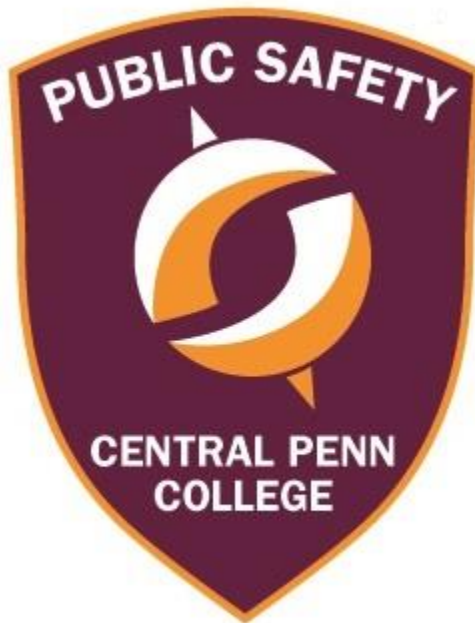


# Central Penn College

## 2018 Annual Security Report



*The Public Safety Department strives to provide the faculty, staff, students and all affiliates of Central Penn College with ready response, commitment to quality services, and enhanced communication efforts. Dedication and commitment to quality living and learning environment is the motto of this department.*

## Table of Contents

|   |    |
|---|----|
| Your Right to Know  | 3  |
| About the Clery Act   | 3  |
| What is Central Penn College obligated to do?   | 3  |
| Who must be involved?   | 4  |
| When must these things happen?  | 4  |
| When is the deadline?   | 5  |
| What should the publication look like?  | 5  |
| Who gets the annual security report?  | 5  |
| Submitting Crime Statistics to the U.S. Department of Education                             | 5  |
| Before Moving On  | 6  |
| Does Central Penn Participate in Federal Title IX Programs?                                 | 6  |
| Does Central Penn College Maintain a Campus Police or Security Department?                  | 6  |
| What Geographic Area is Associated with Central Penn Campus?                                | 6  |
| Does Central Penn College Have Any Separate Campuses?                                       | 8  |
| Knowing What to Disclose: Classifying and Defining Clery Act Crimes                         | 8  |
| How are Clery Act Crimes Defined?   | 9  |
| Where Does Central Penn Get All of This Information? Collecting Crime Data                  | 12 |
| Obtaining Statistics from Local Police Agencies   | 13 |
| Alerting the Campus to Threats: The Timely Warning  | 14 |
| Writing It All Down: The Daily Crime Log  | 15 |
| Categories of Campus Security Policies That Must Be Addressed in the Annual Security Report | 16 |
| Sex Discrimination and Sexual Misconduct Policy   | 28 |
| Campus Crime Statistics   | 41 |
| College and University Security Information Act and Uniform Crime Reporting Act             | 43 |
| 2016 Fire Safety Report   | 47 |
| Central Penn College Evacuation Plan  | 48 |
| Central Penn College Missing/Runaway Persons Policy   | 51 |
| Appendixes  | 53 |
| ... Announcement to Campus Community Regarding Availability of Crime Report                 | 54 |
| ... Campus Map of Central Penn College (Summerdale)   | 55 |
| ... Campus Map of Central Penn College (Lancaster)  | 56 |
| ... Checklist For Clery Act Compliance  | 57 |
|   |    |
|   |    |
|   |    |
|   |    |

**Your Right to Know**

Your personal safety and the security of the campus community are of vital concern to Central Penn College (the college). A copy of the college's annual report is available on our webpage.

This report includes statistics for the most recent three-year period concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by the college or affiliates, and on public property within, or immediately adjacent to and accessible from the campus. The report also includes information regarding the law enforcement authority of the colleges' Public Safety Department; policies concerning campus security, such as crime prevention, alcohol and drug use, sexual assault, state sex offender registry, and the reporting of any crimes that may occur on the campus.

You can obtain a copy of any/all of these reports by contacting the Public Safety Department, Chief Public Safety Director, Central Penn College, 600 Valley Road, PO Box 309 Summerdale, PA 17093 or you can request that a copy be mailed to you by calling 717-728-2274. This information is also available by visiting <http://www.centralpenn.edu/security>.

**About the Clery Act**

Choosing a postsecondary institution is a major decision for students and their families. Along with academic, financial and geographic considerations, the issue of campus safety is a vital concern. In 1990, Congress enacted the Crime Awareness and Campus Security Act (Title II of Public Law 101-542), which amended the Higher Education Act of 1965 (HEA). This act required all postsecondary institutions participating in Title IV student financial aid programs to disclose campus crime statistics and security information. The act was amended in 1992, 1998 and 2000. The 1998 amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student who was slain in her dorm room in 1986.

The Clery Act requires higher education institutions to give timely warnings of crimes that represent a threat to the safety of students or employees, and to make public their campus security policies. It also requires that crimes data are collected, reported and disseminated to the campus community and are also submitted to the Education Department (ED). The act is intended to provide students and their families, as higher education consumers, with accurate, complete and timely information about safety on campus so that they can make informed decisions.

**What Is Central Penn College Obligated to Do?**

To be in compliance with Clery Act regulations, the college has several obligations. These fall into three main categories: 1) policy disclosure; 2) records collection and retention; and 3) information dissemination.

**Policy Disclosure**

The college must provide the campus community and the public with accurate statements of its current policies and practices regarding:

Procedures for students and others to report criminal actions or other emergencies occurring on campus;

- Security of and access to campus facilities; and
- Campus law enforcement.

#### Records Collection and Retention

The college is required to keep some campus records and to request records from law enforcement agencies.

- The college must keep records of crimes reported to campus security authorities.
- The college must also make a reasonable good-faith effort to obtain certain crime statistics from appropriate law enforcement agencies to include in an annual security report and the Web-based report to ED.
- The college is required to keep a daily crime log that must be open to public inspection.

#### Information Dissemination

To provide campus community members with information necessary to make informed decisions about their safety, The college must disseminate information in several ways. The college must:

- Provide a “timely warning” of any Clery Act crime that might represent an ongoing threat to the safety of students or employees;
- Provide access to The college crime log during normal business hours;
- Publish an annual security report and distribute it to all current students and employees, and inform prospective students and employees about the content and availability of the report;
- Inform the campus community where to obtain information about registered sex offenders; and
- Submit The college’s crime statistics to ED through the Web-based data collection system.

#### **Who Must Be Involved?**

All postsecondary institutions, both public and private, that participate in federal Title IV student aid programs are required to comply with the Clery Act regulations. Although Clery Act compliance is an institutional responsibility, full compliance is a campus-wide effort, and concerns all members of the campus community. Policy statements must be developed and crime reports must be collected from a wide variety of campus security authorities. These authorities include:

- Campus police;
- Non-police security staff responsible for monitoring campus property;
- Individuals and offices designated by the campus security policies as those to whom crimes should be reported; and
- Officials of the institution with significant responsibility for student and campus activities.

#### **When Must These Things Happen?**

Compliance with the Clery Act is not a once-a-year event. Some requirements are ongoing, such as policy implementation, timely warnings, and crime log updating, while other requirements are less frequent, such as the annual security report and the crime statistics report that is submitted to ED. Listed below is an overview of the basic requirements and time frames for the main components of compliance:

1. Development, disclosure and implementation of all campus security policies.
  - a. Frequency: Routinely on an ongoing basis.
  - b. Contact: All members of the campus community.
2. Timely warnings to alert the campus community about crimes that pose a serious or continuing threat to safety.
  - a. Frequency: Whenever there is a threat that a crime is ongoing or may be repeated (i.e. as soon as the information becomes available).
  - b. Contact: All members of the campus community.
3. A daily crime log that lists, by date reported, all crimes reported to the campus police or security department.
  - a. Frequency: Updated daily as crimes are reported.
  - b. Contact: Must be made available for public inspection without exception.
4. Annual security report containing campus security policy disclosures and crime statistics for the previous three years.
  - a. Frequency: Must be published and distributed annually by October 1. There is no grace period.
  - b. Contact: Current students and employees individually. Prospective students and employees notified of availability of report.
5. Report to ED of statistics for Clery Act crimes via designated Web site.
  - a. Frequency: Each fall, on the dates provided by ED in a letter to your institution.
  - b. Contact: Made available for public inspection.

**When is the deadline?**

The annual security report must be published and distributed by Oct. 1 each year. This is a firm deadline. There is no grace period.

**What should the publication look like?**

Whether the report is produced as a separate publication or as part of another publication, it must be contained within a single document. It cannot be published in sections or multiple volumes. Remember that Clery Act requirements must be met individually for each separate campus. An institution may publish a single document covering all campuses as long as information and crime statistics that vary by campus are clearly presented.

**Who gets the annual security report?**

The report must be distributed to all currently enrolled students (including those attending less than full time and those not enrolled in Title IV programs or courses) and all employees by Oct. 1 each year. The report must also be provided to any prospective student or prospective employee upon request. A prospective student is defined as an individual who has contacted an eligible institution requesting information about admission to that institution. A prospective employee is defined as an individual who has contacted an eligible institution requesting information concerning employment with that institution.

**Submitting Crime Statistics to the U.S. Department of Education: Web-Based Data Collection**

The Campus Crime and Security at Postsecondary Education Institutions Survey is conducted annually

by the U.S. Department of Education's Office of Postsecondary Education (OPE). This Web-based survey is used to collect data on alleged criminal incidents reported by over 6,700 colleges, universities and institutions of higher education in the United States. This information is posted on a public Web site for use by higher education consumers. Each year in the late summer, a letter and a certificate from the U.S. Department of Education are sent to the institution's president or chief executive officer. The letter explains this important Clery Act requirement.

#### **Before Moving On...**

ED can issue civil fines up to \$35,000 per violation for a substantial misrepresentation of the number, location or nature of the crimes required to be reported. Final Review Determination Reports are public records.

#### **Does Central Penn Participate in Federal Title IV Programs?**

Yes. All public and private postsecondary institutions that participate in federal Title IV student aid programs must comply with the Clery Act regulations. Title IV institutions have signed Program Participation Agreements (PPAs) with ED to administer federal student aid programs. These programs include: Pell Grants; Federal Supplemental Educational Opportunity Grants (FSEOGs); the Federal Work Study Program; Federal Plus Loans; the Federal Family Education Loan Program (FFELP); the Direct Loan Program; and the Leveraging Educational Assistance Partnership (LEAP).

#### **Does Central Penn College Maintain a Campus Police or Security Department?**

Yes. Most institutions with a campus setting have a campus police or security department. Some institutions choose not to provide these services with institution staff, and instead contract with a private company to handle campus security. Others have agreements with municipal, county or state law enforcement agencies for security services.

#### **What Geographic Area Is Associated with Central Penn Campus?**

The Clery Act requires that Central Penn disclose statistics for offenses committed in certain geographic locations associated with Central Penn. For example, if a burglary is reported to campus security, it should be included in the annual security report only if it occurred in one of the following locations: on campus, in or on a non-campus building or property, or on public property within or immediately adjacent to and accessible from the campus. All crimes, including hate crimes, must be disclosed by geographic location. These locations have definitions specific to the Clery Act and are described in detail next.

##### On Campus

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

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

*What does this mean?* Yes, The college does have on campus properties. "On campus" is what most people traditionally think of as the main part or core of an institution. A building or property that an

institution owns, rents or leases is considered to be “controlled by” the institution. A building or property that is owned by a third party that has a written contract with the institution is also considered to be controlled by the institution. “Reasonably contiguous” requires some judgment on the part of the institution. A building or property would be considered reasonably contiguous if:

- 1) it is in a location that you consider to be, and treat as, an integral part of your main or core campus; and
- 2) it is covered by the same security policies as that campus.

“Dormitories or other residential facilities for students on campus” are a subset of the on-campus category. Institutions must disclose the total number of on-campus crimes, including those in dorms or other residential facilities for students on campus, and must also make a separate disclosure limited to the number of crimes occurring in student dorms or residential facilities on campus. As a subset, the number of crimes reported for dormitories or other residential facilities must be less than or equal to the number of reported crimes for the on-campus category.

#### A Non-campus Building or Property

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

*What does this mean?* Yes, The college does have non-campus buildings and/or properties. Any building or property that is either owned or controlled by an officially recognized student organization is considered to be a “non-campus” location. Whether the building or property is located on campus or off campus is irrelevant. If it is owned or controlled by a recognized student organization, it is non-campus for Clery Act purposes.

The second part of the non-campus definition includes any building or property not part of the main campus, but not constituting a separate campus. Note that a building or property must meet all three of the criteria for this classification:

- 1) owned or controlled by the institution;
- 2) used for its educational purposes; and
- 3) frequently used by students.

Crimes committed on field trips sponsored by an institution are not included in an institution’s Clery Act statistics unless the field trip was to a non-campus building or property owned or controlled by the institution.

#### On Public Property

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

*What does this mean?* The college is required to disclose offenses that occur on public property (property not owned or controlled by your institution and not private residences or businesses). Only the public property that is within your campus, or next to or bordering your campus and that is easily accessible from your campus, is included in this definition (i.e., not public property for the entire jurisdiction surrounding your institution). The Clery Act does not require you to disclose crime statistics for public property that surrounds non-campus buildings or property.

**Does Central Penn College Have Any Separate Campuses?**

No, the college does not have a separate campus. Since the whole point of disclosing crime statistics is to make sure that people are better informed about safety in their local environments, Clery Act requirements must be met individually for each separate campus. The definition of separate campus is broad and encompasses many kinds of campuses. A separate campus, by definition, is an additional location such as a branch, school or administrative division that is not reasonably geographically contiguous with the main campus.

A branch campus is a specific ED designation. It is defined as a location of an institution that is geographically apart and independent of the main campus of the institution. A location of an institution is considered independent of the main campus if the location is permanent in nature, offers courses in educational programs leading to a degree or other recognized educational credential, has its own faculty and administrative or supervisory organization, and has its own budgetary and hiring authority.

For Clery Act purposes, an administrative division of an institution is an academic division that offers an organized program of study but is not geographically contiguous to the campus. Administrative divisions include schools of business, law, medicine or nursing, which have separate facilities and administrative offices.

**Knowing What to Disclose: Classifying and Defining Clery Act Crimes**

The college is required to disclose crime statistics based on four factors:

1. where the crime occurred;
2. the type of crime;
3. to whom the crime was reported;
4. when the crime was reported.

The college is required to disclose reported crimes. A crime is reported when it is brought to the attention of a campus security authority or the local police by a victim, witness, other third party, or even the offender. Central Penn must disclose crime reports regardless of whether any of the individuals involved in either the crime itself, or in the reporting of the crime, are associated with the institution.

If the individual receiving the crime information believes it was provided in good faith, he or she should document this as a crime report. In good faith means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information.

What the college must disclose, therefore, are statistics from reports of alleged criminal incidents. It is not necessary for the crime to have been investigated by the police or a campus security authority, nor must a finding of guilt or responsibility be made.

The Clery Act requires the college to disclose three general categories of crime statistics:

1. Types of Offenses - Criminal Homicide, including: a) Murder and Non-Negligent Manslaughter; and b) Negligent Manslaughter; Sex Offenses including: a) Forcible, and b)



- Non-forcible; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft; and Arson
- 2. Hate Crimes - Disclose whether any of the above mentioned offenses, or any other crimes involving bodily injury, were hate crimes; and
- 3. Arrests and Referrals for Disciplinary Action for illegal weapons possession and violation of drug and liquor laws.

### **How Are Clery Act Crimes Defined?**

It is very important that the college pay careful attention to crime definitions in order to classify crimes properly so that college's statistical disclosures are in compliance with the Clery Act. The definitions are taken from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Handbook (UCR) as required by Clery Act regulations.

The college is required to report offenses, not the findings of a court, coroner, or jury, or the decision of a prosecutor. The college classifies and counts crimes from the records of calls for service, complaints and investigations.

### **Types of Offenses**

- **Criminal Homicide.** *These offenses must be separated into two categories: Murder and Non-Negligent Manslaughter, and Negligent Manslaughter.*
  - Murder and Non-Negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.
  - Negligent Manslaughter is defined as the killing of another person through gross negligence.
- **Sex offenses.** *For sex offenses only, definitions from the FBI's National Incident-Based Reporting System (NIBRS) Edition of the UCR are used. These offenses must be separated into two categories: forcible and non-forcible.*
  - Forcible Sex Offenses is defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent. There are four types of forcible sex offenses:
    - Forcible Rape is the carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth). This offense includes the forcible rape of both males and females.
    - Forcible Sodomy is oral or anal sexual intercourse with another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
    - Sexual Assault With an Object is the use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving

consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity. An object or instrument is anything used by the offender other than the offender's genitalia. Examples are a finger, bottle, handgun, stick, etc.

- Forcible Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity. Forcible fondling includes "indecent liberties" and "child molesting."
- Sex Offenses—Non-forcible are incidents of unlawful, non-forcible sexual intercourse. Only two types of offenses are included in this definition:
  - Incest is non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - Statutory Rape is non-forcible sexual intercourse with a person who is under the statutory age of consent.

*If force was used or threatened, or the victim was incapable of giving consent because of his/her youth, or temporary or permanent mental impairment, the offense should be classified as forcible rape, not statutory rape.*

- **Robbery.** Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault.** Aggravated assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- **Burglary.** Burglary is the unlawful entry of a structure to commit a felony or a theft. The UCR classifies offenses locally known as Burglary (any degree); unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts at these offenses as Burglary.
- **Motor Vehicle Theft.** Motor vehicle theft is the theft or attempted theft of a motor vehicle.
- **Arson.** Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### **Hate Crimes**

The college must include, by geographic location and by category of prejudice, any of the

aforementioned offenses, and any other crime involving bodily injury reported to local police agencies or to a campus security authority, that manifests evidence that the victim was intentionally selected because of the perpetrator's bias. The categories of bias are:

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- **Gender/Identity.** A preformed negative opinion or attitude toward a group of persons because those persons are male or female. Gender/identity bias is also a Clery Act-specific term, not found in the FBI's Hate Crime Data Collection Guidelines.
- **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual orientation.** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).
- **Ethnicity/national origin.** A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
- **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.

#### ***Arrests or Disciplinary Referrals for Illegal Weapons Possession and Substance Law Violations***

In addition to disclosing statistics for the aforementioned offenses, the Clery Act requires the college to disclose both the number of arrests and the number of persons referred for disciplinary action for:

- Illegal weapons possession.
- Drug law violations.
- Liquor law violations.

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

#### Referred for disciplinary action

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

### Illegal Weapons Possession

This is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature. Include in this classification: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; using, manufacturing, etc., of silencers; furnishing deadly weapons to minors; aliens possessing deadly weapons; and attempts to commit any of the above.

### Drug Law Violations

This is defined as the violation of laws prohibiting the production, distribution and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing and making of narcotic drugs. The relevant substances include: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics— manufactured narcotics which can cause true addiction (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).

### Liquor Law Violations

This is defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness. Include in this classification: the manufacture, sale, transporting, furnishing, possessing, etc., of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating still; furnishing liquor to a minor or intemperate person; underage possession; using a vehicle for illegal transportation of liquor; drinking on train or public conveyance; and attempts to commit any of the above.

### **Where Does Central Penn Get All of This Information? Collecting Crime Data**

The Clery Act mandates that the college must disclose statistics both for crimes reported to local police agencies and crimes reported to campus security authorities. The intent of including non-law enforcement personnel as campus security authorities is to acknowledge that many individuals and students in particular, are hesitant about reporting crimes to the police, but may be more inclined to report incidents to other campus-affiliated individuals. In any case, the college must identify campus security authorities, and the college must inform them of their responsibility for Clery Act reporting. In addition, the college must identify local police agencies responsible for the jurisdiction where the college is located and request statistics from them.

The Clery Act regulations define a campus security authority as:

- A member of a campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department (e.g., an individual

who is responsible for monitoring the entrance into institutional property).

- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
- 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 any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.

The function of a campus security authority is to report to the appropriate law enforcement personnel, either campus police or local police, or to an official or office designated by the institution, those allegations of Clery Act crimes that he or she concludes are made in good faith. A campus security authority is not responsible for determining authoritatively whether a crime took place—that is the function of law enforcement personnel.

Certain individuals who have significant responsibility for student and campus activities are exempted from disclosing information:

- *Pastoral counselor.* A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.
- *Professional counselor.* A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. This definition applies even to professional counselors who are not employees of the institution, but are under contract to provide counseling at the institution.

To be exempt from disclosing reported offenses, pastoral or professional counselors must be acting in the role of pastoral or professional counselors. This means that a dean of students who has a professional counselor's license, but is employed by the institution only as a dean and not as a counselor, is not exempt from reporting.

An individual who is not yet licensed or certified as a counselor, but is acting in that role under the supervision of an individual, who meets the definition of a counselor, is considered to be a counselor for the purposes of the Clery Act.

### **Obtaining Statistics From Local Police Agencies**

The Clery Act requires that the college make a reasonable, good-faith effort to obtain the required statistics and may rely on the information supplied by a local or state police agency. If Central Penn makes such a reasonable, good-faith effort, it is not responsible for the failure of the local or state police agency to supply the required statistics.

The Clery Act does not require local police agencies to provide crime statistics to institutions. This is the reason for the good-faith effort on behalf of institutions to obtain the statistics. The phrase "may rely on" means that the college is not required to verify the accuracy of the statistics that are provided.

In some situations, local police cannot provide a breakdown of statistics specific to Clery Act geographic areas. For example, the police may provide your institution with statistics for the entire city or they may include statistics for private residences and businesses. In cases such as these, we suggest that you omit the local police statistics but provide a statement explaining that local police could not provide a statistical breakdown appropriate for Clery Act reporting.

### **Alerting the Campus to Threats: The Timely Warning**

All of us want to be alerted to potentially dangerous situations near our homes or workplaces so that we can take appropriate precautions. Apply this to a college campus, and you have the concept of the “timely warning.” In order to keep the campus community informed about safety and security issues on an ongoing basis, the college will alert the campus community of certain crimes in a manner that is timely and will aid in the prevention of similar crimes. These crimes must include all Clery Act crimes that are:

- Reported to campus security authorities or local police agencies; and
- Are considered by the college to represent a serious or continuing threat to students and employees.

In addition to making timely warnings, the college is required to have a timely warning policy. All Title IV institutions are subject to the timely warning regulation. There are no exceptions.

Timely warnings can be issued for threats to property, as well as for threats to persons. It is irrelevant whether the victims or perpetrators are members of the campus community. The Clery Act mandates timely warnings only for Clery Act crimes, but nothing in the Clery Act prohibits timely warnings for other crimes that may pose a serious or continuing threat to the campus community (e.g., kidnapping).

“What do you mean by ‘timely’?” and “How does the college alert everyone?” Neither the Clery Act nor ED defines “timely.” The warning should be issued as soon as the pertinent information is available because the intent of a timely warning is to alert the campus community of continuing threats especially concerning safety, thereby enabling community members to protect themselves.

Although the format for the warning has not been mandated, the notice must be timely and reasonably likely to reach the entire campus community and aid in the prevention of similar crimes. Therefore, timely warnings must be issued in a manner that gets the word out quickly communitywide. They may be e-mailed, posted around campus, or otherwise distributed according to the college’s policy. A combination of dissemination methods may be used.

Timely warnings may not be issued in a manner or posted in a location that requires the campus community to make requests for them or to search for them. The responsibility for the warning rests solely with Central Penn.

### Information to Be Included in the Warning

Clery Act regulations do not specify what information should be included in a timely warning. However, because the intent of the warning is to enable members of the campus community to protect themselves, the warning should include all information that would promote safety.

### Making the Decision to Issue a Timely Warning

The issuing of a timely warning must be decided on a case-by-case basis in light of all the facts surrounding a crime, including factors such as the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. College officials may meet beforehand with its security personnel and with local and state law enforcement authorities to discuss what is reasonable in terms of the timely reporting of crimes.

### Crimes Exempt from the Timely Warning Requirement

The college is not required to provide a timely warning for crimes reported to a pastoral or professional counselor. There are no other exemptions.

### The Family Educational Rights and Privacy Act (FERPA) and the Timely Warning Requirement

The Clery Act does not require confidential reporting of crimes. Although personally identifiable information is generally precluded from disclosure, this information may be released in an emergency situation. ED's May 1996 Dear Colleague Letter on Campus Security Issues reads in part:

*FERPA does not preclude an institution's compliance with the timely warning provision of the campus security regulations. FERPA recognizes that information can, in case of an emergency, be released without consent when needed to protect the health and safety of others. In addition, if institutions utilize information from the records of a campus law enforcement unit to issue a timely warning, FERPA is not implicated as those records are not protected by FERPA.*

### **Writing It All Down: The Daily Crime Log**

Any institution that has a campus police department or security office, regardless of size, must create, maintain and make available a daily crime log. The crime log differs from other Clery Act disclosure requirements in some important ways:

- A crime is entered into the log when it is reported to the campus police or security department. That is, if a crime is initially reported to a campus security authority other than the campus police or security department, it is not recorded in the crime log unless it is subsequently brought to the attention of the campus police or security department.
- Crime log entries include all crimes reported to the campus police or security department, not just Clery Act crimes.
- There is an additional geographic location that applies exclusively to the crime log. In addition to recording reported crimes that occurred on campus, in or on non-campus buildings or property, or on public property within the campus or immediately adjacent to and accessible from the campus, reports of crimes that occurred within the patrol jurisdiction of the campus

police or security department are also entered into the crime log.

The college may temporarily withhold information in some cases. There must be clear and convincing evidence that the release of information would:

- Jeopardize an ongoing investigation;
- Jeopardize the safety of an individual;
- Cause a suspect to flee or evade detection; or
- Result in the destruction of evidence.

The college may withhold only that information that could cause an adverse effect, but Central Penn must disclose such information once the adverse effect is no longer likely to occur. This means that if it is determined that information the college would normally include in the crime log would cause a harmful effect, the college may withhold that information temporarily until the information is no longer likely to prove harmful.

#### Making the Daily Crime Log Available

The college may use either a hard copy log or an electronic format. Either format must be accessible on-site. The crime log for the most recent 60-day period must be open to public inspection, upon request, during normal business hours. Anyone may ask to see the log, whether or not they are associated with your institution. This includes the media. Any portion of the log that is older than 60 days must be made available within two business days of a request for public inspection. Crime logs must be kept for three years following the publication of the last annual security report to which they apply (in effect, seven years).

The crime log itself is not submitted to ED, although the college may be required to produce it during an audit or review. However, information from the crime log should be used, along with additional information, to gather the statistics that are required for inclusion in the annual security report and the annual report to ED.

#### **Categories of Campus Security Policies That Must Be Addressed in the Annual Security Report**

1. Provide a statement of current campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus. This statement must include the institution's policies concerning its response to these reports, and must specifically address the following areas:

- a. Policies for making timely warning reports to members of the campus community regarding the occurrence of Clery Act crimes.
- b. Policies for preparing the annual disclosure of crime statistics.
- c. A list of titles of each person or organization to whom students and employees should report criminal offenses described in the law for the purpose of making timely warning reports and the annual statistical disclosure.
- d. This statement must also disclose whether the institution has any institutional policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual security report.

2. Provide a statement of current policies concerning: security of, and access to, campus facilities,



including:

- a. Security of and access to campus facilities, including campus residences; and
  - b. Security considerations used in the maintenance of campus facilities.
3. Provide a statement of current policies concerning campus law enforcement that:
  - a. Addresses the enforcement authority of security personnel, including:
    - i. Their working relationship with state and local police agencies; and
    - ii. Whether those security personnel have the authority to arrest individuals.
  - b. Encourages accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.
  - c. Describes procedures, if any, which encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.
4. Provide a statement that describes the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.
5. Provide a description of programs designed to inform students and employees about the prevention of crime.
6. Provide a statement of policy concerning the monitoring and recording, through local police agencies, of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities.
7. Provide a statement of policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws.
8. Provide a statement of policy regarding the possession, use and sale of illegal drugs and enforcement of federal and state drug laws.
9. Provide a description of any drug or alcohol abuse education programs as required under Section 120(a) through (d) of the HEA. For the purpose of meeting this requirement, an institution may cross-reference the materials it uses to comply with section 120(a) through (d) of the HEA.
10. Provide a statement about the college's sex offense policy, procedures and programs in the annual security report. Specifically, the regulation requires a statement of policy regarding the institution's campus sexual assault programs to prevent sex offenses, and procedures to follow when a sex offense occurs. The statement must include:
  - a. A description of educational programs to promote the awareness of rape, acquaintance rape and other forcible and non-forcible sex offenses.
  - b. Procedures students should follow if a sex offense occurs, including:
    - i. Procedures concerning who should be contacted;
    - ii. The importance of preserving evidence for the proof of a criminal offense;

- iii. To whom the alleged offense should be reported.
- c. Information on a student's option to notify appropriate law enforcement authorities, including:
  - i. On-campus and local police; and
  - ii. A statement that institutional personnel will assist the student in notifying these authorities if the student requests the assistance of these personnel.
- d. Notification to students of existing on and off campus counseling, mental health or other student services for victims of sex offenses.
- e. Notification to students that the institution will change a victim's academic and living situations after an alleged sex offense, and the options for those changes if those changes are requested by the victim and are reasonably available.
- f. Procedures for campus disciplinary action in cases of an alleged sex offense, including a clear statement that:
  - i. The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
  - ii. Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding that is brought alleging a sex offense.
- g. Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape or other forcible or non-forcible sex offenses.

11. Provide a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address.

12. Provide access to this report via direct publications and mailings. This may be accomplished by giving a copy directly to each individual or by direct mailing to each individual through:

- a. the United States Postal Service;
- b. Campus mail;
- c. Email or;
- d. A combination of these methods.

13. Provide a posting of the annual security report on an Internet or intranet Web site that is reasonably accessible to currently enrolled students and to employees. This method may be used only if an individual notice about the annual security report is distributed by Oct. 1 to each student and employee.

- a. A statement of the report's availability.
- b. A list and brief description of the information contained within the report.
- c. The exact address (URL) of the Internet or intranet Web site at which the report is posted. This means that the institution must provide a direct link to the annual security report. It is unacceptable to give the URL for the institution's Web site.
- d. A statement that the school will provide a paper copy of the annual security report upon request. This request does not have to be made in writing. An institution may not charge

fees to individuals for copies of the annual security report. Therefore, the annual security report may not be included in any publication for which a fee is charge.

The report must also be made available to prospective students and employees. Prospective students and prospective employees are to be provided with a notice containing a statement of the report's availability, a description of its contents and the opportunity to request a copy. This notice may be provided to prospective students and prospective employees along with other information the institution provides to them.

If your institution solicits applications for a faculty or an administrative position through an advertisement, the institution is required to provide a notice of the availability of the annual security report to those individuals it interviews. However, the institution is not required to include notification in the job advertisement, nor is it required to notify an individual to whom it simply sent a rejection letter based on his or her unsolicited employment application.

14. Provide notice to prospective students and prospective employees regarding access to the annual security report by posting the report on an Internet site. An intranet site may not be used to make disclosures to prospective students and employees. The notice provided to each individual must include:

- a. The exact URL where the report is posted;
- b. A brief description of the report; and
- c. A statement that the institution will provide a paper copy of the report upon request.

#### ***Clery Act Policy 1a: Policy Statement Addressing Timely Warnings***

##### Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the Chief Public Safety Director, constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued. The warning will be issued through the college e-mail system to students, faculty, staff and the campus' newsletter, Central Station and/or Student Central.

Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the community and individuals, the Student Services Office may also post a notice on the campus-wide electronic bulletin board on the college's blackboard system and Central Penn Alert system providing the college community with more immediate notification. In such instances, a copy of the notice is posted in each residence hall, at the front door of each on-campus apartment unit, and on bulletin boards within the academic buildings. The electronic bulletin board is immediately accessible via computer by all students, faculty, and staff.

Anyone with information warranting a timely warning should report the circumstances to the Public Safety Department, by phone (717-728-2364) or in person at the Public Safety Department within Bollinger Hall room 40.

#### ***Clery Act Policy 1b: Policy Statement Addressing Preparation of Disclosure of Crime Statistics***

##### Policy for Reporting the Annual Disclosure of Crime Statistics

The Public Safety Department prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be obtained by visiting Security on Campus Inc. website at <http://www.securityoncampus.org/>. This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and alternate sites, Academic Affairs Office, Student Services Office and the Security Department. Each entity provides updated information on their educational efforts and programs to comply with the Act. Campus crime, arrest and referral statistics include those reported to the Security Department, designated campus officials (including but not limited to directors, deans, department heads, judicial affairs, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses. The Student Services Office contractual counselors inform students of the procedures to report crimes to the Public Safety Department on a voluntary or confidential basis, should they feel it is in the best interest of the student. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an e-mail notification is made to faculty and staff and to all enrolled students which provides the website to access this report. Copies of the report may also be obtained at the Security Office located in Bollinger Hall Room 43a or by calling (717) 728-2274. All prospective students may obtain a copy from the Admissions Department located in the Advanced Technology Education Center (ATEC) or by calling (717) 728-2214.

### ***Clery Act Policy 1c: Policy Statement Addressing the Reporting of Criminal Offenses***

#### To report a Crime

The college community members are strongly encouraged to immediately report criminal activity, hate/bias motivated incidents, and any/all suspicious person(s) to the college's Public Safety Department.

The college's Public Safety Department has primary jurisdiction and responsibility for investigating crimes and providing security protection and services to the college community. The Public Safety Department is located at campus in Bollinger Hall, room 43. In addition, you may report a crime to the following areas (subject to change):

| <b>TITLE</b>                      | <b>PHONE</b>   | <b>OFFICE</b>           |
|-----------------------------------|----------------|-------------------------|
| President of Central Penn College | (717) 728-2219 | Boyer House             |
| VP of Academic Affairs            | (717) 728-2276 | ATEC Suite 201          |
| Chief Public Safety Director      | (717) 728-2364 | Bollinger Hall Room 46  |
| Counselor                         | (717) 728-2416 | Bollinger Hall Room 52A |
| Lancaster Center Director         | (717) 728-2425 | Lancaster Center        |
| Residence Life Director           | (717) 728-2214 | Bollinger Hall Room 40  |
| On-Call Resident Advisor          | (717) 982-1806 |                         |

|                          |                |                       |
|--------------------------|----------------|-----------------------|
| Human Resources Director | (717) 728-2406 | Milano Hall Room 19A, |
| Title IX Officer         | (717) 728-2398 | ATEC Suite 312        |

### ***Clery Act Policy 1d: Policy Statement Addressing Voluntary Confidential Reporting***

#### Confidential Reporting Procedures

If you are the victim or witness of a crime you may want to consider making a confidential report. With your permission, the Chief Public Safety Director or a designee of the Student Services Office can file a report on the details of the incident and begin to conduct an investigation without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the college can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crimes statistics for the institution. In addition, the Chief Public Safety Director and the Assistant Dean of Student Services will review the investigation reports and contact the victim or witness who filed the report. The victim or witness who filed the report will direct the course of disciplinary action taken in the case. The victim or witness who filed the report may choose not to pursue disciplinary action or to utilize the disciplinary process as outlined in the Student Handbook. This process is confidential, and may result in action up to and including suspension, expulsion or termination of employment for the offender from the college.

### ***Clery Act Policy 2(a)(b): Policy Statement Addressing Security and Access***

#### Access Policy

During business hours, the college (including housing facilities) may be open to students, parents, employees, contractors, guests (as defined by the college), and invitees. During non-business hours access to academic facilities is by key, if issued, or by admittance via the Public Safety Department, Student Services Office or maintenance staff. Active residential students are issued individual keys to the residence halls and are therefore responsible for the admittance of any person(s) into their residence hall in accordance with College policy. In the case of periods of extended closing, the college will admit only those with prior written approval to all facilities.

It is the responsibility of all college residents to ensure that their individual residence hall doors are secured 24 hours a day. Some academic facilities may have individual hours, which may vary at different times of the year. Examples are the Advanced Technology Education Center, the Library, and Milano Hall. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility. The college's policy regarding guest registration and visitors are as follows:

#### Guest Policy & Visitors

Students are permitted to have guests (up to two guests per student, but totaling no more than eight guests per residence) in their residence only if there are no objections from those residing within the

unit. If a student does not want visitors to stay in the residence, other arrangements should be made.  
*Guest:* A guest is any person who is not a full-time resident of the specific apartment or townhouse.  
*Student Guest:* student guest is defined as any current Central Penn student (commuter or resident, full or part-time) who visits or stays overnight in a residence hall to which he/she has not been assigned.

*Off-Campus Guest:* Guests from off campus must be at least 18 years of age or enrolled at a college or university. Students may petition the Office of Residence Life for special permission to host a guest who does not meet these criteria. This petition must be made by the Central Penn student host to the Residence Life Director at least three days in advance of the visit.

*Guest Visitation:* Monday through Sunday – All non-minor guests, including residential students, may not enter a residence prior to 8:00 a.m., and guests must leave campus residential units by 1:00 a.m., unless the host student has registered their guest with the Public Safety Department or completed an online guest registration form.

*Minor (children under the age of 18) Guest Visitation:*

*Baby Sitting:* No baby-sitting is permitted by students in College-owned student housing.

*Related Minors:* A minor who is related to the host student may stay overnight in College-owned housing if he/she meets all of the following conditions: the minor (1) is 16 years of age or older, (2) is invited to do so by the host student, (3) is the same gender as the host student, (4) is under the direct supervision of the student family member at all times, and (5) has provided a signed parent/guardian liability release and medical permission form to the Office of Residence Life. Overnight guests may not stay for more than two consecutive nights. A minor who is related to the host student and is under the age of 16 years may visit College-owned housing if he/she is invited to do so by a host student and is under the direct supervision of the student family member at all times. The minor must be registered for the day (registration will not count against the host student's overnight guest days). The minor may not stay overnight, and must leave the Residence by 10:00pm.

*Unrelated Minors:* A minor who is unrelated to the host student may visit College-owned housing if he/she is invited to do so by a host student and is under the direct supervision of the host student at all times. The minor must be registered for the day (registration will not count against the host student's overnight guest days). The minor may not stay overnight, and must leave the Residence by 10:00pm.

*Exceptions:* This policy does not apply to college-sponsored events, such as Admissions Events, in which the supervisory staff oversee and designate responsible host students.

*Guest Registration:* Student hosts should make every attempt to consult other roommates prior to inviting guests to stay overnight. Overnight guests, those staying past 1:00 a.m., may not stay more than two consecutive nights. Student hosts are permitted to have 12 guest days per term, including weekends. Guests are reported utilizing the Guest Registration Form found on the website under the campus life link <http://www.centralpenn.edu/guest> or by registering at the Public Safety Department.

Registration of overnight guests is necessary so the college can identify those individuals staying on campus, in the event of an emergency. All guests must comply with the college's policies while on campus. It is the host's responsibility to inform their guest(s) of Central Penn's policies. As a host, the student will be held personally responsible for any violation of College policy committed by his/her guest(s), regardless of severity. For safety and security purposes, each unit will not exceed 8 guests.

There are three Blackout Periods in which overnight guests are not permitted to stay overnight:

- Midterm week (week 6) Monday – Friday
- Finals week (week 11) Monday – Friday
- During term breaks (No Guests are Permitted)

These Blackout Periods allow all residential students to focus on their academic success or allow college personnel to complete inspections/repairs.

*Term Break/Vacation Registration:* Students must leave residence halls during term breaks unless express permission is granted in writing. If it is necessary for you to stay in your residence during a term break or vacation, for security purposes you must register in the Student Services office. Guests are not permitted in residence halls during term breaks because health inspections and any necessary cleaning or repairs are done during these periods.

*Accountable for Guest(s):* Working with an RA, students within a unit should create an agreement which identifies behaviors that they will find acceptable from guests and overnight guests in an effort to make having guests comfortable for everyone. These agreements will need to be in alignment with college policies and cannot infringe upon the rights of others. Roommates are expected to resolve problems created by their visitors and respect other roommates' right to privacy, quiet, and feelings of safety. If these rights are infringed upon, the guest(s) must leave, as the other roommates' rights take precedence.

In the event guests are unescorted by a host student, they will be asked to leave campus. All overnight guests must have a valid form of photo ID while on campus. All guests/visitors to campus are subject to the laws, rules, and regulations governing behavior in the Commonwealth of Pennsylvania and at the college. Student and/or guests shall not engage in any criminal or illegal activity, or any activity creating a nuisance or disturbance, affecting other persons or violating college policies, including, but not limited to: loud parties, music, televisions, radio or other sound equipment, engaging in loud talk, or acting in any way that disturbs others. Any guest involved in activities deemed threatening, reckless, hazardous, criminal, disorderly, or threatening or activities that contradict the policies of the college shall be immediately evicted from the property. The host student agrees to cooperate in the peaceful eviction of such a guest. All actions of an invited guest are deemed to be the actions of the student, and the student may be held responsible up to and including being found in default of their lease agreement.

Residential units leased by the student are not intended as living accommodations for transients, nonstudents, nonresidential students, or for students not assigned to that residence. The college reserves the right to limit or suspend guest privileges as defined within the college's rules and regulations.

Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic have security surveys conducted of them. Administrators from the Student Services Office, Facilities Office, Resident Advisor Staff, Security Office, and other concerned areas review these results. These surveys examine security issues such as landscaping, locks, alarms, lighting, and communications. Additionally, during the academic year, the Facilities Director, Chief Public Safety Director, Resident Advisors, Public Safety Officers and Maintenance meet to discuss issues of pressing concern.

***Clery Act Policy 3(a): Statement Addressing Campus Law Enforcement Authority***

For Institutions Whose Security Officers Do Not Have Arrest Authority

The college Public Safety Officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the college. The college Public Safety Officers have the authority to issue parking tickets, which are billed to financial accounts of students, faculty, and staff and to enforce campus rules and regulations. Public safety Officers possess “citizens” arrest powers and have the ability to detain individuals on the property of the college pending the release to local or state police agencies. Criminal incidents are initially investigated by the Public Safety Department who has primary jurisdiction on campus and they may refer to the local police for assistance. The Public Safety Department at the college maintains a highly professional working relationship with the East Pennsboro Township Police Department, East Lampeter Township Police Department, and the Pennsylvania State Police Department. All crime victims and witnesses are strongly encouraged to immediately report the crime to the Public Safety Department at 717-728-2364 and the appropriate police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

***Clery Act Policy 3(b): Statement Addressing the Encouragement of Accurate and Prompt Crime Reporting***

General Procedures for Reporting Crime or Emergency

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Public Safety Department in a timely manner. This publication focuses on the Public Safety Department because it patrols the Summerdale campus. However, local police agencies should be contacted when incidents, emergencies, or crimes occur on public property.

To report a crime or an emergency on the Summerdale Campus, call the Public Safety Department at extension 2364 or, from outside the College phone system, (717) 982-1808. All persons who have an on-campus emergency should dial 9-9-1-1 or, from outside the College phone system 9-1-1.

To report a non-emergency security or public safety related matter on the Summerdale Campus, call the Public Safety Department at extension 2364 or, from outside the college phone system, (717) 728-2364. If the nonemergency is maintenance related, call the Maintenance Department at extension 2264 or, from outside the College phone system, (717) 728-2264.

To report a crime or emergency at the Lancaster Center, call the East Lampeter Township Police Department at (717) 393-1567. All persons who have an emergency on-campus should dial 9-9-1-1 or, from outside the college phone system 9-1-1.



To report a non-emergency security or public safety related matter at the Lancaster Center, call the Public Safety Department at extension 2364 or, from outside the College phone system, (717) 728-2364 or contact the Lancaster Center Director at extension 2425 or from outside the college phone system, (717) 393-0779. If the non-emergency is maintenance related, call the Facilities Director at extension 2258 or, from outside the college phone system, (717) 728-2258.

Security officers are available at these respective telephone numbers 24 hours a day to answer your call. In response to a call, the Public Safety Department will take the required action, dispatching an officer or asking the victim to report to the Campus Security Department to file an incident report.

All Public Safety Department incident reports are forwarded to the Chief Public Safety Director for review and potential action by the Student Services Office. Public Safety Department personnel will investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Student Services Office.

If assistance is required from the East Pennsboro Township Police Department, East Lampeter Township Police Department, Pennsylvania State Police Department or the Summerdale Volunteer Fire Department, the Public Safety Department will contact the appropriate unit. If a sexual assault or rape should occur, staff on the scene, including Public Safety Department, will notify the Chief Public Safety Director who will confer with the Title IX Officer. The Chief Public Safety Director may be trained as a First Responder of Sexual Assault and will contact the appropriate emergency services for assistance.

This publication contains information about on-campus and off campus resources. That information is made available to provide community members with specific information about the resources that are available in the event that they become the victim of a crime. The information about “resources” is not provided to infer that those resources are “reporting entities” for the college.

Crimes should be reported to the Public Safety Department to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.

### ***Clery Act Policy 3(c): Statement Addressing Counselors***

#### **For Institutions with Confidential Reporting Procedures**

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. However, it is the policy of the college that the counselor is held to the following:

*All information discussed between the counselor and the student is considered confidential unless the student informs the counselor that they are planning on hurting themselves or hurting someone else. In addition, if the student informs the counselor of committing a crime on the campus of the college or violating school policy then the counselor is required to inform the proper personnel of the crime.*

*This information is communicated to anyone seeking counseling services at the college. As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.*

The rulemaking committee defines counselors as:

*Pastoral Counselor:* An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

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

#### ***Clery Act Policy 4: Policy Statement Addressing Security Awareness***

##### Security Awareness Programs

During orientation in January, April, July and October, resident students are informed of services offered by the Public Safety Department. Slide presentations outline ways to maintain personal safety and residence hall security. Students are told about crime on-campus and in surrounding neighborhoods. Similar information is presented to new employees.

Periodic seminars and educational programs may be provided by the college promoting awareness of sexual assaults, acquaintance rape, and other sex offenses. Students who have been a victim of a sexual offense should contact the Public Safety Department immediately. The frequency of such programs varies per term. For more information students should contact the Student Services Office.

A common theme of all awareness programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others. Information is disseminated to students and employees through brochures, articles, announcements, emails, meetings, workshops and student publications.

When time is of the essence, information is released to the college community through security alerts posted prominently throughout campus, through computer memos sent over the college's electronic mail system and an emergency text messaging system (Central Penn Alert).

#### ***Clery Act Policy 5: Policy Statement Addressing Crime Prevention Programs***

##### Crime Prevention Programs

The college does currently offer these types of formalized Crime Prevention Programs.

#### ***Clery Act Policy 6: Policy Statement Addressing Criminal Activity Off-Campus***

##### For Institutions Whose Security Department Does Not Monitor Off-Campus Activity

The college does not currently have off-campus fraternities or sororities; however, the college does monitor off-campus criminal activity.

## ***Clery Act Policy 7 & 8: Policy Statement Addressing Alcoholic Beverages and Illegal Drugs***

### Alcoholic Beverages and Illegal Drugs

The college further promotes academic integrity and professional success through promoting a drug and alcohol free college environment.

### Drug and Alcohol Related Policies

Consistent with the standards of campus living and student conduct expected of students enrolled at the college, the policy prohibiting possession, use, or consumption of alcoholic beverages includes all students, regardless of age.

The policy also applies to guests of any Central Penn student, regardless of the guest's age. This "dry campus" policy applies to all students enrolled at the college. Procedures for dealing with violations of the policy are presented under Judiciary Process.

Further, the possession, consumption, or provision of alcoholic beverages on campus is strictly prohibited, regardless of age. In Pennsylvania, it is also unlawful for person 21 or older to provide alcohol to a minor.

Employees and students must comply with current federal, state and local law prohibiting the use, possession, sale and/or distribution of any controlled substances or illicit drugs on college property or as any part of the college's activities.

Violations may lead to disciplinary action against the employee or student involved and may include discharge or dismissal. Such discipline may be administered in accordance with the established judicial policies mentioned earlier. Violators are also subject to prosecution by federal and state authorities, and if convicted, may suffer sanctions, including, but not limited to, fines and imprisonment.

### Drug-Free Schools Act

Under Federal legislation entitled The Drug-Free Workplace Act of 1998, and The Drug-Free Schools and Communities Act of 1989 ("Act"), no institution of higher education shall be eligible to receive funds or any other form of financial assistance under any federal program, including participation in any federally funded program to prevent the use of illicit drugs and abuse of alcohol by students and employees. The Act requires the annual distribution of the following information to students and employees.

### Policy and Prohibition

To achieve the policy objective of providing a drug-free environment for all college students and employees, the college prohibits the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on its property or as part of any of its activities.

### Sanctions

Local, state, and federal laws make illegal use of drugs and alcohol serious crimes. Conviction can lead to imprisonment, fines and assigned community service.

In order to assure fair and consistent treatment of all students or employees who are accused of

illegal use of drugs and alcohol, the college will handle all cases which come to its attention within the guidelines of the applicable policies and procedures of the college (e.g. Student Code of Conduct, Student Judicial Procedures, Staff Rules of Conduct and Disciplinary action) and where appropriate, local, state, and federal regulations.

Sanctions may be imposed on students or employees who violate federal or state laws, or the college's no alcohol and no drugs policies. Sanctions may include suspension or expulsion for students and, for employees, disciplinary action up to and including discharge.

#### Reporting Responsibility

Employees are obligated to report any criminal drug/alcohol statute conviction for a violation occurring in the workplace. Employees should report such information to the member of the President's Cabinet for where they work. Students and student employees should report violations of this magnitude to the Human Resources Director (717) 728-2406.

### ***Clery Act Policy 9: Policy Statement Addressing Alcohol and Substance Abuse Education***

#### Alcohol and Substance Abuse Information

The college further promotes academic integrity and professional success through promoting a drug and alcohol free college environment. In addition, the campus counselor teaches a Drug and Alcohol Program to students who are first time violators of the drug and alcohol policies of the college

#### Health Risks

There are definite health risks associated with the use of alcohol and illegal substances. Alcohol or any other drug used in excess over time can produce illness, disability, and death. The health consequences of substance abuse may be immediate and unpredictable, such as cardiac arrest with cocaine use, or more subtle and long term, such as liver deterioration associated with the prolonged use of alcohol. The U.S. Surgeon General warns that abuse of alcohol, drugs, or controlled substances may be hazardous to your health and may even lead to death. Employees or students suspected of misuse or violation of these standards of conduct may be counseled on the health risks involved and may be referred to a suitable treatment or rehabilitation program.

#### Support Systems and Resources

If you are experiencing problems with alcohol and/or drugs, there are community resources available to assist you. The Student Services Office provides referral services which can provide assistance to students with substance abuse problems. These programs can provide students with more information about the dangers of drug and alcohol abuse and make referrals to other services throughout the community.

### ***Clery Act Policy 10 & 11: Policy Statement Addressing Sex Offenses & Sex Offender Registrations***

#### **SEX DISCRIMINATION/SEXUAL MISCONDUCT POLICY**

The college maintains the principle that the campus should be a place of work and learning, free of all forms of gender discrimination, sexual harassment, intimidation, exploitation, and sexual misconduct. Title IX of the Educational Amendment Act of 1972 states that: No person in the United States, shall on

the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal assistance. In compliance with Title IX and the Violence Against Women Act, Central Penn's policy ensures consistent procedures and provides coordinated resources for victims of sexual violence.

### **Policy**

The college prohibits sex discrimination in all its forms and considers it to be a serious offense. This policy includes all forms of sex discrimination, including, but not limited to: sexual harassment, sexual assault, sexual misconduct, stalking, intimate partner violence, and retaliation for reporting. In order for individuals to engage in sexual activity of any type with each other, there must be clear mutual consent.

### **Definitions:**

#### Coercion

Coercing someone into sexual activity is a violation the college's sexual misconduct policy. Coercion exists when a sexual initiator engages in sexually pressuring and/or oppressive behavior that causes another individual to engage in unwanted sexual behavior. Coercion is differentiated from seduction by the repetition of the coercive activity beyond what is reasonable, the degree of pressure applied, environmental factors such as isolation, and the initiator's knowledge that the pressure is unwanted.

#### Consent

According to the American College Health Association, consent is a voluntary, sober, enthusiastic, creative, wanted, informed, mutual, honest and verbal agreement to engage in sexual contact. Lack of consent is the critical factor in any incident of Sexual Misconduct and Sexual Violence.

1. Consent must be informed, freely and actively given through clear communication between all persons involved in the sexual encounter
2. Consent is active, not passive. Consent can be communicated verbally or by actions. But in whatever way consent is communicated, it must be mutually understandable. Silence, in and of itself, cannot be interpreted as consent.
3. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually.
4. Previous relationships or consent does not imply consent to future sexual acts.
5. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion.
6. Effective consent cannot be given by minors, mentally disabled individuals or persons incapacitated as a result of drugs or alcohol.
  - a. When alcohol or other drugs are being used, someone will be considered unable to give valid consent if they cannot appreciate who, what, when where, why or how of a sexual interaction.
  - b. If you have sexual activity with someone you know to be--or should know to be - mentally or incapacitated (by alcohol or other drug use, unconsciousness or blackout), you are in violation of this policy.

7. This policy also covers someone whose incapacity results from sleep, involuntary physical restraint, or from the taking of a so-called “date-rape” drug.
  - a. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another person for the purpose of inducing incapacity is a violation of this policy.

### Sex Discrimination

Sex discrimination includes all forms of: sexual harassment, sexual misconduct, and sexual violence by employees, students, or third parties against employees, students, or third parties. Sex discrimination also includes stalking and intimate partner violence. Students, College employees, and third parties are prohibited from harassing other students and/or employees whether or not the incidents of harassment occur on the college campus and whether or not the incidents occur during working hours.

### Sexual Misconduct

Sexual misconduct, including sexual assault, is defined as deliberate contact of a sexual nature without the other parties’ consent. Sexual Misconduct may vary in its severity and consists of a range of behaviors or attempted behaviors that may be grounds for student conduct action under College policy. These behaviors, all of which constitute sexual misconduct include:

1. Non-consensual sexual contact: engaging in any sexual contact other than intercourse with another person without that person’s consent and/or cognizance. It includes any non-consensual sexual contact, including sexual touching with any object by a man or a woman upon another person without consent, making any person touch you or themselves in a sexual manner, improper touching of intimate body parts (including, but not limited to, genitals, buttocks, groin, or breasts), and non-consensual removal of another’s clothing.
2. Non-consensual intercourse: any sexual intercourse (anal, oral or vaginal), with any object, by a man or woman upon another person without consent and/or cognizance. Non-consensual intercourse may be accomplished by expressly or implicitly forcing or coercing another person to have sexual intercourse against his/her will, including the use or threat of physical force, or any behavior that is designed to intimidate and induce fear in another person. Non-consensual intercourse can also occur when another person is under the influence of alcohol or other drugs, is undergoing physical or emotional trauma, is less than 17 years of age, or is otherwise incapable of denying or giving consent (for example, when an individual is in an unconscious or semi-conscious state).
3. Sexual Exploitation: non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to: prostituting another person, non-consensual video or audio-taping of sexual activity, going beyond the boundaries of consent (such as letting other parties hide to watch you having consensual sex, or deceiving a partner about the presence of contraceptives such as birth control or condoms), engaging in voyeurism, and knowingly transmitting an STD or HIV to another.

### Sexual and Gender-based Harassment

Sexual harassment is unwanted sexual advances, requests for sexual favors, or visual, verbal, or physical conduct of a sexual nature when:

- (1) submission to such conduct is made – either implicitly or explicitly – a term or condition of an individual’s employment or academic status;
- (2) submission to or rejection of such conduct is used as a basis for employment or education decisions affecting the individual; or
- (3) such conduct has the purpose or effect of unreasonably interfering with a student’s or employee’s work performance or creating an intimidating, hostile, or offensive working, educational, or living environment.

While sexual harassment encompasses a wide range of conduct, some examples of specifically prohibited conduct include:

- Promising, directly or indirectly, a reward to an individual if the person complies with a sexually oriented request.
- Threatening, directly or indirectly, retaliation against an individual, if the person refuses to comply with a sexually oriented request.
- Denying, directly or indirectly, an individual employment or education related opportunity, if the individual refuses to comply with a sexually oriented request.
- Engaging in sexually suggestive conversation or physical contact or touching another individual.
- Displaying pornographic or sexually oriented materials.
- Engaging in indecent exposure.
- Making sexual or romantic advances toward an individual and persisting despite the individual’s rejection of the advances.
- Physical conduct such as assault, touching, or blocking normal movement.
- Retaliation for making harassment reports or threatening to report harassment.

Gender-based harassment is also prohibited. It includes but is not limited to acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex stereotyping, including gender expression or sexual orientation, even if those acts do not involve conduct of a sexual nature.

Sexual and gender-based harassment can involve males or females being harassed by members of either sex. Although harassment sometimes involves a person in a greater position of authority as the harasser, individuals in positions of lesser or equal authority also can be found responsible for engaging in prohibited harassment. Sexual and gender-based harassment can be physical and/or psychological in nature. An aggregation of a series of incidents can constitute sexual or gender-based harassment even if one of the incidents considered separately would not rise to the level of harassment.

#### Retaliation

The college strictly prohibits retaliation against any person for reporting, testifying, assisting or participating in any manner in any investigation or proceeding involving allegations of discrimination or harassment. Any person who violates this policy will be subject to discipline, up to and including termination if they are an employee, and/or permanent dismissal if they are a student. Retaliation is any

action by any person that is perceived as: intimidating, hostile, harassing, or violent that occurs in connection to the making and follow-up of the report.

### Intimate Partner Violence

The term “intimate partner violence” means violence committed by a person, (a) who is or has been in a social relationship of romantic or intimate nature with the complainant; and (b) where the existence of such a relationship shall be determined based on a consideration of the following: the length of relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship.

Intimate partner violence also encompasses domestic violence. The term “domestic violence” includes felony or misdemeanor crimes committed by the current or former spouse of the complainant, by a person whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from the person’s acts under the domestic or family violence laws of the jurisdiction.

### Stalking

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

### **Bystander Intervention Tips**

Prevention of sexual misconduct requires a commitment from all members of the campus community to promote a campus climate in which individuals are educated and empowered to intervene if it is safe to do so. To assist in this effort bystanders are encouraged to:

- **Acknowledge.** Notice the situation and follow your instincts.
- **Assess.** Evaluate your options for responding.
- **Act.** Choose which IDEAS are best and act:
  - Interrupt
  - Distract
  - Engage Peers
  - Authorities
  - Safety
- **Affirm.** Pat yourself on the back for doing something.

### **Recommendations for Students Who Have Experienced Sexual Misconduct**

- **Get to safety as soon as possible.** Do not stay where the misconduct occurred.
- **Seek medical attention as soon as possible.** A physical exam should be conducted by a SANE nurse within 72 hours of the assault. Having a sexual assault exam does not mean you are mandated to press charges, but will be helpful in your case should you choose to press charges later. Take a full change of clothing, including shoes, for use after a medical examination.



- **Preserve physical evidence.** Do not bathe, urinate, douche, brush teeth, or drink liquids. Clothes should not be changed but if they are bring all the original clothing to the hospital in a paper bag. (Plastic bags may damage evidence.) Preserving evidence does not mean you are mandated to press charges, but will be helpful in your case should you choose to press charges later.
- **Seek Counseling.** Request to speak with the campus counselor or a rape-crisis advocate for confidential support.
- **Report.** Reporting the incident does not mean you are mandated to press criminal charges. Reports made to college officials do require investigation. A student has the options of initiating a complaint by contacting any of the following:
  - Public Safety Department (717-728-2364)
  - Chief Public Safety Director (717-728-2274)
  - Title IX Officer (717-728-2398)

### **Support and Resources**

There are various support services available for those who have experienced sexual misconduct or sex discrimination. These support services include:

- Counseling: Students who experience any form of sexual misconduct may receive free and confidential counseling. The Campus Counselor offers the highest degree of confidentiality regarding sexual misconduct situations. Other offices will honor privacy, subject to required reporting mandates or concern for the safety of the campus community.
- Accommodations: In cases of alleged sexual misconduct, the college will work with the complainant to provide reasonable accommodations during the investigation as necessary.
- Assistance in Reporting: Public Safety Department can assist students in making reports to law enforcement if requested. Students can contact the Public Safety Department at 717-728-2364.

### **Reporting Options and Filing a Complaint for Violation of this Policy**

Students who wish to report a violation of this policy may contact:

- Public Safety Department (717-728-2364)
- Chief Public Safety Director (717-728-2274)
- Title IX Officer (717-728-2398)

Employees of the college may report a violation of this policy should contact:

- Their immediate supervisor
- Title IX Officer (717-728-2398)
- Director of Human Resources (717-728-2406)

### **Confidentiality**

Students who would like to report an incident or speak to someone about something that happened, and desire that details of the incident be kept confidential, should speak with the **Campus Counselor** or an off-campus rape crisis resource, who will maintain confidentiality. The Campus Counselor is available to help student victims of sexual assault free of charge. In addition, students may speak with off campus with clergy and chaplains, who will also keep reports made to them confidential.

All inquiries, complaints, and investigations are treated with discretion. The Title IX Officer maintains all information in a secure file pertaining to a student complaint or investigation.

With the exception of the Campus Counselor, all college employees, including student Resident Assistants, are considered **responsible employees**, and have a duty to report sexual misconduct to the Title IX Officer. Statistical information must be passed along to the Public Safety Department regarding the type of incident and its general location (on or off-campus, in the surrounding area), for publication in the Annual Campus Security Report.

### **Timely Warning Reporting Obligations**

Complainants of sexual misconduct should also be aware that college administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or imminent danger to members of the campus community. The college will withhold the name of the complainant and will make every effort to ensure that other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

### **Investigation and Resolution of Student Complaints**

All incidents of sexual misconduct or retaliation should be reported to one of the college officials previously listed. The Title IX Officer will authorize a student conduct hearing as appropriate based on an investigation conducted by one or more of the college's designated Title IX Investigators.

### **Informal Resolution Procedures**

Some complaints of sexual harassment may be resolved through informal mediation between the parties. The Title IX Officer and/or the Director of Human Resources may arrange for or facilitate mediation between the involved parties and coordinate other informal resolution measures.

All proceedings shall be prompt, fair, and impartial throughout the investigation and resolution. Once a report of sex discrimination has been made, informal resolution procedures shall be pursued within 14 calendar days of the completion of the investigation.

Informal Resolution Procedures are optional and may be used when the college determines that it is appropriate. Informal procedures are never applied in cases involving violence or non-consensual sexual intercourse.

Once the informal resolution procedure is complete, written notification to both parties shall be given by the Title IX Officer (and the Director of Human Resources, in cases involving a student and employee). The college shall take reasonable steps to prevent the recurrence of discrimination or sexual misconduct in any form. If the recurrence takes place, those responsible for such behavior may be subject to additional disciplinary action under the Student Conduct Process.

The college will take all necessary steps to remedy the discriminatory effects on the complainant(s) and others. Examples of such remedies may include: order of no contact, residence relocation, adjustment of

schedule, etc. If the reporting party is dissatisfied with the outcome of the informal resolution procedure, the formal resolution procedure may be pursued.

### **Formal Resolution Procedures**

Once a complaint of sexual misconduct or sex discrimination has been made by a student, an investigation of the report shall be pursued within 5 calendar days of the initial report. If the alleged incident involves an employee, the Office of Human Resources will be involved in the investigation. The formal resolution procedure will be followed when the College determines it necessary. All proceedings shall be prompt, fair, and impartial throughout the investigation and resolution.

To ensure a prompt and thorough investigation, the complainant should provide, to the extent possible, the following information in a written statement:

- The name of the person or persons allegedly causing the sexual misconduct, discrimination, harassment, or retaliation;
- A description of the incident(s), including the date(s) and location(s);
- The presence and name(s) of any of any witnesses;
- Any other information the complainant believes to be relevant to the discrimination, harassment, or retaliation.

The investigation shall be concluded within 14 calendar days, unless reported during or immediately preceding a term break, in which case an additional 7 calendar days may be required to complete the investigation. The investigation may include any of the following: interviews of the parties involved, including witnesses, review of security camera footage and evidence, and the gathering of other relevant information.

Students alleged with violating this policy may be subject to temporary measures such as adjustments to living arrangements, class schedule, etc. until the complaint is resolved. In cases where a respondents actions may pose a serious safety risk to the campus community, the student may be subject to an Interim Separation. These actions are not a presumption of responsibility for violation of this Policy.

When a formal complaint is made, a hearing shall be scheduled within 10 calendar days of the conclusion of the investigation outlined above. The purpose of the hearing is to determine responsibility for any alleged violations. Hearings take place before a Hearing Panel, which is comprised of at least three trained faculty and staff members.

### **Standard for Determining Responsibility**

The standard used to determine accountability will be a preponderance of the evidence standard - whether it is more likely than not that the respondent has violated the Sex Discrimination / Sexual Misconduct Policy. All students found responsible for violating this policy will be disciplined up to and including permanent dismissal from the college.

### **The Rights of Complainant and the Respondent**

The college will consider the concerns and rights of both the complainant and the respondent. The Title IX Officer will review a statement of rights with both parties at the beginning of the investigatory process.

The complainant and respondent have the right to a timely process and resolution. At the conclusion of the hearing process, the college will provide written notification to the complainant and the respondent involved of the outcome and resolution of the hearing within 3 business days.

Once written notification of the resolution has been received, the parties involved will have the opportunity to appeal the findings. The letter of appeal should be submitted according to the standard appeal process outlined in the Student Handbook.

### **Alternative Testimony Options**

For sexual misconduct complaints, alternative options for testimony by the complainant will be offered, such as allowing the complainant to testify separate from the respondent. While these options are intended to help make the complainant more comfortable, they are not intended to work to the disadvantage of the respondent.

### **Past Sexual History/Character**

The past sexual history or sexual character of a party will not be admissible by the other party in hearings unless such information is determined to be highly relevant by the Title IX Officer or designee.

### **Consequences**

The college reserves the right to take whatever measures it deems necessary in response to an allegation of sex discrimination or sexual misconduct in order to protect students' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, change in schedule, or interim separation from campus pending a hearing.

Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the College reserves the right to impose differing sanctions, ranging from a formal warning to permanent dismissal, depending on the severity of the offense.

Any member of the college community found responsible for a violation of the Sex Discrimination / Sexual Misconduct Policy will be subject to disciplinary action, up to and including termination of employment if they are an employee and/or permanent dismissal if they are a student.

### **Sanctions**

Sanctions in sexual misconduct cases will be levied commensurate with the degree of misconduct and may be imposed by any authorized official of the college, namely the Title IX Officer or designee, or through the hearing and appeal processes. Students will be notified of sanctions in writing within three business days by the Title IX Officer or designee. Common sanctions are detailed below; however, hearing administrators may recommend and assign alternative sanctions.

- **Official Disciplinary Warning (written)**

An official disciplinary warning notice is sent to the student stating disapproval of the conduct in violation of the college's policies, rules, or regulations. This action serves as a warning to the student that his/her behavior needs to be examined and changed or controlled into more positive and productive patterns. Further violation of the regulations can result in more severe disciplinary action. This sanction does not restrict involvement in extracurricular activities. However, it can be used in subsequent judicial action.

- **Disciplinary Probation**

This is a more severe sanction than a warning that stipulates a period of time during which the student must demonstrate acceptable patterns of behavior. Further violations of any college regulations, no matter how minor, can result in more severe disciplinary action, including possible suspension from campus housing or permanent dismissal from the college. The student may need to adhere to other stipulated requirements, such as revocation of guest privileges or removal from extracurricular activities.

- **Social Probation**

This action stipulates a period of time during which the student must demonstrate acceptable patterns of behavior. Involvement in extracurricular activities is restricted. This would include the use of specified recreational facilities, athletics, and/or campus organizations. When students are placed on social probation, guest privileges are suspended to the point that students may not have any guests nor may they be a guest in any other campus residences.

- **Suspension/Permanent dismissal from Campus Housing**

- Suspension from assigned campus residence: The student will receive a housing reassignment and be placed as near to the Resident Advisors as possible.
- Suspension from campus housing: The student will be excluded from living in any campus housing. Prepayment for housing is forfeited. Also, the student's financial obligation of the lease continues. Any further violation will result in immediate permanent dismissal from the college. In addition to this sanction, a student may be issued a limited or full no trespass order by the Title IX Officer, Chief Public Safety Officer, Judicial Officer or designee, or through the hearing and appeal process of the college.
- Limited No Trespass Order: During the period for review and observation, a commuting student who violates a policy, rule, regulation, or directive is subject to exclusion from campus at the end of the student's academic day and prohibited from entering any campus housing.

- **Interim Separation**

An interim suspension sanction begins immediately upon notification and may not be appealed prior to the required hearing. Interim separation may be imposed only:

- to ensure the safety and well-being of members of the college community or preservation of property;
- to ensure the student's own physical or emotional safety and well-being;

- if the student poses a definite threat of disruption of or interference with normal college operations.

During an interim separation, the student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other college activities or privileges for which the student might otherwise be eligible.

- **Disciplinary Suspension**

Disciplinary suspension precludes a student from registration, class attendance, and use of college facilities for up to two terms. Disciplinary suspension is recorded for the term of suspension in the student's academic record.

- **Disciplinary Dismissal**

Dismissal is cancellation by any authorized official of Central Penn, or through the hearing and appeal process, of the student's registration and of all permissions and privileges related thereto. Dismissal is permanently recorded in the student's academic record. A student who has been dismissed through disciplinary action is not eligible for readmission earlier than four terms following dismissal and then only with the approval of the Provost, the Dean of Students, or designee.

- **Permanent Dismissal**

Permanent dismissal does not permit the student to register, attend classes, become eligible for re-admission or use any college facilities. A student may be permanently dismissed by any authorized official of the college, or through the hearing and appeal process of Central Penn. Permanent dismissal is permanently recorded on the student's academic record.

- **Other Possible Sanctions**

Specific sanctions may be required to correspond with specific offenses. All sanctions remain on file as part of the student's record.

Even if law enforcement authorities do not prosecute college members, the college can pursue disciplinary action. In cases when students face criminal charges or are the subject of a criminal investigation, the college's conduct procedure may be initiated at any time during such investigation or criminal proceedings. Any member of the college community found to be harassing or intimidating others who have filed sex offense complaints face additional, serious disciplinary consequences.

### **Notification of Outcomes**

The outcome of a campus hearing is part of the education record of the accused student, and is protected from release under the Family Educational Rights and Privacy Act. However, the college observes the legal exceptions as follows:

- Complainants in non-consensual sexual contact/intercourse, sexual exploitation, sexual harassment, stalking, and intimate partner violence incidents have a right to be informed of interim actions and the outcome and sanctions of a hearing, in writing, without condition or limitation.
- Notifications will be made to both the Complainant and Respondent at the same time.

**False Reports**

The college will not tolerate intentional false reporting of incidents. It is a violation of the Student Code of Conduct to make an intentionally false report of any policy violation, and it may also violate state criminal statutes and civil defamation laws. Students who submit falsified complaints are subject to disciplinary action and sanctioning.

**Immunity**

The college encourages the reporting of sexual misconduct. Students who report incidents of sexual misconduct to College officials will be offered immunity from policy violations charges, such as underage drinking at the time of the incident.

**Parental Notification**

The college reserves the right to notify parents/guardians regarding any health or safety emergency. The college also reserves the right to designate which officials have a need to know about individual conduct complaints pursuant to the Family Educational Rights and Privacy Act.

**Educational Programming**

The college offers periodic trainings and educational programs to promote awareness of sexual violence. The frequency of such programs varies per term. For more information students should contact the Title IX Officer.

**Registered Sex Offender Information**

In accordance to the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act and the Family Educational Rights and Privacy Act of 1974, the college's Student Services Office is providing a link to the Pennsylvania State Police Sex Offender Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the Commonwealth of Pennsylvania, an offender is required to register under 42 Pa.C.S. § 9795.1(a), (b)(1) or (2)(relating to registration). 42 Pa.C.S. § 9792.

Megan Law's is available via Internet pursuant to Section 42 Pa.C.S. § 9795.1(a), (b)(1) or (2) (relating to registration). 42 Pa.C.S. § 9792. Registry information provided under this section shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for purposes of intimidating or harassing another is prohibited.

The Pennsylvania State Police does not provide information on sexually violent predators who are still in prison, unless the sexually violent predator was previously registered with the Pennsylvania State Police and subsequently incarcerated after registration.

This registry is not a complete and comprehensive listing of every person who has ever committed any sex offense in Penn, nor does it make information about every sex offender living in Penn available on the Internet. Under Pennsylvania law, before community notification takes place, offenders receive a final classification order from the court following the opportunity for a hearing.

#### **Accuracy of the Information Contained within this Registry**

Although the individuals listed on the sex offender registry are initially identified through fingerprinting and photograph submission to the Pennsylvania State Police, it should be understood that positive identification of any individual whose registration record has been made available on the Internet registry can be verified only through the review of a properly executed fingerprint card. By placing this information on the Internet, no representation is being made that the listed individual will not commit any specific crime in the future, nor is any representation being made that if the individual commits an offense that one of the listed offenses will be the offense committed. The Pennsylvania State Police, Megan's Law Section, verifies and updates this information regularly to try and ensure that it is complete and correct. Although efforts have been made to ensure the information is as accurate as possible, no guarantee is made or implied. You are cautioned that information provided on this site may not reflect the current residence, status, or other information regarding an offender.

Follow the link below to access the Pennsylvania State Police:

<http://www.pameganslaw.state.pa.us/EnryPage.aspx>

#### ***Clery Act Policy 12, 13, and 14: Policy Statement Addressing Availability of Annual Security Report***

##### Availability of Annual Security Report

A copy of the college's Annual Security Report is made available to current active students, faculty, staff as well as perspective students and employees. This report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by the college; and on public property within, or immediately adjacent to and accessible from, the campus.

The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and other matters. You can obtain a copy of this report by contacting the Public Safety Department or by accessing the following web site <http://www.centralpenn.edu/security>.

Note: the PA Sexual Violence Awareness Education Report and Spreadsheet is filed in the Academic Affairs Office.



### Central Penn College Clery Reportable Crime Statistics 2018

| Offense<br>(Reported By Hierarchy)  | Year | On Campus | Non-Campus | Public<br>Property | Total | Residential<br>Facilities |
|---|------|-----------|------------|--------------------|-------|---------------------------|
| Murder/Non Negligent<br>Manslaughter  | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2016 | 0         | 0          | 0                  | 0     | 0                         |
| Negligent Manslaughter  | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2016 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2015 | 0         | 0          | 0                  | 0     | 0                         |
| Sex Offenses, Forcible<br>(Rape, Sodomy, Sexual Assault<br>w/object and Fondling) | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2017 | 2         | 0          | 0                  | 2     | 2                         |
|   | 2016 | 2         | 0          | 0                  | 2     | 2                         |
| Sex Offenses, Non Forcible<br>(Incest and Statutory)                              | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2016 | 0         | 0          | 0                  | 0     | 0                         |
| Robbery   | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2016 | 0         | 0          | 0                  | 0     | 0                         |
| Aggravated Assault  | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2016 | 0         | 0          | 0                  | 0     | 0                         |
| Burglary  | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2016 | 0         | 0          | 0                  | 0     | 0                         |
| Motor Vehicle Theft   | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2016 | 0         | 0          | 0                  | 0     | 0                         |
| Liquor Law Arrests  | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2016 | 0         | 0          | 0                  | 0     | 0                         |
| Drug Law Arrests  | 2018 | 2         | 0          | 0                  | 2     | 2                         |
|   | 2017 | 2         | 0          | 0                  | 2     | 2                         |
|   | 2016 | 1         | 0          | 0                  | 1     | 1                         |
| Weapons Law Arrests   | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2016 | 1         | 0          | 0                  | 1     | 1                         |
| Liquor Law Violations Referred for<br>Disciplinary Action                         | 2018 | 5         | 0          | 0                  | 5     | 5                         |
|   | 2017 | 23        | 0          | 0                  | 23    | 23                        |
|   | 2016 | 14        | 0          | 0                  | 14    | 14                        |
| Drug Law Violations Referred for<br>Disciplinary Action                           | 2018 | 6         | 0          | 0                  | 6     | 6                         |
|   | 2017 | 42        | 0          | 0                  | 42    | 42                        |
|   | 2016 | 15        | 0          | 0                  | 15    | 15                        |
| Weapons Law Violations Referred<br>for Disciplinary Action                        | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|   | 2016 | 0         | 0          | 0                  | 0     | 0                         |

| Offense<br>(Not Reported By Hierarchy) | Year | On Campus | Non-Campus | Public<br>Property | Total | Residential<br>Facilities |
|--|------|-----------|------------|--------------------|-------|---------------------------|
| Arson                                  | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|  | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|  | 2016 | 0         | 0          | 0                  | 0     | 0                         |
| Domestic Violence                      | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|  | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|  | 2016 | 0         | 0          | 0                  | 0     | 0                         |
| Dating Violence                        | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|  | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|  | 2016 | 0         | 0          | 0                  | 0     | 0                         |
| Stalking                               | 2018 | 0         | 0          | 0                  | 0     | 0                         |
|  | 2017 | 0         | 0          | 0                  | 0     | 0                         |
|  | 2016 | 0         | 0          | 0                  | 0     | 0                         |

**HATE CRIME REPORTING:** There were no hate crimes reported for 2018.

**UNFOUNDED INCIDENTS:** There were no unfounded incidents.

**East Pennsboro Police Department**

98 South Enola Drive

Enola, PA 17025

(Phone #: 717-732-3633)

*Request for information sent to East Pennsboro Township Police Department on January 8, 2019 for On-Campus Properties and Public Property. There are no reportable statistics.*

**East Lampeter Police Department**

2205 Old Philadelphia Pike

Lancaster, PA 17602

(Phone #: 717-291-4676)

*Request for information sent to East Lampeter Township Police Department on January 8, 2019 for On-Campus Properties and Public Property. There are no reportable statistics.*

### **College and University Security Information Act and Uniform Crime Reporting Act**

In compliance with the College and University Security Information Act (Act 73 of 1988) and Act 2004-180 (S.B. 668), § 301: the Uniform Crime Reporting Act, Central Penn College provides the following information related to institutional policies and procedures:

**1. The number of undergraduate and graduate students enrolled:**

During the Fall 2018 Term, the college had an enrollment of 1,020 undergraduate students, 24 graduate students and 3 non-degree students; for a total enrollment of 1,047.

**2. The number of undergraduate and graduate students living in student housing:**

Throughout 2018, an average of 114 undergraduate students lived in campus housing.

**3. The total number of non-student employees working on the campus:**

The college employs 188 non-student employees.

**4. The administrative office responsible for security on the campus:**

The college Public Safety Department on the Summerdale campus is responsible for security on campus.

**5. A description of the type and number of security personnel utilized by the institution, including a description of their training:**

The Public Safety Department consists of eight full-time Public Safety Officers. The Chief Public Safety Director ensures that each member of the public safety team receives appropriate training necessary to maintain an effective department. Annual training is performed for all Public Safety Officers in the areas of in first aid, CPR, Automated External Defibrillators (AED), college policy, laws, and special areas of compliance, such as the Clery Act and FERPA. Additional trainings may include blood borne pathogens, and hazardous materials standards.

**6. The enforcement authority of security personnel, including their working relationship with State and local police agencies:**

The Public Safety Department is responsible for providing security services for the college. Public Safety Officers are non-sworn security officers for the college and have no official powers of arrest. The Public Safety Department investigates reports of campus incidents for administrative purposes as it relates to campus judicial processes. Campus crimes may be investigated for possible criminal prosecution by the East Pennsboro Township and/or East Lampeter Twp. Police Departments.

**7. Policy on reporting criminal incidents to State and local police:**

The Public Safety Department refers cases involving a violation of a criminal, civil, or federal law to the appropriate law enforcement agency for investigation. The Chief Director of Public Safety serves as the college's liaison with local, state and federal law enforcement officials and emergency management agencies. The Public Safety Department does possess a Memorandum of Understanding (MOU) with local law enforcement agencies. The Chief Director of Public Safety

works with local law enforcement through formal and informal meetings, including requests for information, Borough-College meetings, etc.

**8. Policy regarding access to institutional facilities and programs by students, employees, guests and other individuals.**

The college campus is open to the public. The majority of academic and administrative buildings are open during normal business hours, and are secured during the late evening hours, depending upon special events, evening course scheduling, and community usage. After-hours access to these buildings is gained via the Public Safety Department.

The Charles T. Jones Leadership Library's hours can be found at:  
<http://www.centralpenn.edu/college-services/library/>.

Access to residence halls is restricted to college students, registered guests, and authorized staff; and buildings are secured by electronic access control & key and lock systems 24 hours a day/7 days a week. Public Safety Officers regularly patrol the interiors and exteriors of all campus facilities, buildings, and residence halls.

**9. Procedures and facilities for students and others to report criminal actions or other emergencies occurring on campus and policies concerning the institution's response to such reports:**

Students, faculty, staff, and community members are encouraged to report any suspected criminal activity or emergency situations promptly to the Public Safety Department. The Public Safety Department can be reached 24/7 at 717-728-2364, or [security@centralpenn.edu](mailto:security@centralpenn.edu). Statement forms are available at the Public Safety Department (Room 46, Bollinger Hall).

Members of the college community may also make anonymous reports to the Public Safety Department by texting "centralpenn" and their tip to 50911, or through the anonymous reporting portal on the college website: <http://www.centralpenn.edu/college-services/safety-and-security/utip-%28anonymous-incident-report%29/>. All reports made to the Public Safety Department are investigated.

**10. A statement of policy regarding the possession, use and sale of alcohol beverages and a statement of policy regarding the possession, use and sale of illegal drugs:**

The college is a drug and alcohol free campus. The possession, use, or sale of alcohol or illegal drugs on campus is not permitted. More detailed information regarding the college's drug and alcohol policies can be found in the Student Handbook: <http://www.centralpenn.edu/current-students/student-handbook/>.

**11. A statement of policy regarding the possession and use of weapons by security personnel and any other person:**

Public Safety Officers do not carry or use weapons in the execution of their job responsibilities. The college does not permit the use or possession of weapons on campus. The use or possession of a weapon on campus carries severe penalties including disciplinary action and potential criminal

penalties.

**12. Any policy regarding students or employees with criminal records:**

The college makes every effort to hire faculty and staff who are free of any criminal record through the use of background checks in the hiring process. Employees are obligated to report any criminal drug/alcohol statute conviction for a violation occurring in the workplace. Students with criminal records who are seeking on-campus housing must notify the Residence Life Director. Disclosure of a criminal record or pending charges will not necessarily disqualify a student from on-campus housing; each offense will be evaluated on its own and additional documentation may be requested.

**13. Security considerations used in the maintenance of campus facilities, including landscaping, grounds keeping and outdoor lighting:**

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. Public Safety Officers regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Department for correction. Members of the campus community are encouraged to report equipment problems to the Public Safety Department or the Facilities Department.

**14. A description of the communication mediums used to inform the campus community about security matters as well as the frequency with which the information is usually provided:**

In the event of an emergency situation, safety concern requiring a Timely Notification, or weather-related campus closing, *Central Penn Alert* is the college's communications system for sharing important information about situations that affect the safety of our campus community.

*Central Penn Alert* messages will be delivered to all college community members via an email to their college email address. Students, faculty, and staff who have registered their phone with *Central Penn Alert* will also receive the message via voicemail and text. The phone calls will appear to come from 717-728-2469. Text messages will appear with the code 79516. Emails will come from CP Alert ([no-reply@e2campus.com](mailto:no-reply@e2campus.com)). If you have any concerns about the validity of a *Central Penn Alert* message, please call the Public Safety Department at 717-982-1808 or visit [www.centralpenn.edu/alert](http://www.centralpenn.edu/alert). The *Central Penn Alert* system is tested each term.

**15. Type of student housing available (on-campus, off-campus, single room, double, group, single sex, coed, undergraduate, graduate, married, etc.):**

The college has 44 two-bedroom apartments and 32 seven-bedroom suites. These residence halls are on-campus, are single sex units and are housed by undergraduate students.

**16. Policies on housing assignments and requests by student for assignment changes:**

The college tries to match every student with someone who shares the same interests. Every student must return a housing information form with the lease and security deposit to Student Services. If you know someone with whom you would like to room, both of you must request

each other in writing to Student Services. The Student Services office reserves the right to issue move requests on a limited basis. Issuance of move requests will be reserved for situations where the Student Services office deems it necessary or critical for a student to move. Any room assignment changes from different priced living areas will be prorated before midterm. If the move occurs after midterm, there will be no financial adjustments. Assignments in the different cost areas are based on availability (refer to Student Handbook).

**17. Policies concerning the identification and admission of visitors in student housing facilities:**

Refer to Clery Act Policy 2(a)(b): Policy Statement Addressing Security and Access

**18. Measures to secure entrances to student housing facilities:**

Refer to Clery Act Policy 2(a)(b): Policy Statement Addressing Security and Access

**19. Standard security features used to secure doors and windows in students room.**

Refer to Clery Act Policy 2(a)(b): Policy Statement Addressing Security and Access

**20. A description of the type and number of employees, including security personnel, assigned to the student housing facilities which shall include a description of their security training:**

The college utilizes Student Resident Advisors who reside in the on-campus residential units. These Resident Advisors may be trained in Management of Aggressive Behavior (MOAB), first aid, CPR and AED. The college also employs trained Security Officers (please see item 5)

**21. The type and frequency of programs designed to inform student housing residents about housing security and enforcement procedures:**

Refer to Clery Act Policy 4: Policy Statement Addressing Security Awareness

**22. Policy and any special security procedures for housing student during low-occupancy periods such as holidays and vacation periods:**

Refer to Clery Act Policy 4: Policy Statement Addressing Security Awareness

**23. Policy on the housing of guests and others not assigned to the student housing or not regularly associated with the institution of higher education:**

Sub-letting the leased premises is expressly prohibited (Section 9 of the 2014-2015 Student Leasing Agreement)

## 2018 Fire Safety Report

| Residential Facilities | Total Fires 2018 | Cause of Fire | Number of Injuries | Number of Deaths | Estimated Damage | Total Fires 2016 | Total Fires 2015 |
|------------------------|------------------|---------------|--------------------|------------------|------------------|------------------|------------------|
| Anne Hall              | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Fred Hall              | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Gale Hall              | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Kathi Hall             | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Teri Hall              | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Todd Hall              | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Mindy Hall             | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Jeremy Hall            | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Zachary Hall           | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Crockett Hall          | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Dirk Hall              | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |
| Exterior               | 0                | n/a           | 0                  | 0                | \$0              | 0                | 0                |

Fire drills were conducted in residential and academic buildings during 2018. Public Safety Officers and local fire department officials monitored the evacuation process to ensure all students, faculty and staff responded to the appropriate rally points. There are smoke detectors and fire extinguishers in student apartments and suites. A student may report a fire to any faculty or staff member on campus or by calling the Public Safety Department.

### Fire Safety

The college provides Public safety Officers 24/7 to ensure the safety of our residents and overall environment. While our officers are here to support you, the college wants to provide you with information so you can respond to emergencies in a responsible manner. Our Public Safety Officers are available to assist you by calling 717-728-2364 or 717-982-1808.

### Fire Protection for your Safety:

1. DO NOT SMOKE IN RESIDENCE HALLS.
2. Be sure to keep beds and furniture four to six inches away from electric air conditioners and heating units.
3. Keep an emergency flashlight handy for use during power outages. Never use candles.
4. Fire extinguishers are placed in each apartment for your protection.
5. Smoke detectors are placed in each apartment. It is your responsibility to keep charged batteries in the smoke alarms in your residence. Tampering with smoke alarms is strictly prohibited.

6. Be sure your oven and stove are grease free.

7. Absolutely NO KEROSENE HEATERS OR FLAMMABLE LIQUIDS are to be stored in the apartment.

8. It is required that all residents obtain renter's insurance. You may already have coverage through your parents' homeowner's policy. If you are not covered, contact your insurance representative to obtain the proper renter's policy.

IN CASE OF A FIRE...DIAL 911 (or 9-911 from campus phones).

## **Central Penn College Evacuation Plan**

### I. Mission

The college's Evacuation Plan is designed to provide every employee, student, and visitor a method to be removed immediately from any imminent danger. Evacuation may take different forms.

Because of possible confusion and panic inherent in evacuation activity, the college will utilize the most conservative approach consistent with insuring the safety of the individuals.

### II. Types of Evacuation

A. **Area Evacuation:** In the event of a situation that indicates that a specific area, room, or rooms are unsafe, the Public Safety Department will immediately order the evacuation of any people in the area. All individuals should report to the designated assembly area for head count consolidation (assembly areas will depend on the emergency).

B. **Building Evacuation:** In the event of a situation, which renders a building or buildings unsafe for occupancy, the Public Safety Department and or Resident Advisor will conduct an evacuation upon notification of the emergency. All individuals will report to the designated assembly area for that building for head count consolidations. After sounding the alarm to remove all individuals, call 9-911 and the Public Safety Department to insure that the situation has been reported.

C. **Campus Evacuation:** The possibility exists for two different forms of campus-wide evacuation. The first is a situation that poses such an immediate danger that all personnel should leave the area immediately. The second is a situation that does not pose an immediate danger to individuals. In the most serious form of campus-wide evacuation, all individuals would be instructed to leave the campus immediately on foot and report to a designated assembly point off-campus until transportation can be arranged to move them to an evacuation center where temporary shelter will be provided. In the event of evacuation by privately owned vehicles, all vehicles will depart the campus in an orderly manner.

In the case of a campus-wide evacuation that is not severe enough to require the immediate evacuation of individuals, all personnel will report to a designated assembly site on campus until transportation to an evacuation center is provided or groups are directed to proceed individually.



In the event of a campus-wide evacuation, the college will utilize the Cumberland County Emergency Plan, and all staff, faculty, students, and visitors will be transported to an evacuation center designated by the Cumberland County Emergency Services Coordinator.

### III. Designated Assembly Areas

Building Evacuations - Designated on-campus assembly areas will include the following locations:

- A. Name of Building: West Wing
  - i. Primary Evacuation Site: Advanced Technology Education Center Visitor Parking (Lot L)
  - ii. Secondary Evacuation Site: Student parking lot next to Enola Diner (Lot F)
- B. Name of Building: Milano Hall
  - i. Primary Evacuation Site: 1st Tier Apartment parking lot (Lot C)
  - ii. Secondary Evacuation Site: 3rd Tier Apartment parking lot (Lot A)
- C. Name of Building: Bollinger Hall
  - i. Primary Evacuation Site: Boyer House parking lot (Lot M)
  - ii. Secondary Evacuation Site: ATEC Staff parking (Lot K)
- D. Name of Building: Charles T. Jones Library
  - i. Primary Evacuation Site: 1st Tier Apartment parking lot (Lot C)
  - ii. Secondary Evacuation Site: Boyer House parking lot (Lot M)
- E. Name of Building: Advanced Technology Education Center - ROOM'S 202-206, 302-306, 315-324, Conference Center
  - i. Primary Evacuation Site: Far End of Staff parking lot (Lot H)
  - ii. Secondary Evacuation Site: Boyer House parking lot (Lot M)
- F. Name of Building: Advanced Technology Education Center - ROOM'S 300, Enrollment Support, 308, 310, Scoozi Café, Swatara Room
  - i. Primary Evacuation Site: Crossover Henszey's Bridge to Campus Courtyard
  - ii. Secondary Evacuation Site: Clearing Behind Kathi Hall
- G. Name of Building: Advanced Technology Education Center - ROOM'S 200, 201, 305, 307, 309, 312 and 314
  - i. Primary Evacuation Site: Student Parking Lot Adjacent to ATEC (Lot D)
  - ii. Secondary Evacuation Site: Student Parking Lot Cattycorner to ATEC (Lot E)
- H. Name of Building: Boyer House
  - i. Primary Evacuation Site: Student Fellowship Area
  - ii. Secondary Evacuation Site: 1st Tier Apartment parking lot (Lot C)
- I. Name of Building: Health Sciences Center
  - i. Primary Evacuation Site: 730 Valley Road Parking (Lot H)
  - ii. Secondary Site: Student parking lot next to Enola Diner (Lot F)
- J. Name of Building: 730 Valley Road

- i. Primary Evacuation Site: Student parking lot next to Enola Diner (Lot F)
- ii. Secondary Site: Advanced Technology Education Center Visitor Parking (Lot L)

#### IV. Post Evacuation Procedures

Upon order of the emergency services official (ESO), the ESO may order further evacuations to whatever area so designated by the ESO depending on the nature of emergency.

The Professor / Instructor shall assemble the students at the designated assembly area and shall take a role of the class (head count). The role shall indicate who is present at the assembly area and which students are not. Additionally the role shall include those students who were recorded as absent. The role shall be collected by the Public Safety Department prior to re-entry.

#### V. Re-Entry Plan

A. Re-entry will be controlled by the Public Safety Department upon the order from the Person or persons in Charge. The Emergency Responders may consist of emergency services personnel not associated with the college. However, if a Person in Charge is not established then the Chief Public Safety Director, or his designee, will coordinate the efforts for re-entry by requesting the assistance of the Public Safety Department and/or additional members of the college.

B. Only buildings designated safe will be authorized for re-entry, including student-housing facilities. The Chief Public Safety Director or his or her designee shall make the determination if it is safe to enter.

C. The Chief Public Safety Department will forward a final head count of students, faculty, and staff to the Chief Public Safety Director, Student Services Dean and the Vice President within one hour of all clear.

D. The Chief Public Safety Director, or his designee, will forward an Informational Report to the president within 30 days of a crisis event.

#### VI. Emergency Phone Numbers:

Police, Fire, Rescue: Dial 9, then 911 (from campus extensions)

Public Safety Department: 2364 (from campus extensions) or 717-728-2364 (from off campus)

#### VII. Training

Initial training of employees in evacuation procedures should take place at the time of hire and at least annually thereafter. Additional area-specific protocol training for employees should take place at the time of initial hire and annually thereafter.

### **Central Penn College Missing/Runaway Persons Policy**

If a member of the college community has reason to believe that a student is missing, whether or not the student resides on campus, all possible efforts are made to locate the student to determine his or her state of health and well-being through the collaboration of the Public Safety Department or Residence Life. College community members must report missing or suspected missing students immediately to Security or an authorized campus official. Missing student reports will be immediately referred to the Public Safety Department and/or the East Pennsboro Police department. If the student is an on-campus resident, the Public Safety Department will secure authorization from Residence Life officials to make a welfare entry into the student's room. If an off campus student resident, the Public Safety Department will informally enlist the aid of the neighboring police agency having jurisdiction. Concurrently, college officials will endeavor to determine the student's whereabouts through contact with friends, associates, and/or employers of the student. Whether or not the student has been attending classes, labs, recitals, and scheduled organizational or academic meetings; or appearing for scheduled work shifts will be established.

If located, verification of the student's state of health and intention of returning to the campus is made. When and where appropriate a referral will be made to the Residence Life Office and Campus Counselor.

If not located, notification of the family or guardian may be necessary to determine if they know of the whereabouts of the student. Such notification will be made by the Student Services Dean or his or her designee. Notification procedures will be initiated within 24 hours of determining a student is missing. Persons listed as parents/guardians and/or emergency contacts for students will be the persons notified. Students provide this information at the time of registration. Students have the ability to update or change emergency contact information as deemed necessary. This information is confidentially maintained and used for emergency notification purposes. Custodial parents of students under the age of 18 will be notified within 24 hours of determining a student is missing. If the student is an off-campus resident, appropriate family members or associates are encouraged to make an official missing person report to the law enforcement agency with jurisdiction. The Public Safety Department will cooperate, aid and assist the primary investigative agency in all ways prescribed by law. If the student is an on-campus resident, the Public Safety Department will open an official investigation and retain status as the primary investigative unit until relieved by a local police agency.

All pertinent law enforcement agencies, be they neighboring municipal, county, or state; those located along suspected travel corridors; or place of original domicile, will be notified and requested to render assistance. It is the policy of the college to make a missing -student notification to law enforcement authorities within 24 hours of determining a student is missing.

The gathering of information regarding the missing person will include, but may not be limited to: name, gender, race, date of birth, height, weight, eye color, hair color/length, date/time of last contact, photo availability, possible medicinal usage, address, phone number, social security number,

full information of vehicle the individual may be operating, names/addresses/phone number(s)/description(s) of person(s) missing individual may be with.

The following criteria may warrant immediate notification to the local police department:

- The person reported missing is under proven physical/mental disability; thereby subjecting him/herself, or others to personal and/or immediate danger.
- The person reported missing is/was in the company of another person under the circumstances indicating his/her physical safety is in danger.
- The person reported missing is under circumstances indicating the disappearance was not voluntary.

“Suzanne’s Law,” which requires local police to notify the National Crime Information Center (NCIC) when someone between 18 and 21 is reported missing was signed into law by President George W. Bush in the spring of 2003 as part of the national “Amber Alert Bill”. The federal law is named after Suzanne Lyall, a State University of New York at Albany student who has been missing since 1998. Previously police were only required to report missing persons under the age of 18. This new law is intended to encourage police to begin investigating immediately when college-age people disappear, instead of waiting a day, which has been a common practice. Upon closure of the missing person investigation, all parties previously contacted will be advised of the status of the case.

# APPENDIXES

## Safety and Security - Clery Report Available!



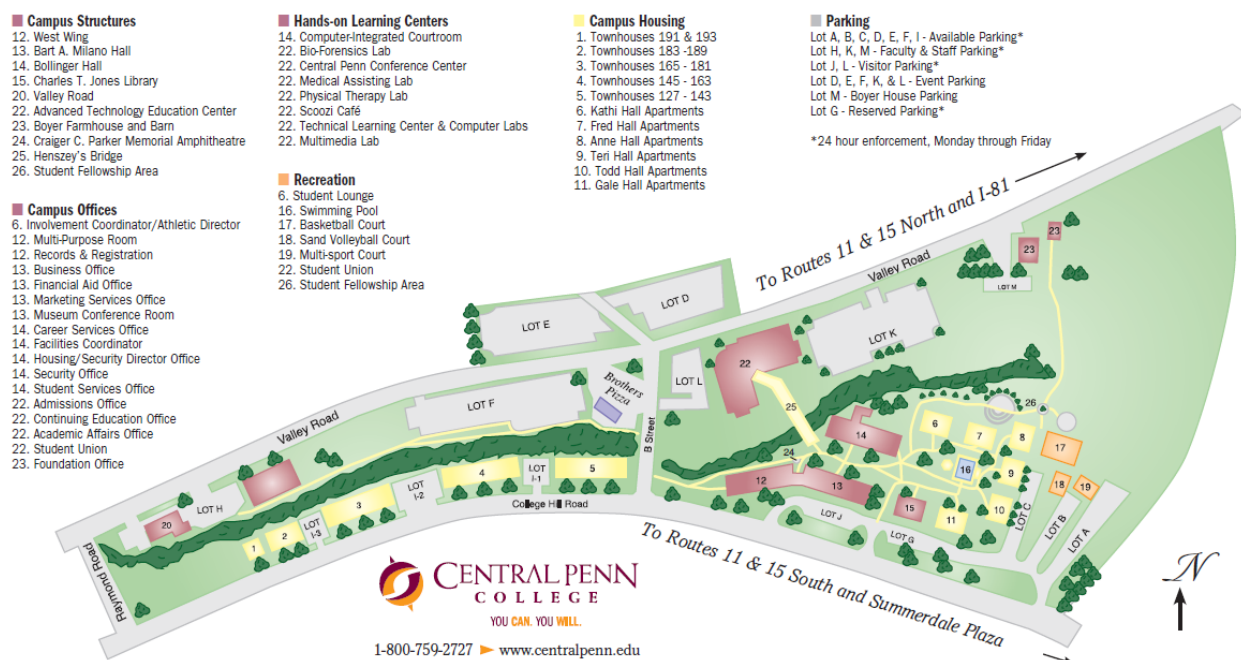
Your personal safety and the security of the campus community are of vital concern to Central Penn College. A copy of the college's annual security report, informally known as the Clery Report, for Summerdale campus and the Lancaster Center is available upon request and also [online](#).

This report includes statistics for the most recent three-year period concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by the college or affiliates, and on public property within, or immediately adjacent to and accessible from the campus. The report also includes information regarding the law enforcement authority of the college's security department; policies concerning campus security, such as crime prevention, alcohol and drug use, sexual assault, state sex offender registry and the reporting of any crimes that may occur on the campus.

You can obtain a copy of this report, and other related documentation, from the Security Office or you can request that a copy be mailed to you by calling 717-728-2274. This information is also available by clicking on Annual Campus Safety Report at Webpage <http://www.centralpenn.edu/current-students/safety-and-security/> .

*Notice published in Student Central in , and Central Station in and via email to all faculty, staff, and students.*

Figure 1: Summerdale Campus



**FROM THE EAST** - Take I-76 West (PA Turnpike) get off at Exit 247 (Harrisburg East). Take center lane to I-83 North toward Hazleton/Lewistown. Follow signs to I-81. Take I-81 South toward Carlisle. Take Exit 65 (Enola). Take 11 & 15 South to the first red light and turn right onto Valley Road. Travel one mile. The campus of Central Penn is on the left at the intersection of Valley Road and B Street.

Or ...  
Take I-78 West. This road will merge with I-81 South. Stay on I-81 South and take

Exit 65 (Enola). Take 11 & 15 South to the first red light and turn right onto Valley Road. Travel one mile. The campus of Central Penn is on the left at the intersection of Valley Road and B Street.

**FROM THE NORTH** - Take Routes 11/15 South or I-81 South to Exit 65 (Enola). Take 11 & 15 South to the red light and turn right onto Valley Road. Travel one mile. The campus of Central Penn is on the left at the intersection of Valley Road and B Street.

**FROM THE SOUTH** - Take I-83 North to Rt. 581 West (Exit 41A). Follow Rt. 581 West to I-81 North (Exit 1A). Take I-81 to Exit 65 (Enola). Take 11 & 15 South to the first red light and turn right onto Valley Road. Travel one mile. The campus of Central Penn is on the left at the intersection of Valley Road and B Street.

Or...  
Take Rt. 15 to Rt. 581 West. Follow Rt. 581 West to I-81 North (Exit 1A). Take I-81 to Exit 65 (Enola). Take 11 & 15 South to the first red light and turn right onto Valley

Road. Travel one mile. The campus of Central Penn is on the left at the intersection of Valley Road and B Street.

**FROM THE WEST** - Take I-76 East (PA Turnpike) to Exit 226 (Carlisle). Go north on I-81 to Exit 65 (Enola). Take 11 & 15 South to the first red light and turn right onto Valley Road. Travel one mile. The campus of Central Penn is on the left at the intersection of Valley Road and B Street.

A statistical breakdown was requested by Central Penn College to East Pennsboro Township Police Department for the following locations regarding On-Campus Properties and Public Property:

- College Hill Road and Valley Road, Summerdale, PA 17093
- College Hill Road, Valley Road, Raymond Road and B Street

No Reportable Crimes were reported during 2018.

Figure 2: Lancaster Center Location



A statistical breakdown was requested by Central Penn College to East Lampeter Township Police Department for the following locations regarding On-Campus Properties and Public Property:

- 1905 Old Philadelphia Pike, Lancaster, PA 17602
- Old Philadelphia Pike between Greenfield Road and Linda Avenue

No Reportable Crimes were reported during 2018.



## Checklist for Clery Act Compliance

### I. Development, Disclosure and Implementation of Security Policies

- A. Mandatory for all institutions.
- B. On-going basis throughout the year.
- C. Your institution is required, per its Title IV Program Participation Agreement, to have a campus security policy. Your institution's policy statements must accurately reflect how the policies are currently implemented.
- D. Do you have:
  - ☒ An individual or office designated to ensure that your institution's security policies are actively implemented as prescribed?

### II. Campus Security Authorities

- A. Mandatory for all institutions.
- B. On-going basis throughout the year.
- C. In addition to campus police or security personnel, if applicable, your institution must identify other individuals or offices with significant responsibility for student and campus activities. Alleged crimes reported to these authorities are then reported by these authorities to campus police or security, to local police, or to someone designated by the institution to collect such reports.
- D. Do you have:
  - ☒ Designated campus security authorities who understand their functions and responsibilities?
  - ☒ A person or office responsible for overseeing campus security authorities and ensuring the collection of crime reports?

### III. Timely Warnings

- A. Mandatory for all institutions.
- B. On-going basis throughout the year.
- C. Your institution must alert the campus community of any Clery Act crimes that are reported to campus security authorities or local police and are considered to represent a serious or continuing threat to students and employees.
- D. Do you have:
  - ☒ A written timely warning policy?
  - ☒ An individual or office responsible for issuing timely warnings?
  - ☒ One or more methods of disseminating timely warnings?
  - ☒ Communication with local police requesting their cooperation in informing the institution about crimes reported to them that may warrant timely warnings?

### IV. The Daily Crime Log

- A. Mandatory for all institutions that maintain a campus police or security department.
- B. On-going basis throughout the year.
- C. Your institution must disclose all alleged criminal incidents, including non-Clery Act crimes, reported to the campus police or security department.
- D. Do you have:
  - ☒ A hard copy or electronic crime log that records criminal incidents by the date reported, and which includes:

- ☒ The nature of the crime?
- ☒ The date and time the crime occurred?
- ☒ The general location of the crime?
- ☒ The disposition of the complaint, if known?
- ☒ Public access to the log?
- ☒ An individual or individuals responsible for maintaining the log on a daily basis?

#### V. Statistics From Local Police

- A. Mandatory for all institutions.
- B. Periodic basis throughout the year.
- C. Your institution must make a good-faith effort to collect crime statistics for all Clery Act crimes committed in applicable geographic locations from all police agencies with jurisdiction for your institution.
- D. Do you have:
  - ☒ An individual or office responsible for requesting crime statistics from local and state police?
  - ☒ Documentation of your institution's efforts to obtain the statistics and documentation of any noncompliance on behalf of the police?
  - ☒ Statistics from all the appropriate police agencies with jurisdiction for your institution?

#### VI. Report to ED Via the Web-based Data Collection

- A. Mandatory for all institutions.
- B. Annually each fall per letter from ED.
- C. Your institution is required to submit the crime statistics portion of the annual security report via the ED Web site each year.
- D. Do you have:
  - ☒ An individual or office designated to enter and submit the statistics?

#### VII. Annual Security Report

- A. Mandatory for all institutions.
- B. Publish and distribute annually by Oct. 1 to all enrolled students and all employees. Provide notice, as appropriate, to all prospective students and employees.
- C. This report has two main parts:
  - a. Disclosure of crime statistics (by Clery Act geographic locations and by year reported).
    - i. Do you have:
      - ☒ An individual or office responsible for collecting all crime reports from campus security authorities and local police for inclusion in the annual security report?
      - ☒ Crime statistics for:
        - 1. Offenses
          - ☒ Murder and non-negligent manslaughter
          - ☒ Negligent manslaughter
          - ☒ Forcible sex offenses
          - ☒ Non-forcible sex offenses
          - ☒ Robbery
          - ☒ Aggravated assault
          - ☒ Burglary
          - ☒ Motor vehicle theft
          - ☒ Arson

- ☒ Hate crimes
- 2. Arrests
  - ☒ Weapons possession
  - ☒ Drug law
  - ☒ Liquor law
- 3. Referrals
  - ☒ Weapons possession
  - ☒ Drug law
  - ☒ Liquor law

b. Disclosure of Policy Statements

- i. Do you have statements addressing:
  - ☒ Procedures for reporting crimes and other emergencies, specifically including:
    - ☒ Timely warnings?
    - ☒ Reporting crimes on a voluntary, confidential basis?
    - ☒ Preparing the annual security report?
    - ☒ Titles of persons or organizations to whom crimes should be reported?
- ii. Policies concerning the security of, and access to, campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities?
- iii. Policies concerning campus law enforcement, specifically including:
  - ☒ Enforcement authority of security personnel?
  - ☒ Working relationship with state and local police agencies?
  - ☒ Arrest authority of security personnel?
- iv. Policies and procedures encouraging accurate and prompt reporting of all crimes to campus police and local police?
- v. Policy encouraging pastoral and professional counselors, if allowed by institution, to inform clients of voluntary, confidential crime reporting procedures?
- vi. Programs to inform students and employees about campus safety procedures and to encourage students and employees to be responsible for themselves and others with regard to safety, specifically including:
  - ☒ Types of programs?
  - ☒ Frequency of programs?
- vii. Programs to inform students and employees about crime prevention?
- viii. Policy concerning monitoring and recording student off-campus criminal activity through local police, including student organizations with off-campus housing?
- ix. Alcohol policy?
- x. Drug policy?
- xi. Description of drug or alcohol abuse education programs (may cross-reference HEA materials)?
- xii. Sexual assault programs to prevent sexual offenses and procedures if an offense occurs, specifically including:
  - ☒ Description of relevant educational programs?
  - ☒ Procedures students should follow if sexually assaulted, specifically including:
    - 1. Procedures regarding whom to contact?
    - 2. Importance of preserving evidence?
    - 3. To whom the offense should be reported?
- xiii. Information on a student's option to notify law enforcement authorities, specifically including:
  - ☒ Campus and local police?

- ☒ Statement that institution will assist the student with notification, if desired?
- xiv. Notification to students of on-and-off campus sex offender victim services?
- xv. Notification that institution will assist victim with changes in academic and living arrangements if desired and if available?
- xvi. Procedures for disciplinary action for alleged sex offenses, including a clear statement that:
  - ☒ Accuser and accused are entitled to same opportunities to have others present during a disciplinary proceeding?
  - ☒ Accuser and accused must be informed of outcome of any institutional disciplinary proceeding alleging a sex offense?
- xvii. Sanctions the institution may impose following a final determination of a sex offense disciplinary proceeding?
- xviii. Statement advising campus community where law enforcement agency information provided by state concerning registered sex offenders may be obtained?