser.
- Reports may also be directed to the Director of Educational Equity, Amanda Hanincik, at 610-330-5338 or hanincia@lafayette.edu. The Director of Educational

Equity is responsible for evaluating requests for confidentiality, and will evaluate each request in the context of the college's responsibility to provide a safe and nondiscriminatory environment for all students and employees. Additionally, honoring a request for confidentiality may limit the College's ability to respond fully to the incident. The Director of Educational Equity may be required to report incidents of gender-based harassment and sexual exploitation, sexual assault, sexual violence, domestic violence, dating violence, and stalking to the Department of Public Safety, but will not reveal any personally identifiable information about the victim without their consent.

- All other individuals on campus who are designated as a "mandated reporter" are required by law to disclose all relevant information regarding instances of sexual harassment, sexual assault, sexual violence, domestic violence, dating violence, and stalking to the Director of Educational Equity (Amanda Hanincik) or Deputy Title IX Coordinators (Jenn Dize-students; Lisa Rex-employees, Terrence Haynes-students, and Jamila Bookwala-faculty). Unless otherwise listed in the paragraph above, these individuals include, all paid faculty, full-time administrators and administrators in Campus Life, paid and unpaid/volunteer coaches, advisers, and supervisors; students in student leadership positions whereby they have been trained as mandated reporters including Resident Advisers, Orientation Leaders, Club Sport Officers, varsity athletic team captains, Landis Center staff, and Kirby Sports Center staff. Lafayette utilizes an online form for this reporting found at [sash.lafayette.edu](http://sash.lafayette.edu). Reports of sexual harassment, sexual assault, sexual violence, domestic violence, dating violence, and stalking completed through this form are submitted to a password-protected database only accessible by the Director of Educational Equity. These individuals will not disclose victim information regarding an act of sexual assault, sexual violence, domestic violence, dating violence, or stalking unless they must do so in order to accomplish the provision of accommodations and/or protective measures, and only in limited cases to limited parties. The Director of Educational Equity (Amanda Hanincik) will determine what information is shared to the appropriate individuals. A number of these individuals are also Campus Security Authorities and are required to immediately report the assault to the Department of Public Safety. The Department of Public Safety will not release names in the issuance of "Timely Warnings" or "Emergency Notifications," nor in the "Daily Crime Log" each of which are required by the Clery Act, and any accommodation or protective measure will be confidential unless it interferes with the measure's implementation.

#### **To help yourself recover:**

- Be in touch with your sexual misconduct support adviser to discuss important issues. These individuals have received special training in order to assist you with personal, academic, and other issues related to your assault.
- Confide in a trusted friend or family member.
- Join the Sexual Assault Survivors Support Group sponsored by the Counseling Center.

- Ask friends to walk with you on campus or stay with you overnight.
- Contact Public Safety for an escort (610) 330-5330.
- Allow extra time to complete academic tasks.
- Discuss any sexual concerns with your partner.
- Give yourself plenty of time to recover from the physical and emotional shock.

**Protecting confidentiality of victims and other necessary parties:**

**Lafayette College will protect the confidentiality of victims and other necessary parties.** This will be accomplished by not releasing the victim's name or other identifying information, along with not disclosing the location of the offense if the release of this information could potentially reveal the victim's identity, unless maintaining such confidentiality would impair the ability of the College to provide supportive measures. The College will complete publicly available record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim. The College will also maintain as confidential any supportive measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide supportive measures.

**Information regarding campus and community resources.**

Lafayette College will provide written information to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. The names and contact information for each of the on and off-campus service providers in each of these areas is listed on page 11 of this report. Material regarding resource services is also available through a printed and electronic Resource Guide for Considering Your Options (including sexual exploitation sexual assault, dating violence, domestic violence, or stalking). In addition, material will be kept at [sash.lafayette.edu](https://sash.lafayette.edu) and printed information will be made available to all campus constituents.

Lafayette College will provide written information to victims about options for, and available assistance in, changing academic, living, transportation, and working situations and protective measures. The institution will take such supportive measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the Department of Public Safety or local law enforcement. This written information will also include information on possible sanctions; protective measures; procedures to be followed if sexual misconduct has been reported; and disciplinary procedures.

Individuals will meet with the Director of Educational Equity or designee who is tasked with offering all available options for responding to the report including investigation, internal conduct charges, external criminal charges, or the option to not proceed. In addition, this individual will offer all available supportive measures for the victim. These options will also be provided in writing to the victim during this meeting.

The foregoing written material will be provided to any student or employee who has been the victim of sexual assault,

domestic violence, dating violence or stalking whether the offense occurred on or off-campus.

The following procedures are intended to provide a prompt, fair and impartial response to complaints of sexual assault, domestic violence, dating violence and stalking from the initial investigation to the final results. They are designed to assure fairness, maintain confidentiality where possible, and enable the imposition of appropriate sanctions on members of the College community who violate this policy. The College strongly encourages persons who believe they have been the victims of sexual assault, domestic violence, dating violence, or stalking to bring this to the attention of College authorities.

**Formal Procedure**

Sexual Misconduct may be reported to the Director of Educational Equity using the form located at <https://sash.lafayette.edu>. If someone wishes to pursue the formal investigative process, a trained, impartial investigator will be appointed to investigate the matter.

All formal complaints will be treated confidentially consistent with applicable legal requirements. The Department of Public Safety will work cooperatively with the Director of Educational Equity, a Deputy Coordinator and/or a designee, who has responsibility for coordinating assistance and support for persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking. The Director of Educational Equity, a Deputy Coordinator and/or designee will work to ensure that the complainant's health, physical safety, and academic status are protected, pending the outcome of the investigation. When reported to the Director of Educational Equity or designee they will rely on an external investigator to inform the complainant about the outcome of the investigation. When the complainant has requested that the Department of Public Safety investigate an incident then the Department of Public Safety will inform the complainant about the outcome of the investigation.

When appropriate and with the complainant's consent, disciplinary proceedings will be instituted against the respondent. If the respondent is a student, discipline will be handled in accordance with the procedures noted in the Student Handbook in the Statement of the Rights and Responsibilities of Students at Lafayette College. If the respondent is a faculty or staff member, the responsible College officer will commence disciplinary action according to the disciplinary procedures applicable to the respondent individual(s). The responsible College officer will inform the respondent of the applicable policies and procedures to be followed. All related proceedings will be pursuant to the college's Interim Policy on Equal Opportunity, Harassment, and Non-Discrimination, Process A or Process B. Notices and statistics of reported sexual assault, domestic violence, dating violence or stalking will be reported to the College community as required by law or as otherwise appropriate.

In accordance with the College's interim Policy on Equal Opportunity, Harassment and Non-Discrimination, student conduct hearing chair and decision makers of the Student Conduct Committee receive annual training on issues relating to sexual assault, sexual harassment, domestic violence,

dating violence, and stalking, and on how to conduct an investigation and conduct process that protects the safety of all students, promotes accountability for students found responsible for misconduct, and ensures a fair and informed adjudication process. The student conduct hearing committee receives twelve hours of annual training in addition to professional development opportunities throughout the year on the topics listed above.

Once an initial decision has been made, either party may appeal the decision pursuant to the respective procedures outlined in the College's Interim Policy on Equal Opportunity, Harassment and Non-Discrimination, Process A and Process B.

**Supportive measures.** As supportive measures, the College offers the following: residence hall relocation, no-contact orders, academic section adjustment, transportation, work schedule adjustment, visa assistance, and an excuse for missing classes.

**Disciplinary Proceedings:** When appropriate, disciplinary proceedings will be instituted and will follow the College's interim Policy on Equal Opportunity, Harassment and Non-Discrimination, Process A or Process B.

The Department of Public Safety will provide the results of investigations of complaints against: (i) students to the Vice President for Campus Life or a designee; (ii) faculty to the Provost; and (iii) staff members to the Vice President for Human Resources. If the respondent is a student, discipline will be handled in accordance with the procedures noted in the Student Code of Conduct which can be found in the Student Handbook. If the respondent is a faculty or staff member, the responsible College Officer (as indicated above) will commence disciplinary action according to the disciplinary procedures applicable to the respondent individual(s). The responsible College Officer will inform the complainant and the respondent of the applicable policies and procedures to be followed.

In situations involving sexual assault, domestic violence, dating violence, any crime of violence, non-forcible sex offense, or stalking, the applicable disciplinary procedures as referenced in this document will be adapted as necessary to ensure the following:

1. The disciplinary process will be prompt, fair, and equitable, and will be conducted by annually trained and impartial officials who do not have a conflict of interest or a bias for or against the complainant or the respondent.
2. Both the complainant and respondent will have the same opportunities to be accompanied to any related meeting or proceeding by others including an adviser of their choice. Applicable disciplinary procedures should be reviewed for information regarding the way in which an adviser may participate in these meetings and proceedings, but any restrictions placed on an adviser's participation will be applied equally to both parties.
3. The decision of finding an individual responsible for a violation of sexual assault, domestic violence, dating violence or stalking will be made using the "more likely than not" standard.

4. Both the complainant (or the next of kin if the complainant is deceased) and the respondent will be simultaneously notified, in writing, of:
  - the outcome of any disciplinary proceedings.
  - the procedures to appeal the outcome, if applicable.
  - any changes to the outcome prior to the outcome becoming final.
  - the final determination and sanction, if any, following any appeal or when the appeal period lapses.

**Standard of evidence.** The College uses a "more likely than not" standard of evidence when determining responsibility for violations of the Student Conduct of Code which includes dating violence, domestic violence, sexual assault, and stalking. This means that in order for a student to be found responsible for violating policy, a case administrator or committee must show that it is more likely than not, based on the information provided, that the violation occurred and that the respondent is responsible for that violation.

### **Student Conduct Procedures**

The following procedures will be used to address alleged violations of all policies outlined in the Student Conduct Policies section of the code except for the Academic Integrity Policy. These procedures may be altered as necessary by the vice president for Campus Life or designee in order to maintain a fair and equitable process for all parties involved. Any alterations and a rationale for those alterations will be explained to all parties involved.

### **Complaint and Investigation**

Information related to possible policy violations is received by the assistant dean of students from a variety of sources including, but not limited to, Public Safety reports, Residence Life reports, faculty, staff, and students. The assistant dean of students will review all information forwarded to the Office of Student Conduct and determine if there is reasonable cause to allege a student or student organization has violated the Code of Conduct. The assistant dean of students also may initiate an investigation to collect more information before determining if allegations will be made. An investigation may include, but not be limited to, interviews, written statements, and searches and may be conducted by the Office of Public Safety, Office of Residence Life, other College officials, or qualified individuals hired by the College as appropriate. No form of harassment will be used by investigators in the process of investigating potential violations.

For information on reporting and investigation options for sexual misconduct, see the Lafayette College Interim Policy on Equal Opportunity, Harassment, and Non-discrimination.

### **Room Searches**

Except under emergency circumstances, College-owned or College-operated premises occupied by students and the personal possessions of students will not be searched by College officials unless authorization is obtained from the Campus Life staff member on call, the dean of students, an assistant dean of students, or the vice president for campus life. Authorization shall be made before a search is conducted.

The authorization shall specify the reasons for the search and the objects sought. The student should be present, if possible, during the search. Regardless of the purpose of the search, however, alleged violations of the Code of Conduct discovered during a search may result in allegations being brought. Additionally, alleged violations that are observed in plain view by College officials, including resident advisers, may be reported to the Office of Student Conduct.

### **Student as Complainant**

A student may allege that another student or student organization violated the Code of Conduct. Those wishing to allege violations may make a report with the Office of Public Safety or with the assistant dean of students. Once the information has been forwarded to the Office of Student Conduct, the assistant dean will see that procedures outlined in this code are followed.

### **Interim Restrictions**

In certain circumstances, the dean of students, or designee, may impose interim restrictions on a respondent including, but not limited to, a College or residence hall suspension prior to the completion of the conduct process.

Interim restrictions may be imposed only to ensure the safety and well-being of members of the Lafayette community or preservation of College property; to ensure the student's own physical or emotional safety and well-being; or if the student poses an ongoing threat of disruption of, or interference with, the normal operations of the College.

If a respondent feels an interim restriction has been put in place inappropriately, the respondent may appeal to the vice president for Campus Life.

The interim restriction process does not replace the regular conduct process, which shall proceed on the normal schedule, up to and including the appeals process, if applicable.

### **Case Administrator Meeting**

The following procedures will be in effect for conduct meetings with a case administrator:

The respondent shall be contacted to schedule an informal conduct meeting with a case administrator regarding the alleged violation(s) of the Code of Conduct. During the meeting, the respondent will be notified of the particular way(s) in which the student is alleged to have violated the code, and of their procedural rights, and will be asked to provide information about the circumstances surrounding the alleged violation.

The respondent may be accompanied by an adviser of their choice from the student body, faculty, or administrative officers of the College.

If the case administrator determines, after reviewing the information and talking with the respondent, that it is more likely than not that the respondent is not responsible for the allegation, the respondent will be found not responsible and the process will end.

If the respondent accepts responsibility for the allegation or if the case administrator determines, after reviewing the information and talking with the respondent, that it is more likely than not the respondent is responsible for the allega-

tion, the case administrator will consider the appropriate sanction for the situation.

If the case administrator believes a sanction of Formal Warning or Warning Probation is appropriate, then the respondent will be found responsible for the allegation and the case administrator will assign the appropriate sanction. The case will not be eligible for appeal, and the process will end. If, however, the case administrator believes a sanction of Disciplinary Probation Level I, Disciplinary Probation Level II, suspension, or expulsion may be appropriate (or Social Probation or Removal of Recognition, in the case of an organization), the respondent may choose one of the following options:

The respondent may accept responsibility for the allegation and the outcome determined by the case administrator while still reserving the right to appeal the sanction(s) to an appeals panel. The respondent may accept responsibility for the allegation but request a sanctioning hearing before a hearing panel. The respondent may deny responsibility for the allegation but decline to have a hearing before a hearing panel and therefore accept the outcome determined by the case administrator while still reserving the right to appeal the decision to an appeals panel. The respondent may deny responsibility for the allegation and request a full conduct hearing before a hearing panel.

The assistant dean of students reserves the right to refer any case to the Faculty Committee on Student Conduct regardless of the wishes of the respondent(s).

### **Faculty Committee on Student Conduct Hearing**

The following procedures will be in effect for conduct cases heard by panelists from the Faculty Committee on Student Conduct:

At least 48 hours prior to the hearing, the respondent shall be given written notification via their Lafayette College email of the time and place of the meeting and a written statement of the specific allegations. The respondent shall be entitled to a reasonably expeditious hearing of the case. Hearings shall be conducted by members of the Faculty Committee on Student Conduct, with the assistant dean of students or designee acting as a non-voting chair. Panels shall be comprised of two faculty members, two students, and the vice president for Campus Life or representative. Membership is decided by the chair of the Faculty Committee on Student Conduct, in consultation with the assistant dean of students or designee. Selection for each hearing will depend on a variety of considerations, including, but not limited to, prior experience with the conduct process, the nature of the case, schedule conflicts, recusal due to conflict of interest, and distribution of workload among the committee members. Respondents and panelists will have the opportunity to identify conflicts of interest in advance of the hearing. Decisions will be made by majority vote of those present. Hearings resulting from an alleged violation of the Lafayette College Policy on Sexual Assault or the Lafayette College Policy on Sexual Harassment shall be conducted by two faculty members and the vice president for Campus Life or representative, with the assistant dean of students or designee acting as a non-voting chair. Respondents, complainants, and panelists will have the opportunity to identify conflicts of interest in advance of the hearing. Panel hearings shall be open

only to panelists chosen from the committee, the respondent, the complainant and, for relevant portions of the hearing, witnesses. In cases of sexual misconduct, the Educational Equity Coordinator may also attend the hearing. In addition, the respondent, complainant, or a witness who is a direct victim of the violation may each be accompanied by an adviser chosen from the student body, faculty, or administrative officers of the College throughout the entire time each student is present in the hearing. (It is a student's/organization's responsibility to obtain an adviser.) The purpose of the adviser is to advise the student, but the adviser may not directly address the panel or other individuals in the room besides the student being advised. In cases of sexual assault, domestic violence, and stalking, both complainants and respondents may have an adviser of their choice and are not limited to advisers from within the Lafayette community. The respondent shall be entitled to appear in person and present a response to the hearing panel and may produce either oral or written information on their behalf. The respondent also may elect not to appear before the hearing panel. Should the respondent elect this course of action, the hearing shall be held without the respondent. The hearing panel will render a decision based on the information presented at the hearing. The assistant dean of students or representative will be responsible for maintaining an appropriate record of the proceedings and outcome, which shall be available for review by the appeal bodies and the appellant during the appeal process. Respondents, complainants, and/or witnesses or advisers may participate in the hearing remotely via telephone, video conference, or other appropriate means provided the guidelines and procedures outlined in this Code are followed. The respondent may ask questions of the hearing panel. The hearing panel shall grant the student the opportunity to hear and question all witnesses that present at the hearing. In some cases, students will direct questions to the assistant dean of students or designee, who will then relate them to the other party. No party can be compelled to answer questions, and the College reserves the right to present information from witnesses unwilling to attend the hearing or have their identity included in the process. The respondent may challenge the credibility and accuracy of any information presented at the hearing. The hearing body shall not be bound by the rules of evidence used in the conduct of trials and courts of law. All participants may decline to answer any questions asked of them. The respondent shall be promptly informed in writing of the outcome of the hearing. A respondent shall be notified of the right to appeal the decision and the procedures that will apply to the appeal.

## **ACADEMIC CONDUCT**

The provost's representative, the dean of Advising and Co-curricular Programs, is designated by the faculty and the Board of Trustees to be responsible for the observance and the enforcement of the standards of academic honesty. In turn, the dean of Advising and Co-curricular Programs has assigned responsibility for the supervision and coordination of academic conduct cases to the associate dean of Advising and Co-curricular Programs. All class deans in the Office of Advising and Co-curricular Programs serve as case administrators for allegations related to the Academic Integrity

Policy. Normally, class deans do not handle cases that include students from the class levels they advise (e.g., the sophomore class dean will not normally be assigned a case involving a sophomore).

### **Academic Progress Committee**

The Academic Progress Committee consists of four tenured members of the faculty, one from each of the four academic divisions; two untenured members of the faculty, one from the natural sciences or engineering and one from social sciences or humanities; and two student members selected annually by Student Government.

The Academic Progress Committee is responsible for hearing cases that are referred to it by the dean of Academic Advising and Co-curricular Programs or in which respondents have elected, in accordance with the procedures laid out in the code, to have their case heard by the committee. For a hearing to take place, at least five committee members (at least three with faculty status) must be present.

Student members deliberate and vote during the committee's determination of responsibility, but student members do not participate in discussions regarding sanctioning of a respondent. The committee makes its determination by majority vote of those present at each stage of the process.

### **Academic Conduct Procedures**

The following procedures will be used to address alleged violations of the Academic Integrity Policy outlined in this code. These procedures may be altered as necessary by the provost or designee in order to maintain a fair and equitable process for all parties involved. Any alterations and a rationale for those alterations will be explained to all parties involved.

### **Complaint**

When an instructor suspects a student has violated the Academic Integrity Policy, the instructor shall consult with another member of the department (normally the head of the department) to obtain a second opinion. If the instructor's assessment is upheld by the second member of the department, the instructor shall submit to the dean of Advising and Co-Curricular programs a written statement explaining the allegations and include a packet containing all relevant information and course materials.

### **Case Administrator Meetings**

The following procedures will be in effect for academic conduct meetings with the case administrator:

The respondent will be contacted to schedule the first of two informal academic conduct meetings with the case administrator. During the first meeting, the respondent's procedural rights are reviewed, and the respondent is notified of the particular way in which the Academic Integrity Policy was alleged to have been violated. The respondent receives the instructor's written statement with all supporting case documents. The respondent may be accompanied by an individual chosen as adviser by the respondent from the student body, faculty, or administrative officers of the College. The respondent has the option to discuss the circumstances surrounding the alleged violation(s) with the case administrator.

The respondent will schedule the second informal academic conduct meeting to elect one of three courses of action, retaining the right to appeal to the Faculty Committee on Student Conduct. (See grounds for appeal listed in the Appeal Procedures section.) In certain circumstances, the respondent may be permitted to elect their course of action as part of the first meeting with the case administrator, making the second meeting optional. Regardless of the choice made by the respondent, if the case administrator has determined that an allegation could lead to a sanction of suspension or expulsion, the respondent will be automatically referred to the Academic Progress Committee for a full conduct hearing. The three courses of action are:

The respondent may accept responsibility for the alleged violation and request that the dean of Advising and Co-curricular Programs determine an appropriate sanction while reserving the right to appeal solely on the ground of inappropriate sanction(s) to an appeals panel comprised of members of the Faculty Committee on Student Conduct. Previous academic and/or student conduct violations will be taken into account when determining a sanction. The dean of Advising and Co-curricular Programs may refer the case to the Academic Progress Committee for a hearing regardless of the wishes of the respondent. The respondent may accept responsibility for the alleged violation and request a sanctioning hearing before the Academic Progress Committee while reserving the right to appeal solely on the ground of inappropriate sanction(s) to an appeals panel comprised of members of the Faculty Committee on Student Conduct. Previous academic and/or student conduct violations will be taken into account when determining a sanction. The respondent may deny responsibility for the alleged violation. The case administrator will refer the matter to the Academic Progress Committee for a full conduct hearing. If the respondent is found responsible, previous academic and/or student conduct violations will be taken into account when determining a sanction. The student reserves the right to appeal the sanction(s) on any or all of three grounds: procedure, new information, and/or inappropriate sanction.

If an alleged incident occurs prior to the deadline to withdraw from classes, a respondent's option to withdraw from a course in which an academic integrity allegation is pending will be held in abeyance until the allegation is resolved through the conduct process. Regardless of when an incident occurred, if the academic sanction is a failing grade or a grade of "NF" in the course, the respondent's transcript will reflect the failing grade.

### **Academic Progress Committee Hearing**

Normally, the chair of the Academic Progress Committee chairs academic conduct hearings. However, if the committee chair is not available, another faculty member of the committee may be elected by the committee members to chair an academic conduct hearing. The following procedures will be in effect for academic conduct cases heard by the Academic Progress Committee:

At least 48 hours prior to the hearing, the respondent shall be given written notification of the time and place of the meeting and a packet of case materials containing the

allegation submitted by the instructor and the grounds for it. Student shall be entitled to an expeditious hearing of their case. Hearings shall be conducted by members of the Academic Progress Committee. A quorum of the committee shall consist of five members of whom at least three have faculty status. Decisions will be made by a majority vote of those present. The case administrator will be responsible for maintaining an appropriate record of the proceedings and outcome, which shall be available for review by the appeal bodies and the appellant during the appeal process. Hearings shall be open only to the members of the committee, the respondent, the person or persons bringing the allegations, and, for the relevant portions of the hearing, witnesses called by the respondent or the College. In addition, the respondent may be accompanied by an individual chosen as adviser by the respondent from the student body, faculty, or administrative officers of the College. It is the student's responsibility to obtain their adviser. The purpose of the adviser is to advise the respondent, but the adviser may not directly address the committee or witnesses. Normally, the College will serve as the complainant and information will be presented to the committee and the respondent by the case administrator and the instructor. The respondent shall be entitled to present oral and/or written information on their behalf. The respondent may elect to produce witnesses on their behalf and have the opportunity to hear and question all witnesses. The respondent may ask questions of the Academic Progress Committee, the case administrator, and the course instructor. The course instructor shall not directly ask the student questions. The respondent may challenge the credibility and accuracy of any information presented at the hearing. The hearing body shall not be bound by the rules of evidence used in the conduct of trials and courts of law. The respondent may remain silent for any questions asked of her or him. If a respondent is found not responsible for a violation, the process will end. If a respondent accepts responsibility for a violation or is found responsible for a violation by the Academic Progress Committee, previous academic and/or student conduct violations will be taken into account when determining sanctions. The respondent shall be informed promptly in writing of the decision rendered and the reasons for it. A respondent will be notified of the right to appeal the decision and the procedures that will apply to the appeal. Please note that respondents who accept responsibility for a charge may appeal solely on the ground of inappropriate sanction. (See Appeal Procedures.)

For information on sanctions and sanctioning guidelines for academic conduct cases, see the Conduct Sanctions section.

### **Appeal Procedures**

Under certain circumstances, as outlined in these procedures, respondents may appeal the decision of the original case administrator or hearing panel to an appeal panel, which will be comprised of members of the Faculty Committee on Student Conduct who were not involved in the original decision.

Additionally, the College will release the final results of any student conduct proceeding to a reporting party of any crime of violence, or a non-forcible sex offense. All such disclosures will occur regardless of the outcome of the complaint and will be made only when requested, in writing, by the report-

ing party (or the reporting party's next of kin if the reporting party is deceased).

For information on appeal procedures in cases of sexual misconduct, please see the Lafayette College Interim Policy on Equal Opportunity, Harassment, and Nondiscrimination.

### **Appeal Submission**

A respondent who wishes to appeal the decision of a case administrator or hearing panel must submit the appeal to the Office of the Dean of Advising and Co-curricular Programs (for academic dishonesty cases) or the Office of Student Conduct by 5 p.m. on the third business day following the day the official outcome letter was sent to the respondent. Instructions for submitting an appeal are included in the original outcome letter.

The written appeal must:  
Specifically state the ground(s) for the appeal; Offer a detailed supporting rationale for each ground; Include any relevant documentation or information that the panel is requested to review and/or list any witnesses that the student would like to present before the panel; and State what action the appeals panel is requested to take.

### **Grounds for Appeal**

The option to appeal is limited to respondents who participated in the original conduct hearing or meeting. For an appellant who accepted responsibility, the only ground of appeal is inappropriate sanction (see number three below). Appellants who did not accept responsibility are permitted to appeal on any or all of the following grounds:

**Procedure:** A procedural error occurred that can be shown to have meaningfully impacted the outcome of the conduct meeting or hearing. **New Information:** New information has become available that was unavailable at the time of the original conduct meeting or hearing and that would have substantively impacted the outcome of the conduct meeting or hearing. **Inappropriate Sanction:** The sanction(s) imposed in the case can be shown to be substantially disproportionate to the severity of the violation.

### **Appeal Response**

Upon receiving the written appeal, the Office of Advising and Co-curricular Programs or the Office of Student Conduct will transmit it to the chair of the hearing panel or case administrator and to any other party that has been granted an equal opportunity for appeal, if applicable. Once the written appeal is received, the chair of the original hearing panel or case administrator will file a written response with the Office of Advising and Co-curricular Programs or the Office of Student Conduct, usually within three business days. The response will then be transmitted to the appellant, the chair of the appeal panel and, if applicable, to any other party who has been granted an equal opportunity for appeal. Chairs of appeal panels will be designated by the chair of the Faculty Committee on Student Conduct in consultation with the assistant dean of students or designee. Selection of the chair for each panel will depend on a variety of considerations, including, but not limited to, prior experience with the conduct process, the nature of the case, schedule conflicts, recusal due

to conflict of interest, and distribution of workload among the committee members.

In cases where a witness or complainant has been granted an equal opportunity for appeal, the procedures listed in this section may be initiated by that student rather than the respondent. Additionally, when more than one student has the right to appeal in a case, each will have the opportunity to submit a response to the other's initial letter of appeal, if applicable, and those responses will be transmitted to the chair of the hearing panel or case administrator, the chair of the appeal panel, and the other student(s), either complainant(s) or respondent, involved in the case. In the event that only one party submits an appeal, the other party will be given a copy of that appeal and three business days to submit a response.

### **Appeal Acceptance or Denial**

Once all documentation has been submitted, the chair of the committee will select one student member of the committee and an administrative officer to review the documentation. These two individuals will be provided with all documentation that was used by the hearing panel or case administrator, including any previous academic and/or conduct violations on record, and will review this information solely to determine whether a case review should be granted. The decision to review a case will be based on whether the appellant has presented grounds for consideration as outlined above. This group should not make a determination on whether the information presented warrants a change in outcome for the case but will simply determine whether the grounds presented are reasonable. If the appeal panel determines grounds have not been met, the hearing panel's outcome is final and there is no additional opportunity for appeal.

### **Case Review Meeting**

If the appeal is accepted, a case review meeting will take place at least 24 hours after the appeal panel members have received all documents in the case and normally within two weeks of the date the appellant's written appeal has been received.

The appeal panel will receive information about any past conduct matters in which the respondent was found responsible for violating the code. In cases where the respondent is an organization, conduct history will be provided for the previous four academic years. The appellant will be made aware of all information provided to the appeal panel and may review that information in order to prepare for the case review.

Case review meetings are closed meetings. The panel's deliberations are not recorded. No one else will be present unless the panel determines a meeting with the appellant, another involved party, the hearing panel chair or case administrator, or any witnesses is/are necessary. In cases where others are invited to provide information or answer questions, the proceedings will be recorded so long as those individuals are in the room. The appellant, and any other party granted an equal opportunity to appeal, may be present any time the proceedings are being recorded. An appellant may request a meeting with the appeal panel, but the panel is not obligated to allow it if it is deemed unnecessary. Any time the appellant is present, the appellant may be accompanied

by an adviser chosen by him or her from the student body, faculty, or administrative officers of the College. (It is the student's responsibility to obtain the adviser.) The purpose of the adviser is to advise the student, and the adviser may not directly address the panel or witnesses. In cases of sexual assault, domestic violence, and stalking, both complainants and respondents may have an adviser of their choice and are not limited to advisers from within the Lafayette community.

The appeal panel shall limit itself to reviewing the case in light of the specific ground(s) raised by the appellant. The case review is not a new hearing, but the panel will have at its disposal a record of the case. The appeal panel has the authority to uphold, reverse, increase the sanction, or modify the decision of a case administrator or hearing panel, or to refer the matter back to the original case administrator or hearing panel for a rehearing. The appeal panel's decision is final and there is no additional opportunity for appeal.

### **Conflict Resolution Services**

In some instances, disputes between or among students or student organizations may be resolved through the use of conflict resolution methods such as mediation, restorative practices, counseling, and/or informal discussion. The use of conflict resolution services, when acceptable to the parties involved in a dispute, may be employed in lieu of or in addition to conduct procedures outlined in this document. However, the College reserves the right to proceed with the conduct process even if all parties prefer not to use the conduct process.

## **CONDUCT SANCTIONS**

Students and organizations must recognize that violations of College and statutory rules and regulations can have serious repercussions. Students and organizations are encouraged to recognize their own responsibility for their actions and to realize that intoxication, ignorance of the rules of the College, or such similar evasions will serve as no excuse for violations.

When a respondent is found responsible for violating the community standards outlined in this code, the case administrator or appropriate committee or appellate body will impose sanctions that are intended to maintain an environment conducive to the achievement of the College's educational mission as well as provide opportunities for the respondent to learn and grow as a result of the incident.

Sanctions imposed by a hearing panel or case administrator take effect immediately following notification of the outcome. A sanction involving a grade in a course does not take effect until the end of the semester.

### **Failure to Comply with Conduct Sanctions and Repeated Violations**

Respondents who do not complete their assigned sanctions by the deadline provided to them may be subject to another conduct meeting or hearing for failing to comply. Repeated violations, including failing to comply with conduct sanctions, will result in increasingly severe sanctions up to and including expulsion.

### **Violations Motivated by Bias**

In cases where a violation has been determined to have occurred, and it is deemed more likely than not that the respon-

dent's actions were based on the actual or perceived identity of another individual or group of individuals (including, but not limited to, race, color, religion, sex, sexual orientation, gender identity and expression, national or ethnic identity, age, mental or physical disability, veteran status, or pregnancy status), this information may be considered by the case administrator or hearing panel as an aggravating factor in determining an appropriate sanction.

### **Potential Sanctions**

The sanctions listed below are not exhaustive and may be added to or modified by the case administrator or hearing panel as deemed appropriate to achieve the goals mentioned above.

The following sanctions are intended to communicate to respondents the likelihood that repeated or escalated behavior could result in more severe sanctions including suspension or expulsion. Individual departments and programs, both internal and external to the College, may establish their own guidelines that rely in part on a student's disciplinary status. It is important to note that even if the case administrator or hearing panel has assigned a sanction that does not have any restrictions, this does not preclude other programs and organizations from enacting their own sanctions or limitations based on these sanctions.

**Formal Warning:** Serves to remind a respondent that the incident will be recorded in the Office of Advising and Co-curricular Programs and will be considered in any future conduct cases.

**Warning Probation:** Given for a stated period of time as a warning that further misconduct may result in a more severe sanction. Warning Probation is not restrictive in nature.

**Disciplinary Probation Level I:** Given for a stated period of time. Level I may affect involvement in College programs and activities, such as full participation on sports teams and residing off campus. Specific departments and programs should be consulted for eligibility. While a student on Disciplinary Probation Level I may apply to study abroad, the probationary period must end before the official start date of the program. Please refer to the study abroad website for more detailed information. Any subsequent violations of college regulations may result in Level II Probation or suspension or expulsion from the College.

**Disciplinary Probation Level II:** Given for a stated period of time. A student on Level II is not eligible to hold office in any student organization or to represent Lafayette College in any official capacity (including study abroad, intercollegiate athletics, or club sports). The student is ineligible to become affiliated with a living group, and may not participate in extracurricular activities except those of an academic or religious nature or those approved specifically in the outcome determined by case administrator or hearing panel. Moreover, it is a warning that any further violations may result in suspension or expulsion from the College.

**Social Probation:** Social Probation is assigned to organizations that are found responsible for violating College policy. The specific restrictions placed on an organization that is on Social Probation are determined by the case administrator or hearing panel making the decision in each case. Although

this is not an exhaustive list, Social Probation may include any or all of the following:

- The organization may not hold any social events on or off campus.
- Alcohol may not be served by the organization under any circumstances.
- The organization may not collaborate with other organizations to hold a social event.
- Other organizations may not invite a substantial number of members of a group on Social Probation to its social events.
- The organization may hold faculty events and parties for parents provided no alcohol is served.
- Alcohol may be banned from an organization's house, if applicable.

**Suspension:** The student is removed from the College community for a specified period of time. Suspension may be for the remainder of the semester and/or for the following semester(s). Suspension is noted on the transcript for the duration of the suspension. A student who is suspended from the College may not be present on any College property or participate in any College or student organization sponsored programs or services during the suspension.

**Expulsion:** The student is permanently removed from the College community without an opportunity for readmission. Expulsion is noted on the transcript permanently. A student who is expelled from the College may never be present on any College property or participate in any College or student organization sponsored programs or services.

**Educational Session:** Individuals or organizations may be required to participate in an educational experience such as a program, workshop, online tutorial, or individual meeting.

**Fines:** Fines will be billed to a student's College account or assessed to a student organization as appropriate.

**Loss of Privileges:** Individuals or organizations may be denied access to privileges afforded to them as a member of the community as appropriate. Privileges include, but are not limited to, internet access, parking privileges, cross-visitation, and involvement in College programs or activities.

**Parent(s) and/or Guardian(s) Conference:** The parent(s) and/or guardian(s) will be asked to have a conference (in person or over the phone) with the respondent and an appropriate College administrator to discuss the incident.

**Parent(s) and/or Guardian(s) Notification:** A copy of the outcome letter will be sent to the address on file for the respondent's parent(s) and/or guardian(s).

**Restitution:** Restitution may be billed by the College for services employed or damages resulting from a student or organization's behavior. The College will not facilitate restitution between individual students or private citizens. Such issues will need to be resolved by filing a criminal complaint with police.

**Revocation of Admission/Degree:** Admission to or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violations of institutional standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.

**Substance Use Assessment:** Individuals may be required to complete a substance use assessment with an agency identified by the College or of the student's choosing. A student

also may be required to complete any recommendations for treatment resulting from the assessment. The student will be required to furnish proof of completion of any required assessment or treatment.

**Other Sanctions:** Case administrators and hearing panels may create and design sanctions as appropriate to achieve the goals of sanctioning mentioned above and to respect the individuality of each case and each respondent. These may include, but are not limited to, reflection papers, research papers, service projects, program attendance, meetings, and program creation.

### **Sanctioning Guidelines for Select Policy Violations**

The sanctioning guidelines listed below may be modified by the case administrator or hearing panel as deemed appropriate to achieve the goals of sanctioning mentioned above.

#### **Academic Integrity**

In addition to the above penalties, the following guidelines will be used to determine academic sanctions when a respondent has been found responsible for violating the Academic Integrity Policy. The case administrator or hearing panel may modify these guidelines:

For a first offense, the student shall receive a minimum sanction of a grade reduction on the assignment to a maximum sanction of a grade of "NF," which carries the value of "F" in computing semester and cumulative averages. In addition, the student may receive a sanction ranging from Formal Warning to Disciplinary Probation Level II. For a second offense, the student will receive a grade of "NF" and will be suspended for a period of time not less than one semester and not greater than one year. In addition, the student may receive a sanction ranging from Formal Warning to Disciplinary Probation Level II. For a third offense, the student will receive a grade of "NF" and will be permanently expelled from the College.

A grade of "NF" will be noted permanently on a student's transcript and indicates that the grade resulted from an academic conduct case.

#### **Alcohol**

##### **Individuals**

##### **First Offense**

Warning Probation (one year)

\$100 fine

Parent(s) and/or Guardian(s) Notification

Educational Session

##### **Second Offense**

Disciplinary Probation Level I (one year)

\$200 fine

Parent(s) and/or Guardian(s) Notification

Substance Use Assessment

##### **Third Offense**

Disciplinary Probation Level II (one year)

\$300 fine

Parent(s) and/or Guardian(s) Conference

Suspension may be considered at this level.

## Organizations

In addition to any College-imposed sanctions, the leadership of any related external organization and/or appropriate representatives of the organization, if applicable, will be notified. Student organizations co-sponsoring events will be held equally accountable for violations of College policy. For the purpose of student organizations and the guidelines below, the second and third offense sanctions are applicable if the subsequent offenses occur within two years of the first offense.

### First Offense

\$500 fine

Immediate Social Probation for one semester (15 weeks)

No alcohol will be permitted in the organization's house (if applicable) at any time during the probationary period.

### Second Offense

\$1,000 fine

Immediate Social Probation for one academic year

All social fees must be transferred to the organization's external organization, if applicable.

No alcohol may be present in the organization's house (if applicable) for a five-year period.

### Third Offense

Removal of recognition

Removal of Recognition of a Student Organization

The College will revoke recognition of an organization for a specified time period and the organization may be required to comply with specified requirements in order to restore recognition in the future. An organization whose recognition is removed is no longer eligible to receive benefits normally afforded to student organizations including, but not limited to, the ability to utilize College facilities or funds to support any student organization related activity.

## Conduct records retention policies

### Office of Student Conduct Records Retention Policy

All records pertaining to student conduct meetings or hearings are maintained either on paper or electronically by the Office of Student Conduct and are considered part of a student's education record as defined by the Family Educational Rights and Privacy Act (FERPA). Except where noted below, these records are destroyed seven (7) years after the end of the academic year in which the incident took place or was resolved.

The following types of records are destroyed 80 years after the end of the academic year in which the incident took place or was resolved:

Incidents that resulted in suspension or expulsion from the College

Incidents involving sexual misconduct

Incidents that were resolved by the Faculty Committee on Student Conduct

Records pertaining to organizational conduct

Records may be kept longer than indicated above at the discretion of the vice president for Campus Life, the dean of students, or the College's general counsel.

Letters explaining the outcome of a conduct meeting or hearing that are delivered to a student or organization may be copied to other departments as appropriate. Copies of these letters that have been released in accordance with FERPA are subject to the records policies of other departments or college personnel, as appropriate. Copies of these letters that have been released in accordance with FERPA illustrate the College's value of educating the whole student at every opportunity, both in and out of the classroom. These copies are subject to the records and confidentiality policies of those individuals and departments that received them and also may be released in accordance with FERPA for educational purposes.

### Office of Advising and Co-Curricular Programs Records Retention Policy

All records pertaining to student academic conduct meetings or hearings are maintained either on paper or electronically by the Office of Advising and Co-curricular Programs and are considered part of a student's education record as defined by FERPA. These records are maintained permanently.

### Faculty and staff

College sanctions for employees found to have violated the sexual assault, dating violence, domestic violence and stalking policy may include oral warnings, written reprimands, suspension or termination of employment. Discipline may also be in the form of a paid or unpaid suspension. Other measures (e.g. no contact orders or reassignment of duties or work areas) may be taken when appropriate.

If the complainant or the respondent feels that a formal complaint was not promptly resolved with due regard for the rights of the parties involved they may appeal to the President.

**Informing complainant and respondent in writing of the findings.** In cases involving allegations of sexual assault, sexual harassment, domestic violence, dating violence, stalking, any other crime of violence, on non-forcible sex offense, the victim (if the victim is deceased, the College will notify the next of kin) and the respondent will be simultaneously informed, in writing of the findings and sanctions related to these allegations, the procedures for each party to appeal the decision, any change to the decision in the case and when the decision becomes final.

**Retaliation strictly prohibited.** The College prohibits any individual from retaliating against a complainant, witness, or other party to the conduct process. Students who allegedly retaliate against another will be subject to the conduct procedures outlined in the Code of Conduct.

**Protective measures available to victims that may be imposed following a final determination of the proceedings for offenses concerning sexual violence.** Protective measures that may be put in place including: residence hall relocation, academic course changes, Dean's excuses, changes

in on-campus work assignments, transportation accommodations and no-contact orders

- B.3 Formal Complaint Procedure for Alleged Violations of the Sexual and Gender-Based Harassment Policy by Members of the Faculty or by Instructors of a Course
- B.3.1 Members of the College community who believe that they have been subjected to sexual or gender-based harassment or other violations of the policy by a member of the faculty or by an instructor of a course should speak with the College's Director of Educational Equity or a Deputy Title IX Coordinator as listed in the College's Sexual and Gender-Based Harassment Policy. Complaints made to Responsible Employees will be forwarded to the Director of Educational Equity. [Rev. 2017]
- B.3.2 If a formal complaint is filed against a faculty member, the Director of Educational Equity will refer the case to the Provost who will inform the respondent of the filing of the complaint and of the applicable policies and procedures. The Provost shall provide the respondent with a copy of the complaint or summary of the allegations if the complaint was made verbally. The respondent shall have seven days to respond. The Provost will then refer the case to an external investigator to conduct an investigation. In cases where the Provost is the complainant or the respondent, the EEO officer of the College shall act in place of the Provost. The purpose of the investigation is to determine whether there is a reasonable basis for concluding that a violation of the College's sexual and gender-based harassment policy has occurred. The external investigator shall proceed with the investigation, which may entail interviews of the complainant, the respondent, and other persons believed to have pertinent factual knowledge. During the investigation, every reasonable effort shall be made to protect the privacy rights of all parties, but confidentiality cannot be guaranteed. [Rev. 2017]
- B.3.3 The College will aim to resolve all cases, not including the appeal period, normally within 60 calendar days after the Provost refers the case to an external investigator. Extensions may be approved by the Provost if circumstances warrant, such as the complexity of the investigation, school breaks, or witness availability. The Director of Educational Equity or the Provost will update both parties, in writing, when it is determined that the designated time frame cannot be met. [Rev. 2017] 149
- B.3.4 Following the investigation, the external investigator shall determine whether there is a reasonable basis to conclude that a violation of the College's sexual and gender-based harassment policy has occurred. The external investigator shall provide her/his findings and conclusion, in writing, in a report to the Provost normally within 10 calendar days. Based on the investigator's findings and conclusion, the Provost shall attempt to negotiate a resolution of the complaint, agreeable to all parties. If a negotiated resolution cannot be reached, the respondent and complainant will be provided copies of the investigator's report, and the case will proceed as described below.
- B.3.5 The Provost shall inform the Chair of the Appeal and Grievance Committee about the general nature of the case in order that a Hearing Committee can be formed. The Hearing Committee shall be comprised of five tenured faculty. The Chair shall appoint any three of the five members of the Appeal and Grievance Committee to serve on the Hearing Committee, and those three members shall then select the other two members of the Hearing Committee from outside the Appeal and Grievance Committee. Prior to the actual appointment of members of the Hearing Committee at each of the two stages, the Provost shall be consulted to ensure that no proposed member is involved in the particular case or a member of the same academic department as the respondent or the complainant. In forming the Hearing Committee, an effort should be made to achieve diversity with respect to gender and disciplinary perspective. In all cases, members of the Hearing Committee should consider themselves to be disinterested parties. The Hearing Committee thus constituted shall elect a Chair and be assigned a secretary, normally from the President's office, who shall provide the Hearing Committee with all requisite clerical assistance throughout the formal hearing process. In circumstances that warrant the Hearing Committee having access to an independent counsel, the Hearing Committee shall have access to such counsel arranged through the College's Office of General Counsel. This independent counsel shall not be allowed to attend the hearing but is provided to assist the Hearing Committee when such assistance is requested. Additionally, counsel will ensure that the panel is properly trained to conduct investigations and adjudications on sexual and gender-based harassment, and provide additional training as needed. [Rev. 01-8]
- B.3.6 Promptly after the Hearing Committee is formed, the Provost shall provide the Hearing Committee, through the Hearing Committee Chair, with a copy of the original complaint or summary of allegations, the responses to the complaint or summary of allegations, and the investigative report. The Hearing Committee shall normally hold a hearing within 10 calendar days of its formation. The Chair of the Hearing Committee shall notify the respondent, the complainant, the Director of Educational Equity, the Provost, and the President of the time, place, and date so scheduled by certified mail, return receipt requested.
- B.3.7 The entire proceedings of the hearing shall be recorded by a professional stenographer, and an accurate transcript shall be promptly produced from that stenographic record and made available to the Hearing Committee. The Chair of the Hearing Committee shall preside over the proceedings and shall act to ensure a fair presentation of all evidence and an equitable treatment of both parties, and to maintain decorum. Both the complainant and the respondent have the right to be present during the proceedings. Each party and the complainant in the case may be accompanied only by counsel chosen by her/him from the Faculty or Administration of the College. Procedures shall not follow formal rules of evidence, but special care shall be taken in evaluating evidence to ensure fairness and relevance.
- B.3.8 At the hearing, the Provost or her/his designee presents the case for the College, and the respondent presents her/his case. The respondent shall be presumed not to have violated the College's sexual and gender-based harass-

ment policy. The Hearing Committee shall determine by a preponderance of the evidence whether the policy has been violated. During the hearing, the parties (the Provost or her/his designee and the respondent) shall have the following rights: to present and examine witnesses; to introduce evidence that has been previously made available to the Hearing Committee and, through the Hearing Committee, to the opposite party; to conduct 150 reasonable cross-examination of any witness on any matter relevant to the issue of the hearing (subject to the provisions regarding cross-examination of the complainant as set forth below); and to offer relevant evidence in rebuttal. Each party shall give the Hearing Committee a list of the names of all witnesses and copies of all documentary and other evidence at least 72 hours before the hearing begins, or, in the event that a party would like to offer rebuttal evidence, at least 24 hours prior to the use of that rebuttal evidence. The Hearing Committee shall provide copies of any such witness lists or evidence to the opposing party as promptly as possible, and a list of all witnesses to be summoned by the Hearing Committee shall be made available to both parties within 48 hours before the hearing begins. Copies of all evidence received or gathered by the Hearing Committee at any stage shall be made available promptly to both parties, and no new witness(es) may be summoned by either party or by the Hearing Committee without the Hearing Committee giving both parties 24-hour notice in advance. At its discretion, the Hearing Committee has the authority to gather such additional evidence as it deems relevant, including calling and questioning the complainant if the Provost or her/his designee has not called the complainant as a witness and the complainant agrees to testify. The Hearing Committee may also call and question the respondent if the respondent agrees to testify. However, if the complainant or respondent testifies, the Hearing Committee may elect to require the parties to submit any questions they would like the Hearing Committee to ask on their behalf, and the Hearing Committee shall ask those questions if deems relevant and appropriate to the case. If the complainant or respondent testifies at the hearing, s/he may be accompanied by a counsel chosen by her/him from the Faculty or Administration of the College.

- B.3.9 Following the presentation of all evidence, the hearing shall be closed at the time the Hearing Committee deems appropriate. Thereupon, the Hearing Committee shall deliberate in executive session, at a time convenient to itself. The Hearing Committee shall determine by a majority vote whether the preponderance of evidence indicates that the College's sexual harassment policy has been violated. If the Hearing Committee determines that the policy has been violated, then it shall recommend appropriate sanctions. If the Hearing Committee determines that the policy has not been violated, then it shall recommend that the case be dismissed. The Hearing Committee shall record its findings and its recommendations in a written record normally within 5 calendar days of the close of the hearing.
- B.3.10 Promptly upon completion of the report, regardless of the Hearing Committee's findings and recommendations, the Chair of the Hearing Committee shall

inform the Chair of the Promotion, Tenure, and Review Committee about the general nature of the case in order that a three member Hearing Review Committee can be formed from the Promotion, Tenure, and Review Committee. The Chair of the Promotion, Tenure, and Review Committee shall promptly appoint any three of the six elected members of that Committee to serve on the Hearing Review Committee. Prior to the actual appointment of members of the Hearing Review Committee, the Chair of the Hearing Committee shall be consulted to ensure that no proposed member is involved in the particular case or a member of the same academic department as the respondent. If the hearing was prompted by the filing of a complaint by a faculty member, then the Chair of the Hearing Committee shall also be consulted to ensure that no proposed member of the Hearing Review Committee is a member of the same academic department as the complainant. In all cases, members of the Hearing Review Committee should consider themselves to be disinterested parties. The Hearing Review Committee thus constituted shall elect a chair. Promptly upon being elected, the Chair of the Hearing Review Committee shall notify the Chair of the Hearing Committee of the formation of the Hearing Review Committee. In response, the Chair of the Hearing Committee shall give the Chair of the Hearing Review Committee the written report of the findings and recommendations of the Hearing Committee with full explanatory justification and a summary of dissenting opinion, along with the full record of the Hearing, including the transcript, all documentary evidence, and all written communications between the Hearing Committee and the parties. The three members of the Hearing Review Committee are the only persons who shall receive the Hearing Committee's report and the record of the hearing at this time. A copy of the written report of the findings and recommendations of the Hearing Committee with full explanatory justification and a summary of dissenting opinion, along with the full record of the hearing, including the transcript, all documentary evidence, and all written communications between the Hearing Committee and the parties, will be available in the President's suite for the respondent, the complainant, and the Provost, with or without counsel chosen from the College. In circumstances that warrant the Hearing Review Committee having access to independent counsel, the Hearing Review Committee shall have access to such counsel arranged through the College's Office of General Counsel. This independent counsel shall not attend deliberations of the Hearing Review Committee but is provided to assist the Hearing Review Committee when such assistance is requested. Additionally, counsel will ensure that the Hearing Review Committee is properly trained to review cases of sexual and gender-based harassment and conduct additional training as needed.

- B.3.11 The charge of the Hearing Review Committee is to evaluate the integrity of the entire Hearing process and to ensure fairness to all parties. The role of the Hearing Review Committee is not to question or reevaluate the Hearing Committee's factual findings or substitute its

judgment for that of the Hearing Committee. In addition, it is not the role of the Hearing Review Committee to question or reevaluate the Hearing Committee's recommendations, except as provided in "e" below. The Hearing Review Committee shall review the report of the Hearing Committee and the full record of the hearing, and any written statement(s) about the hearing based on "a," "b," "c," "d," or "e" below that might be submitted by the respondent, complainant, or the Provost, and shall determine whether the Hearing was properly conducted. The Hearing Review Committee shall determine that the Hearing was not properly conducted if: a. the Hearing Committee committed a procedural error that had a material (i.e., so substantial and important as to have been decisive) effect on its findings and recommendations, or did not take into account a procedural error that occurred in an earlier stage of the process and that had a material effect on its findings and recommendations; or b. the Hearing Committee violated the professional, academic, or EEO rights of the respondent or of the complainant, or did not take into account an earlier violation of those rights, in such a way as to have a material effect on its findings and recommendations; or c. the hearing was conducted in an unfair or inequitable manner, in such a way as to have a material effect on the Hearing Committee's findings and recommendations; or d. the Hearing Committee demonstrably considered non-germane evidence as material; or e. the sanction(s) (if any) recommended by the Hearing Committee was (were) not consistent with its factual findings. The Hearing Review Committee shall reach its determination within 10 days of its receipt of the Hearing Committee's report and the Hearing record. If the Hearing Review Committee determines by a majority vote that the Hearing was properly conducted, the Hearing Review Committee's determination shall, by the end of that 10 day period, be communicated in a written report to the members of the Hearing Committee and the President, who shall also at this time receive the full record of the Hearing and the Hearing Committee's report. (At this stage, the President is the only additional person who shall receive the full record of the hearing and the Hearing Committee's report.) If the Hearing Review Committee determines by a majority vote that the hearing was not properly conducted, the Hearing Review Committee shall ensure that the flaws are corrected as it deems appropriate. Depending on the nature of the flaws, the Hearing Review Committee may require that the Hearing Committee reopen the hearing to (but not beyond) whatever extent might be necessary to correct the flaws, or, in the case of an irreparable procedural impropriety, the 152 Hearing Review Committee may require that the Chair of the Appeal and Grievance Committee form a new Hearing Committee to initiate a de novo Hearing. (If a de novo hearing is called for, the Chair of the Hearing Review Committee shall inform the Provost, complainant, the respondent, and the original Hearing Committee. The full record of the de novo Hearing, and the report of the de novo Hearing Committee, will be subjected to the same scrutiny by the Hearing Review Committee as were the original Hearing Committee's report and hearing record.)

When the Hearing Review Committee has determined by a majority vote that all material flaws have been corrected, and that the hearing was properly conducted, and that any potentially material new evidence that might have been brought to the attention of the Hearing Review Committee by either party has been referred to and fairly and adequately responded to by the Hearing Committee, the Hearing Review Committee shall communicate its determination in a written report to the members of the Hearing Committee and the President, who shall also at this time receive the full record of the hearing and the Hearing Committee's report.

- B.3.12 The President shall review the report of the Hearing Committee, the full record of the Hearing (including the transcript), and the report of the Hearing Review Committee; may interview witnesses at her/his discretion; and shall make a decision in the case. The President may request that the Hearing Committee reconsider the case on a specific ground or grounds. The President's request for reconsideration must be made within 10 calendar days, and the Hearing Committee has another 10 calendar days in which to make a second report. The President shall make a decision on the complaint within 10 calendar days of the Hearing Committee's initial report or its second report. The President may affirm, reject, or modify the recommendations of the Hearing Committee. The President's final decision, in writing, together with copies of the reports of the Hearing Committee and the Hearing Review Committee, must be sent to the complainant, the respondent, the Hearing Committee, the Hearing Review Committee, the Provost, the Director of Educational Equity, and the Board of Trustees, through its Secretary. Grounds for rejection or modification of the Hearing Committee's recommendations must be stated in writing. In cases where the President is the complainant or the respondent as a result of her/his teaching role, disposition of the complaint is the responsibility of a Review Panel, as described in Appendix D of the Faculty Handbook. [Rev. 2017]
- B.3.13 Subsequent to the process described above, if either complainant or respondent does not accept the President's decision, s/he may make a written appeal to the Board of Trustees, through its Secretary, not more than 5 calendar days after receiving the President's written decision. An appeal is permissible only on the ground that the procedures of the College were not properly followed. Normally, the Board does not undertake a de novo review. The Chair of the Board may appoint a Board Committee to act on its behalf in considering the appeal. The Board may at its discretion interview such persons as it deems appropriate. The Board may either affirm or overturn the President's decision, or, alternatively, it may request that the case be re-evaluated by either the President or the Hearing Committee. The Board shall report its decision to the respondent, the complainant, the President, the Provost, the Director of Educational Equity, the Hearing Committee, and the Hearing Review Committee as soon as possible. [Rev. 2017]
- B.3.14 If the final determination is that the College's sexual and gender-based harassment policy has been violated,

the report of the Hearing Committee and the President's decision shall be placed in the respondent's personnel file. Should the President's recommended sanction be dismissal or suspension, such a sanction is effectuated only by a vote of the Board of Trustees. If the Board has decided in favor of dismissal or suspension of the faculty member from the College, the President shall inform the faculty member of her/his dismissal or suspension. If the President has decided in favor of any other sanction against the faculty member, and the Board has not overturned the President's decision on appeal, the President shall direct the Provost to notify the respondent and impose the sanction. The Provost will notify the complainant of any sanction imposed that is directly related to the complainant.

### **Missing students**

All official missing student reports are immediately referred to campus police. The Department of Public Safety is responsible for investigating reports of missing students. If anyone suspects, or receives information that a student is missing, they should immediately contact Public Safety at (610) 330-4444. Public Safety will generate a missing-person report and initiate an investigation. There is NO minimal period that the person must be missing prior to reporting the person missing. Once a student is determined to be missing, the Department of Public Safety will notify appropriate college authorities and the Easton Police Department within 24 hours of the determination that the student is missing.

In addition to registering a contact person to be notified in case of a general emergency situation, students residing in on-campus housing have the option to designate one or more persons whom they would like the College to notify in the specific emergency situation that they have been determined by the Department of Public Safety to be missing. This allows students to designate one or more contacts specifically for a missing-person situation who is/are different from the one(s) they have listed as general emergency contacts. Students may do this through Banner Self-Service (<https://bannerselfservice.lafayette.edu>). The contact information they supply will be registered and maintained confidentially and is only accessible to the law enforcement personnel in the Department of Public Safety by logging into IBM Cognos ([ib.lafayette.edu/ibcognos](http://ib.lafayette.edu/ibcognos)).

Should the Department of Public Safety determine that a student is missing, the Department of Public Safety office will notify within 24 hours the missing contact person that student has registered with the College. Additionally, if a missing student is under the age of 18 and is not emancipated, the Department of Public Safety will notify the student's parent or legal guardian and any other designated contact person within 24 hours after the time the student was determined to be missing.

### **Alcohol, drugs, and weapons**

Lafayette College complies with and enforces all federal, state, and local laws regulating the possession, use, or sale of alcoholic beverages (including underage drinking) and controlled substances. The Department of Public Safety is

primarily responsible for the enforcement of Pennsylvania's underage drinking laws which include consumption, possession and transportation of alcoholic beverages of persons under twenty-one years of age. The Easton Police Department and the State Liquor Control Enforcement Agency also have jurisdiction in the enforcement of liquor law violations.

The Drug-Free Workplace Act of 1988 (P.L. 100-690) and the Drug-Free Schools and Communities Act Amendments of 1989 (P.L. 101-206) require that each college and university receiving federal financial assistance distribute annually Drug and Alcohol Prevention Program (DAAPP) materials about drugs and alcohol to all of its students and employees.

This Report sets forth the College's standards of conduct prohibiting the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees on its property or as part of its activities. It also includes a description of applicable drug and alcohol-related sanctions under local, Pennsylvania, and federal law; a summary of health risks associated with drug and alcohol use; a list of drug and alcohol counseling opportunities available to students and employees; and a discussion of sanctions related to drugs and alcohol that may be imposed by the College.

**We urge you to read the Report to the Campus Community, it can be read in its entirety at: <https://hr.lafayette.edu/wp-content/uploads/sites/24/2020/01/Drug-Free-Community-and-Schools-Handout-2018.pdf>**

The unlawful possession, use, or distribution of illicit drugs or alcohol on institutional property or at any officially sanctioned College activity by any member of the College community is strictly prohibited. Students and employees who violate this regulation are subject to severe disciplinary action by the College and may incur penalties prescribed by civil authorities.

For students, sanctions imposed by the College for violations of the above regulations may range from probation to expulsion from the College and referral to College police and/or local, state, or federal authorities. Sanctions for employees may vary from mandatory participation in rehabilitation programs to termination of employment and referral to authorities for prosecution.

Lafayette policies with respect to alcohol and illegal drugs are spelled out in the Student Handbook and in other materials published by the Division of Campus Life ([conduct.lafayette.edu](http://conduct.lafayette.edu)).

### **College policies regarding Alcohol**

Lafayette College embraces a broad educational mission that focuses on the nurturing of the inquiring mind in an environment that integrates intellectual, social, and personal growth. Recognizing that the abuse of alcohol and other drugs is detrimental to this mission, the College strives to educate students concerning the dangers of alcohol and other drug abuse and the importance of making healthy and responsible choices. In addition to regulating the use of alcohol on its properties, the College encourages and supports the efforts of students and student organizations to sponsor alcohol-free social events that are open to the College community.

Lafayette College reserves the right to regulate the use of alcohol on its properties and at any institution-associated

activity, regardless of location. The Division of Campus Life is responsible for the clarification, interpretation, and implementation of the Alcohol Policy.

**Legal Age:** The attempted or actual purchase, consumption, transportation, or possession of alcoholic beverages by a person under 21 is prohibited.

**False Identification:** Using or attempting to use an identification card falsely representing oneself as being 21 years of age or older for the purpose of obtaining alcohol or obtaining entrance to a facility that serves alcohol is prohibited.

**Residence Halls and Private Rooms:** Alcohol may not be present in the common areas of residence halls (i.e., lounges, recreation rooms, etc.), without advance permission from the vice president for Campus Life or the dean of students. In suite style housing, alcohol may be possessed and consumed in suite common areas if all occupants are over 21.

**Sale of Alcoholic Beverages:** The unlicensed sale or distribution of alcoholic beverages is prohibited. This includes the selling of tickets to events where alcoholic beverages are provided, charging admission, or accepting donations for any activity involving alcohol. Students and student organizations may not use College funds to purchase or provide alcohol at social events, either on or off campus.

**Open Container:** Possession of open containers of alcohol on the grounds outside any College-owned or College-operated property, including residence halls, College-owned or College-operated off-campus residences, athletic fields or fraternities and sororities (including balconies and backyards) is prohibited by College policy and City of Easton ordinance. Exceptions must be approved by the vice president for Campus Life or the dean of students.

**Common Sources of Alcohol:** Bulk containers, such as kegs or any alcohol dispensing-device requiring a tap, are not permitted anywhere on College-owned or operated property at any time.

**Providing Alcohol to Minors:** Providing alcohol to underage individuals is prohibited, including leaving alcohol unattended in locations where those under 21 may serve themselves. The student or student organization that serves alcohol to a person regardless of age shares responsibility with that person for any violation of the Lafayette College Code of Conduct while that person is under the influence of alcohol.

**Irresponsible Use of Alcohol:** Activities or possession of items that promote the rapid or excessive consumption of alcohol (i.e., funneling, drinking games, chugging contests, etc.), serving alcohol to intoxicated persons, public drunkenness, and/or events where there is pressure or an expectation to consume alcohol are prohibited. Serving, possessing, and/or consuming grain alcohol that is at or above 120 proof is prohibited.

**Advertisements:** Neither direct nor implied references of any kind to the availability of alcohol at an event may be made in any publicity for the event.

**Program Co-sponsorship:** The College ordinarily will not enter into sponsorship of College activities, programs, or events with firms whose primary purpose is the manufacture, sale, or distribution of alcoholic beverages.

## **POLICY FOR STUDENT ORGANIZATION EVENTS INVOLVING ALCOHOL**

Student organizations that intend to host social events at which alcohol is present must adhere to the guidelines outlined. The Division of Campus Life should be consulted for policy interpretation and clarification. Student organizations that violate the College's Alcohol Policy should expect to receive sanctions as outlined in this code.

Some student organizations are accountable to external organizations. The College's Alcohol Policy does not preclude those student organizations from complying with the risk management guidelines imposed by their external organizations and/or insurance carriers. The College encourages these organizations to follow all of their risk management policies pertaining to alcohol, drugs, hazing, sexual assault, etc. Student organizations should consult the guidelines of their external organizations (if applicable) prior to planning an event with alcohol. If the College becomes aware or suspects that a student organization has violated its own risk management guidelines, any external organization's leadership or appropriate representatives may be notified. It should be noted, however, that if an organization's external organization has policies that are less restrictive than those of the College, the College policies must be adhered to.

**Organization Events:** Any activity for which the organization pays, directly or indirectly, constitutes an event sponsored by that organization. Also, any event or activity that takes place in an organization's house (where applicable) is the responsibility of the organization. Other factors may be considered by the case administrator or committee in determining whether an event is the responsibility of an organization including, but not limited to, attendance at the event, publicity for the event, and reasonable perception of those in attendance or aware of the event. Organizations that use any private, off-campus facility to host social events may be held accountable by the College for violations of city and Commonwealth laws as well as the applicable policies outlined in the Code of Conduct.

**Organization Responsibility:** An organization sponsoring an event is solely responsible for ensuring that the Alcohol Policy is observed, and it will be held responsible for violations of the Policy by individuals in attendance whether or not those attendees are current Lafayette students. Each case will be evaluated, however, based on the efforts of the organization to ensure compliance. Individual students who violate these rules will be held accountable and, when appropriate, both individuals and organizations will be subject to the conduct process.

**Time Parameters:** The Alcohol Policy is in effect at all times, including interim and summer sessions and periods when classes are not in session. A social event with alcohol may last for a maximum of four (4) hours and may be scheduled between 5 p.m. on Friday and 2 a.m. on Saturday or from noon on Saturday to 2 a.m. on Sunday. Hosts of social events must ensure that alcoholic beverages are not served or present after 2 a.m. There will be no alcohol served or present at social events from Sunday 2 a.m. until Friday 5 p.m. Also, alcohol may not be served between the hours of 2 a.m. and

noon on Saturday. Any activity meeting the definition in “1” above is prohibited during the week if alcohol is served or available. Social events are allowed during the week if alcohol is neither served nor consumed.

**Distribution of Alcohol:** It is not uncommon for the majority of those in attendance at social functions to be under 21 years of age; therefore, hosts must identify an alternate location, separate from the main party room, for alcohol to be served and consumed. Only those 21 or older may enter this room. Wristbands must be provided at the entrance of this room for age verification purposes. The bartender, with training approved by the College, is responsible for all distribution of alcohol and must serve individuals in a responsible manner and only one drink at a time. No one will be permitted to take alcohol into the main party room, and underage guests may not bring alcohol to the event nor consume alcohol at the event.

**Security and Safety:** A minimum of two professional security personnel must be employed by the organization to be present during any social event at which alcohol is served or present (the Office of Student Involvement or Public Safety will assist in identifying agencies that provide such services; these personnel are not employees nor agents of the College). One professional will be stationed at the entrance to the room where alcohol is being served and consumed, with the responsibility for checking Lafayette College IDs and a College birthday book, and monitoring the flow of students into that room. The second professional will provide assistance where needed, in addition to serving as a monitor for the event. The organization must also have a minimum of four of its members designated to maintain security during the entire event. These members will remain alcohol-free during the entire event. The student security personnel will be stationed at appropriate locations to insure that the host is complying with this Policy, that is: monitoring the flow of individuals in and out of the facility or party area; prohibiting those visibly intoxicated from entering; insuring compliance with the maximum capacity limit of the facility or party area; and checking that all guests are either members of the Lafayette College community or their invited guests. The Office of Public Safety will patrol campus and periodically monitor social events at which alcohol is present. College officials reserve the right of access to all areas of any facility on its properties at any time. The use of early warning systems is prohibited.

**Quantity of Alcohol:** The quantity of alcohol permitted at a social event shall be limited for the number of persons of legal age expected to be present at the event. A reasonable amount of alcohol is that quantity sufficient to serve each person of legal age one drink (12-oz. beer @4-5% ABV or 6-oz. wine @ 11-12% ABV) per hour of the event. Hard liquor is not permitted at events where attendees are primarily students.

**BYOB Events:** College policy prohibits bring your own (BYOB) events without the advanced permission of the vice president for Campus Life or the dean of students.

**Event Notification:** College officials must be notified three weeks in advance of social events at which alcohol is to be served. This serves to inform College officials of events

of sufficient size to require additional security. Event registration forms are available through the Office of Student Involvement.

**Training:** All individuals listed on the event registration form assisting with events serving alcohol must have completed TIPS training prior to the date of the event but within the current academic year.

**Food and Alternative Beverages:** Social function hosts must provide sufficient food and nonalcoholic beverages (other than water) in proportion to the number of people in attendance throughout the function. These must be readily available at the same location and displayed with prominence during the duration of the event.

**Cleaning Responsibilities:** All debris resulting from a social event, within the immediate vicinity of that event, must be cleaned up no later than 9 a.m. the following day by the student organization that sponsored the event.

### **GOOD SAMARITAN POLICY**

In the event that a student or student organization assists a Lafayette College student whom the reporter believes is intoxicated or is experiencing a drug overdose in contacting Public Safety and/or professional medical assistance, neither the student who is intoxicated or experiencing the drug overdose nor the individual or group who provides assistance for that individual will be subject to College disciplinary action for (1) being intoxicated, (2) using drugs, or (3) having provided that person with alcohol. Students calling for assistance for themselves also will be covered under this policy. This policy does not excuse or protect those who flagrantly and/or repeatedly violate the College’s Alcohol or Drugs Policies. It applies only to circumstances due to alcohol or drugs, and does not extend to related infractions such as assault or property damage and also does not apply to those who have delivered or distributed drugs to another individual. Student or student organizations covered under this policy will not be subject to the formal conduct process, and the incident will not be included as part of the individual’s student file in the Office of Advising & Co-Curricular Programs nor the organization’s file in the Office of Student Conduct. Individuals involved will be required to meet with an administrator to discuss the incident and may be required to complete educational sessions and/or a substance use assessment at the discretion of the administrator. The incident also may result in notification of parent(s) and/or guardian(s) and will be considered as past conduct history during any subsequent conduct processes. It should be noted that this policy refers only to the application of the Code of Conduct and does not preclude other College or non-College entities from applying their own policies, procedures, and outcomes to the situation. The Good Samaritan Policy does not apply to situations where College administrators, staff, or faculty members observe or report a violation of the Alcohol or Drugs Policies.

### **ALCOHOL AND OTHER DRUG POLICY REVIEW**

The College’s Faculty Committee on Student Life will review at the conclusion of each academic year the policies and practices regarding alcohol and other drugs, for the purpose of increasing their effectiveness and maintaining a healthy and

safe campus environment. The College conducts a biennial review of its alcohol and drug abuse prevention program as required by the Drug Free Schools and Community Act, and the Alcohol and Other Drug Standing Committee reviews these programs on an ongoing basis.

### **Sex offender registry**

The Campus Sex Crimes Prevention Act (hereinafter “CSCPA”) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires the Pennsylvania State Police to provide Lafayette College with a list of registered sex offenders who have indicated that they are enrolled, employed or carrying on a vocation at Lafayette College.

Pennsylvania’s Megan’s Law, 42 Pa.C.S. 9799.1, requires the State Police to create and maintain a registry of persons who have either been convicted of, entered a plea of guilty to, or been adjudicated delinquent of certain sex offenses. Additionally, the Pennsylvania State Police are required to make certain information on registered sex offenders available to the public through an Internet website. Information regarding registered sex offenders on or near the campus of Lafayette College may be obtained at [www.pameganslaw.state.pa.us](http://www.pameganslaw.state.pa.us). Additionally, the Easton Police Department provides “Sex Offender Registration Information” to the Department of Public Safety as appropriate.

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders. This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000.

## **Fire statistics and related information**

### **Annual Fire Safety Report**

Lafayette College is serviced by the City of Easton’s full-time, paid, professional fire department. Members of the College community should immediately notify the Department of Public Safety at (610) 330-4444 if a fire occurs in a campus building or on campus grounds. The Department of Public Safety will immediately initiate a response by the Easton Fire Department using its communication link with the Northampton County Dispatch/Communications Center. All members of the Department of Public Safety have direct radio communication with the responding fire fighters and may update the responding fire fighters regarding the cause of fire alarm and status. A member of the College community who finds evidence of a fire that has been extinguished and does not know whether the department of public safety has already responded should notify the department immediately.

Fire alarms in campus facilities are designed to alert the College community to potential hazards, and members are required to heed their warning and evacuate buildings immediately upon hearing a fire alarm in a facility. Use the

nearest stairwell and/or exit to leave the building immediately. Community members should familiarize themselves with the exits in each building. The College and/or the City of Easton’s Fire Marshall may levy fines and penalties on individuals who fail to evacuate a building promptly when an alarm sounds—but safety is a more important reason for evacuating immediately.

When a fire alarm is activated in any building, all passenger elevators in all buildings will automatically discharge on the main floor. Occupants should use the stairs to evacuate the building. If you are caught in the elevator, push the emergency phone button. The emergency phones in elevators on campus ring to the dispatcher in the Department of Public Safety.

The Department of Public Safety publishes this fire safety report as part of its annual Clery Act Compliance and contains information with respect to the fire safety practices and standards for the College. This report includes statistics concerning the number of fires, the cause of each fire, the number of injuries and deaths related to fires, and the value of the property damage caused by a fire.

In conjunction with the Easton Fire Department, Easton Bureau of Codes and Inspections, and Easton Health Bureau, College officials inspect all fraternity houses at least three times per year. The Department of Public Safety conducts fire preplanning tours for the Easton Fire Department as well as fire drills in each residence hall, fraternity house, and sorority house twice each year and in selected academic buildings periodically. In addition, Public Safety’s Environmental, Health and Safety Division conducts safety inspections of selected buildings.

### **Fire protection equipment/systems**

All College buildings, with the exception of detached garages, are equipped with automatic fire-detection and alarm systems. Refer to the Fire Safety Amenities in the Public Safety Student Housing Facilities Chart in this report for detailed information about fire detection, notification, and suppression systems in each residential facility.

### **Plans for future improvements in fire safety**

Currently there are no formal plans to upgrade/replace any fire alarm systems. Lafayette College plans to continue to comply with all codes and standards and upgrade equipment as appropriate. The Department of Public Safety monitors campus-wide fire alarm systems on a True Site Work Station system.

### **Fire safety policies**

Fire equipment is to be used only as necessary in case of fire. Its use (or misuse) must be reported to Office of Residence Life immediately so that the equipment may be restored to useful condition without delay. Anyone identified as responsible for tampering with or theft of any College-owned fire extinguisher or other fire apparatus in any College-owned residence will be subject to an automatic \$300.00 fine and severe disciplinary action. If a person or persons responsible for tampering with fire equipment are not apprehended within

a five-day period, the students living on the floor, wing, or section of the residence hall will be billed the \$300.00 on a per capita basis.

Decorations or furniture must never hinder exit from a room. Students are expected to leave the building for all fire alarms and drills. Lack of cooperation during fire drills or alarms will be considered a severe breach of discipline. Violators will be disciplined. Students must not decorate their room with combustible materials (paneling, combustible fabrics, etc.). Fiberglass or other fire-resistant hangings are acceptable if hung from picture molding. No items may be affixed to, installed in, or suspended from the ceiling in any student room. Fabric decorations may only cover a maximum of 50 percent of any wall in any student room. Posters may only cover a maximum of 50 percent of the wall space in any student room.

Firecrackers, gunpowder, and chemicals are strictly prohibited and, if found, will be confiscated and the owner subject to disciplinary action. Possession of burning or previously burned candles, incense, or kerosene lamps for any purpose is prohibited. Lamps may not use a halogen bulb. No appliances containing open heating elements may be used in student rooms. Hot plates, heaters, toaster ovens, etc., pose distinct fire hazards and overload electrical circuits. Microwave ovens (other than units available through the College designated rental program) are not permitted in student rooms.

All residence halls are equipped with an automatic fire detection system that notifies the Department of Public Safety immediately of the alarm. Fire alarm boxes and fire extinguishers are in all College buildings. Emergency exits are clearly marked.

### **Fire safety education**

All resident advisers are trained in fire-safety procedures and policies each year. The Department of Public Safety provides videos and other educational materials relating to fire safety for use in residence halls. During residence hall fire exit drills, participants are reminded of the importance of fire prevention and exiting the facility in a timely manner.

New employees are trained in fire-safety procedures during New-Hire Orientation.

### **Fire safety tips**

- Buildings are equipped with a variety of features that are designed to detect, stop, and/or suppress the spread of a fire.
- A door can be the first line of defense against the spread of smoke or fire from one area to another. Some doors, such as fire doors in corridors or stairwells of residence halls, are designed to stand up to fire longer than the doors of individual rooms. It is important that these fire doors are closed for them to work effectively. If a fire door is equipped with a device to automatically close it in case of fire, it should not be propped open.
- When they operate properly, sprinklers are very effective in preventing the spread of fire. Do not prevent sprinklers from operating properly by obstructing sprinkler heads with materials like clothing hanging from the piping.

- Smoke detectors cannot do their job if they are disabled or covered. It is violation of College policy to disable or cover a smoke detector.
- Smoking is not permitted in any College building.
- A daily fire log is available for review during normal business hours at the Department of Public Safety, 901 Bushkill Drive. This log typically includes information about fires that occur in student housing facilities, including the nature, date, time, and general location.
- Cooking of meals is not permitted in student rooms. This is both a fire and health hazard. There are appropriate cooking areas in all student housing facilities.

### **Fire response procedure—in case of fire only**

Activate the nearest fire-alarm box. All alarm boxes connect directly with the Department of Public Safety.

Call the Department of Public Safety at (610)-330-4444, giving the exact location and nature of the fire. Evacuate the building using the procedure below.

### **When you hear a fire alarm sound:**

- Close the windows but do not lock them.
- Use a towel, handkerchief, or other cloth to cover your face in case there is heavy smoke. Stay close to the floor, moving on your hands and knees.
- Feel the door. If it is warm, remain in the room. Seal the door with wet towels and call for help – (610)-330-4444, then 911. If the door is cool, leave room but do not lock it.
- **DO NOT RUN.** Proceed to nearest stairway fire-exit (not the elevator).
- Exit the building immediately and stand well clear of the area. Gather in the spot designated for your residence hall or individual floor.
- **DO NOT** re-enter the building until you have been given permission.
- Faculty and resident advisers should assist in an orderly evacuation. Afterward, they should report all persons who violate fire safety procedures. Treat every fire drill as you would an actual fire. Everyone is expected to cooperate.

## Fire Safety Systems in Lafayette College Student Housing Facilities

Student Housing Facilities	Fire Alarm Monitoring by Public Safety	Full Sprinkler System	Smoke and Heat Detectors	Fire Extinguishers	Fire Drills Previous Calendar Year*
106 Cattell Street	x		x	x	0
110 Cattell Street	x		x	x	0
114 Cattell Street	x		x	x	0
115 McCartney Street	x		x	x	0
115.5 McCartney Street	x		x	x	0
117 McCartney Street	x		x	x	0
118 Cattell Street	x		x	x	0
122 Cattell Street	x		x	x	0
123 McCartney Street	x		x	x	0
131 McCartney Street	x		x	x	0
225 Reeder Street	x	x	x	x	2
41 McCartney Street	x		x	x	0
402 McCartney Street	x		x	x	0
410 McCartney Street	x		x	x	0
412 McCartney Street	x		x	x	0
414 McCartney Street	x		x	x	0
416 McCartney Street	x		x	x	0
418 McCartney Street	x		x	x	0
420 McCartney Street	x		x	x	0
421 Hamilton Street	x		x	x	0
422 McCartney Street	x		x	x	0
43 McCartney Street	x		x	x	0
434 McCartney Street	x		x	x	0
45 McCartney Street	x		x	x	0
511 Hamilton Street	x		x	x	0
512 March Street	x	x	x	x	2
513 Hamilton Street	x		x	x	0
513 High Street	x		x	x	0
514 March Street	x		x	x	0
515 Clinton Terrace	x		x	x	0
517 Clinton Terrace	x		x	x	0
518 Clinton Terrace	x		x	x	0
518 March Street	x		x	x	0
520 Clinton Terrace	x		x	x	0
520 March Street	x		x	x	0
522 March Street	x		x	x	0
524 Clinton Terrace	x		x	x	0
543 Hamilton Street	x		x	x	0
594 Pardee Street	x		x	x	0
595 Pardee Street	x		x	x	0
601 Pardee Street	x		x	x	0
615 Monroe Street	x		x	x	0
616 Parson Street	x		x	x	0
617 Monroe Street	x		x	x	0
619 Monroe Street	x		x	x	0
620 Monroe Street	x		x	x	0
621 Monroe Street	x		x	x	0
622 Monroe Street	x		x	x	0
623 Monroe Street	x		x	x	0
623 Parson Street	x		x	x	0
624 Monroe Street	x		x	x	0
624 Parson Street	x		x	x	0
625 Monroe Street	x		x	x	0
626 Monroe Street	x		x	x	0

\* Fire Drill dates and times are 4/17/19 and 9/18/19, both at 1 p.m.

Student Housing Facilities	Fire Alarm Monitoring by Public Safety	Full Sprinkler System	Smoke and Heat Detectors	Fire Extinguishers	Fire Drills Previous Calendar Year*
626 Parson Street	x		x	x	0
627 Monroe Street	x		x	x	0
628 Monroe Street	x		x	x	0
629 Monroe Street	x		x	x	0
630 Monroe Street	x		x	x	0
630 Parson Street	x		x	x	0
631 Monroe Street	x		x	x	0
632 Monroe Street	x		x	x	0
632 Parson Street	x		x	x	0
633 Monroe Street	x		x	x	0
633 Parson Street	x		x	x	0
634 Monroe Street	x		x	x	0
634 Parson Street	x		x	x	0
635 High Street	x		x	x	2
636 Monroe Street	x		x	x	0
638 Monroe Street	x		x	x	0
640 Pierce Street	x		x	x	0
641 Parson Street	x		x	x	0
643 Parson Street	x		x	x	0
Alpha Gamma Delta, 511 College Avenue	x	x	x	x	2
Alpha Phi, 752B Sullivan Rd.	x	x	x	x	2
Black Cultural Center, 101 McCartney Street	x	x	x	x	2
Chi Phi, 4 West Campus	x	x	x	x	2
Conway House, 752A Sullivan Rd.	x	x	x	x	2
Delta Delta Delta, 2 West Campus Ln.	x	x	x	x	2
Delta Kappa Epsilon, 719 Sullivan Rd.	x	x	x	x	2
Delta Upsilon, 750A Sullivan Rd.	x	x	x	x	2
Easton Hall, 7 West Campus Lane	x	x	x	x	2
Farber Hall, 707 Sullivan Rd.	x	x	x	x	2
Fisher Hall East, 778B Sullivan Rd.	x	x	x	x	2
Fisher Hall West, 778A Sullivan Rd.	x	x	x	x	2
Gates Hall, 210 McCartney St.	x	x	x	x	2
Grossman House, 611 High St.	x	x	x	x	2
Hamilton House, 718 Hamilton St.	x	x	x	x	2
Kamine Hall, 776A Sullivan Rd.	x	x	x	x	2
Keefe Hall, 22 South College Dr.	x	x	x	x	2
Kirby House, 701 High St.	x	x	x	x	2
Lerch House, 721 Sullivan Rd.	x	x	x	x	2
March Hall, 723 Sullivan Rd.	x	x	x	x	2
Marquis Hall, 730 Sullivan Rd.	x	x	x	x	2
McKeen Hall, 110 McCartney St.	x	x	x	x	2
McKelvy House, 200 High St.	x	x	x	x	2
Phi Kappa Psi, 715 Sullivan Rd.	x	x	x	x	2
Pi Beta Phi, 750B Sullivan Rd.	x	x	x	x	2
Ramer Hall, 711 Sullivan Rd.	x	x	x	x	2
Rubin Hall, 776B Sullivan Rd.	x	x	x	x	2
Ruef Hall North, 20A South College Dr.	x	x	x	x	2
Ruef Hall South, 20B South College Dr.	x	x	x	x	2
Soles Hall, 212 McCartney St.	x	x	x	x	2
South College, 7 South College Dr.	x	x	x	x	2
Watson Courts "A", 605 Clinton Terr.	x	x	x	x	2
Watson Courts "B", 607 Clinton Terr.	x	x	x	x	2
Watson Courts "C", 32 McCartney St.	x	x	x	x	2
Watson Hall, 750 High St.	x	x	x	x	2
Zeta Psi, 49 South College Dr.	x	x	x	x	2

\* Fire Drill dates and times are 4/17/19 and 9/18/19, both at 1 p.m.

## 2017: Statistics and Related Information Regarding Fires in Student Housing Facilities

Student Housing Facilities	Fire Count	Fire #	Category/Cause of Fire	Injuries	Deaths	Damaged Property Value
115 McCartney Street	0	0	N/A	N/A	N/A	N/A
115.5 McCartney Street	0	0	N/A	N/A	N/A	N/A
117 McCartney Street	0	0	N/A	N/A	N/A	N/A
122 Cattell Street	0	0	N/A	N/A	N/A	N/A
123 McCartney Street	0	0	N/A	N/A	N/A	N/A
131 McCartney Street	0	0	N/A	N/A	N/A	N/A
211 McCartney Street	0	0	N/A	N/A	N/A	N/A
213 McCartney Street	0	0	N/A	N/A	N/A	N/A
215 McCartney Street	0	0	N/A	N/A	N/A	N/A
219 McCartney Street	0	0	N/A	N/A	N/A	N/A
221 McCartney Street	0	0	N/A	N/A	N/A	N/A
223 McCartney Street	0	0	N/A	N/A	N/A	N/A
225 McCartney Street	0	0	N/A	N/A	N/A	N/A
225 Reeder Street	0	0	N/A	N/A	N/A	N/A
229 McCartney	0	0	N/A	N/A	N/A	N/A
41 McCartney Street	0	0	N/A	N/A	N/A	N/A
410 McCartney Street	0	0	N/A	N/A	N/A	N/A
412 McCartney Street	0	0	N/A	N/A	N/A	N/A
414 McCartney Street	0	0	N/A	N/A	N/A	N/A
416 McCartney Street	0	0	N/A	N/A	N/A	N/A
418 McCartney Street	0	0	N/A	N/A	N/A	N/A
420 McCartney Street	0	0	N/A	N/A	N/A	N/A
421 Hamilton Street	0	0	N/A	N/A	N/A	N/A
422 McCartney Street	0	0	N/A	N/A	N/A	N/A
43 McCartney Street	0	0	N/A	N/A	N/A	N/A
434 McCartney Street	0	0	N/A	N/A	N/A	N/A
45 McCartney Street	0	0	N/A	N/A	N/A	N/A
511 Hamilton Street	0	0	N/A	N/A	N/A	N/A
512 March Street	0	0	N/A	N/A	N/A	N/A
513 Hamilton Street	0	0	N/A	N/A	N/A	N/A
513 High Street	0	0	N/A	N/A	N/A	N/A
514 March Street	0	0	N/A	N/A	N/A	N/A
515 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
517 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
518 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
518 March Street	0	0	N/A	N/A	N/A	N/A
520 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
520 March Street	0	0	N/A	N/A	N/A	N/A
522 March Street	0	0	N/A	N/A	N/A	N/A
524 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
595 Pardee Street	0	0	N/A	N/A	N/A	N/A
615 Monroe Street	0	0	N/A	N/A	N/A	N/A
616 Parson Street	0	0	N/A	N/A	N/A	N/A
617 Monroe Street	0	0	N/A	N/A	N/A	N/A
619 Monroe Street	0	0	N/A	N/A	N/A	N/A
620 Monroe Street	0	0	N/A	N/A	N/A	N/A
621 Monroe Street	0	0	N/A	N/A	N/A	N/A
622 Monroe Street	0	0	N/A	N/A	N/A	N/A
623 Monroe Street	0	0	N/A	N/A	N/A	N/A
623 Parson Street	0	0	N/A	N/A	N/A	N/A
624 Monroe Street	0	0	N/A	N/A	N/A	N/A
624 Parson Street	0	0	N/A	N/A	N/A	N/A
625 Monroe Street	0	0	N/A	N/A	N/A	N/A
626 Monroe Street	0	0	N/A	N/A	N/A	N/A

**2017: Statistics and Related Information Regarding Fires in Student Housing Facilities (continued)**

Student Housing Facilities	Fire Count	Fire #	Category/Cause of Fire	Injuries	Deaths	Damaged Property Value
626 Parson Street	0	0	N/A	N/A	N/A	N/A
627 Monroe Street	0	0	N/A	N/A	N/A	N/A
628 Monroe Street	0	0	N/A	N/A	N/A	N/A
629 Monroe Street	0	0	N/A	N/A	N/A	N/A
630 Monroe Street	0	0	N/A	N/A	N/A	N/A
630 Parson Street	0	0	N/A	N/A	N/A	N/A
631 Monroe Street	0	0	N/A	N/A	N/A	N/A
632 Monroe Street	0	0	N/A	N/A	N/A	N/A
632 Parson Street	0	0	N/A	N/A	N/A	N/A
633 Monroe Street	0	0	N/A	N/A	N/A	N/A
634 Monroe Street	0	0	N/A	N/A	N/A	N/A
634 Parson Street	0	0	N/A	N/A	N/A	N/A
635 High Street	0	0	N/A	N/A	N/A	N/A
636 Monroe Street	0	0	N/A	N/A	N/A	N/A
638 Monroe Street	0	0	N/A	N/A	N/A	N/A
641 Parson Street	0	0	N/A	N/A	N/A	N/A
643 Parson Street	0	0	N/A	N/A	N/A	N/A
Alpha Gamma Delta, 511 College Avenue	0	0	N/A	N/A	N/A	N/A
Alpha Phi, 752B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Chi Phi, 4 West Campus	0	0	N/A	N/A	N/A	N/A
Conway House, 752A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Delta Delta Delta, 2 West Campus Ln.	0	0	N/A	N/A	N/A	N/A
Delta Kappa Epsilon, 719 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Delta Upsilon, 750A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Easton Hall, 7 West Campus Lane	0	0	N/A	N/A	N/A	N/A
Farber Hall, 707 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Fisher Hall East, 778B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Fisher Hall West, 778A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Gates Hall, 210 McCartney St.	0	0	N/A	N/A	N/A	N/A
Grossman House, 611 High St.	0	0	N/A	N/A	N/A	N/A
Hamilton House, 718 Hamilton St.	0	0	N/A	N/A	N/A	N/A
Kamine Hall, 776A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Keefe Hall, 22 South College Dr.	0	0	N/A	N/A	N/A	N/A
Kirby House, 701 High St.	0	0	N/A	N/A	N/A	N/A
Lerch House, 721 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
March Hall, 723 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Marquis Hall, 730 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
McKeen Hall, 110 McCartney St.	0	0	N/A	N/A	N/A	N/A
McKelvy House, 200 High St.	0	0	N/A	N/A	N/A	N/A
Phi Kappa Psi, 715 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Pi Beta Phi, 750B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Ramer Hall, 711 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Rubin Hall, 776B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Ruef Hall North, 20A South College Dr.	0	0	N/A	N/A	N/A	N/A
Ruef Hall South, 20B South College Dr.	1	1	Unintentional/electrical	0	0	\$1000 - \$9,999
Soles Hall, 212 McCartney St.	0	0	N/A	N/A	N/A	N/A
South College, 7 South College Dr.	0	0	N/A	N/A	N/A	N/A
Watson Courts "A", 605 Clinton Terr.	0	0	N/A	N/A	N/A	N/A
Watson Courts "B", 607 Clinton Terr.	0	0	N/A	N/A	N/A	N/A
Watson Courts "C", 32 McCartney St.	0	0	N/A	N/A	N/A	N/A
Watson Hall, 750 High St.	0	0	N/A	N/A	N/A	N/A
Zeta Psi, 49 South College Dr.	0	0	N/A	N/A	N/A	N/A

## 2018: Statistics and Related Information Regarding Fires in Student Housing Facilities

Student Housing Facilities	Fire Count	Fire #	Category/Cause of Fire	Injuries	Deaths	Damaged Property Value
115 McCartney Street	0	0	N/A	N/A	N/A	N/A
115.5 McCartney Street	0	0	N/A	N/A	N/A	N/A
117 McCartney Street	0	0	N/A	N/A	N/A	N/A
122 Cattell Street	0	0	N/A	N/A	N/A	N/A
123 McCartney Street	0	0	N/A	N/A	N/A	N/A
131 McCartney Street	0	0	N/A	N/A	N/A	N/A
211 McCartney Street	0	0	N/A	N/A	N/A	N/A
213 McCartney Street	0	0	N/A	N/A	N/A	N/A
215 McCartney Street	0	0	N/A	N/A	N/A	N/A
219 McCartney Street	0	0	N/A	N/A	N/A	N/A
221 McCartney Street	0	0	N/A	N/A	N/A	N/A
223 McCartney Street	0	0	N/A	N/A	N/A	N/A
225 McCartney Street	0	0	N/A	N/A	N/A	N/A
225 Reeder Street	0	0	N/A	N/A	N/A	N/A
229 McCartney	0	0	N/A	N/A	N/A	N/A
41 McCartney Street	0	0	N/A	N/A	N/A	N/A
410 McCartney Street	0	0	N/A	N/A	N/A	N/A
412 McCartney Street	0	0	N/A	N/A	N/A	N/A
414 McCartney Street	0	0	N/A	N/A	N/A	N/A
416 McCartney Street	0	0	N/A	N/A	N/A	N/A
418 McCartney Street	0	0	N/A	N/A	N/A	N/A
420 McCartney Street	0	0	N/A	N/A	N/A	N/A
421 Hamilton Street	0	0	N/A	N/A	N/A	N/A
422 McCartney Street	0	0	N/A	N/A	N/A	N/A
43 McCartney Street	0	0	N/A	N/A	N/A	N/A
434 McCartney Street	0	0	N/A	N/A	N/A	N/A
45 McCartney Street	0	0	N/A	N/A	N/A	N/A
511 Hamilton Street	0	0	N/A	N/A	N/A	N/A
512 March Street	0	0	N/A	N/A	N/A	N/A
513 Hamilton Street	0	0	N/A	N/A	N/A	N/A
513 High Street	0	0	N/A	N/A	N/A	N/A
514 March Street	0	0	N/A	N/A	N/A	N/A
515 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
517 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
518 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
518 March Street	0	0	N/A	N/A	N/A	N/A
520 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
520 March Street	0	0	N/A	N/A	N/A	N/A
522 March Street	0	0	N/A	N/A	N/A	N/A
524 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
543 Hamilton Street	0	0	N/A	N/A	N/A	N/A
594 Pardee Street	0	0	N/A	N/A	N/A	N/A
595 Pardee Street	0	0	N/A	N/A	N/A	N/A
615 Monroe Street	0	0	N/A	N/A	N/A	N/A
616 Parson Street	0	0	N/A	N/A	N/A	N/A
617 Monroe Street	0	0	N/A	N/A	N/A	N/A
619 Monroe Street	0	0	N/A	N/A	N/A	N/A
620 Monroe Street	0	0	N/A	N/A	N/A	N/A
621 Monroe Street	0	0	N/A	N/A	N/A	N/A
622 Monroe Street	0	0	N/A	N/A	N/A	N/A
623 Monroe Street	0	0	N/A	N/A	N/A	N/A
623 Parson Street	0	0	N/A	N/A	N/A	N/A
624 Monroe Street	0	0	N/A	N/A	N/A	N/A
624 Parson Street	0	0	N/A	N/A	N/A	N/A
625 Monroe Street	0	0	N/A	N/A	N/A	N/A

**2018: Statistics and Related Information Regarding Fires in Student Housing Facilities (continued)**

Student Housing Facilities	Fire Count	Fire #	Category/Cause of Fire	Injuries	Deaths	Damaged Property Value
626 Monroe Street	0	0	N/A	N/A	N/A	N/A
626 Parson Street	0	0	N/A	N/A	N/A	N/A
627 Monroe Street	0	0	N/A	N/A	N/A	N/A
628 Monroe Street	0	0	N/A	N/A	N/A	N/A
629 Monroe Street	0	0	N/A	N/A	N/A	N/A
630 Monroe Street	0	0	N/A	N/A	N/A	N/A
630 Parson Street	0	0	N/A	N/A	N/A	N/A
631 Monroe Street	0	0	N/A	N/A	N/A	N/A
632 Monroe Street	0	0	N/A	N/A	N/A	N/A
632 Parson Street	0	0	N/A	N/A	N/A	N/A
633 Monroe Street	0	0	N/A	N/A	N/A	N/A
633 Parson Street	0	0	N/A	N/A	N/A	N/A
634 Monroe Street	0	0	N/A	N/A	N/A	N/A
634 Parson Street	0	0	N/A	N/A	N/A	N/A
635 High Street	0	0	N/A	N/A	N/A	N/A
636 Monroe Street	0	0	N/A	N/A	N/A	N/A
638 Monroe Street	0	0	N/A	N/A	N/A	N/A
640 Pierce Street	0	0	N/A	N/A	N/A	N/A
641 Parson Street	0	0	N/A	N/A	N/A	N/A
643 Parson Street	0	0	N/A	N/A	N/A	N/A
Alpha Gamma Delta, 511 College Avenue	0	0	N/A	N/A	N/A	N/A
Alpha Phi, 752B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Chi Phi, 4 West Campus	0	0	N/A	N/A	N/A	N/A
Conway House, 752A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Delta Delta Delta, 2 West Campus Ln.	0	0	N/A	N/A	N/A	N/A
Delta Kappa Epsilon, 719 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Delta Upsilon, 750A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Easton Hall, 7 West Campus Lane	0	0	N/A	N/A	N/A	N/A
Farber Hall, 707 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Fisher Hall East, 778B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Fisher Hall West, 778A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Gates Hall, 210 McCartney St.	0	0	N/A	N/A	N/A	N/A
Grossman House, 611 High St.	0	0	N/A	N/A	N/A	N/A
Hamilton House, 718 Hamilton St.	0	0	N/A	N/A	N/A	N/A
Kamine Hall, 776A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Keefe Hall, 22 South College Dr.	0	0	N/A	N/A	N/A	N/A
Kirby House, 701 High St.	0	0	N/A	N/A	N/A	N/A
Lerch House, 721 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
March Hall, 723 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Marquis Hall, 730 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
McKeen Hall, 110 McCartney St.	0	0	N/A	N/A	N/A	N/A
McKelvy House, 200 High St.	0	0	N/A	N/A	N/A	N/A
Phi Kappa Psi, 715 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Pi Beta Phi, 750B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Ramer Hall, 711 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Rubin Hall, 776B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Ruef Hall North, 20A South College Dr.	0	0	N/A	N/A	N/A	N/A
Ruef Hall South, 20B South College Dr.	0	0	N/A	N/A	N/A	N/A
Soles Hall, 212 McCartney St.	0	0	N/A	N/A	N/A	N/A
South College, 7 South College Dr.	0	0	N/A	N/A	N/A	N/A
Watson Courts "A", 605 Clinton Terr.	0	0	N/A	N/A	N/A	N/A
Watson Courts "B", 607 Clinton Terr.	0	0	N/A	N/A	N/A	N/A
Watson Courts "C", 32 McCartney St.	0	0	N/A	N/A	N/A	N/A
Watson Hall, 750 High St.	0	0	N/A	N/A	N/A	N/A
Zeta Psi, 49 South College Drive	0	0	N/A	N/A	N/A	N/A

## 2019: Statistics and Related Information Regarding Fires in Student Housing Facilities

Student Housing Facilities	Fire Count	Fire #	Category/Cause of Fire	Injuries	Deaths	Damaged Property Value
106 Cattell Street	0	0	N/A	N/A	N/A	N/A
110 Cattell Street	0	0	N/A	N/A	N/A	N/A
114 Cattell Street	0	0	N/A	N/A	N/A	N/A
115 McCartney Street	0	0	N/A	N/A	N/A	N/A
115.5 McCartney Street	0	0	N/A	N/A	N/A	N/A
117 McCartney Street	0	0	N/A	N/A	N/A	N/A
118 Cattell Street	0	0	N/A	N/A	N/A	N/A
122 Cattell Street	0	0	N/A	N/A	N/A	N/A
123 McCartney Street	0	0	N/A	N/A	N/A	N/A
131 McCartney Street	0	0	N/A	N/A	N/A	N/A
225 Reeder Street	0	0	N/A	N/A	N/A	N/A
41 McCartney Street	0	0	N/A	N/A	N/A	N/A
402 McCartney Street	0	0	N/A	N/A	N/A	N/A
410 McCartney Street	0	0	N/A	N/A	N/A	N/A
412 McCartney Street	0	0	N/A	N/A	N/A	N/A
414 McCartney Street	0	0	N/A	N/A	N/A	N/A
416 McCartney Street	0	0	N/A	N/A	N/A	N/A
418 McCartney Street	0	0	N/A	N/A	N/A	N/A
420 McCartney Street	0	0	N/A	N/A	N/A	N/A
421 Hamilton Street	0	0	N/A	N/A	N/A	N/A
422 McCartney Street	0	0	N/A	N/A	N/A	N/A
43 McCartney Street	0	0	N/A	N/A	N/A	N/A
434 McCartney Street	0	0	N/A	N/A	N/A	N/A
45 McCartney Street	0	0	N/A	N/A	N/A	N/A
511 Hamilton Street	0	0	N/A	N/A	N/A	N/A
512 March Street	0	0	N/A	N/A	N/A	N/A
513 Hamilton Street	0	0	N/A	N/A	N/A	N/A
513 High Street	0	0	N/A	N/A	N/A	N/A
514 March Street	0	0	N/A	N/A	N/A	N/A
515 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
517 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
518 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
518 March Street	0	0	N/A	N/A	N/A	N/A
520 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
520 March Street	0	0	N/A	N/A	N/A	N/A
522 March Street	0	0	N/A	N/A	N/A	N/A
524 Clinton Terrace	0	0	N/A	N/A	N/A	N/A
543 Hamilton Street	0	0	N/A	N/A	N/A	N/A
594 Pardee Street	0	0	N/A	N/A	N/A	N/A
595 Pardee Street	0	0	N/A	N/A	N/A	N/A
601 Pardee Street	0	0	N/A	N/A	N/A	N/A
615 Monroe Street	0	0	N/A	N/A	N/A	N/A
616 Parson Street	0	0	N/A	N/A	N/A	N/A
617 Monroe Street	0	0	N/A	N/A	N/A	N/A
619 Monroe Street	0	0	N/A	N/A	N/A	N/A
620 Monroe Street	0	0	N/A	N/A	N/A	N/A
621 Monroe Street	0	0	N/A	N/A	N/A	N/A
622 Monroe Street	0	0	N/A	N/A	N/A	N/A
623 Monroe Street	0	0	N/A	N/A	N/A	N/A
623 Parson Street	0	0	N/A	N/A	N/A	N/A
624 Monroe Street	0	0	N/A	N/A	N/A	N/A
624 Parson Street	0	0	N/A	N/A	N/A	N/A
625 Monroe Street	0	0	N/A	N/A	N/A	N/A
626 Monroe Street	0	0	N/A	N/A	N/A	N/A
626 Parson Street	0	0	N/A	N/A	N/A	N/A

**2019: Statistics and Related Information Regarding Fires in Student Housing Facilities (continued)**

Student Housing Facilities	Fire Count	Fire #	Category/Cause of Fire	Injuries	Deaths	Damaged Property Value
627 Monroe Street	0	0	N/A	N/A	N/A	N/A
628 Monroe Street	0	0	N/A	N/A	N/A	N/A
629 Monroe Street	0	0	N/A	N/A	N/A	N/A
630 Monroe Street	0	0	N/A	N/A	N/A	N/A
630 Parson Street	0	0	N/A	N/A	N/A	N/A
631 Monroe Street	0	0	N/A	N/A	N/A	N/A
632 Monroe Street	0	0	N/A	N/A	N/A	N/A
632 Parson Street	0	0	N/A	N/A	N/A	N/A
633 Parson Street	0	0	N/A	N/A	N/A	N/A
633 Monroe Street	0	0	N/A	N/A	N/A	N/A
634 Monroe Street	0	0	N/A	N/A	N/A	N/A
634 Parson Street	0	0	N/A	N/A	N/A	N/A
635 High Street	0	0	N/A	N/A	N/A	N/A
636 Monroe Street	0	0	N/A	N/A	N/A	N/A
638 Monroe Street	0	0	N/A	N/A	N/A	N/A
640 Pierce Street	0	0	N/A	N/A	N/A	N/A
641 Parson Street	0	0	N/A	N/A	N/A	N/A
643 Parson Street	0	0	N/A	N/A	N/A	N/A
Alpha Gamma Delta, 511 College Avenue	0	0	N/A	N/A	N/A	N/A
Alpha Phi, 752B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Black Cultural Center, 101 McCartney St.	0	0	N/A	N/A	N/A	N/A
Chi Phi, 4 West Campus	0	0	N/A	N/A	N/A	N/A
Conway House, 752A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Delta Delta Delta, 2 West Campus Ln.	0	0	N/A	N/A	N/A	N/A
Delta Kappa Epsilon, 719 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Delta Upsilon, 750A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Easton Hall, 7 West Campus Lane	0	0	N/A	N/A	N/A	N/A
Farber Hall, 707 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Fisher Hall East, 778B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Fisher Hall West, 778A Sullivan Rd.0	0	0	N/A	N/A	N/A	N/A
Gates Hall, 210 McCartney St.	0	0	N/A	N/A	N/A	N/A
Grossman House, 611 High St.	0	0	N/A	N/A	N/A	N/A
Hamilton House, 718 Hamilton St.	0	0	N/A	N/A	N/A	N/A
Kamine Hall, 776A Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Keefe Hall, 22 South College Dr.	0	0	N/A	N/A	N/A	N/A
Kirby House, 701 High St.	0	0	N/A	N/A	N/A	N/A
Lerch House, 721 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
March Hall, 723 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Marquis Hall, 730 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
McKeen Hall, 110 McCartney St.	0	0	N/A	N/A	N/A	N/A
McKelvy House, 200 High St.	0	0	N/A	N/A	N/A	N/A
Phi Kappa Psi, 715 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Pi Beta Phi, 750B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Ramer Hall, 711 Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Rubin Hall, 776B Sullivan Rd.	0	0	N/A	N/A	N/A	N/A
Ruef Hall North, 20A South College Dr.	0	0	N/A	N/A	N/A	N/A
Ruef Hall South, 20B South College Dr.	0	0	N/A	N/A	N/A	N/A
Soles Hall, 212 McCartney St.	0	0	N/A	N/A	N/A	N/A
South College, 7 South College Dr.	0	0	N/A	N/A	N/A	N/A
Watson Courts "A", 605 Clinton Terr.	0	0	N/A	N/A	N/A	N/A
Watson Courts "B", 607 Clinton Terr.	0	0	N/A	N/A	N/A	N/A
Watson Courts "C", 32 McCartney St.	0	0	N/A	N/A	N/A	N/A
Watson Hall, 750 High St.	0	0	N/A	N/A	N/A	N/A
Zeta Psi, 49 South College Drive	0	0	N/A	N/A	N/A	N/A