PennState Health
Milton S. Hershey
Medical Center

# Policies, Safety & U

2016 ANNUAL SECURITY REPORT AND ANNUAL FIRE SAFETY REPORT

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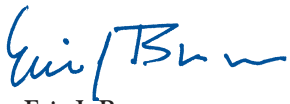
## From the President

To the University Community—

We at Penn State are committed to providing a safe campus environment, and we ask that everyone takes ownership of this goal. Over the years and in myriad ways, Penn State has undertaken many important institutional efforts to address safety issues, including this publication. I urge you to review the information about campus safety measures, reporting crimes and other emergencies, as well as the procedures and policies designed to protect our University community. We have no greater priority than the safety of our students, faculty, staff, and visitors to our campuses, but a truly safe campus can only be achieved through the cooperation of everyone. Thank you for attention to this very important mission.



**Eric J. Barron**
*President*

## From the Director of Security

To the University Community—

On behalf of the members of the Department of Security, I want to thank you for your interest in our annual publication "Policies, Safety & U." We publish this report because it contains valuable information for our campus community. We also publish the report to comply with the important provisions of the Clery Act. Campus safety and security and compliance with the Clery Act should be a part of everyone's responsibility at Penn State. We encourage you to review the information we have made available to you in this brochure. You will find information about our organization, including descriptions of certain services that we provide. You will also become familiar with our strong commitment to victims of crimes and the specific extensive services we make available to crime victims. Lastly, you will find important information about security policies and procedures at Penn State Hershey, crime data, and crime prevention information. We join President Barron in the commitment to foster a secure and supportive environment at Penn State. We are proud to be an integral part of Penn State's tradition of excellence. Campus safety and security is a collaborative effort at Penn State. We partner with the many Departments at the University that have a critical role in fostering campus safety, including the Division of Student Affairs, the Department of Safety, and other University offices. It has always been our goal to provide the highest quality of public safety services to the University community and we are honored to collaborate with the entire Penn State community. The men and women of the Department of Security are committed to making the Penn State campus a safe place in which to live, work, and study.

**Scott R. Sutherland**
*Director of Security, Penn State Hershey*

### Accessibility to Information and Non-Discrimination Policy

The University is committed to equal access to programs, facilities, admission, and employment for all persons. It is the policy of the University to maintain an environment free of harassment and free of discrimination against any person because of age, race, color, ancestry, national origin, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender, perceived gender, gender identity, genetic information, or political ideas. Discriminatory conduct and harassment, as well as sexual misconduct and relationship violence, violates the dignity of individuals, impedes the realization of the University's educational mission, and will not be tolerated. Direct all inquiries regarding the nondiscrimination policy to Dr. Kenneth Lehrman III, Vice Provost for Affirmative Action, Affirmative Action Office, The Pennsylvania State University, 328 Boucke Building, University Park, PA 16802-5901; Email: kfl2@psu.edu; Tel 814-863-0471.

# Annual Security Report

## PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

The Department of Security publishes this report to inform the Penn State community about campus security policies, initiatives to prevent and respond to crime and emergencies, and the occurrence of crime on campus. This report complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act and uses information maintained by the University Police, as well as information provided by other University offices such as Student Affairs, Residence Life, Office of Student Conduct, and information provided by Campus Security Authorities, and local law enforcement agencies surrounding the Penn State Hershey campus. Each of these entities provides updated policy information and/or crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings and property owned, leased, or controlled by Penn State University. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol, and other drugs.

The University distributes a notice of the availability of this Annual Security Report and Annual Fire Safety Report by October 1 of each year to every member of the University community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting the Department of Security at 717-531-8711 or by visiting http://www.police.psu.edu/annual-security-reports/ and clicking on "College of Medicine."

## ABOUT THE DEPARTMENT OF SECURITY

### *Role, Authority, and Training*

The Department of Security is headed by a Director of Security with a staff of twenty-nine non-sworn, unarmed officers who provide service twenty-four hours a day, 365 days a year. The security officers do not have arrest authority. The department reports to the Managing Director of Hospital Operation. All officers are required to have a high school diploma; two years or more of security experience; and receive yearly in-service training each year concentrating on annual safety training, radiation safety training, first responder training, and infection control training. Upon hiring, officers receive eighty hours of orientation and field training, where they are trained in numerous vocations, including verbal and physical de-escalation techniques to deal with violent patients.

Department of Security Mission Statement: "To provide for the protection of the lives; well-being and property of patients, students, visitors and employees at the Hershey Medical Center Campus; and to provide for the protection of Penn State Hershey Medical Center and Penn State University property."

### *Safety, Our Number One Priority*

The University takes great pride in the community at Penn State Hershey and has many advantages for students, faculty, and staff. This community is a great place to live, learn, work, and study, however, this does not mean that the campus community is immune from problems. With that in mind, Penn State has taken progressive measures to create and maintain a safe environment on campus.

Though the University is progressive with its policies, programs, and education, it is up to each of us to live with a sense of awareness and use reasonable judgment when living, working, or visiting on campus.

### *Working Relationship with Local, State, and Federal Law Enforcement Agencies*

The Department of Security maintains a cooperative relationship with the Pennsylvania State Police, the Derry Township Police, and surrounding police agencies. Security officers investigate minor criminal incidents, with all serious criminal incidents being referred to the Derry Township Police for investigation. The College of Medicine encourages all victims of crime to report the incident to a Department of Security, the Office of Student Affairs or to the Derry Township Police.

The Penn State Hershey Department of Security does not participate in any Intermunicipal Mutual Aid Agreements. The department has interoperable radio communications with Dauphin County Communications Center for emergency use. If the Security Department learns of criminal activity involving students, it will provide that information to the appropriate law enforcement agency and forward information about the situation to the Office of Student Conduct, as appropriate.

### *Crimes Involving Student Organizations at Off-Campus Locations*

Penn State Hershey relies on its close working relationships with local law enforcement agencies to receive information about incidents involving Penn State students and recognized student organizations, on and off campus. All crime occurring on or near campus will be investigated by local law enforcement. If the Security Department learns of criminal activity involving students or student organizations, it will provide that information to the appropriate external law enforcement agency and forward information about the situation to the Office of Student Conduct, as appropriate.

The University requires all recognized student organizations to abide by federal, state, and local laws, and University regulations. The University may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to affect a substantial University interest (as defined in the University Off-Campus Misconduct Policy at http://studentaffairs.psu.edu/conduct/policies/offcampus.shtml.)

## REPORTING CRIMES AND OTHER EMERGENCIES

The University has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to law enforcement and to appropriate University officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire Penn State Hershey community that you immediately and accurately report all incidents so that the Department of Security can investigate the situation and determine if follow-up actions are required, including issuing a Crime Alert or emergency notification.

### *Voluntary, Confidential Reporting*

If crimes are never reported, little can be done to help other members of the community from also being victims. We encourage University community members to report crimes promptly and to participate in and support crime prevention efforts. We also encourage University community members to report crimes when the victim is unable to make the report. The University community will be much safer when all community members participate in safety and security initiatives.

If you are the victim of a crime or want to report a crime you are aware of, but do not want to pursue action within the University or criminal justice system, we ask that you consider filing a voluntary, confidential report. Depending upon the circumstances of the crime you are reporting, you may be able file a report while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential reports allow the University 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 Report and Annual Fire Safety Report. In limited circumstances, the department may not be able to assure confidentiality and will inform you in those cases.

Anyone may call the Department of Security at 717-531-8711 to report concerning information. Callers may remain anonymous.

### *Reporting to Department of Security*

We encourage all members of the University community to report all crimes and other emergencies to Department of Security in a timely manner. The Department of Security maintains a dispatch center that is available in person, or by phone at 717-531-8711, twenty-four hours a day just inside the Emergency Department entrance, room H1486A. The Security Administration Office is located at the Eastmoor Building, 2nd Floor.. Although many resources are available, Department of Security should be notified of any crime, whether or not an investigation ensues, to assure the University can assess any and all security concerns and inform the community if there is a significant threat to the University community.

#### Emergency Phones

The University has installed seventy-six emergency phones in and around the Penn State Hershey and the Hershey Medicine Center campus. Phones are located throughout the parking lots and parking garages, as well as in remote areas of various campus buildings. Emergency phone towers are also located at University Manor East Student Housing Complex, there are six strategically placed emergency phones throughout the complex. At University Manor West there are three strategically placed emergency phone towers. Emergency phones provide direct voice communications to the Security Department Dispatch Center.

#### Anonymously

If you are interested in reporting a crime anonymously, you can utilize the University Police's online crime reporting website, which can be accessed at http://www.police.psu.edu/psu-police/report-crime.cfm. It is our policy to attempt not to trace the origin of the person who submits this form, unless such is deemed necessary for public safety. You can also submit tips through Pennsylvania Crime Stoppers at 1-800-4-PA-TIPS or via the website.

### *Reporting to Other Campus Security Authorities*

While the University prefers that community members promptly report all crimes and other emergencies directly to the Department of Security at 717-531-8711, or to 911, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University officials and offices as "Campus Security Authorities" (CSAs). The act defines these individuals, among other individuals, as "An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as a person who has the authority and the duty to take action or respond to particular issues on behalf of the institution."

While the University has identified a number of CSAs at Hershey, we officially designate the following offices as places where campus community members should report crimes:

| Official | Campus Address | Phone Number |
|---|---|---|
| Department of Security | 202 Eastmoor Bldg. | 24 hour dispatch 717-531-8711<br>Administration 717-531-3546 |
| Title IX Coordinator | 222 Boucke Building University Park, PA 16802 | 814-867-0099 |
| COM Deputy Title IX Coordinator | 500 University Drive, Room C1747N | 717-531-0003 Ext: 282353 |

### Pastoral and Professional Mental Health Counselors

According to the Clery Act, pastoral and professional mental health counselors who are appropriately credentialed and hired by Penn State to serve exclusively in a counseling role are not considered CSAs. As a matter of policy, the University encourages pastoral and professional mental health counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

## TIMELY WARNING REPORTS

In an effort to provide timely notice to the campus community in the event of a Clery Act Crime that may pose a serious or ongoing threat to members of the community, the University Police issues "Timely Warnings." The University may issue a Timely Warning for the following: arson; aggravated assault; criminal homicide; domestic violence; dating violence; robbery; burglary; sexual assault; hate crimes; and stalking. The University may also issue a Timely Warning for alcohol, drug, and weapon arrests or referrals that may cause a continuing threat to the community. University Police will distribute these warnings through a variety of ways, including but not limited to posters, emails, and media. The University also has the ability to send text message alerts to those who register their cell phone numbers. The text messaging can be a very effective way to send important information to the campus community.

The purpose of a Timely Warning is to notify the campus community of the incident and to provide information that may enable the community to take steps to protect themselves from similar incidents. The University will issue Timely Warnings whenever the following criteria are met: (1) one of the above listed crimes are reported; (2) the perpetrator has not been apprehended; and (3) there is a substantial risk to the safety of other members of the campus community because of this crime. The University may also issue a Timely Warning in other circumstances, as outlined above.

At Penn State Hershey, the Director of Security will generally make the determination, in consultation with other University offices, if a Timely Warning is required. For incidents involving off-campus crimes, the University may issue a Timely Warning if the crime occurred in a location used and frequented by the University population.

## EMERGENCY RESPONSE AND EVACUATION PROCEDURES

### *Emergency Management at Penn State University*

The Office of Emergency Management assists departments and campuses with developing, maintaining, and implementing emergency operations plans, developing and conducting exercises, hazard and risk education, and building partnerships with external response agencies. The Office of Emergency Management is responsible for assisting with and coordinating the University's overarching mitigation, preparedness, response, and recovery programs.

Each campus within the Penn State University system maintains an emergency management program. Within the context of these programs, each campus develops and distributes emergency response procedures to students and employees. These procedures are maintained and distributed in a variety of ways. Some campuses post the information in hallways and classrooms; others have this information available on their website. Pamphlets and brochures with emergency response information are available at all locations through the campus's security or police department.

### *Drills, Exercises, and Training*

To ensure the campus's emergency management plans remain current and actionable, the campuses conduct at least one exercise annually. These exercises include, but are not limited to: tabletops, drills, functional, or full-scale. The campuses conduct after-action reviews of all emergency management exercises. The Office of Emergency Management works with each campus location to develop exercises scenarios and schedules and coordinates these events with local, state, and federal response agencies as well as stakeholders.

In conjunction with at least one emergency management exercise each year, the campus will notify the appropriate campus community of the exercise and remind the community of the University's PSUAlert system and emergency response procedures.

### *Emergency Notification*

Penn State University is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. Penn State University will immediately notify the campus community upon confirmation of an emergency or dangerous situation. Penn State University uses the emergency notification system RAVE to provide alerts via PSUALERT. PSUALERT is an emergency notification service available to students, faculty and staff. PSUALERT is a closed, opt-out system. PSUALERT can be used to send emergency messages within minutes of the occurrence of an incident. Alerts sent by PSUALERT are simulcast to the University community via our news wire www.news.psu.edu, Penn State's Facebook page, Twitter, or at the subscriber's choice, his/her cellular or land-line telephone. Individual Twitter accounts for all twenty-three locations are available to individuals that do not have Penn State e-mail addresses. All Penn State e-mail addresses are automatically in the system and cannot be removed by the user. All of the twenty-three campuses have full access to PSUALERT for posting.

**Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System:**

University Police and Public Safety and/or other Responsible University Authorities may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. Generally, Responsible University Authorities become aware of these situations when they are reported to the campus police or security department or directly to a University employee. A Responsible University Authority is defined as a Penn State employee that has the knowledge, skills, and abilities necessary to evaluate whether or not a particular event requires an emergency notification and to determine if such a notification would compromise the efforts to contain the emergency. This individual may also determine if a message should be sent to benefit the health, safety, and well-being of the campus community for situations that do not pose a significant emergency or dangerous situation.

Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, first responders will notify supervisors in University Police and Public Safety or other Responsible University Authorities to issue an emergency notification.

The institution 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 judgement of Reponsible University Authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

**Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification:**

Campus and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of the campus community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e., the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The Responsible Campus Authorities will continually evaluate the situation and assess the need to notify additional segments of the campus population.

**Determining the Contents of the Emergency Notification:**

Speed and accuracy of the information are of utmost importance in issuing emergency notifications. To expedite this process and ensure each message contains essential information, the mass notification system contains pre-scripted templates for the most probable or highest impact emergencies based on a campus' Hazard Vulnerability Analysis (HVA). These messages identify the situation, allow for input of the location, and identify the immediate protective action that should be taken. The individual authorizing the message will select the most appropriate template. In those cases where there are no predetermined templates in the system, the individual may use the "custom" template to craft a specific message. The goal is to ensure people are aware of the situation and they know the steps to take to stay safe.

**Procedures Used to Notify the Campus Community:**

In the event of a situation that poses an immediate threat to members of the campus community, the campus has various systems

in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an emergency. These methods of communications include the mass notification system PSUAlert, which may include: SMS, e-mail, voice, RSS, Twitter, and Facebook. We may also use verbal announcements within buildings, public address systems, fire alarms, and posting to websites as described in the Emergency Notification Annex.

**Procedures for Disseminating Emergency Information to the Larger Community (i.e., individuals and organizations outside the campus community):**

If the campus activates its Emergency Notification Annex in response to a situation that poses an immediate threat to members of the campus community, the appropriate offices at the campus will notify the larger community about the situation and steps the campus has taken to address the emergency. Primarily, campus communicators/news and media relations is responsible for crisis communications and for updating notices on Facebook, Twitter, and other social networking platforms and for maintaining communications with news outlets, distribution of press releases, and scheduling of press conferences.

**Enrolling in the University's Mass Notification System PSUAlert:**

We encourage employees and students of the campus community to enroll in PSUAlert. All employees and students with an access account and psu.edu e-mail automatically have their psu.edu e-mail enrolled in the system. They are encouraged to visit the PSUAlert portal at http://psualert.psu.edu and add phone numbers and additional e-mails. Members of the larger community are encouraged to follow us on Twitter, Facebook, or our websites.

## SECURITY OF AND ACCESS TO PENN STATE HERSHEY FACILITIES

At Penn State Hershey and the Hershey Medical Center campus, academic buildings are generally open 6:00 a.m. until 6:00 p.m., Monday through Friday. The University Fitness Center is open at 5:00 a.m. until 9:30 p.m. Administrative buildings have a wide variety of opening and closing times with the hospital open twenty-four hours a day. Hospital access is controlled by security systems and/or security personnel at major entrances and by patrolling security officers throughout the facility. Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized access.

### Special Considerations for Residence Hall Access

Penn State Hershey maintains the University Manor Housing Complex for students and employees. Doors are equipped with a dead-bolt latch, and lockset core that are individually opened and closed by owner key. When a door is malfunctioning, personnel are summoned for repairs. At the time apartment keys are issued, tenants are given University Manor parking regulations, telephone installation and dialing instructions, and fire-protection system instructions. Emergency instructions are displayed in each apartment detailing the use of the fire-alarm system and the fire extinguisher.

It is the resident's responsibility to ensure that his/her guests are aware of the University and residence hall policies. Guests are not provided with room keys or door access cards. It is the responsibility of residents, and housing staff to challenge or report individuals who cannot be identified as residents or the guests of residents. Solicitation is not allowed and visitors are by tenant invitation. Security Department personnel also conduct regular checks of residence hall areas. When the Security Department receives a report of an unescorted person, an officer is dispatched to identify that person.

No special security procedure has been adopted for housing students during low-occupancy periods such as holidays and vacations. Tenants who have lost their keys or have locked themselves out must go to the housing office during normal work hours to sign for a loaner key. If the tenant does not find his or her key within seven days, the lock is replaced and new keys are issued. The tenant is charged for the replacement cost. During off hours, if a tenant has lost his or her key or is accidentally locked out, the tenant must contact a security officer to unlock the door. The tenant must produce proper identification, and the officer will confirm the identity of the tenant with the dispatcher, who has a current list of tenants in the complex.

Additional information regarding housing at Penn State Hershey is available at: http://www.pennstatehershey.org/web/housing/home/services.

### Security Considerations for the Maintenance of Campus Facilities

Penn State University is committed to campus safety and security. Identification badges are issued to all students, faculty, staff, and affiliates during the orientation process by the Security Department. The identification badges are required to be worn in all facilities of the Medical Center. Security officers, as well as faculty and staff, will challenge unidentified and potentially unauthorized persons in these facilities. Unidentified and unauthorized persons will be asked to leave and will be escorted by Security from the premises.

The identification badges may be used for authorized access at several main entrances to the Medical Center and the College of Medicine. The badges may not be modified or abused in any manner and a lost badge must be immediately reported to Security.

At Penn State Hershey, locks, landscaping, and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building. Groundskeeping personnel trim shrubs from sidewalks, walkways, and building entrances to provide a well-lighted route to buildings. All campus walkways are inspected quarterly to ensure adequate lighting. Burned-out lights are replaced promptly.

We encourage community members to promptly report any security concern, including concerns about locking mechanisms, lighting, or landscaping to the Security Department at 717-531-8711.

Security escorts are provided for persons who request them, especially during hours of darkness. A radio loaner program is also available whereby persons may borrow a hand-held radio that is tuned to the Security frequency while walking on campus after dark.

Penn State Milton S. Hershey Medical Center and the College of Medicine is a tobacco-free organization. No smoking or use of tobacco products of any kind is permitted in our buildings, inside vehicles, or anywhere on the grounds.

## PENN STATE'S RESPONSE TO DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

The Pennsylvania State University does not discriminate on the basis of sex in its educational programs nor tolerate sexual violence, or sexual harassment, which are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether gender based or not and include dating violence, domestic violence, and stalking. As a result, The Pennsylvania State University issues this statement of policy to inform the community of our comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus, and how these events are reported to a University official. In this context, The Pennsylvania State University prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking, and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the University community.

### Our Commitment to Addressing Sexual Assault/Rape, Domestic Violence, Dating Violence, and Stalking

The University does not tolerate sexual misconduct or abuse, such as sexual assault, rape, or any other forms of nonconsensual sexual activity. Sexual misconduct in any form violates the Student Code of Conduct, University policies (http://guru.psu.edu/policies/AD85.html), and may violate federal and state laws. Violations are subject to disciplinary sanctions through the Office of Student Conduct and/or those outlined in applicable University policies (please refer to Policy AD85 Discrimination, Harassment, Sexual Harassment and Related Inappropriate Conduct). Penn State's Sexual Harassment and Assault Reporting and Education website is also intended to provide assistance in obtaining information and identifying resources for anyone who becomes aware of or have experienced sexual harassment and assault at http://titleix.psu.edu/.

- On-campus, confidential counseling services are available to students through Counseling and Psychological Services (CAPS) and the Center for Women Students (CWS) http://studentaffairs.psu.edu/womenscenter/rapeandsexualassault/.
- "Trauma Drop" is a special procedure that may enable a victim of sexual assault, dating violence, domestic violence, stalking, or other life traumas to retroactively withdraw from a semester or individual courses.
- The University may assist victims with student financial aid assistance and/or visa/immigration assistance if requested and to the extent they are reasonably available.

## What is Consent?

Pennsylvania does not define consent in reference to sexual activity. The University defines consent as follows: Consent must be informed, freely given and mutual. If coercion, intimidation, threats or physical force are used there is no consent. If a person is mentally or physically incapacitated or impaired so that such person cannot understand the fact, nature or extent of the sexual situation, there is no consent: this includes impairment or incapacitation due to alcohol or drug consumption, or being asleep or unconscious, where the respondent knew or reasonably should have known that the person was incapacitated. Inducement of incapacitation of another with the intent to affect the ability of an individual to consent or refuse to consent to sexual contact almost always, if not always, negates consent. Silence does not necessarily constitute consent. Whether a person has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

## Defining Sexual Assault/Rape, Domestic Violence, Dating Violence, and Stalking

**Sexual Assault:** Under Pennsylvania law, sexual assault occurs when a person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent.

The Clery Act defines Sexual Assault as Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent. This includes Rape, Fondling Incest and Statutory Rape as defined by the Clery Act.

According to University policy AD85, Sexual Assault occurs when a person engages in sexual intercourse or deviate sexual intercourse with a complainant without the victim's consent, and includes rape, fondling, incest, or statutory rape. Sexual assault also includes, but is not limited to, attempted or unwanted sexual activity, such as sexual touching and fondling. This includes the touching of an unwilling person's intimate parts (defined as genitalia, groin, breast or buttock, or clothing covering them), or forcing an unwilling person to touch another's intimate parts.

**Rape:** Under Pennsylvania law, rape occurs when a 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; or (5) who suffers from a mental disability which renders the complainant incapable of consent.

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

University policy AD85 does not specifically define Rape. See the above definition for Sexual Assault.

**Domestic Violence**: Domestic Violence is not defined by Pennsylvania state statute. Under Pennsylvania Protection From Abuse Act, however,"abuse" is defined as 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 Clery Act defines Domestic Violence as a felony or misdemeanor crime of violence committed –

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

According to University policy AD85 Domestic violence includes crimes of violence committed against a victim by; (i) a current or former spouse or intimate partner of the victim; (ii) a person with whom the victim shares a child; (iii) a person who is or has cohabitated with the victim as a spouse; (iv) a person similarly situated to a spouse of the victim; or (v) any other person (adult or child) against whom the victim is protected under Pennsylvania's domestic and family violence laws. It is important to recognize that emotional, verbal, and economic abuse are part of the web of domestic violence and can exist without the presence of physical abuse.

**Dating Violence:** Dating Violence is not specifically defined by Pennsylvania state statute.

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

According to University policy AD85, Dating Violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship will be based on the reporting party's statement and with consideration of the length and type of relationship and the frequency of interaction between the persons involved in the relationship. Dating violence includes but is not limited to sexual or physical abuse or the threat of such abuse. However, it is important to recognize that emotional, verbal, and economic abuse

are part of the web of dating violence and can exist without the presence of physical abuse.

**Stalking:** Under Pennsylvania law, stalking occurs when a 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.

The Clery Act defines Stalking as engaging in a course of conduct directed at a specific person that would cause a reasonable person to –

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

According to University policy AD85 Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others, or to suffer substantial emotional distress. Stalking may include repeatedly following, harassing, threatening, or intimidating another by telephone, mail, electronic communication, social media, or any other action, device or method.

## What to do if you have been the victim of sexual assault, dating violence, domestic violence or stalking

After an incident of sexual assault, it is important to seek medical attention as soon as possible. In Pennsylvania, evidence may be collected even if a victim chooses not to make a report to law enforcement. It is important that victims of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence, as may be necessary to the proof of criminal activity, may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease.

Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University hearing boards/investigators or police. Victims of sexual assault, domestic violence, stalking and dating violence are also encouraged to preserve physical and medical evidence as may be necessary to the proof of criminal domestic violence, dating violence, sexual assault or stalking or in obtaining a protection order.

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report, and victims have the right to decline involvement with the police. Whether a victim reports the crime to the police, or not, if the alleged offender is a member of the University community, the victim has a right to proceed to seek University discipline against the offender as explained in more detail in AD85 and in the section of this Annual Security Report entitled, "University Procedures for Responding to Reports of Sexual Assault, Domestic Violence, Dating Violence, and Stalking."

To criminally report an incident involving a sexual assault, domestic violence, stalking, and dating violence, contact the Penn State University Police/Public Safety Department at 717-531-8711 or http://police.psu.edu/report-crime and/or local law enforcement. The University will assist any victim with notifying local police if they so desire, including assisting a victim with making a police report. Making a police report can involve calling or visiting the local police agency to initiate a report. A victim of domestic violence, dating violence, sexual assault or stalking who proceeds through the criminal process has the following rights, which, upon request, will be provided to a reporting student or employee in writing, regardless of where the crime occurred:

- To receive information concerning available services for victims;
- To be notified of certain significant actions and proceedings pertaining to your case;
- To be accompanied at all public criminal proceeding by a victim advocate, family member or another person;
- In cases involving personal injury crimes, burglary, and crimes relating to driving under the influence which involved bodily injury, the victim may offer prior comment on the potential reduction or dropping of any charge or changing of a plea;
- To offer prior comment on the sentencing of a defendant to include the submission of a written and/or oral victim impact statement;
- To be restored, to the extent possible, to the pre-crime economic status through restitution, compensation, and the return of property;
- Where applicable, to obtain an order of protection, no contact order, restraining order, or other similar lawful order issued by a criminal, civil or tribal court, or a no contact directive from the University. The University will, when appropriate, issue a no contact directive. To request a University-issued no contact directive, individuals may contact Paul Apicella, JD, Office of Sexual Misconduct Prevention and Response, 222 Boucke Building, University Park, PA 16801 (814-867-0099) (pua26@psu.edu) or Danny Shaha, Senior Director, Office of Student Conduct and Deputy Title IX Coordinator for Students, 120 Boucke Building, University Park, PA 16802 (814-863-0342) (jds49@psu.edu)
- If personal injury results from the incident, and the offender is sentenced to a state correctional facility, the victim has the opportunity to provide prior comment on and to receive state post sentencing release decisions (work release, parole, pardon, or community treatment center placement) and to be provided immediate notice of escape of the offender;
- If personal injury occurs from the incident and the offender is sentenced to a local correctional facility, the victim has the right to receive notice of release of the offender (including work release, furlough, parole, community treatment center placement) and to be provided with immediate notice of the escape of the offender;
- Where the offender is subject to a PFA order and is committed to a local correctional facility for a violation of the order or for a personal injury crime against a victim protected by the order, the victim has the right to receive immediate notice of the release of the offender on bail;

- When an offender is committed to a mental health facility from a state correctional institution, the victim has the right to notice of the discharge, transfer, or escape of the offender from the mental health facility; and
- The victim has the right to have assistance in the preparation of, submission of and follow-up on financial assistance claims to the Crime Victim's Compensation Program.

Moreover, to the extent of the victim's cooperation and consent, University offices will work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal University investigation of the complaint. For example, if reasonably available, a complainant may be offered changes to academic, living, transportation, or working situations or protective measures in addition to counseling, health services, and assistance in notifying appropriate local law enforcement, which, where appropriate and requested and to the extent permissible by law, will be kept confidential. All options for accommodations and protective measures will be provided to the complainant in writing upon request. The University will make available accommodations or provide protective measures regardless of whether the complainant chooses to report the crime to campus police or local law enforcement.

For information about protecting confidentiality, see the section of this Annual Security Report entitled "Protecting the Confidentiality of Victims."

## *Risk reduction, warning signs of abusive behavior and future attacks*

No victim is EVER to blame for being assaulted or abused. Unfortunately, studies show that a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, to recognize warnings signs of abusive behavior and how to reduce the risk of a potential attack.

### Warning Signs of Abusive Behavior

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. Warning signs of dating and domestic violence include:

1. Being afraid of your partner;
2. Constantly watching what you say to avoid a "blow up;"
3. Feelings of low self-worth and helplessness about your relationship;
4. Feeling isolated from family or friends because of your relationship;
5. Hiding bruises or other injuries from family or friends;
6. Being prevented from working, studying, going home, and/or using technology (including your cell phone);
7. Being monitored by your partner at home, work or school; and
8. Being forced to do things you don't want to do.

### Help Reduce Your Risk and Avoid Potential Attacks

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

1. Get help by contacting the Counseling Center or Health Center for support services
2. Learn how to look for "red flags" in relationships so you can learn to avoid some of those characteristics in future partners
3. Consider making a report with Campus Police and/or the Title IX Coordinator and ask for a "no contact" directive from the University to prevent future contact
4. Consider getting a protection from abuse order or no contact order from a local judge or magisterial justice
5. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
6. Trust your instincts—if something doesn't feel right in a relationship, speak up or end it.

### Sexual Assault Prevention (From RAINN)

- Be aware of rape drugs
- Try not to leave your drink unattended
- Only drink from un-opened containers or from drinks you have watched being made and poured
- Avoid group drinks like punch bowls
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible
- If you suspect you have been drugged, go to a hospital and ask to be tested
- Keep track of how many drinks you have had
- Try to come and leave with a group of people you trust
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours

### Traveling around campus (walking)

- Make sure your cell phone is easily accessible and fully charged
- Be familiar with where emergency phones are installed on the campus
- Be aware of open buildings where you can use a phone
- Keep some change accessible just in case you need to use a pay phone
- Take major, public paths rather than less populated shortcuts

- Avoid dimly lit places and talk to campus services if you believe that lights need to be installed in an area
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone
- Walking back from the library very late at night is sometimes unavoidable, so try to walk with a friend
- Carry a noisemaker (like a whistle) on your keychain
- Carry a small flashlight on your keychain
- If walking feels unsafe, try calling campus security

## *Bystander Intervention: We all have a role to play in watching out for each other*

Stand for State is Penn State's bystander intervention program focusing on sexual and relationship violence, mental health concerns, acts of bias, and risky drinking and drug use based on Green Dot's bystander intervention model (https://www.livethegreendot.com/). Green Dot is a national leader in violence prevention education. It is built on the premise that in order to measurably reduce harm on a campus, a cultural shift is necessary. This shift is recognizing that each person who is not okay with violence (labeled as a "red dots") has a role to play helping create a safer campus for all. The vast majority of people on campus are never going to put a red dot on the campus map. But they can all help reduce harm by choosing to put a green dot on the map instead. They can do this by stepping in safely if they ever see a potential red dot, and also by showing the people around them that they aren't okay with violence (through conversations, attending/supporting violence prevention events, posting to social media, etc.).

**There are two ways bystanders can take action (green dots):**

1. **Reactive:** The 3D's are ways a bystander can respond to concerning situations in a safe and effective way.
2. **Proactive:** These are things you can do to make it less likely that concerning behaviors ever happen by showing that you do not tolerate violence.

### The 3D's

**Direct:** To directly interact with the people involved in the situation and addressing that you are concerned.

*Examples:*

- Grab some friends and check in together
- "Are you OK?"
- "I'm worried about you, can I get you home?"

**Distract:** When you do not want to express you're concerned, but still want to defuse the situation.

*Examples:*

- Say their friends have been looking for them
- Just stick around and don't leave the two alone
- Offer an alternative activity

**Delegate:** Asking someone else to help because you are uncomfortable intervening. This also notifies someone else of what is going on and that something needs to be done. If you ever feel unsafe, delegate.

*Examples:*

- Talk to their friends, ask them to check in
- Tell a resident assistant
- Call 911 or Campus Police
- Tell the host of the event

### Proactive Ways to Create a Safer Community

No one can do everything, but everyone can do something. When enough people do things to show that they do not tolerate violence at Penn State, it will create an environment where violence is unacceptable, and less people are hurt.

- Educate yourself about sexual assault, dating violence and stalking, and how to be an active bystander
- Use social media to educate others and let them know you don't tolerate violence
- Make it the norm in your friend group to check in with each other
- Wear a t-shirt with an anti-violence stance

## *University Procedures for Responding to Reports of Sexual Assault, Domestic Violence, Dating Violence, and Stalking*

In addition to, or in the alternative to, contacting University Police regarding sexual assault, domestic violence, dating violence and stalking, concerns regarding incidents of sexual assault, domestic violence, dating violence, stalking, and/or the University's related policies may also be reported to:

Paul Apicella, Title IX Coordinator
222 Boucke Building, University Park, PA 16801
Phone: 814-867-0099
Email: titleix@psu.edu

Complaints against an employee, third-party or student at the Penn State College of Medicine can be filed by contacting the College Deputy Title IX Coordinator at:

Kim Lantz Yoder, Equity Officer for Diversity, C1747N
Penn State College of Medicine, 500 University Drive,
Hershey, PA 17033-0850
Phone: 717-531-0003 ext. 283353
Email: kyoder1@psu.edu

Concerns about conduct by an employee, third party or student at any Commonwealth Campus or other University location should follow the reporting procedures set forth above and on the University's Office of Sexual Misconduct Prevention and Response website (http://titleix.psu.edu/filing-a-report/).

Upon making a report to the University that you are the victim of domestic violence, dating violence, sexual assault, or stalking whether the offense occurred on or off campus, the University will provide you with a written explanation of your rights and options.

If you or someone you know is the victim of a sexual assault, domestic violence, dating violence, and/or stalking, the victim has several rights, including:

- The right to report the incident to the University Police or local authorities. The University will assist victims in notifying either the University or local police. Filing a police report does not mean the victim must pursue criminal charges. The victim maintains his or her rights throughout the process.
- The right to receive written information about existing counseling health, mental health, victim advocacy, legal assistance, Visa/immigration assistance and student financial aid.
- The right to receive written notification about options for available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures.
- In addition to the campus services listed below, several community service organizations can provide counseling, mental health, and other related services to sexual assault victims.
- Resources and contact information can be found on the Sexual Harassment and Assault Reporting and Education website at http://titleix.psu.edu/.

### Resources:

- **Office of Sexual Misconduct Prevention and Response** – response to reports of sexual harassment and sexual misconduct, coordination of resources and support services, education and training. Title IX Coordinator (http://titleix.psu.edu)
- **Police Services** – safety support (Derry Township Police) (http://www.derrypd.com/)
- **Center for Women Students** – advocacy, referrals, counseling, academic accommodation, and education (www.studentaffairs.psu.edu/womenscenter)
- **Affirmative Action** – diversity education services (www.psu.edu/dept/aaoffice)
- **University Health Services** – medical treatment (www.studentaffairs.psu.edu/health)
- **Residence Life** – support and referrals (students.med.psu.edu/student-life/housing)
- **Counseling Services** – counseling and referrals (http://students.med.psu.edu/md-students/student-support-services/counseling-services)
- **Student Conduct** – support, referrals, and resolution of complaints (www.studentaffairs.psu.edu/conduct)
- **Employee Assistance Program** – counseling for faculty/staff (www.healthadvocate.com/psu)
- **Community-based Victim Witness Advocate** – court accompaniment
- **Community-based Rape Crisis/Domestic Violence Services** – shelter, support groups, counseling (listed in phone book under "abuse")
- **Penn State Office of Human Resources** – (www.ohr.psu.edu)
- **Pennsylvania Coalition Against Rape** – 24-hour hotline (1-800-932-4632) (www.pcar.org)
- **Pennsylvania Coalition Against Domestic Violence** – 24-hour hotline (1-800-692-7445) (www.pcadv.org

- If a victim of an alleged sexual assault or relationship violence incident requests a change in her or his living arrangements or academic schedule, the Title IX Coordinator and other offices at the University are obligated to assist the individual with making these changes, as long as they are reasonably available. Furthermore, the University may assist victims with student financial aid assistance and/or visa/immigration assistance if requested and to the extent they are reasonably available.

The following information provides steps to follow should a sexual assault occur:

☐ Get to a safe place as soon as possible!

☐ Try to preserve all physical evidence – the victim should not bathe, shower, brush teeth, douche, use the toilet, or change clothing until s(he) has a medical exam. Contact a close friend or relative, if available, who can provide support and accompany the victim to the medical exam and/or police department. Advocates from the Centre County Women's Resource center are available to the victim to provide support.

☐ Get medical attention as soon as possible – an exam may reveal the presence of physical injury that the victim is unaware of. Following a sexual assault, antibiotics are typically given at the time of the exam to help prevent the victim from acquiring certain sexually transmitted diseases. Emergency contraception is provided to all female victims at risk of pregnancy from the assault (if the victim presents within 120 hours). If the victim reports memory loss, loss of consciousness or other circumstances suspicious for a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. Some of the commonly used "date rape" drugs, however, are only detectable in the urine for six to eight hours after ingestion.

☐ Contact the police – Sexual assault is a crime, it is vital to report it. It is important to remember that reporting a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. Final decision to prosecute is determined by the District attorney.

☐ Consider talking to a counselor – Seeing a counselor may be important in helping the victim understand her/his feelings and begin the process of recovery.

☐ Report your experience to the University. As detailed above, the University can provide a wide variety of resources, support services, and procedural options to individuals who may have been a victim of sexual violence. Among other things, a survivor may be provided housing options, academic accommodations, as well as counseling and/or advocacy support.

## *Internal Procedures for Reports of Alleged Dating Violence, Domestic Violence, Sexual Assault, and Stalking*

### Preliminary Assessment

When a report of a potential incident of domestic violence, dating violence, sexual assault, or stalking is received, the Title IX Coordinator will conduct a preliminary assessment of the available information. The preliminary assessment may include the following:

1. Evaluating whether the report provides identifying information for the Complainant, Respondent, and/or witnesses to the reported incident
2. Conducting a Preliminary Investigation by gathering additional information from the Complainant, Respondent, and/or witnesses to the reported incident in order to assess the need for additional action by the University
3. Contacting the Complainant, if identified, in order to provide written information regarding the following:
    - The University's commitment to providing support and resources to survivors of dating violence, domestic violence, sexual assault, and stalking
    - The Complainant's right to seek medical treatment, as well as an explanation of the importance of preserving forensic and other evidence
    - The Complainant's option to make a report—or to refuse to make a report—to law enforcement, as well as the potential of obtaining a Protection from Abuse or Sexual Violence Protection Order
    - The Complainant's right to invoke formal or informal University disciplinary/resolution processes in connection with their experience, as well as an explanation of what the formal and informal procedural options entail and the Complainant's rights under each
    - The Complainant's right to request appropriate remedial and protective measures, and an explanation of how to request those measures, including:
        1. "No Contact" Directives or Agreements
        2. Academic accommodations
        3. Modifications to housing
        4. Transportation assistance
        5. Modifications to employment situations
    - The University's policy prohibiting retaliation, and its commitment to take prompt action in response to reports of retaliation
    - The Complainant's right to meet with the Title IX Coordinator to discuss their situation, including the procedural options, resources, and support services that may be available in connection with the Complainant's experience
    - The Complainant's right to be accompanied by an advisor of their choosing to any meeting or interview conducted in connection with the reported incident
4. Contacting the Respondent or other witnesses to obtain additional information regarding the reported incident
5. Communicating with University Police & Public Safety and/or or other University administrators in order to determine whether the reported incident triggers obligations under the Clery Act or child abuse reporting laws.

If the Complainant is willing, the Title IX Coordinator or a designated staff member from the University's Office of Sexual Misconduct Prevention and Response will meet with the Complainant for an initial discussion of the Complainant's need for support and/or accommodations, as well as their preference for pursuing formal or informal University disciplinary/resolution processes. Possible outcomes of an initial discussion with a Complainant can include the following:

1. The Complainant may wish/agree for the University to proceed with a Preliminary Investigation or informal process only, which may include contacting the Respondent or other witnesses in order to gather additional information or discuss the reported incident and to assess appropriate next steps. The Complainant will be eligible for appropriate accommodations, and appropriate protective/remedial measures may be provided. The Complainant will also be informed that they may request that the University take formal action in response to the reported incident at a later date. It will also be explained that, while there is no deadline for requesting to invoke the University's formal processes in response to an incident of dating violence, domestic violence, sexual assault, or stalking, the passage of time may impact the University's ability to gather information related to the incident. A timeline for next steps will be reviewed. The Complainant will be advised that there may be occasions where the University determines that additional formal or informal resolution processes are required, even if the Complainant does not express a desire to engage in additional process. The Complainant will be informed of the process by which the University makes such determinations, and will be kept apprised of any decision-making processes as they take place.
2. The Complainant may request that the University proceed with the formal process. The Complainant will be eligible for appropriate accommodations, and appropriate protective/remedial measures may be provided. Additional information necessary to proceed with the formal process will be obtained. A timeline for next steps will be reviewed and when appropriate, additional meetings scheduled.
3. The Complainant may express uncertainty as to what protective/remedial measures or procedural options they want or need. In such cases, whenever possible, the Complainant will be provided some reasonable period of time to consider their options and communicate whatever needs/preferences they may have. A timeline for next steps will be reviewed and when appropriate, additional meetings scheduled.
4. The Complainant may request that the University keep their identity confidential, which may include a request that the University decline to proceed with any additional fact-gathering, or formal or informal resolution processes with respect to the reported incident. In such instances, the Complainant will be advised of the "Requests for Confidentiality" procedures set forth below, and the University will follow these procedures in evaluating the Complainant's request and in taking appropriate action.

If a decision is reached to institute formal or informal University resolution processes, or to impose remedial or protective measures that will affect the Respondent, the Respondent will be notified of the proposed action by the Title IX Coordinator, and will receive written notification of the available procedural options and resources available to them through the University and relevant commu-

nity agencies, as well as the opportunity to meet with the Title IX Coordinator or a designated staff member from the Office of Sexual Misconduct Prevention and Response to discuss the same.

### Complainant Requests for Confidentiality/No Action-Title IX Evaluation Panel

A Complainant may request that the University not share personally-identifying information with the Respondent, or that the University not pursue an investigation or disciplinary action related to the reported incident. The University will seek to honor Complainant requests for confidentiality/no action whenever they are made, but must do so after balancing the Complainant's wishes with the University's obligation to provide for a safe and non-discriminatory environment for all University community members.

In evaluating a Complainant request for confidentiality/no action, the Title IX Coordinator will submit the Complainant's request to a Title IX Evaluation Panel, which will consider the totality of the circumstances in evaluating the Complainant's request. The composition of the Title IX Evaluation Panel may vary based upon the circumstances of the individual case, but will always include the Title IX Coordinator, a representative from University Police and Public Safety, and a representative from either the University's Office of Student Conduct or Employee Relations/Human Resources. Absent extenuating circumstances, decisions of the Title IX Evaluation Panel will be documented on a Title IX Evaluation Form within one week of a Complainant's request being made.

Factors considered by the Title IX Evaluation Panel may include:

1. The presence of aggravating risk factors, such as;
   - Whether the reported incident suggests a possible pattern of misconduct by the Respondent, by a particular group or organization, or at a particular location;
   - Whether the reported incident involved multiple Respondents;
   - Whether the reported incident involved the use of a weapon, physical violence, or threats of physical violence;
   - Whether the reported incident was facilitated through the use of "date-rape" or similar drugs;
   - Whether the reported incident occurred while the Complainant was unconscious, physically helpless, or otherwise incapacitated at the time that the incident took place;
   - Whether the Complainant is a minor; and/or
   - Whether any signs of planning behavior are present.
2. The potential impact on the Complainant of honoring–or declining to honor–their request;
3. Evidence showing that the Respondent made statements of admission or otherwise accepted responsibility for the reported incident;
4. The existence of any independent information or evidence regarding the reported incident; and
5. Any other available and relevant information.

Depending on the specific circumstances, the presence of one or more of these factors could lead the University to decline the Complainant's request and pursue an investigation or other resolution process.

### If a determination is made to honor a request from a Complainant

The Title IX Coordinator will communicate the decision to the Complainant in a prompt and sensitive manner. The Complainant will be advised that the University's ability to investigate and/or respond to a reported incident while also honoring their request may be severely limited. The University may nevertheless take other appropriate steps designed to eliminate the reported conduct, prevent its recurrence, and remedy its effects on the Complainant and the University community. Those steps may include offering appropriate remedial measures to the Complainant, providing targeted training or prevention programs, and/or providing or imposing other remedies tailored to the circumstances. The Complainant will be advised of any additional steps, and will also be informed of their right to request that the University pursue formal or informal resolution processes at a later date.

### If a determination is made *not* to honor such a request from a Complainant

The Title IX Coordinator will communicate the decision to the Complainant in a prompt and sensitive manner. The Complainant will be provided with an opportunity to discuss the determination and to provide feedback regarding the University's proposed course of action in response to the reported incident. The Complainant will also be advised that they may participate in any formal or informal resolution processes with respect to the reported incident, but that they will not be required to do so.

## *Preliminary Investigations, and Formal and Informal Resolution Procedures for Reports of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking Involving Students*

### Preliminary Investigation

During a preliminary investigation into a report of potential dating violence, domestic violence, sexual assault, or stalking, or when an informal resolution process is requested by a Complainant, a staff member from the Office of Sexual Misconduct Prevention and Response will contact the Respondent to schedule a meeting. In that meeting, the staff member will:

1. review the rights of the Respondent (including available resources, accommodations, and support options, as well as the right to be accompanied by an advisor of their choosing to any meeting or interview conducted in connection with the reported incident);
2. review the alleged details of the reported incident, as appropriate; and
3. solicit the Respondent's perspective on the allegations

### Informal Resolution Process

If the Complainant has expressed a desire to proceed with an informal resolution process, the staff member may also discuss with the Respondent:

1. actions requested by the Complainant, as appropriate; and
2. actions recommended by the University.

If, following the discussion, the Respondent voluntarily agrees to participate with the actions necessary to honor the Complainant's and University's requests, steps will be taken to complete those actions in a prompt and timely manner. Examples of requests include,

but are not limited to, counseling for the Respondent, commitment to change/end the behavior, restricted activity, schedule modification, and educational intervention. The Complainant will be notified of the Respondent's agreement and appropriate documentation will be maintained. No reportable disciplinary record is created; however, the information will remain on file should future concerns be reported.

If the Respondent is not willing to honor the requests of the Complainant or the University, a follow-up meeting will be held with the Complainant to determine next steps. In addition, even if the Complainant initially expresses a desire to engage in the informal resolution process only, they may choose to invoke the University's formal resolution processes at a later date.

## Formal Resolution Process

### Proposed Timeline and How to File a Complaint

A Complainant may issue a formal complaint with respect to an alleged incident of dating violence, domestic violence, sexual assault, or stalking in person, electronically, or via phone, by contacting the University's Title IX Coordinator:

Paul Apicella, JD
Office of Sexual Misconduct Prevention and Response
222 Boucke Building, University Park, PA 16801
Phone: 814-867-0099
E-mail: pua26@psu.edu

If a Complainant issues a formal complaint, or if a determination is made to pursue a formal resolution in accordance with the Title IX Evaluation Panel procedures outlined above, the University will initiate a prompt, thorough, fair, and impartial investigation and resolution process. Reports will be investigated and managed by professional staff, Title IX Decision Panel members, or University Conduct Board members who have been trained annually on issues related to domestic violence, dating violence, sexual assault, stalking, and victimization, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

The University will observe the following procedures in conducting the formal resolution process, and will strive to complete any formal resolution process, up to and including a determination of responsibility and assignment of sanctions, within 60 business days of its initiation. If circumstances require that the proposed 60-day timeline be extended in any particular case, both parties will be notified of the extension and the reason it is being sought.

### Formal Investigations

Formal Investigations will be conducted by trained investigators designated by the Title IX Coordinator. When a formal investigation process is initiated, the assigned investigator will attempt to gather whatever relevant information may be reasonably available regarding the alleged incident. This may include interviewing the Complainant, Respondent, and/or any other witnesses who are identified during the course of the investigation, as well as gathering available documentary, electronic, or physical evidence. Parties will be provided with adequate notice of the investigation and a meaningful opportunity to be heard.

At the conclusion of the investigation, the assigned investigator will prepare a draft Investigative Packet, which will contain all material information gathered during the investigation and being put forward for consideration in determining whether to hold the Respondent responsible for the alleged incident. The draft Investigative Packet will not contain any findings of responsibility/non-responsibility. The assigned investigator will attempt to complete his or her investigation, including the completion of the draft Investigative Packet, within 35 business days of initiation. If circumstances require that the proposed 35-day investigative timeline be extended in any particular case, both parties will be advised of the extension and the reason it is being sought.

The Complainant and Respondent will be provided with an opportunity to meet with the assigned investigator in order to review the draft Investigative Packet, submit additional information or comments, identify additional witnesses or evidence for the investigator to pursue, and submit any additional questions that they believe should be asked of any other party or witness. The parties will have up to 5 business days to submit any additional questions or follow-up after reviewing the draft Investigative Packet.

Once the parties have responded to the draft Investigative Packet or the 5 business days have elapsed, the assigned investigator will review and address any questions or follow-up submitted by the parties in response to the draft Investigative Packet, as appropriate.

This may include conducting additional investigation. The assigned investigator will then incorporate any revisions or new information into a final Investigative Packet within 5 business days, if possible. The parties will be provided with an opportunity to review any new information that is added to the Investigative Packet before it is finalized.

The final Investigative Packet will be forwarded to a Case Manager in the Office of Student Conduct. The assigned investigator will not include a recommended finding of responsibility in the final Investigative Packet.

### Processes for Determining Responsibility

Whenever a final Investigative Packet is received by a Case Manager in the Office of Student Conduct, the Case Manager will review the Packet and, if s/he determines that the information in the Investigative Packet reasonably supports a Code of Conduct violation, the Case Manager may recommend charges and sanctions to the Respondent. If the Case Manager determines that the information in the Investigative Packet does not reasonably support a Code of Conduct violation, then the case will be closed without charges.

If charges are issued, the Respondent and Complainant will both be provided with an opportunity to meet with a Case Manager from the Office of Student Conduct to discuss and respond to the charges and ask questions about the adjudicative process. If charges are assigned by the Case Manager and the Respondent chooses to accept responsibility, both the Respondent and Complainant will have the opportunity to request a sanction review pursuant to applicable procedures listed in the OSC Procedures document (http://studentaffairs.psu.edu/conduct/codeofconduct/).

If the Respondent does not accept responsibility for the charges, the University may adjudicate the matter through the use of either a Title IX Decision Panel or a University Conduct Hearing. The University will maintain ultimate discretion regarding which process to use in adjudicating each particular case, but cases involving allegations of non-consensual sexual penetration (anal, oral, or vaginal), as well as those involving the use of significant physical violence and/or the issuance of threats of significant physical violence will typically be resolved through a Title IX Decision Panel process.

#### *Title IX Decision Panel*

If a Respondent chooses to contest charges issued by a Case Manager and a determination is made to utilize a Title IX Decision Panel to determine responsibility in the case, the Investigative Packet will typically be forwarded to a Title IX Decision Panel, whose members will meet to deliberate collectively as to the Respondent's responsibility or non-responsibility, based on a preponderance of evidence standard. Each party will be provided with a reasonable opportunity to appear before the Title IX Decision Panel in order to personally highlight the information in the investigative packet they feel is most relevant. Both parties may provide questions that may be asked of the other party. Questions will be submitted to the Panel in writing, and the Chair of the Panel will review each question for relevance and appropriateness before determining whether it will be posed. The parties will never be present in the same room together, but each party will have the option to observe the other's interactions with the Panel through remote video or audio access, if reasonably practicable. More information regarding Title IX Decision Panel procedures can be found at http://studentaffairs.psu.edu/conduct/codeofconduct/.

#### *University Conduct Hearing*

Determinations of responsibility in matters not submitted to a Title IX Decision Panel will be resolved through a University Conduct Hearing. The standard of evidence in a University Conduct Hearing is a preponderance of evidence standard. Both parties in a University Conduct Hearing may question witnesses. More information regarding University Conduct Hearing procedures can be found at http://studentaffairs.psu.edu/conduct/codeofconduct/.

### Participation and the Right to Advisors

The Respondent and Complainant will both be afforded reasonable opportunity to attend and participate in proceedings before the Title IX Decision Panel and/or University Conduct Hearing. In addition, the Respondent and Complainant may each be assisted during proceedings by an advisor of their choice, pursuant to the policies outlined in the Office of Student Conduct Procedures document (http://studentaffairs.psu.edu/conduct/codeofconduct/). Each party will be allowed to submit an impact statement that will be reviewed by the Title IX Decision Panel or University Conduct Hearing officer(s), should the Respondent be found responsible for violating the Code.

### Notification of Determination and the Right to Appeal

Both the Respondent and the Complainant will be notified simultaneously, in writing, of the decision once the written outcome has been submitted to the Case Manager by the Title IX Decision Panel or University Conduct Hearing. Both the Respondent and the Complainant will also be notified, in writing, of the appeal procedure, of any change to the decision that occurs prior to the time that the decision becomes final, and when the decision becomes final. If suspension or expulsion is either assigned or was within range for the charges, both the Complainant and the Respondent will have the opportunity to file an appeal. At the conclusion of any appeal process, both the Complainant and the Respondent will be notified simultaneously, in writing, of the final outcome.

## *Employee Disciplinary Proceedings for Reports of Sexual Assault, Dating Violence, Domestic Violence, and Stalking Against an Employee*

### Preliminary Assessment

When a report of a potential incident of domestic violence, dating violence, sexual assault, or stalking is received, the Title IX Coordinator will conduct a preliminary assessment of the available information. The preliminary assessment may include the following:

1. Evaluating whether the report provides identifying information for the Complainant, Respondent, and/or witnesses to the reported incident
2. Conducting a Preliminary Investigation by gathering additional information from the Complainant, Respondent, and/or witnesses to the reported incident in order to assess the need for additional action by the University
3. Contacting the Complainant, if identified, in order to provide written information regarding the following:
   - The University's commitment to providing support and resources to survivors of dating violence, domestic violence, sexual assault, and stalking
   - The Complainant's right to seek medical treatment, as well as an explanation of the importance of preserving forensic and other evidence

- The Complainant's option to make a report—or to refuse to make a report—to law enforcement, as well as the potential of obtaining a Protection from Abuse or Sexual Violence Protection Order
- The Complainant's right to invoke formal or informal University disciplinary/resolution processes in connection with their experience, as well as an explanation of what the formal and informal procedural options entail and the Complainant's rights under each
- The Complainant's right to request appropriate remedial and protective measures, and an explanation of how to request those measures, including:
    1. "No Contact" Directives or Agreements
    2. Academic accommodations, if applicable
    3. Transportation assistance
    4. Modifications to employment situations
- The University's policy prohibiting retaliation, and its commitment to take prompt action in response to reports of retaliation
- The Complainant's right to meet with the Title IX Coordinator to discuss their situation, including the procedural options, resources, and support services that may be available in connection with the Complainant's experience
- The Complainant's right to be accompanied by an advisor of their choosing to any meeting or interview conducted in connection with the reported incident

4. Contacting the Respondent or other witnesses to obtain additional information regarding the reported incident
5. Communicating with University Police & Public Safety and/or or other University administrators in order to determine whether the reported incident triggers obligations under the Clery Act or child abuse reporting laws.

If the Complainant is willing, the Title IX Coordinator or their designee will meet with the Complainant for an initial discussion of the Complainant's need for support and/or accommodations, as well as their preference for pursuing formal or informal University disciplinary/resolution processes. Possible outcomes of an initial discussion with a Complainant can include the following:

1. The Complainant may wish/agree for the University to proceed with a Preliminary Investigation or informal process only, which may include contacting the Respondent or other witnesses in order to gather additional information or discuss the reported incident and to assess appropriate next steps. The Complainant will be eligible for appropriate accommodations, and appropriate protective/remedial measures may be provided. The Complainant will also be informed that they may request that the University take formal action in response to the reported incident at a later date. It will also be explained that, while there is no deadline for requesting to invoke the University's formal processes in response to an incident of dating violence, domestic violence, sexual assault, or stalking, the passage of time may impact the University's ability to gather information related to the incident. A timeline for next steps will be reviewed. The Complainant will be advised that there may be occasions where the University determines that additional formal or informal resolution processes are required, even if the Complainant does not express a desire to engage in additional process. The Complainant will be informed of the process by which the University makes such determinations, and will be kept apprised of any decision-making processes as they take place.
2. The Complainant may request that the University proceed with the formal process. The Complainant will be eligible for appropriate accommodations, and appropriate protective/remedial measures may be provided. Additional information necessary to proceed with the formal process will be obtained. A timeline for next steps will be reviewed and when appropriate, additional meetings scheduled.
3. The Complainant may express uncertainty as to what protective/remedial measures or procedural options they want or need. In such cases, whenever possible, the Complainant will be provided some reasonable period of time to consider their options and communicate whatever needs/preferences they may have. A timeline for next steps will be reviewed and when appropriate, additional meetings scheduled.
4. The Complainant may request that the University keep their identity confidential, which may include a request that the University decline to proceed with any additional fact-gathering, or formal or informal resolution processes with respect to the reported incident. In such instances, the Complainant will be advised of the "Requests for Confidentiality" procedures set forth below, and the University will follow these procedures in evaluating the Complainant's request and in taking appropriate action.

If a decision is reached to institute formal or informal University resolution processes, or to impose remedial or protective measures that will affect the Respondent, the Respondent will be notified of the proposed action by the Title IX Coordinator or their designee, and will receive written notification of the available procedural options and resources available to them through the University and relevant community agencies, as well as the opportunity to meet with the Title IX Coordinator or their designee to discuss the same.

### Complainant Requests for Confidentiality/No Action-Title IX Evaluation Panel

A Complainant may request that the University not share personally-identifying information with the Respondent, or that the University not pursue an investigation or disciplinary action related to the reported incident. The University will seek to honor Complainant requests for confidentiality/no action whenever they are made, but must do so after balancing the Complainant's wishes with the University's obligation to provide for a safe and non-discriminatory environment for all University community members.

In evaluating a Complainant request for confidentiality/no action, the Title IX Coordinator will submit the Complainant's request to a Title IX Evaluation Panel, which will consider the totality of the circumstances in evaluating the Complainant's request. The composition of the Title IX Evaluation Panel may vary based upon the circumstances of the individual case, but will always include the Title IX Coordinator, a representative from University Police and Public Safety, and a representative from either the University's Office of Student Conduct or Employee Relations/Human Resources. Absent extenuating circumstances, decisions of the Title IX Evaluation Panel will be documented on a Title IX Evaluation Form within one week of a Complainant's request being made.

Factors considered by the Title IX Evaluation Panel may include:

1. The presence of aggravating risk factors, such as;
   - Whether the reported incident suggests a possible pattern of misconduct by the Respondent, by a particular group or organization, or at a particular location;
   - Whether the reported incident involved multiple Respondents;
   - Whether the reported incident involved the use of a weapon, physical violence, or threats of physical violence;
   - Whether the reported incident was facilitated through the use of "date-rape" or similar drugs;
   - Whether the reported incident occurred while the Complainant was unconscious, physically helpless, or otherwise incapacitated at the time that the incident took place;
   - Whether the Complainant is a minor; and/or
   - Whether any signs of planning behavior are present.
2. The potential impact on the Complainant of honoring–or declining to honor–their request;
3. Evidence showing that the Respondent made statements of admission or otherwise accepted responsibility for the reported incident;
4. The existence of any independent information or evidence regarding the reported incident; and
5. Any other available and relevant information.

Depending on the specific circumstances, the presence of one or more of these factors could lead the University to decline the Complainant's request and pursue an investigation or other resolution process.

### If a determination is made to honor a request from a Complainant

The Title IX Coordinator will communicate the decision to the Complainant in a prompt and sensitive manner. The Complainant will be advised that the University's ability to investigate and/or respond to a reported incident while also honoring their request may be severely limited. The University may nevertheless take other appropriate steps designed to eliminate the reported conduct, prevent its recurrence, and remedy its effects on the Complainant and the University community. Those steps may include offering appropriate remedial measures to the Complainant, providing targeted training or prevention programs, and/or providing or imposing other remedies tailored to the circumstances. The Complainant will be advised of any additional steps, and will also be informed of their right to request that the University pursue formal or informal resolution processes at a later date.

### If a determination is made *not* to honor a request from a Complainant

The Title IX Coordinator will communicate the decision to the Complainant in a prompt and sensitive manner. The Complainant will be provided with an opportunity to discuss the determination and to provide feedback regarding the University's proposed course of action in response to the reported incident. The Complainant will also be advised that they may participate in any formal or informal resolution processes with respect to the reported incident, but that they will not be required to do so.

### Formal Resolution Process (Employee Disciplinary Proceeding)

If a report of alleged sexual assault, dating violence, domestic violence or stalking is made against an employee, a disciplinary

proceeding shall be conducted. The proceeding will include a prompt, thorough, fair, and impartial investigation and resolution process. Both the Respondent and Complainant will have the right to be assisted by an advisor of their choosing during any meeting conducted as part of the disciplinary proceeding.

## How to File a Complaint

Complaints of alleged incident of dating violence, domestic violence, sexual assault, or stalking committed by a University employee may issue a formal complaint with respect to an in person, electronically, or via phone, by contacting the University's Title IX Coordinator:

Paul Apicella, JD
Office of Sexual Misconduct Prevention and Response
222 Boucke Building, University Park, PA 16801
Phone: 814-867-0099
E-mail: pua26@psu.edu

## Formal Investigations

If a complaint of alleged dating violence, domestic violence, sexual assault, or stalking is filed against an employee, the Title IX Coordinator or their designee will commence the disciplinary proceeding by conducting a formal investigation of the reported misconduct. Investigators will be trained annually on issues related to domestic violence, dating violence, sexual assault, stalking, and victimization, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

The University will strive to complete the formal investigation within 60 business days of its initiation. If circumstances require that the proposed 60-day timeline be extended in any particular case, both parties will be notified of the extension and the reason it is being sought.

## Determination Report

Upon completion of the formal investigation, a written Determination Report will be provided simultaneously to the Complainant, Respondent, and the appropriate Dean or Administrative Officer with authority to impose disciplinary sanctions on the Respondent, or their designee, in accordance with applicable employment policies and procedures. In consultation with the appropriate Dean or Administrative Officer, the Title IX Coordinator shall schedule a disciplinary meeting(s) within thirty (30) business days of the date of the Determination Report. The disciplinary meeting(s) shall afford the Complainant and the Respondent separate opportunities to comment on the conclusion and recommendations of the Determination Report. Comments may be in writing or in-person (or both) at the independent discretion of the Complainant or Respondent.

## Disciplinary Report

Upon consideration of the Determination Report, along with any additional comments, the appropriate Dean or Administrative Officer and the Title IX Coordinator, in consultation with the Human Resources Representative and Employee Relations, shall render a decision. If the Title IX Coordinator and the appropriate Dean or Administrative Officer concludes, by a preponderance of the evidence, that a policy violation occurred, s/he/they will decide on appropriate sanctions and prepare a Disciplinary Report. The Disciplinary Report will include the disciplinary sanctions as well as remedial measures and recommendations for prevention of retaliation.

If the Title IX Coordinator and the appropriate Dean or Administrative Officer concludes, by a preponderance of evidence, that no policy violation occurred, s/he/they will prepare a Disciplinary Report and the complaint will be documented and closed. Remedial measures, accommodations for the Complainant, and recommendations for the prevention of retaliation may be considered when no policy violation is found. Please refer to AD67 - Disclosure of Wrongful Conduct and Protection from Retaliation and/or AD85 - Discrimination, Harassment, Sexual Harassment and Related Inappropriate Conduct for additional information on the prevention of retaliation.

A copy of the Disciplinary Report shall be provided simultaneously to the Complainant, the Respondent, the Human Resources Representative(s) of the employee(s), and the Employee Relations Division of the Office of Human Resources within fifteen (15) business days of the conclusion of the disciplinary meeting. The Title IX Coordinator will maintain a copy of both the Determination Report and Disciplinary Report.

## Appeal of Disciplinary Proceeding

In cases of reports of sexual assault, dating violence, domestic violence, or stalking against an employee, both the Complainant and the Respondent shall be given simultaneous written notice of their right to appeal from the Disciplinary Report as to findings of policy violation and appropriateness of disciplinary action and recommendations for prevention of retaliation. In cases where the Respondent is a faculty member, academic administrator or other academic employees, appeal shall be to the Vice Provost for Academic Affairs. In cases where the Respondent is any other (non-academic) employee, appeal shall be to the Senior Director of Employee Relations. Appeal shall be in writing within fifteen (15) business days of receipt of the Disciplinary Report, and shall list the specific matters to be appealed. Appropriate grounds for appeal are instances where procedural error or previously unavailable relevant evidence could significantly impact the outcome of a case or where a sanction is substantially disproportionate to the findings. Within fifteen (15) business days of the written appeal, the Vice Provost for Academic Affairs or Senior Director of Employee Relations shall issue a Final Determination in writing simultaneously to the Complainant, Respondent, the Human Resources Representative, Title IX Coordinator and the appropriate Dean or Administrative Officer.

Throughout the process outlined above, the Complainant shall be offered appropriate remedial measures and protection from retaliation. The Complainant shall also be informed by the Title IX Coordinator on how to make a criminal report and how to file a complaint with the appropriate state or federal agency along with a copy of AD85.

## Burden of Proof

As noted, the standard of evidence for determining whether a violation occurred, specifically when investigating alleged domestic violence, dating violence, sexual assault, and stalking, is "preponderance of evidence."

## *Possible sanctions or protective measures Penn State may impose following a final determination of an institutional procedure*

Following a final determination of an institutional procedure regarding domestic violence, dating violence, sexual assault or stalking, the University may impose the following sanctions or protective measures:

### Students

Sanctions up to and including expulsion from the University The following sanctions may be imposed upon any student found to have been responsible for an incident of dating violence, domestic violence, sexual assault, or stalking. More than one of the sanctions listed below may be imposed for any single violation.

### Primary Administrative Sanctions:

- **CONDUCT CONVERSATION:** A conduct conversation is used in limited circumstances in very minor level cases. It is formal documentation that the student's misconduct has been discussed and future violations may result in further discipline action.
- **CONDUCT WARNING:** A conduct warning is an indication to a student that his/her conduct violated the Code of Conduct and that further misconduct will result in more severe disciplinary action.
- **CONDUCT PROBATION:** Conduct probation is assigned for a specified period of time and is intended to foster reflection, responsibility, and improved decision-making. Additional conditions and/or educational programs may be assigned as a component of the probation. Future established misconduct, failure to comply with any conditions or to complete any assignments may lead to a more severe disciplinary action, including suspension or expulsion.

  Conduct probation may be recorded on the official University transcript when, either due to the serious nature of the offense or when a student's disciplinary history is significant, the Office of Student Conduct determines a notation is merited.
- **CONDUCT SUSPENSION:** Disciplinary suspension from the University is assigned for a specified period of time. A suspended student is precluded from registration, participation in any class, activity or program of the University, and residence on campus. In addition, the student is prohibited from using or visiting University facilities unless special permission is obtained from the Senior Director or designee. During the period of the suspension, a notation will appear on the student's official University transcript.
- **INDEFINITE EXPULSION:** Indefinite expulsion from the University is for a period of not less than one calendar year, and re-enrollment must be approved by the Vice President for Student Affairs or designee at University Park or by the Chancellor or designee at other campus locations. During a period of indefinite expulsion, a student is precluded from registration, participation in any class, activity or program of the University, and residence on campus. In addition, the student is prohibited from using or visiting University facilities unless special permission is obtained from the Senior Director or designee. If a student wishes to return to the University after the period of his or her indefinite expulsion, he/she must request re-enrollment (in writing) from the Senior Director or designee. During the period of the expulsion, a notation will appear on the student's official University transcript.
- **EXPULSION:** Expulsion of a student from the University is permanent. A student is precluded from registration, participation in any class, activity or program of the University, and residence on campus. In addition, the student is prohibited from using or visiting University facilities unless special permission is obtained from the Senior Director or designee. Expulsion requires administrative review and approval by the President. The sanction of expulsion is permanently noted on a student's official University transcript.

### Secondary Administrative Sanctions:

- **HOUSING REVIEW:** Housing Review is implemented when an on-campus student has either breached the terms and conditions of his/her housing contract/lease agreement or has engaged in inappropriate behavior in or near the residence halls. This review is for a specified period of time with the understanding that any further breach of the conditions of their housing contract/lease agreement, during the time specified, may result in an extension of review of housing contract or a termination of a student's housing contract, or a notice of non-renewal of a lease agreement. A housing review will typically be assigned in conjunction with other administrative sanctions.
- **ROOM REASSIGNMENT:** A student is relocated from one housing assignment to another residence hall assignment. This may be a temporary or permanent change of assignment. This sanction should be made after consultation with the residence life staff member. This sanction can be assigned independently or in conjunction with other administrative and active sanctions.
- **LOSS OF HOUSING:** Loss of housing permanently separates a student from the University housing program. This separation is typically immediate.
- **LOSS OF PRIVILEGE:** Loss of Privilege involves the withdrawal of the use of service, participation in an activity, or withdrawal of privileges consistent with offense(s). Loss of privilege may be imposed separately or in addition to other sanctions.

### Active Sanctions:

- Active sanctions are sanctions that the University reserves the right to assign to students in addition to administrative sanctions. These include, but are not limited to the following: administrative directives, alcohol or drug education, counseling, reflection papers, projects, decision-making workshops/modules, meetings with staff or others, restitution, and sanctioned service.

### Other Sanctions:

- The University reserves the right to impose other sanctions in addition to those listed above in response to specific circumstances of a case.
- Administrative Directives for No Contact: (Students may request a Directive for No Contact through the Senior Director of Office of Student Conduct or the Director of Residence Life)
- Restriction from portions of Campus
- Change in housing assignment
- Change in course assignment
- Mandated Psychological Evaluation and/or Counseling
- Mandated Education

and/or Counseling

- Mandated Education

**Faculty/Staff**

- Employee termination from the University
- Unpaid suspension
- Restrictions from all or portions of campus
- Change in working facility
- Mandated education
- Written reprimand in personnel file
- Removal from classroom teaching
- Tenure revocation
- Withhold salary increase (from one to several years)
- Removal of endowed chair
- Removal of emeritus status
- Removal of graduate school status
- Termination of research project funding
- Removal from administrative position

### *Protecting the Confidentiality of Victims*

All members of the University Conduct Board, Title IX Decision Panel, case managers and investigators have been trained in confidentiality of student records and the provisions of the Family Educational Rights to Privacy Act. Personally identifiable information about the victim, and other necessary parties where appropriate, will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering accommodations or protective measures or support services to the complainant. The University does not publish the personally identifiable information of the crime victims in its Annual Security Report or other publicly available disclosures nor does it house identifiable information regarding victims in the campus police department's Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by completing a Request to Withhold Directory Information from posted on the Office of the University Registrar's website at https://www.registrar.psu.edu/student_forms/withhold_dir_info_form.cfm

### *Education and Prevention Programs*

The University engages in comprehensive educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for the campus community that:

a. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;

b. Defines domestic violence, dating violence, sexual assault, and stalking including how those terms are defined in the Commonwealth of Pennsylvania;

c. Defines what behavior and actions constitute consent to sexual activity in the Commonwealth of Pennsylvania;

d. Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander;

e. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to minimize the risk of potential attacks;

f. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

The University has developed an annual educational campaign consisting of presentations that include distribution of educational materials to new students; participating in and presenting information and materials during new employee orientation; presenting programs throughout the year on at least a quarterly basis. Below is a program available at the University.

- **Seeking Help for Personal or Professional Matters of Concern and Sexual Harassment**
  Orientation session held in fall for incoming medical students, third-year medical students, and graduate students.

### *Sex Offender Registration — Campus Sex Crimes Prevention Act*

#### Megan's Law

Members of the general public may request community notification fliers for information concerning sexually violent predators in a particular community by visiting the chief law enforcement officer in that community. In jurisdictions where the Pennsylvania State Police is the primary law enforcement agency, members of the general public may make such requests at the local Pennsylvania State Police Station in that community. This information is also available on the Pennsylvania State Police "Megan's Law" website (http://www.pameganslaw.state.pa.us).

## CAMPUS SECURITY POLICIES; CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS

Penn State believes that safety is everyone's responsibility. In an effort to provide our students, faculty, staff and community with information about the campus security procedures and practices and with the tools that they need to help to keep themselves and others safe, University Police and its University partners provide a variety of educational programs on topics such as, sexual assault awareness, domestic/relationship violence, stalking, drugs and alcohol awareness, and theft prevention. All programs are offered to students, faculty, and staff as requested and most are offered on an annual basis. Some of the available programs are outlined below following information on certain campus safety policies and procedures. If you or your organization would like to request a specific program, please visit police.psu.edu/community-education.

### *Behavioral Threat Management Team*

In order to enhance emergency preparedness and prevention efforts, Penn State has established a Behavioral Threat Management Team (BTMT). The objective of the BTMT is to systematically identify, evaluate, and manage potentially threatening situations, including persons of concern, at the University. The multidisciplinary team is composed of people from University campuses and surrounding communities.

In addition to the BTMT at the University Park campus, each Commonwealth campus also has a team responsible for managing concerning situations on their respective campuses. While the Commonwealth campus BTMTs may consult with the University Park team at any time, more serious and complex cases are managed in consultation with the University Park BTMT.

If you would like further information about the BTMT, please visit the Behavioral Threat Management website at http://btmt.psu.edu.

## Weapons Policy

The possession, carrying, and use of weapons, ammunition, or explosives is prohibited on University-owned or -controlled property.

The only exception to this policy is for authorized law enforcement officers or others, specifically authorized by the University. At some campuses, University Police provide storage for personal weapons of students. Failure to comply with the University weapons policy will result in disciplinary action against violators.

## Pennsylvania Crime Victim Rights

### Your Rights as a Crime Victim:

As a victim of crime in the Commonwealth of Pennsylvania, you have rights. Also, you can expect to receive information, practical and emotional support, and be able to participate in the criminal justice process. These standards were created to make sure that you are treated with dignity and respect at all times, regardless of your gender, age, marital status, race, ethnic origin, sexual orientation, disability, or religion.

You have the right to be told…

- About basic services available to you in your county
- About certain court events, including information on bail, escape of offender, release of an offender
- About the details of the final disposition of a case

You have the right to receive…

- Notice of the arrest of the offender
- Information about restitution and assistance with compensation
- Accompaniment to all criminal proceedings by a family member, a victim advocate, or a support person

You have the right to provide input…

- Into the sentencing decision and to receive help in preparing an oral and/or written victim impact statement
- Into post-sentencing decisions

Please see the resource list for local victim assistance options.

For more information about your detailed rights or to file a complaint if you believe your rights have been violated, please contact: The Pennsylvania Crime Victims Office at http://pcv.pccd.pa.gov/Pages/default.aspx#.VaaMafn17OQ.

*Source: Pennsylvania Crime Victims (2015). "Your Rights as a Victim" at http://pcv.pccd.pa.gov/for-victims/Pages/Your-Rights-as-a-Victim.aspx#.VaaNivn17OQ..

## Student Conduct

### The Office of Student Conduct

The mission of the Office of Student Conduct is to promote a safe, orderly, and civil University community and to encourage and inspire students to become good citizens by engaging in personal responsibility, ethical decision making, and demonstrating respect for the rights and safety of others.

### The Student Code of Conduct

The Office of Student Conduct is responsible for administering the Student Code of Conduct, which articulates the behavioral standards and the equitable procedures employed by the University to respond to allegations of student misconduct.

The Code of Conduct is administered at all Penn State campuses on University property (excluding the Law School) and may also address off-campus student misconduct when a student's behavior affects a substantial university interest.

Students who are found responsible for violations may be subject to sanctions ranging from Conduct Conversation or Conduct Probation to Suspension or Expulsion from the University. Students residing in University housing may also lose the privilege of living on campus.

In most cases, the Office of Student Conduct will also assign developmental and educational interventions designed to promote greater awareness and improved decision making for students and to further deter future misconduct.

The University will, upon written request, disclose to an alleged victim of a crime of violence or non-forcible sexual assault the report on the results of any disciplinary proceeding conducted by the University. Written request is not required, however, from an alleged victim of, domestic violence, dating violence, sexual assault, or stalking.

In instances where a student's conduct, behavior, or other objective evidence provides a reasonable cause to believe a student is an immediate and significant threat to the health or safety of other persons, to property of the University or others, to disrupting essential campus operations, or to the student's own health or safety, the Office of Student Conduct may assign an Interim Suspension and/or other interim actions that are designed to protect the health and safety of the community and members therein.

The Office of Student Conduct is also responsible for conducting pre-admission, re-enrollment, and continuing enrollment reviews for prospective, returning or current students with known behavioral problems. Any individual or entity may submit reports alleging student misconduct to the Office of Student Conduct or designee at the campus where the incident occurred.

The Office of Student Conduct also provides outreach programming designed to inform and educate students and to promote the Penn State Principles. Please visit the Office of Student Conduct website at http://studentaffairs.psu.edu/conduct, where you can find the Student Code of Conduct, Parental Notification Policy, Student Records Policy, and links to all policy and procedural guidelines related to the Student Conduct process. Students are encouraged to take the "Know the Code" quiz located on the Student Conduct website.

### Additional Information Regarding the Student Code of Conduct

The Pennsylvania State University is obligated to provide all students with the University regulations, policies, and procedures governing student conduct. Penn State policies and procedures, including the Code of Conduct for Students and the Off-Campus Misconduct Policy, are published on the Student Conduct website, www.studentaffairs.psu.edu/conduct.

If you have additional questions, special needs, or wish to request a hard copy of this information, please contact the Office of Student Conduct at Penn State Hershey.

This publication, as well as University regulations and policies and procedures governing student conduct, is available on the "Policies and Crime Statistics" channel of the Penn State Portal, (https://portal.psu.edu).

## Parental Notification Policy

The University reserves the right to report student discipline information to the parents or legal guardians of students.

Federal legislation authorizes Penn State to disclose disciplinary records concerning violations of the University's rules and regulations governing the use or possession of alcohol or controlled substances that involve students who are under the age of 21, regardless of whether the student is a dependent.

The University may also report non-alcohol or drug-related incidents to parents or legal guardians of dependent students under circumstances described in the Student Guide to General University Policy and Rules. See the following website for the University Code of Conduct and additional information concerning Parental Notification http://studentaffairs.psu.edu/conduct/ParentalNotificationPolicy.shtml.

## Missing Student Policy

The Higher Education Opportunity Act of 2008 (effective August 14, 2008) requires any institution participating in a Title IV federal student financial aid program that maintains on-campus housing facilities to establish a missing student notification policy and related procedures. The following policy and related procedures is Penn State's official Missing Student Policy.

When it is determined that a student is apparently missing from the University, staff at Penn State, in collaboration with campus and local law enforcement, will be guided by this Missing Student Policy and standing operating procedures, to locate the student.

The entire Missing Student Protocol can be found on the Student Affairs website at: http://studentaffairs.psu.edu/conduct/ParentalNotificationPolicy.shtml. Along with the Missing Student Protocol, the formal SY42 Policy can be found at: https://guru.psu.edu/policies/SY42.html.

### Provisions

#### NOTIFICATIONS

The Missing Student Policy requires anyone who believes a Penn State student is missing to immediately notify specific staff in the University administration, University Police, and local law enforcement. Specifically, staff in the Office of Residence Life, Assistant Vice President for Student Affairs and Student and Family Services, University Police Services and Public Safety, and the senior Student Affairs professional at a campus, should be contacted so that they can coordinate efforts to locate the student.

Penn State has developed a list of titles of persons and offices to which students, employees, or others can contact if they have reason to believe a student who lives in on-campus student housing has been missing for twenty-four hours. The list of positions, offices, and contact information to be utilized if a student is reported missing from campus is included at the end of this policy (University Contacts for Missing Students).

In addition to contacting these specific offices, anyone who has a concern that a student is missing should alert any Penn State employee who they think will aid in the investigation of a student disappearance. Beyond notifications made by campus employees to University staff, University Police, or campus security, in the absence of a campus police or campus security department, the University must refer immediately any missing student report to the local law enforcement agency that has jurisdiction in the geographical areas around the specific campus location.

#### REGISTERING AND NOTIFYING MISSING STUDENT CONTACTS

In accordance with this policy, students will be notified annually that each residential student of the University has the option to confidentially designate an individual to be contacted by the Penn State administration no later than 24 hours after the time that it is determined the student is missing.

Penn State provides each student with the means and opportunity to register their confidential missing student contact information by logging into the University's LionPATH system and filling out the Address and Contact Information form. This missing student contact person can be anyone. This option is provided to students even if a student has already registered an individual as a general emergency contact. The student also has the option to identify the same individual for both their general emergency contact and missing student contact.

Missing student contact information is registered confidentially. This information is private and only accessible to Penn State employees who are authorized campus officials. This information will not be disclosed to others, with the exception to law enforcement personnel in the furtherance of a missing student investigation.

Penn State will notify the missing student's parents or guardian in addition to the person identified as the missing student's contact person of any student who is under 18 years of age and not an emancipated individual. The University will make contact no later than 24 hours after the time that the student is determined to be missing.

#### NOTIFYING LAW ENFORCEMENT

Penn State will also notify the appropriate local law enforcement agency of the missing student unless the local law enforcement agency was the entity that made the determination that the student was missing. This notification will include any missing student who lives in on-campus housing regardless of age or status, and regardless of whether he or she has registered a confidential missing student or general emergency contact person. This notification will be made no later than 24 hours after the time that the student is determined missing.

If the campus law enforcement personnel or campus security department has been notified that a student is suspected missing, and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours, Penn State staff will initiate emergency contact procedures as outlined in Penn State's policy and protocol.

### UNIVERSITY CONTACT FOR MISSING STUDENTS

Penn State Hershey – College of Medicine
Director of Student Affairs
500 University Drive, Hershey, PA 17033
717-531-5665

Department of Security
202 Eastmoor Building
Hershey, PA 17033
717-531-8711

## *Daily Crime and Fire Log*

The Department of Security maintains a combined Daily Crime and Fire Log of all incidents including fires reported to them. This log identifies the nature, general location, date and time reported to the Department of Security, date and time occurred and current disposition if known for each incident reported to the Department of Security. Local news media may contact the Department of Security to acquire information from this log. Information deemed newsworthy may be published by the news media.

The Daily Crime and Fire Log for the most current 60 days is available for viewing during regular business hours in the lobby of the Department of Security located at 202 Eastmoor Building. Any portion of the Daily Crime and Fire Log that is older than 60 days will be made available within two business days of a request for public inspection.

## *Crime Prevention and Safety Awareness Programs*

In an effort to promote safety awareness, the Penn State Hershey Department of Security participate in a variety of programs to educate and inform students, employees, parents and the community at large on a variety of issues. The programs are presented upon request or are scheduled at various times and locations on or near the campus. If you or your organization would like to request a specific program, please contact the Department of Security at 717-531-8711. Below are some of the programs and services available:

**Violence De-Escalation Training**
Security Department certified violence de-escalation trainers provided an eight-hour training course several times during the year in verbal and physical violence de-escalation techniques.

**Domestic Violence Education**
Penn State Hershey's Domestic Violence Medical Advocate provides a course on Domestic Violence awareness and education on campus that is repeated throughout the year, with persons from all areas in and around the campus community in attendance.

**Seeking Help for Personal or Professional Matters of Concern and Sexual Harassment**
Orientation sessions held in fall for incoming medical students, 3rd year medical students, and graduate students.

**Campus Safety/Security Training**
Orientation session held in the fall for incoming medical students.

**Campus Security Orientation**
Orientation session for incoming nursing students.

**Fire Safety Training**
Provides attendees with an overview of fire safety, how to use fire extinguishers and the best way to exit a structure that is ablaze.

**Surviving an Active Shooter Situation**
Penn State Hershey provides an online presentation designed to educate staff and students in recognizing, preparing for, and surviving an active shooter situation in a hospital or clinical environment. This program is available on campus through the Compass Learning Management System and/or to groups who request face to face instruction. This education was made mandatory for all staff and students who work in the clinical setting.

**Recognizing and Preventing Violence**
Penn State Hershey provides an online presentation designed to educate staff and students in recognizing and preventing workplace violence in a hospital or clinical environment. This program is available on campus through the Compass Learning Management System and/or to groups who request face to face instruction. This education was made mandatory for all staff and students who work in the clinical setting.

**Penn State Sexual Violence Education**
Penn State has an online sexual violence education program. All new graduate and professional students are encouraged to complete the program prior to matriculation. The program educates students about sexual assault and sexual harassment. The program helps students develop practical skills to keep themselves and their friends safe. The module is open to all employees and students and can be accessed at https://studentaffairs.psu.edu/sexualassault/

### PROGRAMS CONDUCTED BY THE DEPARTMENT OF SECURITY (3 MOST RECENT YEARS)

| 2013: **8** | 2014: **9** | 2015: **9** |
|---|---|---|

# PENN STATE UNIVERSITY POLICIES GOVERNING ALCOHOL AND OTHER DRUGS

## *Penn State's Alcohol and Drug Policy*

Federal law requires Penn State to notify all faculty, staff, and students of certain information pertaining to the unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as part of its activities. The information included in this report complies with the notification requirements of the Drug-Free Schools and Communities Act and its implementing regulations.

The University prohibits the unlawful possession, use, manufacture, or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings, facilities, grounds, or property controlled by the University or used as part of University activities. For students, this includes prohibiting the possession and consumption of any beverage containing alcohol in a residence hall room except by individuals who are 21 years or older at campuses where alcoholic beverages are permitted. This also includes prohibiting the presences of students under the age of 21 in residence hall rooms where alcohol is present. In addition, the smoking of any material is prohibited in all facilities of Penn State University at all locations.

### Areas Open to the Public

The Pennsylvania State University prohibits the possession and use of alcoholic beverages in areas open to the public, including areas of buildings open to the public. However, the use of alcoholic beverages, subject to the laws of the Commonwealth, may be permitted at University-sponsored activities in areas designated by, and with the prior approval of, the University Risk Manager at the University Park campus; the Senior Vice President for Health Affairs and Dean of the College of Medicine, Penn State Milton S. Hershey Medical Center; or at other non-University Park locations, the Chancellor or appropriate campus/center executive officer responsible for the area requested.

### Private or Closed Areas

The possession and use of alcoholic beverages are prohibited in conference rooms, offices, office reception rooms, closed buildings, and areas of buildings not open to the public or from which the public has been excluded, except: the use of alcoholic beverages, subject to the laws of the Commonwealth, may be permitted in specific private or closed areas designated by, and with the prior approval of, the appropriate person responsible for the area of request.

### Education and Research Areas

The Pennsylvania State University specifically prohibits the use, possession, and dispensing of alcoholic beverages in classrooms, lecture halls, laboratories, libraries, research areas, or within buildings, arenas or areas where athletic events, lectures, or concerts are held, during such events or activities. Permission will not be granted to use or possess alcoholic beverages in a facility that is being used for one of the above functions. (Please consult Policy AD18, Use and Distribution of Alcoholic Beverages (http://guru.psu.edu/policies/AD18.html), for more information.)

### Policies Specific to Faculty and Staff

As a condition of University employment, every employee shall abide by the terms of this policy. Any employee who violates this policy is subject to Penn State sanctions, including dismissal, as well as criminal sanctions provided by federal, state, or local law. An employee may be required to participate in a drug abuse or drug rehabilitation program. An employee must notify his or her supervisor of any criminal drug conviction for a violation occurring in the University workplace no later than five (5) days after such conviction. Please consult Policy AD33, A Drug-Free Workplace for more information (http://guru.psu.edu/policies/AD33.html.)

### Policies Specific to Penn State Students

Any student who violates this policy is subject to disciplinary action including sanctions as outlined in the Student Code of Conduct in addition to any penalties resulting from violating local, state, and/or federal law. Disciplinary sanctions may include: Students who are found responsible for violations may be subject to sanctions ranging from Disciplinary Warning or Disciplinary Probation to Suspension or Expulsion from the University. Students residing in University housing may also lose the privilege of living on campus for violating University rules and regulations or conditions of the housing contract. In most cases, the Office of Student Conduct will also assign developmental and educational interventions designed to promote greater awareness and improved decision making for students and to further deter future misconduct.

## *Residence Life Alcohol Policy*

### Alcohol And Illegal Substances

#### ALCOHOL POLICY

The possession of use of alcoholic beverages is prohibited. It is a violation of state law and university policy for a student under 21 years of age to attempt to purchase, consume, possess, or transport alcoholic beverages. It is unlawful to sell, furnish, and give alcoholic beverages or to permit alcoholic beverages to be sold, furnished, or given to any minor.

It is against Penn State Hershey policy for anyone to possess alcohol on campus without the expressed permission of the Chancellor.

Residents will be held responsible for activities that occur in their rooms, and will be referred to the Office of Residence Life, the Office of Student Conduct, and/or University Police if guests are violating the on-campus alcohol policies listed above.

Failure to comply with the direction or to present identification to a University official acting in the performance of his/her duties is a violation of the Student Code of Conduct and will result in a referral to the Office of Residence Life or the Office of Student Conduct.

It is against the Student Code of Conduct to supply false information, such as name, age, etc., to University officials who are acting in the performance of their duties.

#### ILLEGAL SUBSTANCES (DRUGS)

It is a violation of state law and University policy to illegally possess, use, distribute, manufacture, sell, or be under the influence of other drugs. Students who violate this policy will be referred to the Office of Residence Life, the Office of Student Conduct, and/or Department of Security.

It is against residence hall policy for a student to be in a residential area (room, common area, common building, building entryway, or quad area immediately adjacent to the residence halls) and in the presence of an illegal substance. Students who are in the presence of an illegal substance in these areas will be referred to the Office of Residence Life, the Office of Student Conduct and/or Department of Security.

# Alcohol Poisoning is a Medical Emergency.

*Call for help. You could save someone's life.*

**ON-CAMPUS: 531-8888 • OFF-CAMPUS: 911**

### Know the signs:

- Passed out or difficult to wake
- Cold, clammy, pale, or bluish skin
- Slowed breathing
- Vomiting while asleep or awake

### Know how to help:

- Turn a vomiting person on his or her side to prevent choking
- Clear vomit from the mouth
- Keep the person awake
- NEVER leave the person unattended

## *Pennsylvania Alcohol-Related Offenses*

### Pennsylvania's Medical Amnesty Law

If an individual who is under 21, in good faith, calls and believes they are the first to call 911, police, ambulance or campus security, gives their name and stays with the person to prevent that person's death or serious injury, the caller is immune from prosecution for consumption or possession of alcohol.

### Penn State's Responsible Action Protocol

Penn State has a Responsible Action Protocol whereby students who seek medical assistance for peers suffering from alcohol poisoning or related problems may not be charged through the campus student conduct system for their own alcohol violations. Under the protocol, students who act responsibly by notifying the appropriate authorities (e.g., calling 911, alerting a resident assistant, contacting police) typically will not face University disciplinary action for their own alcohol violations, unless they are responsible for other violations (e.g., vandalism, assault) as well. However, these students will be required to attend BASICS or similar program; the fee will be waived.

### Underage Drinking

It is illegal for anyone under 21 years of age to attempt to purchase, consume, possess, or knowingly and intentionally transport any liquor, malt, or brewed beverage. It is also illegal to lie about age to obtain alcohol and to carry a false identification card.

| Penalty | 1st Offense | 2nd Offense | Subsequent Offense |
|---|---|---|---|
| Fine | 0–$500 | 0–$1,000 | 0–$1,000 |
| Jail | 0–90 days | 0–90 days | 0–90 days |
| License Suspension | at least 90 days | at least 1 year | at least 2 years |

By law, the local police department and University Police are required to notify parents or guardians of all underage-drinking violations.

Penn State University has a zero-tolerance policy associated with students consuming beverage alcohol under the age of 21. Not only is this against the Pennsylvania law, it is also a violation of the Student Code of Conduct.

### Carrying False I.D.

It is illegal for anyone under 21 to possess an identification card falsely identifying that person by name, age, date of birth, or photograph as being 21 or older to attempt to obtain liquor, malt, or brewed beverage by using the identification card of another or by using an identification card that has not been lawfully issued to or in the name of the person who possesses the card.

| Penalty | 1st Offense | 2nd Offense | Subsequent Offense |
|---|---|---|---|
| Fine | 0–$300 | 0–$500 | 0–$500 |
| Jail | 0–90 days | 0–1 year | 0–1 year |
| License Suspension | at least 90 days | at least 1 year | at least 2 years |

### Public Drunkenness

It is illegal to appear in any public place manifestly under the influence of alcohol to the degree that you may endanger yourself or other persons or property, or annoy others in your vicinity.

Public drunkenness is a crime when a person appears in any public place manifestly under the influence of alcohol or a controlled substance to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity.

Public drunkenness also leads to other behaviors and important health concerns. Often, public drunkenness contributes to many criminal mischiefs and disorderly conducts on campus. People must be responsible for their own actions and know their limits and tolerance levels before consuming alcohol.

| Penalty | 1st Offense | 2nd Offense | Subsequent Offense |
|---|---|---|---|
| Fine | 0–$500 | 0–$1,000 | 0–$1,000 |
| Jail | 0–90 days | 0–90 days | 0–90 days |

### Driving Under the Influence (DUI) Law

In Pennsylvania, the illegal level for DUI is .08 percent Blood Alcohol Content (BAC) and .02 percent BAC for minors. The law emphasizes treatment and a three-tier penalty system based on BAC and prior offenses: (1) general impairment (.08-.099 percent), (2) high rate of alcohol (.10-.159 percent), and (3) highest rate of alcohol (.16 percent and above).

Also, drivers with any amount of a Schedule I, II, or III controlled substance not medically prescribed (or their metabolites) may not drive, operate, or be in actual physical control of a vehicle.

It is illegal for anyone under 21 years of age to drive a vehicle with a blood alcohol content of .02 percent or higher. A first-time offense individual, under certain circumstances, may qualify for an Accelerated Rehabilitative Disposition (ARD) program.

| Penalty[1] | 1st Offense | 2nd Offense | Subsequent Offense |
|---|---|---|---|
| Fine | $500–$5,000 | $750–$5,000 | $1,500–$10,000 |
| Jail | 2 days–6 months | 30 days–6 months | 90 days–5 years |
| License Suspension | 1 year | 1 year | 18 months |
| Other | Alcohol Highway Safety School<br>Court Reporting Network file | 1 year Ignition Interlock license<br>Court Reporting Network file<br>Alcohol Highway Safety School | 1 year Ignition Interlock license<br>Court Reporting Network file |

### Selling or Furnishing Alcohol to Minors

| Penalty | 1st Offense | 2nd and Subsequent Offenses |
|---|---|---|
| Fine | $1,000–$2,500 | $2,500 |
| Jail | 0–1 year | 0–1 year |

### Refusing a Chemical Test

Any person who drives a motor vehicle automatically gives consent to one or more chemical test (e.g. breath, blood, or urine). This implied consent means that you don't have the right to an attorney before testing. If a person refuses to submit to a chemical test: (1) the test will not be done; (2) the person will most likely be charged with DUI.

For more information about all alcohol-related offenses in Pennsylvania, see www.lcb.state.pa.us/PLCB/Education/index.htm. Click on "Alcohol & the Law."

### Open Container Law

In Pennsylvania, there is no state law to prohibit open containers of alcohol in public. However, many local governments have enacted such ordinances. For more information about all alcohol-related offenses in Pennsylvania, see www.lcb.state.pa.us. Click on "Alcohol & the Law."

## *Related Drug Offenses*

### Possession of Marijuana

A person is unlawful when unknowingly, knowingly, or intentionally possesses marijuana (Hashish), a Schedule I substance, and is not authorized by law to possess such substance, as outlined under the Controlled Substances, Drugs, Device and Cosmetic Act of 1972.

Persons engaged in such activity will most likely be faced with criminal charges and charged with a violation of the Student Code of Conduct.

The charges for marijuana possession include:

| Quantity | Charge | Jail Time | Fine |
|---|---|---|---|
| 30 grams or less | Misdemeanor | 30 days | 0–$500 |
| Over 30 grams | Misdemeanor | 1 year | 0–$5,000 |

### Pennsylvania's Medical Marijuana Act

Pennsylvania's Medical Marijuana Act went into effect on May 17, 2016. However, marijuana in any form remains a prohibited controlled substance under federal law, and therefore the possession, cultivation, and use by individuals remain illegal under federal law. The Pennsylvania Medical Marijuana Act conflicts with federal criminal laws governing controlled substances, as well as federal laws requiring institutions receiving federal funds, by grant or contract, to maintain drug-free campuses and workplaces. Penn State receives federal funding that would be in jeopardy if those federal laws did not take precedence over state law. Therefore, the use and/or possession by individuals of marijuana in any form and for any purpose continues to violate applicable University policies, and any student or employee who violates such policies will be subject to disciplinary sanctions.

### Possession of Other Drugs

In Pennsylvania, the penalties for being convicted of possession of a controlled substance such as heroin, cocaine, methamphetamines, prescriptions, ecstasy, and LSD vary by type of substance and quantity of the substance possessed. Charges also vary by first, second and subsequent offenses. Charges may include jail time, fines, drug counseling, and suspension of driver's license.

### Possession of Drug Paraphernalia

A person is unlawful when he possesses, with the intent to use, drug paraphernalia that is used for packaging, manufacturing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance in violation of the Controlled Substances, Drugs, Device and Cosmetic Act of 1972.

### Synthetic Marijuana

Effective March 1, 2011, the U.S. Drug Enforcement Agency classified synthetic marijuana as an illegal substance. It is also known as Spice, K2, Demon, Wicked, Black Magic, Voodoo Spice, and Ninja Aroma Plus. Individuals found responsible for manufacturing, possessing, importing/exporting, or distributing these substances will face criminal and civil penalties. Penn State students engaging in these activities will also be held responsible under the University's illegal substances policy. It is also against University policy to use synthetic marijuana.

[1] Penalties differ based on age, blood alcohol content, and other factors.

**Controlled Substances Act (CSA)** — The CSA places all substances that are regulated under existing federal law into one of five schedules. The place is based on the substance's medical use, potential for abuse, and safety or dependence ability. Below is a description of the five schedules and examples of drugs in each schedule. The list is not comprehensive.

| Schedule | Characteristics | Examples |
|---|---|---|
| **Schedule I** | · high potential for abuse<br>· no currently accepted medical use in US<br>· lack of accepted safety for use under medical supervision | · Heroin<br>· Gamma Hydroxybutyric Acid (GHB)<br>· LSD<br>· Marijuana<br>· MDMA (Ecstasy)<br>· Mescaline (peyote)<br>· Psilcybin/Psilocyn (mushrooms)<br>· Tetrahydrocannabinols (THC) |
| **Schedule II** | · high potential for abuse<br>· currently accepted for medical use or with severe restrictions in US<br>· abuse may lead to severe psychological or physical dependence | · Adderall®<br>· Amphetamine<br>· Cocaine<br>· Methadone<br>· Methamphetamine<br>· Morphine<br>· Oxycodone<br>· Phencyclidine (PCP)<br>· Ritalin® |
| **Schedule III** | · less potential for abuse than drugs in Schedules I and II<br>· currently accepted for medical use in US<br>· abuse may lead to moderate or low physical dependence or high psychological dependence | · Anabolic Steroids<br>· Codeine compounds<br>· Some barbiturates<br>· Ketamine |
| **Schedule IV** | · low potential for abuse compared to drugs in Schedule III<br>· currently accepted medical use in US<br>· abuse may lead to limited physical dependence or psychological dependence | · Ativan®<br>· Rohypnol® (not manufactured or legally marketed in the US)<br>· Valium®<br>· Xanax® |
| **Schedule V** | · low potential for abuse compared to drugs in Schedule IV<br>· currently accepted medical use in US<br>· abuse may lead to limited physical dependence or psychological dependence | · Cough medicines with codeine |

Source: U.S. Department of Justice. (2011). *Drugs of Abuse.* Washington, DC: U.S. Government Printing Office. Retrieved from http://www.justice.gov/.

## Federal Tracking Penalties — Marijuana

| Drug | Quantity | 1st Offense | 2nd Offense* |
|---|---|---|---|
| Marijuana (Schedule I) | 1,000 kg or more mixture; or 1,000 or more plants | · Not less than 10 yrs, not more than life<br>· If death or serious injury, not less than 20 yrs, not more than life<br>· Fine not more than $4 million if an individual, $10 million if other than an individual | · Not less than 20 yrs, not more than life<br>· If death or serious injury, mandatory life<br>· Fine not more than $8 million if an individual, $20 million if other than an individual |
| Marijuana (Schedule I) | 100 kg to 999 kg mixture; or 100 to 999 plants | · Not less than 5 yrs, not more than 40 yrs<br>· If death or serious injury, not less than 20 yrs, not more than life<br>· Fine not more than $2 million if an individual, $5 million if other than an individual | · Not less than 10 years, not more than life<br>· If death or serious injury, mandatory life<br>· Fine not more than $4 million if an individual, $10 million if other than an individual |
| Marijuana (Schedule I) | More than 10 kgs hashish; 50 to 99 kg mixture<br>More than 1 kg of hashish oil; 50 to 99 plants | · Not more than 20 yrs<br>· If death or serious injury, not less than 20 yrs, not more than life<br>· Fine $1 million if an individual, $5 million if other than an individual | · Not more than 30 years<br>· If death or serious injury, mandatory life<br>· Fine $2 million if an individual, $10 million if other than individual |
| Marijuana (Schedule I) | 1 to 49 plants; less than 50 kg | · Not more than 5 years<br>· Fine not more than $250,000, $1 million other than individual | · Not more than 10 years<br>· Fine $500,000 if an individual, $2 million if other than individual |
| Hashish (Schedule I) | 10 kg or less | | |
| Hashish Oil (Schedule I) | 1 kg or less | | |

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to $8 million if an individual and $20 million if other than an individual.

Source: U.S. Department of Justice. (2011). *Drugs of Abuse.* Washington, DC: U.S. Government Printing Office. Retrieved from http://www.justice.gov/.

## Federal Tracking Penalties

| Drug Schedule | Quantity | Penalties | Quantity | Penalties |
|---|---|---|---|---|
| Cocaine (Schedule II) | 500–4999 gms mixture | **First Offense:** Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual.<br>**Second Offense:** Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual | 5 kgs or more mixture | **First Offense:** Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual.<br>**Second Offense**: Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.<br>**2 or More Prior Offenses:** Life imprisonment. |
| Cocaine Base (Schedule II) | 28–279 gms mixture | | 280 gms or more mixture | |
| Fentanyl (Schedule II) | 40–399 gms mixture | | 400 gms or more mixture | |
| Fentanyl Analogue (Schedule I) | 10–99 gms mixture | | 100 gms or more mixture | |
| Heroin (Schedule I) | 100–999 gms mixture | | 1 kg or more mixture | |
| LSD (Schedule I) | 1–9 gms mixture | | 10 gms or more mixture | |
| Methamphetamine (Schedule II) | 5–49 gms pure or 50–499 gms mixture | | 50 gms or more pure or 500 gms or more mixture | |
| PCP (Schedule II) | 10–99 gms pure or 100–999 gms mixture | | 100 gm or more pure or 1 kg or more mixture | |

| | | Penalties |
|---|---|---|
| Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutric Acid) | Any amount | **First Offense:** Not more than 20 yrs. If death or serious injury, not less than 20 years, or more than life. Fine $1 million if an individual, $5 million if not an individual.<br>**Second Offense:** Not more than 30 yrs. If death or serious injury, life imprisonment. $2 million if an individual, $10 million if not an individual. |
| Other Schedule III drugs | Any amount | **First Offense:** Not more than 10 yrs. If death or serious injury, not more than 15 yrs. Fine not more than $500,000 if an individual, $2.5 million if not an individual.<br>**Second Offense:** Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than $1.5 million if an individual, $5 million if not an individual. |
| All other Schedule IV drugs | Any amount | **First Offense:** Not more than 5 years. Fine not more than $250,000 if an individual, $1 million if not an individual.<br>**Second Offense:** Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if not an individual. |
| Flunitrazepam (Schedule IV) | Less than 1 gm | |
| All Schedule V drugs | Any amount | **First Offense:** Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual.<br>**Second Offense:** Not more than 4 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual. |

Source: U.S. Department of Justice. (2011). *Drugs of Abuse.* Washington, DC: U.S. Government Printing Office. Retrieved from http://www.justice.gov/.

## Drugs Risks and Consequences

| SUBSTANCE Other Names | Potential for Dependence | | Risks and Effects | | |
|---|---|---|---|---|---|
| | Physical | Psycho-logical | Short-Term | Long-Term | Overdose |
| **ALCOHOL** Beer, Distilled liquor, Ethanol, Wine | High | High | · Impaired judgment and vision<br>· Lowered inhibitions<br>· Loss of motor skills and coordination<br>· Slurred speech | · Cardiovascular disease<br>· Hypertension<br>· Liver damage<br>· Neurologic damage<br>· Toxic psychosis | · Coma<br>· Possible death |
| **CANNABIS** Hash oil, Hashish, Grass, Marijuana, Pot, Weed | Low | Moderate | · Confusion<br>· Euphoria<br>· Impaired balance and coordination<br>· Memory loss<br>· Slowed reaction time<br>· Slowed thinking | · Cardiovascular damage<br>· Frequent respiratory infections<br>· Impaired learning<br>· Impaired memory<br>· Increased heart rate<br>· Tolerance and addiction | · Insomnia<br>· Hyperactivity<br>· Panic attack<br>· Paranoia<br>· Possible toxic reaction if combined with other chemicals |
| **DEPRESSANTS** Barbiturates, Benzodiazephine, Date rape drug, Liquid ecstasy, Flunitrazepam, GHB, Methaqualone, Special K, Xanax | High | High | · Confusion<br>· Fatigue<br>· Feeling of well-being, irritability<br>· Lowered blood pressure<br>· Lowered inhibitions<br>· Poor concentration<br>· Reduced anxiety<br>· Sedation<br>· Slowed pulse and breathing<br>· Slurred speech | · Anxiety<br>· Dizziness<br>· Hallucinations<br>· Insomnia<br>· Loss of peripheral vision<br>· Nausea<br>· Seizures<br>· Weak, rapid pulse<br>· Toxic psychosis<br>· Tremors | · Blackouts<br>· Cold, clammy skin<br>· Coma<br>· Life threatening withdrawal<br>· Possible death<br>· Respiratory depression and arrest<br>· Toxic reaction if combined with alcohol |
| **HALLUCINOGENICS** Acid, Angel Dust, Crystal, LSD, MDA, Mescaline, Mushrooms, PCP, Peyote, Phencyclidine, Psilocybin | Low / Unknown | Unknown | · Altered stated of perception<br>· Increase body temperature, heart rate, blood pressure<br>· Loss of appetite<br>· Nausea<br>· Numbness<br>· Sleeplessness<br>· Tremors<br>· Weakness | · Hallucinogen Persisting Perception Disorder (flashbacks)<br>· Intensify existing psychosis<br>· Violent behavior | · Intense, prolonged hallucinations<br>· Possible sudden death<br>· Psychosis |
| **INHALANTS** Gases, Solvents | High for chronic, long-term abuse | High for chronic, long-term abuse | · Impaired judgment<br>· Headache<br>· Nausea, vomiting<br>· Poor coordination<br>· Slurred speech | · Cardiovascular and nervous system damage, leading to inability to walk, talk, or think<br>· Cramps<br>· Depression<br>· Loss of muscle tone<br>· Memory impairment<br>· Mild withdrawal<br>· Muscle wasting and weakness<br>· Weight loss | · Coma<br>· Possible sudden death<br>· Possible toxic reaction<br>· Unconsciousness |
| **NARCOTICS** Codeine, Demerol HCL, Heroin, Meperidine, Morphine, Opium, Oxycodone, Vicodin | High | High | · Confusion<br>· Constipation<br>· Drowsiness<br>· Euphoria<br>· Nausea<br>· Pain relief<br>· Sedation<br>· Staggering gait | · AIDS and Hepatitis infection<br>· Malnutrition | · Clammy skin<br>· Coma<br>· Convulsions<br>· Death<br>· Respiratory arrest<br>· Shallow perspirations<br>· Tolerance, addiction<br>· Toxic reaction if combined with alcohol |
| **STIMULANTS** Amphetamine, Cocaine, Ecstasy, MDMA, Methylphenidate, Phenmetrazine, Ritalin | Possible | High | · Appetite loss<br>· Excitement and euphoria<br>· Feeling of well being<br>· Increased alertness Increased blood pressure, pulse<br>· Insomnia | · Insomnia<br>· Nervous system damage<br>· Organ/tissue damage<br>· Paranoia<br>· Psychosis<br>· Weight loss | · Agitation<br>· Convulsions<br>· Hallucinations<br>· Heart attack, stroke<br>· High blood pressure<br>· Loss of consciousness<br>· Seizures<br>· Temperature increase |
| **TOBACCO** Chewing/Smokeless Tobacco, Cigarettes, Cigars, Nicotine | High | High | · Bad breath<br>· Bad taste in mouth<br>· Decreased lung capacity<br>· Increased blood pressure<br>· Increased heart rate | · Adverse pregnancy outcomes<br>· Cardiovascular disease<br>· Cancer | · Possible death |

Notes:

- Alcohol and other drug use during pregnancy increases risk of physical harm to fetus.
- Additional risks of harm may occur from toxic impurities present in street drugs.
- Additional risks of harm may occur from the use of prescription drugs in ways other than prescribed.
- Drugs taken by injection can increase the risk of infection (e.g., HIV, hepatitis, etc.) through needle contamination.

**For more information, visit:**
**www.drugabuse.gov**
**www.samhsa.gov**

## *Drug and Alcohol Abuse Education Programs*

### Resources for Faculty and Staff

Penn State's Employee Assistance Program (EAP) is available for Penn State employees if they have a problem with substance abuse or if someone they know may have a problem. If you suspect that you or someone close to you may have a problem with alcohol or other drugs . . . stop hurting and start healing. For more information about the University's drug and alcohol prevention efforts, please see the "Health Promotion and Wellness, University Health Services" and "Crime Prevention and Safety Awareness Programs" sections of this Annual Security Report.

- Penn State faculty and staff can reach the EAP twenty-four hours a day, 7 days a week, by calling 866-799-2728 or at (www.healthadvocate.com/psu)
- Any employee or supervisor with additional questions related to alcohol and other drug problems may contact:
  Office of Human Resources: Health Matters 814-865-3085.

### Resources for Students

| Campus Resources | | | |
|---|---|---|---|
| Student Health Services | 845 Fishburn Road Hershey | 717-531-5998 | students.med.psu.edu/student-life/student-health/ |
| Counseling and Psychological Services:<br>- Intervention<br>- Referral | Biomedical Research Building, C7833 | 717-531-6148 | students.med.psu.edu/student-life/student-health/counseling |
| Disability Services<br>*Services:*<br>- Academic adjustments<br>- Auxiliary aids | Biomedical Research Building, C7833 | 717-531-0003, ext. 283693 | students.med.psu.edu/academics/student-disability-services/student-health/ |
| Office of Student Conduct | 500 University Drive, CG617F | 717-531-7210 | |
| Affirmative Action | 328 Boucke Building University Park | 814-863-0471 | http://www.psu.edu/dept/aaoffice/ |
| Penn State Office of Human Resources | Academic Support Building, 5200 | 717-531-4371 | http://ohr.psu.edu/ |
| Health Advocate | | 866-799-8728 | https://members.healthadvocate.com/Secure/Default.aspx |
| Domestic/Sexual Violence | | 717-531-5188 | |

| Community Resources | | | |
|---|---|---|---|
| Dauphin County Advocate Department of Drug and Alcohol | | 717-635-2254 | |
| Community-based Rape Crisis/Domestic Violence Services | | 717-238-7273<br><br>Hotline:<br>1-800-654-1211 | |
| Pennsylvania Coalition Against Rape – 24-hour hotline | | 1-888-772-7227 | |
| Pennsylvania Coalition Against Domestic Violence | | 717-545-6400<br>Hotline:<br>800-932-4632 | |

# ANNUAL DISCLOSURE OF CRIME STATISTICS

While the Penn State Hershey and the Hershey Medical Center campus is a reasonably safe environment, crimes do occur. In addition to the Clery Act crimes statistics, other common crimes that occur on campus are outlined below.

## Theft

Theft is a common occurrence on college campuses. Often, this is due to the fact that theft is often seen as a crime of opportunity. Confined living arrangements, recreation facilities, and many open classrooms and laboratories provide thieves with effortless opportunities. Occupants of the residence halls often feel a sense of security and home atmosphere and become too trusting of their peers, while other leave classrooms and laboratories unlocked when not occupied for short periods of time.

It is important to be very vigilant when it comes to suspicious persons. Never leave items and valuables lying around unsecured. Doors should be locked at all times. The following is a list of suggestions to help you not fall victim to theft.

- ☐ Keep doors to residence halls, labs, classrooms locked when not occupied
- ☐ Don't provide unauthorized access to persons in the buildings or classrooms
- ☐ Do not keep large amounts of money with you.
- ☐ Lock all valuables, money, jewelry, and checkbooks in a lock box or locked drawer
- ☐ Keep a list of all valuable possessions including the make, models, and serial numbers
- ☐ Take advantage of the Engraving Programs to have all valuables engraved with specific identifying marks.
- ☐ Don't leave laptop computers or textbooks unattended in labs or libraries, even if it is for a short period of time
- ☐ Don't lend credit cards or identification cards to anyone.
- ☐ Report loitering persons or suspicious persons to police immediately; don't take any chances

## Identity Theft

Identity theft is a crime in which someone wrongfully obtains and uses another person's personal information in some ways that involves fraud or deception, typically for economic gain. This personal data could be a Social Security number, bank account, or credit card information.

Persons involved in identity theft often use computers or other forms of media to assist them.

You can take measures to prevent this from happening to you:

- Do not give anyone your personal information unless there is a legitimate reason to trust them.
- Never give your credit card information, date of birth, or other information over the telephone, unless you can confirm the person receiving that information.
- Complete a credit check frequently to assure there is no suspicious activity.
- Examine financial information often to assure all transactions are authorized and accounted for.
- Use security software and install firewalls on computers.

## *Clery Act Crimes*

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. The University Police collects the Clery crime statistics disclosed in the following charts through a number of methods.

The University Police maintains a close relationship with all police departments where Penn State owns or controls property to ensure that crimes reported directly to these police departments that involve the University are brought to the attention of the University Police. In addition to collecting Clery crime statistics from local police departments, all reports of crime incidents made directly to the University Police (through police dispatchers and officers) are entered into an integrated computer aided-dispatch systems/records management system. The entries are recorded in the system in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook (sex offenses only). To ensure each report is appropriately classified in the correct crime category, after a dispatcher or officer enters the report in the system, a department administrator reviews the report to ensure it is appropriately classified. The department also periodically examines data in the system for appropriate classification.

In addition to the crime data that the University Police maintains, the University collects Clery crime statistics of reports made to various campus security authorities, as defined in this report. The statistics reported in the following charts generally reflect the number of criminal incidents reported to the various campus security authorities. The statistics reported for the subcategories on liquor laws, drug laws, and weapons offenses represent the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

## Definitions of Reportable Crimes

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

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

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

**Fondling –** 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 or physical incapacity

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

**Statutory Rape –** Non-forcible sexual intercourse with a person who is under the statutory age of consent

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

**Aggravated Assault** – 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** – unlawful entry of a structure to commit a felony or a theft.

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

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

**Domestic Violence** – Includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family laws of the Commonwealth of Pennsylvania, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction. Domestic Violence is not defined by Pennsylvania state statute.

**Dating Violence** – Means violence committed by a person—(a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined by the reporting party's statement and based on a consideration of the following factors:

(i) The length of the relationship.
(ii) The type of relationship.
(iii) The frequency of interaction between the persons involved in the relationship.

Dating Violence is not defined by Pennsylvania state statute.

**Stalking** – Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to—(a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress. In Pennsylvania, 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.

**Hate Crimes** – includes all of the crimes listed above that manifest evidence that the victim was intentionally selected because the perpetrator's bias against the victim based on one of the Categories of Prejudice listed below, plus the following crimes.

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

**Simple Assault** – 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** – 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 to 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 that distinguish them as a distinct division of humankind.

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

**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.

**Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

**Ethnicity** – A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

**National Origin** – A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

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

**Gender Identity** – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals.

## CRIME STATISTICS: CLERY DATA

The following annual security report provides crime statistics for selected crimes that have been reported to local police agencies or to campus security authorities. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub-categories on liquor laws, drug laws, and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. This report complies with 20 U.S. Code Section 1092 (f).

| | 2013 | | | | 2014 | | | | | 2015 | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **OFFENSES** | **On-Campus Property** | | **Public Property** | **Non-Campus** | **On-Campus Property** | | **Public Property** | **Non-Campus** | **Unfounded** (NOT INCLUDED IN CLERY OFFENSE COUNTS) | **On-Campus Property** | | **Public Property** | **Non-Campus** | **Unfounded** (NOT INCLUDED IN CLERY OFFENSE COUNTS) |
| | **Residence Hall** | **Total On-Campus** | | | **Residence Hall** | **Total On-Campus** | | | | **Residence Hall** | **Total On-Campus** | | | |
| Murder/Non-negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Sex Offenses - Forcible* | 0 | 0 | 0 | 0 | – | – | – | – | – | – | – | – | – | – |
| Sex Offenses - Non-forcible | 0 | 0 | 0 | 0 | – | – | – | – | – | – | – | – | – | – |
| Rape | – | – | – | – | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | – | – | – | – | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Statutory Rape | – | – | – | – | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Incest | – | – | – | – | 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 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 |
| Burglary | 0 | 1 | 0 | 0 | 0 | 3 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **VAWA OFFENSES** | | | | | | | | | | | | | | |
| Domestic Violence | 0 | 0 | 0 | 0 | 0 | 4 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Dating Violence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Stalking | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| **ARRESTS** | | | | | | | | | | | | | | |
| Weapons | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Drugs | 0 | 0 | 0 | 0 | 0 | 5 | 0 | 0 | 0 | 0 | 2 | 0 | 0 | 0 |
| Alcohol | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **REFERRALS** | | | | | | | | | | | | | | |
| Weapons | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Drugs | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Alcohol | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **HATE CRIMES** | | | | | | | | | | | | | | |
| Murder/Non-negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Fondling | 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 |
| Incest | 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 |
| Aggravated Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Burglary | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Motor Vehicle Theft | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Arson | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Larceny | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Simple Assault | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Intimidation | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Vandalism | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

**Hate Crime Key:** (D) Disability (E) Ethnicity (Ra) Race (Re) Religion (S) Sexual Orientation (G) Gender (N) National Origin (GI) Gender Identity

# Pennsylvania Uniform Crime Report Act

Crime statistics are reported to the Pennsylvania State Police for annual publication in "Crime in Pennsylvania, the Uniform Crime Report of the Commonwealth." These statistics are also available in the U.S. Department of Justice Publication, Crime in the United States, which is available at all public libraries and most law enforcement agencies within the United States. Crime statistics are also available by writing to University Police, The Pennsylvania State University, 30 Eisenhower Parking Deck, University Park, PA 16802-2116 or can be accessed on the Internet at www.police.psu.edu.

| CAMPUS: Milton S. Hershey Medical Center | 2013 | | | 2014 | | | 2015 | | |
|---|---|---|---|---|---|---|---|---|---|
| | ON CAMPUS | | | ON CAMPUS | | | ON CAMPUS | | |
| PART I OFFENSES | ACTUAL OFFENSES | *CRIME RATE | ARREST DATA | ACTUAL OFFENSES | *CRIME RATE | ARREST DATA | ACTUAL OFFENSES | *CRIME RATE | ARREST DATA |
| **CRIMINAL HOMICIDE** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Murder & Non-negligent Manslaughter | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Manslaughter by Negligence | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **FORCIBLE RAPE** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Rape by Force | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assault to Rape - Attempts | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **ROBBERY** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Firearm | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Knife or Cutting Instrument | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other Dangerous Weapon | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Strong Arm (Hands, Feet, etc.) | 1 | 11 | 0 | 0 | 0 | | 0 | 0 | 0 |
| **ASSAULT** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Firearm | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Knife or Cutting Instrument | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other Dangerous Weapon | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Hands, Fists, Feet, etc. | 0 | 0 | 0 | 5 | 51 | 0 | 5 | 49 | 0 |
| **BURGLARY** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Forcible Entry | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Unlawful Entry - No Force | 0 | 0 | 0 | 3 | 31 | 0 | 0 | 0 | 0 |
| Attempted Forcible Entry | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **LARCENY - THEFT** (Exc. Motor Vehicles) | 91 | 968 | 0 | 78 | 799 | 0 | 44 | 433 | 0 |
| **MOTOR VEHICLE THEFT** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Autos | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Trucks and Buses | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Other Vehicles | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **ARSON** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **TOTAL PART I OFFENSES** | **92** | **979** | **0** | **86** | **881** | **0** | **49** | **482** | **0** |
| **PART II OFFENSES** | | | | | | | | | |
| **Assaults - Non-Aggravated** | 7 | 74 | 0 | 4 | 41 | 0 | 1 | 10 | 0 |
| **Forgery and Counterfeiting** | 0 | 0 | 0 | 0 | 0 | 0 | 2 | 20 | 0 |
| **Fraud** | 1 | 11 | 0 | 7 | 72 | 0 | 4 | 39 | 0 |
| **Embezzlement** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Stolen Prop., Rec., Possess., etc.** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Vandalism** | 8 | 85 | 0 | 2 | 20 | 0 | 5 | 49 | 0 |
| **Weapons, Carrying, Possess., etc.** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Prostitution & Commercialized Vice** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Sex Offenses** (Exc. Prostitution & Rape) | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Drug Abuse Violations** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **S** Opium-Cocaine | 0 | 0 | 0 | 1 | 10 | 0 | 0 | 0 | 0 |
| **A** Marijuana | 0 | 0 | 0 | 6 | 61 | 0 | 0 | 0 | 0 |
| **L** Synthetic | 0 | 0 | 0 | 2 | 20 | 0 | 0 | 0 | 0 |
| **E** Other | 0 | 0 | 0 | 1 | 10 | 0 | 1 | 10 | 0 |
| **P** Opium-Cocaine | 0 | 0 | 0 | 1 | 10 | 0 | 1 | 10 | 0 |
| **O** Marijuana | 7 | 74 | 0 | 3 | 31 | 0 | 0 | 0 | 0 |
| **S** Synthetic | 1 | 11 | 0 | 1 | 10 | 0 | 0 | 0 | 0 |
| **S** Other | 8 | 85 | 0 | 8 | 82 | 0 | 0 | 0 | 0 |
| **Gambling** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Book Making | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Numbers, etc. | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Offenses Against Family & Children** | 0 | 0 | 0 | 5 | 51 | 0 | 2 | 20 | 0 |
| **Driving Under the Influence** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Liquor Laws** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **Drunkenness** | 0 | 0 | 0 | 2 | 20 | 0 | 0 | 0 | 0 |
| **Disorderly Conduct** | 9 | 96 | 0 | 5 | 51 | 0 | 1 | 10 | 0 |
| **Vagrancy** | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| **All Other Offenses** (Exc. Traffic) | 0 | 0 | 0 | 33 | 338 | 0 | 28 | 276 | 0 |
| **TOTAL PART II OFFENSES** | **41** | **436** | **0** | **81** | **827** | **0** | **45** | **443** | **0** |
| **TOTAL PART I & PART II OFFENSES** | **133** | **1415** | **0** | **167** | **1708** | **0** | **94** | **925** | **0** |

| Milton S. Hershey Medical Center | |
|---|---|
| **2015: Employees** | 9,306 |
| **Students** | 853 |

*RATE: Per 100,000 population. Population is calculated using full-time equivalent students, faculty, and staff.
**Reasonably contiguous buildings/property owned by Penn State or student organizations recognized by Penn State.
"( )" indicates the number of incidents, if any, that are classified as hate crimes by the Hate Crimes Statistics Act (28 U.S.C. 534).
Footnote: These statistics comply with the Pennsylvania Campus Security Act (PA Title 24 Section 2502-1 to -5) enacted May 1988.
(a) Aggravated Assault

# Housing Report

## (1) Types of student housing available

Penn State College of Medicine offers the following types of housing for students on campus (the University does not operate any student housing off campus):

- **Manor West Apartments:**
  31 – four-bedroom furnished apartments for four single students, with shared living room, bathroom, and kitchen (used primarily for undergraduate students but also houses some single Medical and Graduate students as well as short-term tenants).
- **Manor East Apartments:**
  24 – one-bedroom, 208 – two-bedroom, and 16 – three-bedroom unfurnished apartment units for single students and/or students with families (used primarily by our Medical, Graduate, and Post-Graduate populations).
- **VIP apartment** (located in Manor West):
  1 – two-bedroom furnished apartment for guests on official University business.

## (2) Policies on housing assignment and requests by students for assignment changes

Students submit applications on-line, by mail, via facsimile, or in person at the Housing Office. On the application, the student indicates housing preferences, such as apartment type, requested date of occupancy, ADA requirements, and roommate preference. The Housing Office begins the process of assigning a room and/or apartment based upon the requested date of occupancy, date of application, and apartment type requested. A student interested in changing their preferences after the deadline may make a request; however, honoring that request it is not guaranteed.

### *Roommate Issues*

When the Housing Office becomes aware of a conflict between roommates, a meeting is scheduled with the students in question and the Housing Manager. The purpose of this meeting is to let the parties involved air their concerns and identify possible solutions with a neutral third party. In the vast majority of instances, this meeting ends with all stake holders agreeing to an outcome that fairly addresses the core issue(s). In instances where no such comprise can be reached, the affected parties are split-up and reassigned.

### *Emergencies*

In a true emergency situation, the Housing Manager is contacted and will initiate the relocation of the student(s) immediately.

## (3) Policies concerning the identification and admission of visitors in student housing facilities

The policy for guests is found in the *Housing Lease Rules* and Regulations, which the student agrees to when accepting a Housing Lease. The policy states:

### *GUESTS*

Student apartments are intended for use by tenants of the building and their invited guests. A guest is defined as a person visiting a tenant in a student apartment at the tenant's invitation. Delivery persons are not considered to be guests for purposed of this policy.

The following stipulations relate to all guests:

1. It is the responsibility of the host student to ensure that their guests are aware of University and Student Housing policies. Guests are held responsible for their own actions and for knowledge of University and Student Housing policies. However, the hosts are held accountable for damages committed by their guests. Hosts are also held accountable for their guests' behavior.
2. Tenants in a shared apartment are permitted to have guests in their rooms only if there is no objection from their roommate(s).
3. Room keys will not be provided for guests. Tenants are not to give their keys to a guest in order for them to gain entrance to the apartment.
4. Students may have an overnight guest in their room for a maximum of seven consecutive nights. The University reserves the right to revoke this privilege. Guests may not move from one host's room to another in order to extend their stay in the apartment.
5. Only tenants and their invited guests are permitted in the tenant's apartment. Individuals found in the apartment who are not tenants or guests of the tenant are considered trespassing.
6. Campus Security and Housing Staff members will confront any individual if they are not recognized as a tenant and/or the tenant is not escorting them.

Students charged with violations of the guest regulation will be subject to University disciplinary action. An unescorted guest who is a student of the University shall be subject to University discipline.

## (4) Measures to secure entrances to student housing facilities

All apartment entrances to student apartments are equipped with deadbolt locks and are to remain locked 24 hours a day. Only tenants of the apartment are granted access to the apartment. If a student does not have their keys, they are to proceed to the Housing Office during normal working hours where their identity will be verified and a temporary key issued. After normal working hours, they are to contact Security Post 2 to make arrangements for access to their apartment. Campus Security will meet the tenant at their apartment, verify their identity, and facilitate apartment access.

Housing Maintenance staff will check the security of apartment doors during the normal course of completing scheduled maintenance evolutions and work order requests. If an entry door is found unlocked, the Maintenance staff will immediately lock the door and a reminder to secure the premises is forwarded to the tenant.

## (5) Standard security features used to secure doors and windows in students' rooms

### *Doors*

Apartment entry doors are equipped with lockable door handle and deadbolt. Student bedrooms doors feature a Stanley lock, locking mechanism that requires a key to open. Each student is issued a key with a unique code and a "Do Not Duplicate" stamp for the apartment entry door and their bedroom door. If the student reports a key is lost or stolen, the associated core is changed immediately, if an entry door—all occupants receive a new replacement key, if a bedroom door—only the affected student will receive a new key.

### *Windows*

All apartment windows are lockable. During apartment turn-around, Maintenance Housing staff double-check that the locking mechanism is functioning properly and that all windows are locked. The actual locking mechanism varies between the Manor East and Manor West Student Housing complexes due to different window types, but essentially functions in the same manner.

## (6) Type and number of, and description of security training provided to employees, including security personnel, assigned to the student housing facilities

The Security Department staff, in conjunction with Derry Township Police, provide security services to the student housing areas as part of their mission and responsibilities for the entire Penn State Milton S. Hershey Medical Center complex. No security officers are specifically assigned to Student Housing; however, the Penn State Hershey Department of Security consists of 20 Security Officers, 3 Senior Patrol Officers, one Supervisor, one Assistant Chief and one Chief. The patrol officers provide security assistance and patrol of the University Manor East and West complexes. All officers have training in all aspects of security work, safety protocols, CPR training and Psychiatric Emergency Assist Training.

### *Housing Staff*

Housing staff with building access:

- Manager – 1
- Maintenance Supervisor – 1
- Technical Service Staff – 4
- Housing Office Staff – 2

#### Training Housing Staff:

Housing staff receive annual fire safety training and participate in operational testing of apartment fire alarm and sprinkler systems. Housing staff will report all suspicious activity and question strangers encountered within the Student Housing complexes. All security specific matters are turned over to the Security Department for investigation and action.

### *Other Access Groups*

No other groups are permitted access to student apartment without an escort from the Housing Department.

## (7) The type and frequency of programs designed to inform student housing residents about housing security and enforcement procedures

During student orientation, information about safety policies is reviewed (keeping entry and bedroom room doors locked, reporting lost keys, emergency contact numbers, escort program).

In the *Rules and Regulations* Section of each Tenant's Lease, they are reminded of their role in maintaining the safety and security of the housing complex in which they live. Specifically, they are encouraged to refrain from behaviors that may compromise their safety or security (i.e. leaving door propped open or unlocked, leaving windows open or unlocked) or that of their roommate, if applicable. Tenants are also encouraged to immediately report all suspicious activity or unauthorized personnel encountered.

Upon arrival, each tenant is provided with written instructions describing emergency equipment, procedures, and contact information to be used in the event of an emergency. Periodic reminders are emailed to students/tenants reminding them of these policies/obligations.

## (8) Policy and any special security procedures for housing students during low-occupancy periods such as holidays and vacation periods

Undergraduate Students have three (3) official closedown periods during the academic year: fall break, winter break, and spring break. During the winter break, all undergraduate students are required to vacate their apartments. These tenants are provided instructions on what to do before leaving for the break (heat settings, closing/locking windows, securing belongings, locking room, returning their keys to the Housing Office). During this period, Housing Maintenance staff inspects the apartments and complete work orders in the undergraduate apartments. Undergraduate Student Housing is also co-located with the Housing Office. Both Housing Office Staff and Maintenance Staff patrol during this period of time to insure safety and security of the undergraduate complex.

Postgraduate students are located in family-style apartment and are not required to vacate their apartment until they graduate. Housing Maintenance Staff are instructed to be alert and immediately report and suspicious activity within the complex. They are also instructed to challenge and request identification of all strangers they meet within the complex.

## (9) Policy on the housing of guests and others not assigned to the student housing or not regularly associated with the institution of higher education

The policy for overnight guests in student apartments is addressed is Section (3) "Policies concerning the identification and admission of visitors in student housing facilities" of the tenant lease.

Non-students may reside on-campus only with prior approval of the Dean's Office. The length of their stay is restricted to the time required to complete their official business with the University. During their stay, they are subject to the same *Rules and Regulations* as the rest of the student population.

## (10) Number of undergraduate and graduate students living in student housing

Occupancy can fluctuate throughout the academic year. In the fall semester, occupancy averages around 98%. Occupancy typically decreases in the spring semester, as tenants' complete off-campus rotations, grants expire, and students graduate, with an average of 90%.

| Housing Area | Number of Students | Student Type |
|---|---|---|
| Manor East | 262 | Medical Students (Postgraduate) |
| Manor East | 58 | Graduate Students (Postgraduate) |
| Manor East | 13 | MD/PHD Program (Postgraduate) |
| Manor East | 29 | Post Doctorate/Scholars (Postgraduate) |
| Manor East | 20 | Medical Residents (Postgraduate) |
| Manor West | 0 | Medical Students (Postgraduates) |
| Manor West | 111 | Nursing Students (Undergraduate) |

# Annual Fire Safety Report

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an Annual Fire Safety Report that contains information about campus fire safety practices and standards of the institution. The following Report details all information required by this Act for the Penn State Hershey campus of The Pennsylvania State University.

## Definitions

The following terms are used within this report. Definitions have been obtained from the Higher Education Opportunity Act.

On-Campus Student Housing – A student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geograhic area that makes up the campus.

Fire – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

## Fire Safety

Penn State takes fire safety very seriously and continues to enhance its programs to the University community through education, engineering, and enforcement. Educational programs are presented throughout the year to faculty, staff, and students so they are aware of the rules and safe practices. These programs, which are available at all campuses include identification and prevention of fire hazards, actual building evacuation procedures and drills, specific occupant response to fire emergencies, and hands-on use of fire extinguishers.

Penn State has been a leader in ensuring the safety of students, faculty, staff, and visitors who live and work in University-operated residences. Automatic sprinkler systems and fire alarm systems are recognized engineered building features that help to provide for a fire-safe living environment. All University-operated residence halls and apartments are provided with automatic sprinkler systems, smoke detectors, and building fire alarm systems to provide early detection and warning of a possible fire emergency.

The Penn State Hershey Housing office maintains and tests all fire alarms and automatic fire suppression systems to ensure system readiness and proper operation in the event of a fire emergency.

The Penn State Hershey Campus of the Pennsylvania State University has adopted and developed numerous Safety Polices and Guidelines to help promote a safe living and work environment at all campus. These policies, guidelines, and other fire safety information can be obtained from the Penn State Hershey Housing office or the website at http://www.pennstatehershey.org/web/housing/home/tenants/policies.

Additional protection is provided by Penn State Hershey Security officers who are trained for initial response to fire incidents occurring at Penn State Hershey facilities. Officers provide assistance in building evacuation and extinguishment and confinement of small fires.

## 2013/2014/2015 Fire Statistics for On-Campus Student Housing Facilities

| Date | Location | Address | Cause | Damage Amount | Injuries | Deaths |
|---|---|---|---|---|---|---|
| No Fires to Report in 2013 | | | | | | |
| 2/7/2014 | Manor East | 300 University Dr. | Unintentional – Cooking | $369.31 | 0 | 0 |
| 8/13/2014 | Manor East | 300 University Dr. | Dryer motor | $609.31 | 0 | 0 |
| 3/11/2015 | Manor East | 300 University Dr. | Unintentional – Stove Fire | $100–$999 | 0 | 0 |
| 5/16/2015 | Manor East | 300 University Dr. | Unintentional – Candle/ Pillow Fire | $1000–$9999 | 0 | 0 |

## Description of On-Campus Student Housing Fire Safety Systems—Residence Halls/Apartments

| Building | Address | Total Fires | | | Fire Sprinkler Coverage/ Manual Pull Stations | Fire Extinguisher (5lb ABC Dry Chemical) | Fire Alarm Systems (Smoke Detectors) | Monitored Fire Alarm System | Fire Rated Corridors | # Fire Drills |
|---|---|---|---|---|---|---|---|---|---|---|
| | | 2013 | 2014 | 2015 | | | | | | |
| University Manor East Apartment | 300 University Manor West Hershey, Pa 17033 | 0 | 2 | 2 | Full Sprinkler Coverage with 6 Manual Pull Stations | Available in each Apartment | Smoke Detectors | Yes | N/A | N/A |
| University Manor West Apartment | 300 University Manor West Hershey, Pa 17033 | 0 | 0 | 0 | Full Sprinkler Coverage and no Manual Pull Stations | Available in each Apartment | Smoke Detectors | Yes | N/A | N/A |

N/A = Not Applicable

## Prohibitions on Portable Electrical Appliances, Smoking, and Open Flames

All on-campus housing facilities prohibit the following activities and items.

1. Smoking is prohibited on campus, except in individual apartments.
2. The presence or use of candles, incense burners, oil lamps, and other open-flame device is not permitted in on-campus housing facilities.
3. The presence or use of torchiere halogen floor lamps is not permitted in any building.
4. Individuals shall not obstruct or tamper with fire safety equipment (e.g., sprinklers, fire alarms, fire extinguishers).
5. The possession or use of fireworks is not permitted.
6. Occupant-provided appliances are not permitted in on-campus housing facilities.

Additional information about apartment living and policies is available at http://www.pennstatehershey.org/web/housing/home/tenants/policies.

## Emergency Procedures

The Penn State College of Medicine Housing provide tenants with emergency procedures as follows:

**If you discover a fire – R.A.C.E. is required:**

1. **R**escue persons in immediate danger to safety. Warn others who are close to the fire.
2. **A**larm by pulling the nearest pull box and dialing the fire emergency phone number (8888). Give as much information to the call taker about the emergency and the exact type and location of the emergency.
3. **C**onfine the fire and smoke by closing all doors and windows. Do not lock closed doors. Do not turn off lights.
4. **E**xtinguish/Evacuate—If you have been trained and can do so safely, you may use the fire extinguisher to extinguish the fire. If not, evacuate the apartment.

**Evacuation from the building:**

1. Upon activation of the fire alarm system, everyone shall immediately leave the building.
2. Feel the door. If it is hot, do not open it.
3. If the door is cool, crouch low and open the door slowly. Close the door quickly if smoke is present.
4. If the hallway is smoke-free or there is a light smoke condition, proceed to the nearest exit. If a light smoke condition is present stay below the smoke (crouch or crawl).
5. Leave the building and meet at your designated evacuation meeting site.
6. Never use elevators during a fire evacuation.

**If you are trapped in your room:**

1. Place material (e.g., clothing, rug) at base of door to prevent smoke from entering the room.
2. Open your window, wave a piece of material and yell to attract the attention of people outside.
3. Call 8888 and report your location.
4. Stay low; breathe fresh air near the windows.
5. Await rescue.

## Fire Safety Rules and Regulations for Tenants

The Penn State College of Medicine Housing Office provides apartment regulations to tenants. Some of the topics include:

1. Emergency numbers and procedures
2. Candles and other open-flame devices
3. Fire alarm systems and reporting
4. Fireworks and firearms
5. Gas grills
6. Halogen lamps

Additional tenant information is available at:
http://pennstatehershey.org/web/housing/home/tenants/policies

## Fire Incident Reporting

To report a fire or medical emergency, tenants shall immediately call 8888 from a safe location.

Immediate notification for a non-emergency incident (e.g., fire is out, evidence that something burned, attempted intentional burning of material) shall be made to:

Building Operations Center (BOC) ..... 717-531-8096
Security ..... 717-531-8711
Housing/Apartment Office ..... 717-531-8210
Housing/Apartment Office Fax ..... 717-531-5138
Safety..... 717-531-7297

## Plans for Future Improvements in Fire Safety

Penn State College of Medicine continues to monitor trends related to residence hall fire incidents and alarms to provide a fire-safe living environment for all students. New programs and policies are developed as needed to help ensure the safety of all students, faculty, and staff.

## IMPORTANT PHONE NUMBERS

**Department of Security**
Penn State Hershey/ Hershey Medical Center
2nd Floor, Eastmoor Building
717-531-8711
Police/Fire/EMS
**8888**

**Pennsylvania State Police**
8000 Bretz Drive Harrisburg, Pennsylvania 17112
717-671-7500
814-470-2238

**Derry Township Police**
620 Clearwater Rd., Hershey, PA 17033
717-534-2202

**Student Health Center**
717-531-5998

**Hershey Medical Center**
717-531-8521

**Campus Emergency Hotline**
717-531-8888

**In Case of Emergency**
**DIAL: 8888**
***on any telephone***

**You can reach Department of Security by dialing 717-531-8711**

**Campus Security Department may also be reached by pressing the emergency button on any of the emergency or courtesy phones located around campus.**

## PSUAlert

PSUAlert is the name of Pennsylvania State University's mass notification service. This system allows the university to send text messages, voice mails, and e-mails to the campus community concerning weather-related school closings, delays, and other emergencies. The service is available to all employees and students of Penn State. The university does not charge for the service, however there may be a fee charged based on your phone plan. To register, go to http://psualert.psu.edu and follow the instructions.

## Register to Vote

All students are urged to register to vote in local, state, and national elections. Go to http://www.pikepa.org/election/dl/pa_voter_registration.pdf for a printable Voter Registration Application. Note that Adobe Acrobat must be loaded to view the Voter Registration Application.

These policies and procedures are subject to change at any time. U.Ed. FIN 16-13 MPC137595