



ANNUAL SECURITY AND FIRE SAFETY REPORT

2024



LA SALLE UNIVERSITY'S ANNUAL SECURITY REPORT

The La Salle University's Annual Security Report is an institutional publication. It is intended to inform students (current and prospective), staff, faculty, alumni, and visitors about the University's policies and programs designed to aid in keeping the community safe; to share information on crime and disciplinary referral statistics, emergency preparedness and planning; and fire safety, fire statistics, and other fire-related information in residence facilities.

As a recipient of federal Title IV student financial aid, La Salle University is required to adhere to the provisions of the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act and the Violence Against Women Act, commonly referred to as the Clery Act. The Clery Act requires post-secondary institutions to publish an annual report disclosing campus security policies, three years of selected crime statistics and a fire safety report for residence facilities.¹

The Public Safety Department compiles, prepares, publishes and distributes the report on behalf of the University. The full text of this report is located on the University's web site at: <https://www.lasalle.edu/public-safety/introduction/annual-security-and-fire-safety-report/>. Preparation of this report involved the following University offices: Office of the Vice President of Student Development and Campus Life, Office of Student Conduct, Residence Life and Operations, Student Wellness, Human Resources, Admissions, University Registrar, Athletics, Facilities Maintenance, Enrollment Management, and Marketing and Communications. Each entity provided information on enrollment, University policies and expectations, and educational efforts and programs to comply with the Clery Act. Crime statistics are requested and collected from the law enforcement agencies with jurisdiction for the campus and other locations required by the Act. Campus crime, arrest and referral statistics include those reported to the La Salle University Public Safety Department, Campus Security Authorities, and local law enforcement agencies.

Student Wellness staff and other confidential resources inform reporting parties of the procedures to report crimes to the University's Public Safety Department and/or the Philadelphia Police Department (or department with jurisdiction) on a voluntary basis, should the reporting party feel it is in their best interest to pursue these additional avenues. When provided, this information may be given either in writing or verbally.

No later than Oct. 1, each year, Public Safety sends e-mail notification to all enrolled students and all current employees about the availability of the Annual Security Report and a summary of its contents with a direct link to the online publication of the report. Print copies of the report are available from the La Salle University Public Safety Department located in St. Mutien Hall at 1825 Lindley Ave, from the Student Development and Campus Life office, or by request. All prospective students and employees receive notification of how to access the report during the application process.



¹ This publication is distributed in accordance with the following federal statutes: Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Section 486(e) of Public Law: 105-244 and The Accuracy in Campus Crime Reporting Act of 1997 and the Pennsylvania College and University Security Information Act (24 P.S. § § 2502-1-2502-5).

TABLE OF CONTENTS

La Salle University's Annual Security Report	1
Part I Public Safety Services, Policies, and Procedures.....	4
<i>Safety and Security at La Salle University.....</i>	<i>4</i>
<i>Reporting Criminal Offenses.....</i>	<i>4</i>
<i>Confidential Reporting.....</i>	<i>5</i>
<i>Understanding Confidential Reporting</i>	<i>5</i>
<i>Anonymous Reporting.....</i>	<i>6</i>
<i>Campus Security Authorities (CSA).....</i>	<i>6</i>
<i>Campus Public Safety Personnel</i>	<i>6</i>
<i>Campus Law Enforcement Authority and Jurisdiction.....</i>	<i>7</i>
<i>Criminal Activity On and Off Campus.....</i>	<i>7</i>
<i>Off-Campus Student Organizations</i>	<i>7</i>
<i>Security Awareness and Crime Prevention Programs / Other Public Safety Services</i>	<i>7</i>
<i>Daily Crime Log and Fire Log.....</i>	<i>10</i>
<i>Security and Access to Facilities.....</i>	<i>10</i>
<i>Residence Facilities</i>	<i>11</i>
<i>Security Considerations.....</i>	<i>13</i>
<i>Security Maintenance.....</i>	<i>14</i>
<i>Timely Warning and Emergency Notification Procedure.....</i>	<i>14</i>
<i>Emergency Response</i>	<i>16</i>
<i>Protecting Minors on Campus Policy</i>	<i>16</i>
<i>Sex Offender Registry and Community Notification.....</i>	<i>23</i>
<i>Missing Student Notification Procedure</i>	<i>24</i>
<i>Weapons and Other Dangerous Articles and Substances.....</i>	<i>25</i>
Part II - Drugs and Alcohol Policy.....	26
<i>Policy: Student Alcohol and Other Drug University Expectations</i>	<i>26</i>
<i>Sanctions for Violating the Student Alcohol and Other Drug University Expectations.....</i>	<i>28</i>
<i>Alcohol Abuse.....</i>	<i>30</i>
<i>Substance Abuse Education</i>	<i>31</i>
Part III Sexual Assault Prevention and Response, Title ix, Sexual Misconduct and Harassment Policies	32
SEXUAL ASSAULT PREVENTION AND RESPONSE	32
La Salle University Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations	36

POLICY ON HARASSMENT, SEXUAL MISCONDUCT, AND DISCRIMINATION	50
POLICY FOR HANDLING TITLE IX COMPLAINTS AGAINST EMPLOYEES	63
EQUAL EMPLOYMENT OPPORTUNITY AND ANTI-HARASSMENT POLICY	76
Section III The Clery Act.....	79
<i>Geographic Location Definitions</i>	<i>79</i>
<i>Clery – Reportable Crime Definitions.....</i>	<i>82</i>
<i>Understanding VAWA Offenses.....</i>	<i>82</i>
<i>VAWA Definitions.....</i>	<i>82</i>
<i>Explanation of Referrals.....</i>	<i>83</i>
<i>Hate Crimes.....</i>	<i>83</i>
<i>Hate Crime Definitions.....</i>	<i>84</i>
<i>Unfounded Crimes.....</i>	<i>85</i>
<i>Fire Safety in the Residence Halls.....</i>	<i>85</i>
<i>Residence Halls – Active Bed Count</i>	<i>86</i>
<i>Building Evacuation Procedure.....</i>	<i>87</i>
<i>Initial and Alternative Evacuation and Assembly Sites</i>	<i>87</i>
<i>Clery Crime Statistics.....</i>	<i>88</i>
Main Campus / Offenses	88
Main Campus / Violence Against Women Act (VAWA).....	89
Main Campus / Arrests.....	89
Main Campus / Disciplinary Referrals.....	89
Main Campus / Hate Crimes.....	89
Main Campus / Unfounded Crimes	89
<i>Crime Rates.....</i>	<i>90</i>
Quick Reference Guide	102
<i>Essential Phone Numbers</i>	<i>102</i>
<i>Emergency Closing Numbers.....</i>	<i>102</i>

PART I PUBLIC SAFETY SERVICES, POLICIES, AND PROCEDURES

Safety and Security at La Salle University

The La Salle University's Main Campus consists of more than 67 academic, administrative, and residential buildings. It is located on 133 acres adjacent to the historic Germantown section and Belfield neighborhood of Philadelphia.

Main Campus

1900 W. Olney Ave.

Philadelphia, PA 19141

La Salle University considers the safety of students, faculty, staff, and visitors to be our highest priority. Our collective efforts as a community are to create and maintain a safe campus environment where we can live, work, study, and thrive. No campus community—urban or rural, public or private—is immune to crime. We encourage members of our community to work in partnership to create a culture of safety by identifying and reporting risks, looking out for each other, and being active bystanders, to decrease opportunities for crime and other conditions that compromise safety.

The University has developed its public safety program to prioritize the safety and security of faculty, staff, students and visitors. Policies, procedures and practices are reviewed and updated annually and/or as needs dictate. On its main campus, La Salle employs full-time proprietary public safety officers to provide around-the-clock patrol and response to calls for emergencies and services. Student security desk receptionists provide supplemental security coverage at certain posts. Our Dispatch Center is staffed full-time, year-round and monitors main campus fire alarm systems and Rave Guardian (a two-way texting system) in addition to viewing access to our CCTV camera system. La Salle also contracts with the Philadelphia Police Department for two full-time police officers assigned to patrol the areas adjacent to the Main Campus during the academic year. During times of the year with higher outside activity, the University may utilize additional PPD patrols.

Reporting Criminal Offenses

Students, faculty, staff, community members, and guests are encouraged to accurately and promptly report all criminal activity, suspicious activity, emergencies and public safety related incidents to Public Safety. Reports made to Public Safety in a prompt manner allow for the proper use of timely warnings and ensure accurate statistical reporting. Crimes and emergencies should be reported to the appropriate police agency by calling 9-1-1, by calling La Salle Public Safety at 215-951-1300, texting Public Safety via the Rave Guardian app, or by reporting it to a designated campus security authority. By working together, the University community and the police can reduce crime on campus. When reporting an incident include as much information as possible:

- Location of emergency
- Nature of emergency
- Status of the emergency situation (i.e. in progress or completed)
- Any immediate threat to life
- Need for medical or other assistance
- Description of suspect(s), location or direction of travel of suspect(s), description of motor vehicle(s) involved, presence of weapons*
- Any danger to emergency responders
- Other information that would aid the emergency response

How to Provide a Person Description

When describing a person to emergency responders, whether that person may be missing or is suspected of a crime, make note of anything you can remember about their appearance (if you don't have a picture available). It is sometimes helpful to describe the person beginning at the top (head) and working down. If you cannot remember everything, pick out things that are most noticeable.

Height – approximation is okay

Gender

Hat, glasses, etc.

Shoes/boots – color and type

Weight and/or build - thin, heavy, athletic etc.

Skin tone (light, medium, dark)

Jacket/shirt – color and style

Carrying bag/backpack/purse

Hair/facial hair– color, length incl. bald

Age – approximation is okay

Pants/shorts/skirt – color and style

Weapon shown or known?

Vehicle Description – Color; make (*Ford, Nissan, etc.*); model (*Focus, Rogue*) or type (*4 door sedan, SUV*), license plate number and state

Emergency: Call 9-1-1


Public Safety Dispatch: Call 215-951-1300

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

In an emergency, call 9-1-1. Your call will initiate a response from local law enforcement as dictated by the nature of the incident. To best serve the University community, report all incidents and emergencies to Public Safety even if a call is placed to 9-1-1.

You may report suspicious or emergency conditions to any public safety officer, police officer, or security desk receptionist. Public safety officers are on duty at all times, patrolling on foot and in vehicles. The Public Safety Dispatch Center is located in the Carriage House adjacent to 20th Street behind the Alumni House. It is open 24 hours a day, seven days a week. Public Safety Headquarters is located in St. Mutien Hall, on South Campus, at 1825 Lindley Ave. Investigators and administrative staff are available during normal business hours. Residential students may inform Residence Life staff members. Any community member can submit a report on any incident on the La Salle portal by going to Tools > Incident Reports.

To report emergencies and criminal activity:

- In case of emergency, call 9-1-1
- To contact La Salle University's Public Safety Department:
 - Call 215-951-1300 or 215-991-2111
 - Use extension 1300 from any main campus line
 - Call or text using the Rave Guardian app.
 - The Rave Guardian app  is free and available from the app store or download through the La Salle app.
 - Call using "Blue Light" emergency phones or elevator phones on campus

Crimes can also be reported to:

- Any Residence Life and Operations staff member in person or by calling 215-951-1916.
- The Director of Student Conduct at 215-951-1458
- The Vice President of Student Development and Campus Life at 215-951-1017
- Online via the mylasalle portal (search "Incident Reporting" and choose General Campus Incident Report). **DO NOT send emergency or crisis information when an immediate response is needed. Messages sent via email or through the portal are not monitored 24 hours a day.**
 - Crimes can be reported anonymously via the portal

Confidential Reporting

Victims and witnesses are strongly encouraged to report all crimes directly to Public Safety. However, there are options for individuals to report incidents confidentially. Confidential reporting options will not disclose any details of the report. At La Salle University, these confidential reporting options are the Student Counseling Center; the Student Health Center; ordained priests in Ministry, Service, and Support; the Assistant Director, Sexual Violence Prevention & Response (confidential resource); and a designated Respondent Advocate (confidential resource). Reports can also be made via the mylasalle portal (search "Incident Reporting" and choose Standard Incident Report). Report violations of the sexual misconduct policy via the mylasalle portal (search "Incident Reporting" and choose "Report of Sexual Misconduct").

Sharing information with a confidential resource will not automatically result in a report to La Salle University, or investigatory or disciplinary action against a respondent. Statistical information about confidentially reported incidents may still be included in the University's annual Clery Act reporting but such statistical information will not include any identifying information about any reporting party.

Understanding Confidential Reporting

Employees acting in the roles described below are exempt from Campus Security Authority (CSA) reporting requirements. Please note that many members of the community hold multiple roles at La Salle. Any such person is only confidential when directly acting within the role that was meant to offer the protection of confidentiality. For example, a nurse practitioner providing care in the Student Health Center is a confidential resource; however, that same nurse practitioner acting as a member of the faculty or as a student advisor would not be a confidential resource while performing those non-protected duties. It is encouraged that any reporting party that desires to report to a confidential resource, make that intention clear prior to reporting an incident or crime.

Confidential Advocate: All advocates are members of the University community who have been approved by the University to serve in their role as an advocate. Advocates are defined by the *Sexual Misconduct and Interpersonal Violence Policy* and the *Title IX Policy* and participate on behalf of complainants and respondents in that process.

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.* At La Salle, ordained

priests are considered pastoral counselors.

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 the counselor's 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.

Physician or Nurse Practitioner: *La Salle University employs a physician and nurse practitioners in its Student Health Center and considers them exempt from the CSA role.* Any such, or similarly licensed medical professional, providing health care services provide that care, and related services, confidentially. All services provided by the Student Health Center are confidential. No information will be released without the written or verbal consent of the student, unless that student is considered a threat to others.

Anonymous Reporting

Members of the La Salle community may submit an anonymous report through the mylasalle portal at (<https://my.lasalle.edu/>). While Public Safety will follow up on all information provided through the portal, providing anonymous information may limit the ability to conduct a comprehensive investigation.

Campus Security Authorities (CSA)

A *Campus Security Authority (CSA)* is an individual who has significant responsibility for campus security or student and campus activities and is not considered a confidential party.

CSAs that receive information about a *Clery* crime (listed on [page 88](#) of this report) are obligated to share that information with Public Safety (publicsafety@lasalle.edu). Crimes that may present a serious or continuing threat to the campus community must be reported immediately to Public Safety Dispatch (215-951-1300) in order to send out a timely warning or emergency notification if warranted. CSA reports are included in the Annual Security Report crime statistics and the daily crime log once they are reported. Reports also provide information so the University can provide information and support for victims and other involved parties.

CSAs are not required to investigate crimes and it is not necessary for the crime to have been investigated by the police to be reported. It does not matter whether or not the individuals involved in the crime or reporting the crime are associated with La Salle. If a CSA receives a good faith report of a crime, they should document it and forward the report to Public Safety.

Reports from CSAs should include the following information:

- Date and time the incident was reported to the CSA
- Date and time (or time span) the incident occurred
- Brief description of what happened

The designation as a CSA is determined by position and responsibilities. The following positions are considered CSAs at La Salle: all Public Safety personnel; professional and student Residence Life and Operations staff; all Campus Life staff; all athletic coaches, trainers, and professional staff; advisors to student clubs and organizations; and students working as security desk receptionists.

La Salle University's confidential resources are not campus security authorities. Confidential resources must report incidents which present a serious or ongoing threat to the community immediately.

Campus Public Safety Personnel

Public Safety provides reasonable security for all members of the University community under the direction of the assistant vice president of public safety who reports to the vice president of student developments and campus life. The Department consists of the director of compliance and investigations, director of patrol operations and training, an investigator, a public safety technology applications administrator, three lieutenants, six sergeants, 35 public safety officers, and 20 security desk receptionists (SDRs). SDRs are officers stationed in traditional-style residence halls and other areas. During certain hours, SDR services are provided by students employed and supervised by Housing.

Public Safety personnel are required to have PA Act 235 or PA Act 120 certification, CPR/AED certification and annual Clery Act and Title IX compliance training. Officers participate in annual in-service training on a wide range of topics. Examples of recent training include suicide awareness, managing individuals in mental/emotional distress, report writing, patrol procedures, working with millennial students, diversity and multicultural affairs, and interpersonal communications. The University conducts state and/or federal criminal background checks on all new public safety employees and any University employee required as outlined in the University's Protecting Minors on Campus Policy.

Campus Law Enforcement Authority and Jurisdiction

La Salle University's Public Safety Department has jurisdiction encompassing all on campus property—residence halls, academic and administrative buildings and facilities; designated non-campus properties and facilities; public property adjacent to and accessible from on campus property; and leased, rented, or otherwise recognized and/or controlled buildings, spaces, or facilities. Additionally, public safety interests extend to nearby, off-campus areas in order to support La Salle University's Off-Campus Community Standards. The general expectations of the Off-Campus Community Standards are:

As a member of the local community, La Salle University is committed to assisting neighborhood residents with the prevention of disruptive incidents that may arise from student behavior. Most students who live temporarily in the local community make positive contributions, but all must understand the behavior expected of them as residents of these communities. As members of both the University and their neighborhood community, students who live within walking distance of campus should demonstrate respect and concern for all members of both communities. The University imposes an obligation upon all students to behave as responsible citizens when in local neighborhoods and uphold the rights and responsibilities as stated in the student code of conduct. Furthermore, the University shall refer any student involved in disruptive, offensive, or criminal behavior off campus to the Office of Student Conduct for action. Such behavior includes but is not limited to: excessive and/or unreasonable noise; rude and abusive language; large disruptive activities; illegal use, sale, and/or distribution of alcohol or other drugs; and related violations of local community standards. Mediation efforts to resolve disputes with neighbors and/or landlords will precede formal University action; however, students should realize that an investigation and disciplinary charges will be initiated when circumstances dictate.

La Salle's public safety officers are non-sworn personnel and cannot make arrests; however, they do uphold the laws of the Commonwealth of Pennsylvania and the policies and expectations of the University. Public safety officers have training in basic security principles and practices and are responsible for a myriad of security services including providing escorts, documenting incidents, and serving as a proactive presence on campus. La Salle's Public Safety Department complies with all federal, state, and local laws. When appropriate, Public Safety will forward crime-related reports to the appropriate law enforcement agency. Crime statistics are available online in the [Annual Security Report](https://www.lasalle.edu/public-safety/introduction/annual-security-and-fire-safety-report/) (Clery Report) (url: <https://www.lasalle.edu/public-safety/introduction/annual-security-and-fire-safety-report/>) or by emailing Public Safety at publicsafety@lasalle.edu. Print copies of the Annual Security Report are available in the Student Development and Campus Life Office, Human Resources Office, and Public Safety Headquarters.

Criminal Activity On and Off Campus

Emergency: Call 9-1-1

Public Safety Dispatch: Call 215-951-1300

While the Philadelphia Police have primary jurisdiction for off-campus incidents, public safety officers will respond to calls to provide immediate assistance as needed including contacting the appropriate service agency. All crime victims are encouraged to file a report with both the Philadelphia Police Department and La Salle Public Safety. La Salle University has entered into an agreement with the Philadelphia Police Department to provide two (2) police officers to work areas adjacent to and on campus during the evening/night hours when classes are in session during the fall and spring semesters.

The 14th and 35th Police Districts, where La Salle is located, regularly inform Public Safety of criminal activity at off-campus locations and in the surrounding neighborhood. La Salle holds off-campus students accountable for criminal violations and for violations of the Student Code of Conduct.

35th District non-emergency number: 215-686-3350

14th District non-emergency number: 215-686-3140

Off-Campus Student Organizations

La Salle University has no officially recognized student organizations with non-campus locations.

Security Awareness and Crime Prevention Programs / Other Public Safety Services

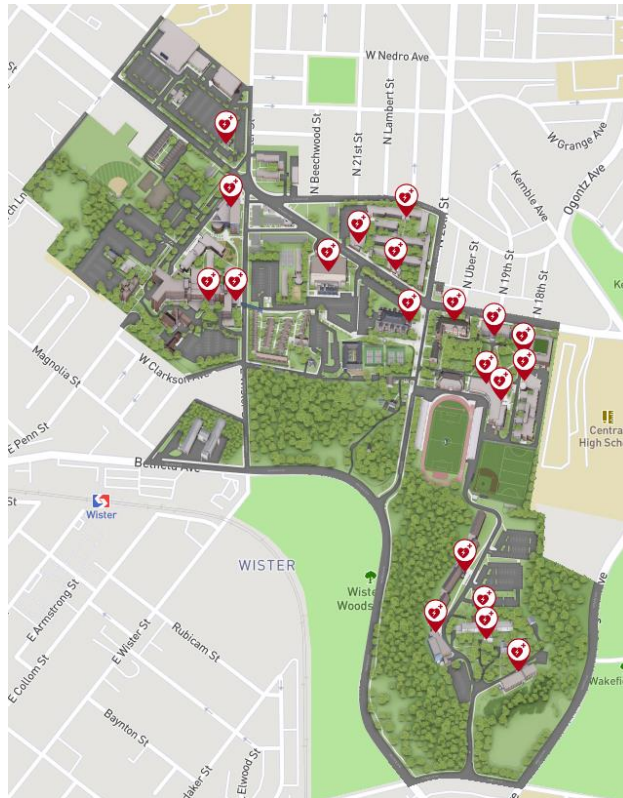
Public Safety is available year-round and operates a 24-hour dispatch center. Public safety officers respond to all on-campus emergencies and calls for service. Public Safety utilizes marked patrol cars and walking patrols to provide additional security coverage in University parking lots and the surrounding areas. These patrols also provide safety escorts when needed.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Public Safety operates a closed-circuit television system with approximately 400 CCTV camera views in strategic areas on campus. Camera locations are reviewed periodically to ensure optimum coverage and new cameras are added when needs are identified. Due to the large number of cameras, staff cannot monitor all activity as it occurs. CCTV footage is the property of La Salle University Public Safety and released only for law enforcement or other official purposes by written request. Images are stored for approximately 30 days. Public Safety dispatch monitors fire alarm activations on campus via a central computer terminal.

Automatic External Defibrillators

There are 22 Automated External Defibrillator (A.E.D) units on campus at the locations below in addition to portable units carried by Public Safety.



Annual Lighting and Grounds Tour

At least once during the academic year (generally fall semester), the assistant vice president of public safety invites students on a nighttime tour of campus to review lighting and grounds conditions that impact community safety. A representative from Facilities accompanies the group to note suggested improvements and initiate immediate repairs if needed.

Behavior Identification and Management/Active Shooter

This program provides information on how to identify troubling behavior and manage and report; and, is presented periodically throughout the year. This program may be presented online if necessitated by health guidelines or if individuals cannot be present in person.

Blue and Gold Days-Online and In-Person

A brief overview for families of admitted students about Public Safety, crime prevention, and awareness in the City of Philadelphia.

Campus Shuttle

Public Safety operates a shuttle service between key campus locations, and to the Broad and Olney SEPTA terminal. Students may request safety escorts 24 hours a day. Public Safety utilizes an app called TransLoc that students are encouraged to download. This app allows students to track the shuttle in real time due to GPS trackers installed on the shuttles.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Clery CSA Training

Public Safety provides training to mandated CSAs (campus safety authorities as defined in the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act). Class materials are presented in-person for groups and provided online for individual self-study. CSAs are required to attend this training once each year.

Defensive Driving-Online

An online driver-safety familiarization course is required for any La Salle University community members who will be operating a motor vehicle for University business. Enrollment is available by emailing publicsafety@lasalle.edu.

New Student Orientation: Exploriation

A presentation for new students by Public Safety during Exploriation provides information on crime awareness and prevention at La Salle. The session also provides information on what to do in an emergency and who to call. Attendance at the Public Safety session during Exploriation is mandatory. This program may be presented online if necessitated by health guidelines or if students cannot be present in person.

Parking Enforcement

Public Safety also enforces the University's [parking policies](#). Permits and policies are the responsibility of the Parking Office in Student Accounts Receivable in the Lawrence Center. To learn more about these policies and to obtain a parking permit, visit www.lasalle.edu/studentaccounts/rules-and-regulations/ or contact 215-951-1579 or parking@lasalle.edu.

QPR–Question, Persuade, Refer–Suicide Gatekeeper Training

Suicide gatekeeper training is a one- or two-hour program on identifying behaviors and signs that may indicate someone is considering suicide. The program includes steps to take who to contact, and what resources are available. Trained members of the Public Safety staff provide training as part of a campus-wide suicide grant program. This program is offered several times year-round and is coordinated through University Ministry, Service, and Support.

Parent Family Orientation (Ready, Set, Explore)

During Ready, Set, Explore, a discussion session is held for families of new students. The program provides information on student transition to college including Public Safety services, crime awareness, and prevention strategies. This program may be presented online if necessitated by health guidelines or if individuals cannot be present in person.

Public Safety Advisory Group (PSAG)

The Public Safety Advisory Group meets monthly during the academic year. Membership is open to all students, faculty, and staff and includes representatives from Facilities, Residential Life, Student Government, and the Faculty Senate.

RA and Commuter Coaches Training

The program provides crime prevention and awareness resource information for student staff to assist them working with students on and off campus. This program may be presented online if necessitated by health guidelines or if students cannot be present in person.

Rave Guardian/Blue Light Phones

Most members of the La Salle community who carry smart phones/devices and can download the Rave Guardian app to text or call Public Safety and use it as a virtual portable emergency phone. Emergency phones, shuttle, and AED locations on the Main Campus are viewable on an interactive [campus map](https://map.concept3d.com/?id=1223#!ct/0) (<https://map.concept3d.com/?id=1223#!ct/0>). Click on “Resources” on the menu bar and select Emergency Phone, Campus Shuttle and/or AED or any of the other campus services listed.

Security Alerts and Advisories

In the event that a situation arises involving an incident identified as a Clery Act crime on campus, in non-campus buildings or property, or on public property immediately adjacent to and accessible from the campus that may constitute an immediate or continuing threat to students, faculty, staff, or visitors, a security alert will be issued via text message from the Rave alert emergency notification system. Incidents that are reported after a threat has passed will be posted on the La Salle portal as an advisory. Reported incidents that are not Clery Act crimes, but information about them is in the interest of public safety, may be posted on the La Salle portal as advisories. It should be noted that Philadelphia Police do not immediately notify Public Safety of emergent incidents so there may be delays in reporting.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Self-Defense for Women (R.A.D. Rape Aggression Defense)

Public Safety runs a nine-hour, in-person class for women to learn risk awareness, risk reduction, risk recognition, and risk avoidance, as well as basic self-defense skills. The class is free and open to female students, faculty, and staff. The program is offered at least once each semester.

Spilling the Tea with Public Safety

Periodic one-hour (or more) question and answer sessions for students to meet with members of the Public Safety team and ask questions.

Street Safety

A 60- to 90-minute program providing information on risk awareness, reduction, and avoidance.

Other Programs-In-person or Online

Public Safety can tailor a program specific to an office, residence hall, or other organization on any campus public safety topic including, but not limited to: dating safety; sexual assault awareness; theft prevention; threat assessment and behavior identification; residential burglary awareness and reduction strategies; and crime prevention through environmental design.

Daily Crime Log and Fire Log

La Salle University's Public Safety Department maintains a daily crime log on La Salle's Main Campus via electronic record. The purpose of the daily crime log is to record criminal incidents and alleged criminal incidents that are reported to Public Safety. In addition to recording 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 zone of the Public Safety Department are also entered into the crime log.

The log is designed to disclose crime information on a timelier basis than the annual statistical disclosures. A crime is entered into the log within two (2) business days of when it was reported to Public Safety. This includes crimes that are reported directly to the Public Safety Department, as well as crimes that are initially reported to other campus security authorities or to local law enforcement, which subsequently reports them to the Public Safety Department.

The crime log contains all reported Clery crimes from the previous 60 days and is available upon request during normal business hours. Logs older than 60 days are available within two business days of a request for public inspection. The crime log contains all Clery crimes reported to Public Safety. The listing will include the nature of the crime, case number, date and time reported, date and time occurred, general location, and basic disposition of the crime. Daily crime logs will temporarily withhold information only if there is clear and convincing evidence that the release 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.

Public Safety sends a weekly copy of the Clery Crime Log to *The Collegian*, La Salle University's student newspaper via email.

Additionally, Public Safety maintains a fire log on the Main Campus that records, by the date reported, any fire that occurs in an on-campus student housing facility. The fire log follows the same 60-day period used by the crime log and are also updated within two (2) business days after an incident is reported. The fire log contains the date the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire.

A physical copy of the crime log and fire log are kept in St. Mutien Hall, Public Safety Headquarters located at 1825 Lindley Ave. Philadelphia, PA. Please contact Public Safety at publicsafety@lasalle.edu to request a copy of the Daily Crime and Fire Logs.

Security and Access to Facilities

Public Safety Dispatch: Call 215-951-1300

The La Salle University Main Campus is private property; however, many of the University's facilities and programs are open to visitors. All students and employees are required to present a La Salle University photo ID card to University officials upon request. If not attending a scheduled meeting or event, guests and visitors must stay with their host. Contracted vendors must register at Facilities or with the sponsoring office.

Many academic and administrative buildings have electronic access control. Some buildings are secured around the clock and accessible via a valid University ID. All buildings are locked during non-business hours. Requests for after-hours access must be submitted to Public Safety by the person responsible for the area or building and approved in advance. Direct requests using [e-forms](https://lasallecentral.etrive.cloud/#/form/89) (<https://lasallecentral.etrive.cloud/#/form/89>) or via email at publicsafety@lasalle.edu. Gated entrances to the campus at 20th St. and Lindley Ave. are staffed by Public Safety personnel and under view by

CCTV. The pedestrian gate to the Hansen Quad from Olney Ave. is secured each evening and accessible via valid University ID.

The main entrances to residence facilities are secured 24 hours a day. Traditional-style residence halls have a security desk receptionist and card access control system for entry. Students are only permitted ID card access to their own residence hall. Guests and visitors to residence halls must be pre-registered through the University's housing management system mobile app. When arriving on campus, guests must present a government issued photo ID and be signed in by a resident in compliance with Residence Life policy. Individual rooms are accessed by card or combination code. The St. Miguel Townhouse complex utilizes card access for entry into the complex and into each townhouse. The exterior and lobby areas of residence halls, and the townhouse complex and the entrances to the apartment complexes have CCTV cameras, and are recorded 24 hours a day

Students authorized to live on campus during holidays and when classes are not in session must register with Residence Life. Information on security procedures is provided to students who may be in temporary residence assignments.

Residence Facilities

The La Salle residence community can house 1150 undergraduate students in accommodations ranging from single and double dormitory-style rooms to fully furnished four, and five-person townhouses in 4 residence facilities. Services and programs intended to enhance the quality of life and to assure the security and safety of the resident student body are major priorities for Residence Life and Operations.

Visitation and Guest Expectations

A. Purpose/Policy Statement

1. The La Salle University Visitation and Guest Expectations were created to establish guidelines for resident students, and their responsibilities when hosting visitors/guests in the residence hall. Our residential facilities are a place for study, recreation, social interaction, engagement, reflection and rest. We encourage students to create and maintain an environment that is positive, respectful, and safe so these activities can take place without negatively affecting the rights of others.
2. **Visitors/guests are subject to all University policies/expectations while at La Salle University.** Student hosts are responsible for the behavior of their guests. Incidents involving students and/or their visitors/guests may be subject to student conduct violations, and hosts may be billed for damage as a result of a guest's behavior. Residential Life and/or Public Safety staff may remove a visitor/guest immediately if their behavior disrupts the community, violates policies, involves harassment, destruction of property or acts of violence, or otherwise compromises the safety of students or the community. The University reserves the right to temporarily or permanently suspend visitation privileges for cause.
3. **Students may visit residence hall rooms or townhouses only with the permission of all those who reside in the rooms, or townhouses they visit.** Such permission must be freely and expressly given and may be expressly withdrawn at any time. Students are expected to clearly communicate their permission or withdrawal of permission and to call upon Residence Life staff members for assistance in addressing and resolving persistent disputes or concerns.

B. Definitions

1. A "guest" is an individual who is not a La Salle University resident student who is visiting a La Salle resident student in their on-campus residence.
2. La Salle University commuter students and students on a leave from the University are considered "guests" in residence facilities.
3. A "visitor" is an enrolled La Salle University resident student visiting another La Salle University student in an on-campus residence other than their own.
4. The terms "on-campus residence", "residence hall", and "residence facility" refer to housing facilities owned and administered by La Salle University including residence halls, apartment complexes and the townhouse complex.
5. "La Salle University resident student(s)" and "La Salle University student(s)" are those students enrolled in and attending classes for the current semester.
6. "In good standing" refers to La Salle students who are under no disciplinary sanctions, interim measures, no contact orders, or protection from abuse orders (restraining order) that would prohibit them from a particular residence facility.
7. "University official(s)" means any faculty or staff member or contracted security employee, employed by the University to respond, supervise, manage, or monitor activity in and around University facilities.

C. Procedure/Substance

1. Students must carry valid La Salle University identification cards at all times and must present ID cards to University officials upon request.
2. Guests must carry a valid government issued ID and guest passes at all times and must present them to University officials upon request.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

3. Guests without valid guest passes may be asked to leave the residence facilities.
4. Students/former students who are suspended or dismissed from the University are barred from entering any on-campus residence facility without the expressed permission of the Director of Residential Life or designee
5. La Salle University resident students in good standing, living in the following residence halls must sign in all visitors/guests:
 - a. St Katharine Hall
 - b. St. Basil Court
 - c. St. Miguel Court
 - d. St. Neumann Hall
6. La Salle University resident students are permitted to have:
 - a. St Katharine: Including the resident(s) of the residence hall room, up to six (6) visitors can be present at a time.
 - b. Basils: Including the resident(s) of the residence hall room, up to six (6) visitors can be present at a time.
 - c. St Neuman: Including the resident(s) of the residence hall room, up to six (6) visitors can be present at a time.
7. St. Miguel Townhouses: Including the resident(s) of the residence hall room, up to twelve (12) visitors can be present at a time.
8. La Salle University resident students in good standing may visit other La Salle University student residences.
 1. Student visitors must be signed in by a current resident of that facility by presenting their student ID card at the Security Desk Reception booth for sign in.
9. Guests must be 18-years-old and signed in by a current resident of that facility by presenting a government-issued photo ID card (driver's license, non-driver ID, passport) at the Security Desk Reception booth for sign in.
 - a. Guests will be issued a guest pass which must be in their possession at all times.
 - b. Guests can be signed in for a maximum of 3 consecutive 24-hour periods (maximum of 2 consecutive nights or total of 72 hours).
 - c. Guests are limited to a maximum of 4 nights in any and all residence halls during any month. For example, a guest cannot be signed in under different hosts to extend beyond the 4-night maximum. Requests for exceptions to this Expectation must be directed to the Residence Coordinator and permission given in writing.
 - d. La Salle University resident students must accompany guests at all times in the residence halls.
 - e. Minors are permitted in on campus residence facilities with appropriate adult supervision according to the following expectations:
 - f. The parent or legal guardian of a prospective guest who is under 18;
 - i. Must submit [a consent form](#) for the minor to be present in La Salle University residential facilities during the specified time at least 3 days in advance of the planned visit.
 - ii. Once the request has been reviewed, the parent or guardian will be notified in writing via email by Residence Life of the status of the request.

Residence Life and Operations Information and Expectations

Residence Life provides services and programs intended to enhance the quality of life and to assure the safety and security of the resident student body. Each traditional style residence facility and St. Miguel Townhouses include a 24-hour security desk receptionist (SDR), and a photo identification card access system.

All residence areas are served by live-in professional and graduate Residence Life staff, and undergraduate resident assistants and community assistants. Staff members are available from 6:00 p.m. every evening until 8:00 a.m. the next morning, and 24-hours on weekends and holidays. Staff make regular rounds in each area. The following policies relating to the use of facilities and individual responsibilities are intended to provide a safe living environment.

The great majority of students regularly comply with policies and don't engage in behavior that may harm or threaten others or destroy property. However, if these activities occur, University personnel have a responsibility to react accordingly to protect students and property.

○ Enactment of Additional Policies

Residence Life and Operations staff reserve the right to enact procedures or restrictions deemed necessary to respond. Such circumstances may include:

- Events in which alcohol and/or large numbers of people compromise the health and safety of students or result in destruction of University property.
- Events during which threats to the health and safety of others have occurred, and/or it seems likely that they may occur without intervention by staff.

○ Building Safety

- Fire doors and any locked access ways must remain closed and secured for all but emergency use.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- Unauthorized persons are not permitted on roofs and other limited access areas, including boiler, utility, server, and electrical rooms.
 - Windows and screens are intended to secure student rooms and to keep out insects. Removal of, or damage to, window screens will result in a damage charge. Any person found throwing objects out of a window or hanging anything out of a window will be subject to disciplinary action. In addition, persons found to be throwing objects at windows may be subject to disciplinary action as well.
 - All persons must enter and exit residential facilities through designated access points. Persons may not climb over walls, gates, fences, or through windows.
 - Smoking is prohibited on all University property with the exception of [Designated Smoking Areas](#). Students found responsible for smoking any substance within a University residential facility are subject to a minimum \$100 fine or educational alternative (evidence may include cigarette butts, used pipes/bongs, towels laid under or against the door, etc.). Students found responsible for smoking any substance within a University residential facility are subject to a minimum \$100 fine, educational alternative, or university conduct charges.
- Safe Living and Individual Responsibility
- All persons must carry a La Salle ID or valid guest pass when inside a residential complex. All students and employees are issued photo ID cards and are required to present them upon request to University officials.
 - Students without their La Salle University ID must be signed in by a resident and/or replace their ID at the Gold Card Office during business hours. Those without an ID may be denied access to residential facilities.
 - Lost or stolen ID cards must be reported immediately to Public Safety to prevent unauthorized use. Use of a La Salle University identification card by anyone other than the person to whom the card is issued is prohibited. *Any student found responsible for giving or loaning their ID to another person for access to rooms/facilities or dining services will be subject to a minimum fine of \$100.*
 - Trespassers are escorted off campus and may be subject to arrest by Philadelphia Police.
 - Resident students may host the guest(s) of their choice, providing that the resident student has not had her/his guest privileges revoked as a result of disciplinary action, the guest has not lost visitation privileges as a result of disciplinary action, and both guest and host are willing and able to abide by all University standards.
 - All guests must be escorted by their host at all times while inside a residential complex. It is the host's responsibility to ensure that this occurs. A host will be held fully accountable for the actions of his/her guest(s). Guests are not permitted during vacation periods.
 - All resident students and staff must use their University ID card to activate the turnstile or security door each time they enter the St. Miguel Court Complex, St. John Neumann Hall, St. Basil Court, and the North Halls Complex.
 - Assistance with malfunctioning cards or equipment is available from the security desk receptionists, or Public Safety. A malfunctioning card will not admit an individual to a residential complex and will require an individual to ensure that his/her card is functional or replaced at the Gold Card Office.
 - In order to best ensure the safest educational environment within the residential community, the University strongly encourages community members to follow the recommendations noted below.
 - Lock room door and always carry key/card.
 - Do not loan keys or cards or share door combinations. Report lost or misplaced IDs and keys immediately. A fee will be charged to replace an ID or to change a lock or door combination.
 - Report strangers or suspicious behavior of unfamiliar persons in the building. Contact a Residence Life staff member immediately or call Public Safety at 215-951-1300.
 - Report incidents of vandalism, theft or property destruction to the Residence Life staff immediately.
 - Park in designated University parking areas. Avoid street parking.
 - All students and employees are encouraged to promptly report all crimes to Public Safety and/or the Philadelphia Police.

Security Considerations

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Doors and windows that lock securely, properly operating alarm systems, well-lit campus walkways and parking areas are important elements of a safe campus environment. Proper maintenance of campus facilities and prompt response to emergencies are integral parts of La Salle's Public Safety and Facilities Management program.

Access control systems that require students, faculty, and staff to swipe or tap identification cards to gain access into university facilities are in place at various locations. Guests and visitors are required to register. It is important to remember that these state-of-the-art technologies are there for safety and require each community member to support safety practices by not circumventing existing systems or allowing others to do so.

In 2021, La Salle University began a multi-year campus access control replacement project to ensure systems remain state-of-the-art and as secure as possible. Improvements include moving to HID format identification cards and locks, and beginning integration of CCTV camera views into the new access control system.

Security Assessments

Public Safety personnel provide security assessments for offices. Assessments review policies and practices around security and identify specific needs. Recommendations are meant to balance security with convenience. Requests can be made via email to publicsafety@lasall.edu.

Safety Planning

Public Safety also works with faculty, staff and students to create safety plans when needs arise. Safety plans are individualized, needs based, and provide information and resources based on the person's circumstances. Requests can be made via email to publicsafety@lasall.edu.

Security Maintenance

Public Safety Dispatch: Call 215-951-1300

Problems with safety-related issues such as doors, locks, windows, lights, and landscaping on campus should be reported promptly for repair. Non-urgent matters can be reported on the mylasalle portal at <https://facilities.lasalle.edu/> or by entering "work order" or "facilities" in the portal search bar. Urgent safety or health related issues in residence areas should be reported to on duty residence life or public safety staff as soon as possible. Facilities staff are on call 24 hours a day, seven days a week to respond to emergencies as needed. Emergency requests should be directed to Public Safety.

Public Safety works closely with La Salle's Facilities Management and Information Technology Departments to ensure that the campus is as safe as possible. This cooperative effort includes safety-related issues and concerns such as lighting, landscaping, and access to facilities. Facilities staff will respond to maintenance emergencies in order to address safety concerns.

Emergency and Elevator Phone Checks

Public safety officers check emergency phones periodically to ensure proper operation. Public Safety notifies Facilities and/or Information Technology to address deficiencies or malfunctioning equipment.

Annual Lighting and Safety Walk-Around

Each year, Public Safety, students, and a representative from Facilities walk the La Salle main campus to assess current safety conditions and make recommendations for improvements. This practice has resulted in a number of improvements in lighting and landscaping suggested by students.

Timely Warning and Emergency Notification Procedure

This procedure outlines the process by which La Salle University communicates timely information to members of the campus community in the event of crisis, serious crime, emergency, or other situation that may affect the safety of the community. This process begins when a crime or emergency is reported to, and confirmed by, Public Safety. La Salle will without delay and considering the safety of the community, determine the content of the notification and initiate notification, unless issuing a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

La Salle will, in a manner that is timely and withholds as confidential the names and other identifying information of victims, as defined in section 4002(a) (20) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a) (20)), and that will aid in the prevention of similar crimes, report to the campus community [Clery Act] crimes that are:

- Reported to campus security authorities; and
- Considered to represent a threat to students and employees.

Timely Warnings:

In the event that a situation arises involving an incident identified as a Clery Act crime on campus, in non-campus buildings or property, or on public

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

property immediately adjacent to and accessible from the campus that, in the judgment of the assistant vice president of public safety, or their designee, constitutes an immediate or continuing threat to students, faculty, staff, or visitors, a campus wide “Timely Warning” will be issued. The warning will be issued through the University Rave Alert emergency notification system in the form of text messages, emails, portal notification, and/or app alert. It should be noted that Philadelphia Police do not immediately notify Public Safety of emergent incidents so there may be delays in reporting.

A timely warning notice will typically include the following, unless issuing any of this information would risk compromising law enforcement efforts: date and time reported, date and time or time frame of the incident; a brief description of the incident; location; information that will promote safety and potentially aid in the prevention of similar crimes, police/Public Safety agency contact information; and other information as deemed appropriate. Suspect description(s) will only be provided when deemed appropriate and if there is sufficient detail.

Depending on the particular circumstances of the crime, methods of dissemination may also include, but are not limited to, electronic distribution through e-mail, posting on the my.lasalle.edu homepage under “Announcements,” posting of hard copies in public areas. Status updates regarding the resolution of a crime and issued timely warnings will be disseminated in a similar fashion and updated as soon as possible, when available. The intent of a timely warning is to provide information to enable members of the University community to protect themselves. La Salle is not required to provide a timely warning with respect to crimes reported to confidential resources.

Emergency Notifications:

In the event of an immediate threat to health or safety of students or employees on campus, LaSalle will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation. The Department of Public Safety is responsible for confirming a significant emergency or dangerous situation exists. Confirmation will be obtained through consultation with victims, witnesses, campus resources, Philadelphia Police, Pennsylvania State Police, or other city, state, and federal agencies. The process the University would use to consider a segment of campus to be notified would include the type of emergency, section of campus affected, and consultation with emergency responders.

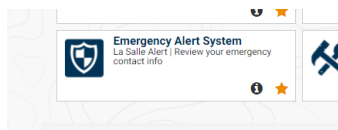
Content of the notification will be developed by the Department of Public Safety. The Department of Public Safety will initiate a text message, email, or other communication means with the assistance of the Critical Incident Management Team (CIMT) members, time permitting. In the event of an immediate threat to the health and safety of students and employees occurring on campus follow up information will be provided through the use of Rave Alert emergency notification system, email, text message, or posting on the mylasalle web portal. This action will take place without delay and consider the safety of the community.


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

Rave Alert Emergency Notification System:

The University issues timely warnings and emergency notifications through its Rave Alert emergency notification system. Rave Alert enables University emergency response team members to communicate with students, staff, and faculty in minutes by sending a message via app, email and/or text messaging. Rave Alert is used for emergencies, crises, and reports of serious crime where a situation exists which potentially constitutes an ongoing or immediate danger.

The success of this service relies on community members to provide accurate contact information. All students, faculty, and staff are automatically enrolled in Rave and should ensure contact information is current. Find the Emergency Alert System tile on the mylasalle portal and click on “My Account” to verify or update your contact information.



The **Rave Guardian App**  is a free online two-way texting safety tool that allows La Salle University students to:

- Make emergency calls to La Salle Public Safety or to 9-1-1.
- Text tips and photos/videos to Public Safety in case of emergency.
- Create a network of “virtual guardians” from your phone’s contact list.
 - Set a safety timer so your virtual guardians know when you arrive safely at your destination.

The Rave Guardian App can be downloaded directly from the App Store or can be accessed from the La Salle University App. To update your Rave profile:

1. Click on Rave Guardian
2. Enter your cell number, click “Continue”
3. Enter the confirmation code.
4. Click the box to create your Rave Guardian account, click “Continue”
5. You will see your name, phone number and La Salle email address.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- **If the information is correct**, click “Yes”.
- Check out the Rave Guardian tools on your phone and add friends and family to be your guardians in the Safety Timer.
- **If the information is not correct**, click “No, this is not me” and update your information.

For more information go to Rave Guardian (or enter <http://www.raveguardian.com>) or contact La Salle University Public Safety at 215-951-1300.

Public Safety Advisories:

If Public Safety learns of a serious crime, either on or off campus, and there is no indication of a serious or continuing threat to the University community, Public Safety may issue a Public Safety Advisory for the purpose of providing general awareness and or seeking additional information from the public or to heighten awareness.

Emergency Response

Emergency: Call 9-1-1

Public Safety Dispatch: Call 215-951-1300

LaSalle University’s Emergency Guide and Emergency Operations Plans include information about the Critical Incident Management Team (CIMT) and University operation status parameters; incident priorities and performance expectations; evacuation guidelines; and contingency planning. University departments are responsible for developing contingency plans and continuity of operations plans for their staff and areas of responsibility. The University’s emergency information can be seen on the public safety web page <https://www.lasalle.edu/public-safety/>. The Emergency Resource Guide is available at: <https://wa3.lasalle.edu/channels/docs/get.php?id=2123&>.

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

On Dec. 15, 2023, LaSalle University conducted an announced tabletop exercise of an inclement weather event, impacting an NCAA Basketball game, as well as a power outage affecting residential life students. The critical incident management team (CIMT) and campus stakeholders from multiple campus departments participated in the exercise. Capabilities, policies, procedures and/or guidelines evaluated included snow emergency response, emergency relocation and continuity of operations, and public information officer functions.

Protecting Minors on Campus Policy

A. Purpose/Policy Statement

Purpose

La Salle University is dedicated in the traditions of the Christian Brothers to excellence in teaching and to concern for both ultimate values and individual values. In this spirit, the University puts forth this policy to ensure that the University, through its students, faculty, staff, and visitors, conducts its operations and maintains its facilities consistently with its concern for such values.

While there may be occasions for Minors to briefly visit faculty, students, and staff on campus, it is the University’s general policy that unescorted or unsupervised Minors are not permitted on University premises except under the circumstances set forth in this Policy. In addition to the requirements of this Policy, the visits of Minors on campus are subject to the same conditions as any other visitors to the University.

Scope

This statement sets forth the University’s Policy regarding Minors who participate in activities and programs taking place on University property, in University facilities, or under the authority and direction of the University at other locations.

This Policy applies to all Schools and Departments within the University. This includes athletic camps, academic programs, and all activities and programs intended for Minors, whether they are limited to daily activities or also involve the housing of Minors in residence halls.

This Policy does not apply to the following circumstances in which Minors participate or are enrolled: (1) the University’s undergraduate and graduate academic programs; (2) research programs subject to the review and approval of an Institutional Review Board (IRB) sponsored by the University or authorized by the University to provide oversight concerning such research programs; (3) events on campus which are open to the general public and which Minors attend escorted by and/or under the supervision of their parent(s) or legal guardian(s) (e.g., athletic events, open houses, Blue and Gold Days; (4) recruiting visits by prospective student-athletes governed by the University Regulations, Policies & Procedures Related to Official Visits; (5) campus visits by prospective students during which the

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

prospective students are not overnight guests at the University; and (6) such other similar, ongoing programs as may be designated from time to time by the appropriate Vice President or the Provost in advance and in writing as exempted by the Policy. Minors who are present on campus under any of these circumstances still shall be covered by the University's Reporting Obligations, set forth herein.

Policy Statement

In order to promote the safety and general welfare of all Minors who participate in programs at or sponsored by the University, whether on or off campus, it is the policy of the University that all such Minors be reasonably and appropriately supervised by an Authorized Adult who complies with the following Code of Conduct and other requirements of this Policy as set forth below.

B. Definitions

The following definitions are for the purpose of this policy:

Authorized Adult: Any adult who has complied with the requirements to be present with Minors under this Policy and who is responsible for either escorting or supervising the Minor(s) while on campus or while participating in any Programs. An Authorized Adult may also be a Minor's parent, legal guardian, University employee, student, or volunteer.

Child Abuse: The non-accidental actions or omissions that cause serious physical or mental injuries to a Minor, sexual abuse/sexual exploitation of a Minor, an imminent risk of serious physical injury to or sexual abuse or sexual exploitation of a Minor, or serious physical neglect constituting prolonged or repeated lack of supervision or the failure to provide the essentials of life, including adequate medical care, which endangers a child's life or development or impairs the child's functioning. This definition is intended to be consistent with, and informed and guided by, the Pennsylvania Child Protective Services Law, 23 Pa. C.S. § 6301 *et seq.*

Minor: Any person under the age of 18 who is not enrolled or accepted for enrollment as an undergraduate or graduate student at the University.

Program: Any activity or program taking place on University property or in University facilities or under the authority, direction, or support of the University that involves the participation or presence of Minors that is covered under this Policy.

Program Director: The person ultimately responsible for any Program that is covered by this Policy. Program Directors who are not University employees shall work with the University Coordinator of Conferences and Events to ensure compliance with this Policy.

University Coordinator of Conferences and Events: The University employee responsible for coordinating with Program Directors who are not University employees to ensure compliance with this Policy. The University Coordinator may be reached at (215) 951-3660. (The University Coordinator of Conferences and Events shall be referred to herein as the "University Coordinator.")

C. Policy Procedures/Guidelines

The following general rules shall apply regarding access of Minors to University premises under appropriate supervision:

- Minors are permitted in the general use facilities (athletic fields, public spaces, academic buildings, food service areas, etc.) with an Authorized Adult, but may be restricted from certain areas of the facilities or from utilizing certain equipment.
- Even when accompanied by an Authorized Adult, pre-high school age Minors not participating in a Program on University premises or a University-sponsored off-campus activity are prohibited from laboratories and other areas where significant potential safety hazards and liabilities may exist, and where strict safety precautions are required.
- Minors are not allowed in classrooms while classes are in session unless permission is granted by the faculty member in advance of the start of class. Should a Minor become disruptive, the Authorized Adult and Minor may be asked to leave.

The University expects all members of the University community, including those on University property and/or who use University facilities, to adhere to and act in accordance with this Policy. Failure to comply with this Policy may lead to disciplinary action for employees and/or revocation of the opportunity to use University facilities and land.

Code of Conduct

Authorized Adults are expected to be positive role models for Minors, and act in a caring, honest, respectful and responsible manner that is consistent with the mission of the University and the tradition of the Christian Brothers. Authorized Adults working in or with Programs covered by this Policy must conduct themselves in a manner consistent with the following expectations and to avoid conduct that could cause harm to Minors as follows:

- DO supervise Minors at all times while on University property, in University facilities, or while participating in a University-sponsored off-campus activity.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- DO NOT have one-on-one contact with a Minor outside the presence of others. It is expected that activities where Minors are present will involve two or more Authorized Adults. If one-on-one interaction is required, meet in open, well-illuminated spaces or rooms with windows observable by other Authorized Adults from the Program, unless the one-on-one interaction is expressly authorized by a Program Director, Dean, or Department Chair or is being undertaken by a health care provider.
- DO NOT meet with Minors outside of established times for Program activities. Any exceptions require written parent/legal guardian authorization and must include more than one Authorized Adult from the Program.
- DO NOT invite Minors to your home. Any exceptions require authorization by the Program Director and written authorization by a parent/legal guardian.
- DO NOT engage in any sexual activity, make sexual comments, tell sexual jokes, or share sexually explicit material with Minors, or assist in any way to provide access to such material.
- DO NOT engage or allow Minors to engage you in romantic or sexual conversations, or related matters, unless required in the role of counselors or health care providers.
- DO NOT engage or communicate with Minors through e-mail, text messages, social networking websites, internet chat rooms, or other forms of social media at any time except and unless there is an educational or programmatic purpose and the content of the communication is consistent with the mission of the Program and the University.
- DO NOT touch Minors in a manner that a reasonable person could interpret as inappropriate. Touching should generally only be in the open and in response to the Minor's needs, for a purpose that is consistent with the Program's mission and culture, and/or for a clear educational, developmental, or health-related (i.e., treatment of an injury) purpose. Any resistance from the Minor should be respected.
- DO NOT engage in any abusive conduct of any kind toward, or in the presence of, a Minor, including but not limited to verbal abuse, striking, hitting, punching, poking, spanking, or restraining. If restraint is necessary to protect a Minor or other Minors from harm, all incidents must be documented and disclosed to the Program Director and the Minor's parent/legal guardian.
- DO NOT participate in a sleepover under the auspices of the Program, unless (1) one of the Minor's parents or legal guardians is present or (2) one of the Minor's parents or legal guardians has given written consent and there is at least one other Authorized Adult present at all times.
- DO NOT share a bed or sleeping bag with a Minor.
- DO NOT shower, bathe, or undress with or in the presence of a Minor or be present in a communal bathroom at any time when a Minor is showering or bathing.
- DO NOT make pornography in any form available to a Minor participating in a Program covered by this Policy or assist them in any way in gaining access or allowing access to pornography.
- DO NOT engage in intimate displays of affection towards others in the presence of Minors, parents/legal guardians, or other Authorized Adults.
- DO NOT take any photographs or videos of Minors or post photographs or videos on a digital, electronic, hosted media, web-based service or any other medium without first obtaining a release in this regard from the Minor's parent or legal guardian.
- DO NOT use, possess, or be under the influence of alcohol, illegal drugs, or drugs not prescribed to the individual or for the purpose someone may be using it for, while on duty or when responsible for a Minor's welfare, or when otherwise in the presence of a Minor during the course of a Program.
- DO NOT possess or use any type of weapon or explosive device.
- DO NOT use a personal vehicle to pick up or drop off Minors participating in the Program unless the Minor's parent or legal guardian has provided written permission.
- DO have more than one Authorized Adult from the Program present in the vehicle when transporting Minors in a Program, except when multiple Minors will be in the vehicle at all times throughout the transportation.
- DO report abuse, harassment, or exploitation of Minors by other Minors participating in the Program.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- DO immediately remove Minors from dangerous situations and, in such instances as appropriate, immediately notify the Assistant Vice President of Public Safety (or a designee) and/or the local law enforcement authorities.

Minors and Authorized Adults not meeting relevant University community conduct standards as set forth herein or in any other University policy will be asked to leave the campus, will be precluded from participation in a University-sponsored Program, and/or will otherwise be subject to other appropriate action. Authorized Adults against whom an allegation of inappropriate conduct under this Policy has been made will be precluded from any further participation in a Program until such allegation has been satisfactorily resolved.

Program Approval and Registration

The Program Director shall obtain approval for the Program and register the Program at least sixty (60) days prior to the first scheduled date of participation by Minors. Program approval must be obtained first by the appropriate Vice President/Dean/Provost responsible for the type of Program involved (e.g., the Vice President of Student Affairs through Ministry, Service and Support for student volunteer programs, the appropriate Dean for internships during which students will interact with Minors, the Director of Intercollegiate Athletics and Recreation for all Programs for which third parties are required to license the use of the University's facilities, the Provost for activities in which third parties are required to license the use of all nonathletic facilities, etc.). Registration may be accomplished by completing the form included in this policy and submitting it to the Office of Human Resources.

Information provided shall include: (1) the University community member or third party responsible for the Program or activity (Program Director); (2) the dates and locations where Minors will be participating; (3) the general nature of the Program or activities to be undertaken or offered; (4) the names of all adults who will be participating directly with Minors in the Program or activity; (5) the administrative requirements associated with the Program or activity, including but not limited to waivers and permission slips to be obtained from the parents/legal guardians of participating Minors and medical emergency forms; and (6) the signatures of the Program Director, University Coordinator (as applicable), and the Vice President/Dean/Provost responsible for and approving the Program.

License Agreement to Operate Programs on University Campuses

All third-party sponsors of Programs must execute a University License Agreement for Programs and Activities prior to the commencement of the Program. This Agreement can be obtained from the University Coordinator. Third-party Program Directors are required to fully comply with all aspects of this Policy before the University will enter into a License Agreement regarding the Program.

Background Checks

The Program Director, whether the Program is sponsored by the University or a third party, is required to confirm that criminal background checks are conducted on all adults, including but not limited to Authorized Adults, faculty, staff, students, and volunteers, who work with, instruct, or otherwise have a significant likelihood of regular contact with Minors, in the form of care, guidance, supervision, or training, in connection with a Program. Examples of individuals who should obtain a criminal background check include, but are not limited to, supervisors of cafeteria facilities that the Minors are expected to use, as well as any food service workers who may interact with Minors outside of the presence of an Authorized Adult, Security Desk Receptionists and Resident Advisors (if Minors are expected to stay overnight in the University's residence halls), and Athletic staff who are likely to come into contact with Minors, such as coaches, trainers, and lifeguards.

A successful background check will be required of each adult prior to their direct participation with Minors in a Program and at least once every five (5) years thereafter. The background check will be limited to criminal offenses, including, but not limited to, Child Abuse, for which an individual has been convicted, pled guilty to a felony or misdemeanor, or where such charges are currently pending. The required background check includes the following forms: (1) a Pennsylvania Child Abuse Clearance; (2) a Pennsylvania Criminal Record Check Clearance; (3) Federal Bureau of Investigation (FBI) criminal history; and (4) corresponding clearances from the adult's state of residence, if not Pennsylvania; and (5) corresponding clearances from any state in which the candidate has lived in the last seven (7) years.

Instructions and/or forms for each of these types of background checks can be found at

<http://www.dhs.pa.gov/publications/findaform/childabusehistoryclearanceforms/index.htm>. Unless directed otherwise by the Program Director, the above-referenced background requests may be accessed and completed directly by the adult online using the referenced website. The original background check results must be submitted to the Program Director; individuals may retain a copy of any background check for their own records.

It is the responsibility of the Program Director to ensure and certify that each participating adult has submitted the required background check request form and has subsequently received clearance to participate. A decision not to permit a University faculty or staff member, student, volunteer, or other third party to participate in a Program covered by this Policy based on the results of a background check report will be made by the Program Director, in consultation with the University Coordinator, Vice President of Human Resources (when University faculty or staff are involved), the appropriate Vice President(s), and/or others as necessary. The Program Director shall reference Exhibit A to this Policy in determining whether a background check is successful. Background check reports obtained pursuant to this Policy will be used only for the purposes of this Policy, except that the University reserves the right to take appropriate action with respect to employees who may have falsified or failed to disclose information material to their employment on employment applications.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

uncovered as a result of the background check, including and up to immediate termination of employment. Copies of background check reports with respect to any adult participating in a Program will be retained by the Office of Human Resources (reports involving University faculty or staff), the Registrar (reports involving students), or the Program Director (reports involving any other third party or volunteer). All Program Directors who are not employees of the University should provide a copy of all background check reports to the University Coordinator prior to the commencement of any such Program.

Background checks must be completed and evaluated prior to the adult being deemed “Authorized” to work with Minors. Human Resources shall maintain a roster of University faculty and staff who have been cleared to participate and the dates on which a new background check will be required; the Registrar shall maintain such a roster for students. The Program Director will be required to see that criminal background checks are conducted on returning Authorized Adults every five (5) years.

Other Programs at the University may require additional or more frequent background checks and certifications based on the nature of the Program. Please refer to your specific Program requirements for additional information.

Training

In recognition of the importance of protecting Minors, the University requires that all adults working with Minors in connection with a Program, including but not limited to Authorized Adults, faculty, staff, students, and volunteers, who work with, instruct, or otherwise have a significant likelihood of regular contact with Minors, in the form of care, guidance, supervision, or training, be trained on protecting Minors from abusive emotional and physical treatment, on appropriate conduct and reporting requirements, and, for University faculty, staff, students, and volunteers, on this Policy and the reporting requirements under this Policy. The Program Director, whether the Program is sponsored by the University or a third party, is required to confirm that all such adults receive such training. The examples set forth above with respect to background checks apply equally to training.

In the event that such training is not provided (and confirmed through a written agreement with the University) by or through a third party responsible for any Program under this Policy, training for University faculty, staff, students, and volunteers will be conducted by Ministry, Service and Support (MSS). University-based Program Directors should contact MSS to schedule all such training. This training shall be completed before an adult begins working with Minors and annually, thereafter.

All adults involved with Programs covered by this policy, whether sponsored by the University or third parties, will be required to acknowledge that they have received training regarding working with Minors, that they have been provided with a copy of this Policy, and that they understand their obligations as Authorized Adults thereunder. A Training Certification and Acknowledgement Form is attached to this Policy. Program Directors are responsible for obtaining and maintaining executed Training Certification and Acknowledgement Forms for all adults participating in a Program; all Program Directors who are not employees of the University should provide a copy of all such completed forms to the University Coordinator prior to the commencement of any such Program.

Communication with and Documentation from Parents/Legal Guardians

The Program Director is responsible for collecting contact information for the parent/legal guardian of every Minor participating in a Program, as well as for providing the parent/legal guardian with information on how to reach their Minor in the event of an emergency. Authorized Adults may not release a Minor to anyone other than a custodial parent or legal guardian without written authorization from the parent/legal guardian that their child may be released to that individual.

For all Programs, the parent/legal guardian of the Minor will be required to execute a Parental/Legal Guardian Consent, Waiver and Indemnity Form (“Consent Form”). The Program Director is responsible for obtaining and maintaining executed Consent Forms for all Minors participating in any Program; all Program Directors who are not employees of the University should provide a copy of all such completed forms to the University Coordinator. A Consent Form is attached to this Policy.

Reporting Obligations

All University employees, as well as all Authorized Adults, shall immediately report any known or reasonably suspected violation of the Code of Conduct set forth in this Policy which involves or is suspected to involve Child Abuse. In deciding whether to make a report pursuant to this Policy, it is not required that the reporter have proof that abuse has occurred; any uncertainty in deciding to report suspected Child Abuse should be resolved in favor of making a report. For those individuals without mandatory reporting requirements under this Policy or otherwise, the individual may make the report anonymously.

In making a report, an Employee shall immediately, and in the order listed below:

1. (If applicable) ***If a University Employee sees a Child in imminent danger or a crime against a Child in progress on campus or at a University-sponsored event or activity, the Employee shall immediately call 911.*** The Employee should further call the La Salle Office of Public Safety (x1300 or 215-951-1300) to report the incident immediately after reporting it to the police.

If the situation is not in progress and no one is in imminent danger, please skip directly to step 2.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

2. Make an immediate and direct report of suspected child abuse to **ChildLine** either electronically to www.compass.state.pa.us/cwis or by calling **1-800-932-0313**. (23 Pa. C.S. § 6313(a) (1))
3. If you made an oral report to ChildLine (as described in #1 above) you must ***immediately, but in no event later than 48 hours after calling ChildLine***, prepare and submit a written report to the county children and youth agency where the suspected Child Abuse occurred, using the [Report of Suspected Child Abuse](http://www.keepkidssafe.pa.gov/cs/groups/webcontent/documents/form/c_137044.pdf) (CY47) (available at http://www.keepkidssafe.pa.gov/cs/groups/webcontent/documents/form/c_137044.pdf). If you make an electronic report using the Child Welfare Portal (as described in #1 above), you are not required to submit the Report of Suspected Child Abuse (CY47) to the county children and youth agency.
4. Make an immediate and internal report to the Assistant Vice President of Public Safety by sending an email to minorspolicyreport@lasalle.edu, attaching the [Report of Suspected Child Abuse](#) (CY47).

If for some reason the Employee is unable to, or would prefer not to, contact the Assistant Vice President of Public Safety, the employee should contact the Vice President of Student Development & Campus Life. Contact information: Phone 215-951-1017.

5. In response to the email, the person making the report will be contacted by Assistant Vice President of Public Safety and/or the Vice President of Student Development & Campus Life. All Employees are required to assist the University, to the extent deemed necessary by the University, in gathering factual information related to the report.
6. Employees must forward any subsequent communication from the Department of Human Services relating to the report to the person they contacted in #3 above.
7. Employees who are also registered medical professionals have a concurrent obligation to directly report injuries caused by suspected Child Abuse to the local or state police.
8. Within 24 hours after making the report (as described in #1-3), an Employee shall report the information to their immediate supervisor or the appropriate Program Director for the program/activity. An initial oral report is acceptable, but written detail should be supplied upon request and may be supplied in every instance.

Responsibilities of the Assistant Vice President of Public Safety¹

Immediately upon receiving a report under this Policy, the Assistant Vice President of Public Safety (or a designee) shall (1) take action, if possible, to remove all Minors from dangerous situations, (2) report the suspected Child Abuse to the Pennsylvania Department of Public Welfare ("DPW"), and (3) where the report implicates potential abuse of a Minor, report the suspected Child Abuse to local law enforcement.

The Assistant Vice President of Public Safety shall not make an independent determination of whether to make the report to the DPW. Reports must be made orally, and immediately, to the DPW's ChildLine at (800) 932-0313, providing the available information. The Assistant Vice President of Public Safety shall notify the individual making the report of Child Abuse that the report was made after making the initial report to ChildLine. The Assistant Vice President of Public Safety shall maintain records of all reports made under this Policy.

Within 48 hours of reporting to ChildLine, the Assistant Vice President of Public Safety must make a written report of the available information on forms provided by the DPW (Report of Suspected Child Abuse [CY-47]) to the county children and youth agency in the county where the suspected child abuse occurred.

The following are guidelines for the Assistant Vice President of Public Safety (or a designee) in the event that they take action to remove a Minor from a dangerous situation pursuant to this Policy. All conduct pursuant to these guidelines, to the extent reasonably possible under the circumstances, should comport with the Code of Conduct set forth above.

- If the perpetrator of the dangerous situation is not the Program Director or an Authorized Adult within the Program, the Program Director shall be contacted and the Minor returned to the supervision of the Program Director. If the Program Director cannot be located, then the Minor's parent/legal guardian shall be contacted in the manner set forth on the La Salle University Parental/Legal Guardian Consent, Waiver and Indemnity Form completed in connection with the Minor's participation in the Program and the Minor returned to the parent/legal guardian's custody and supervision.
- If the perpetrator of the dangerous situation is not known or if it is reasonably believed that the perpetrator is the Program Director or an Authorized Adult within the Program, then the Minor's parent/legal guardian shall be contacted in the manner set forth on the La Salle University Parental/Legal Guardian Consent, Waiver and Indemnity Form and the Minor returned to the parent/legal guardian's custody and supervision.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- During the time that the Minor is waiting to be transferred to the custody and supervision of one of the individuals set forth above, as appropriate, they shall remain under the supervision of University Public Safety employees, pursuant to the Code of Conduct set forth above, who have received training regarding protecting Minors as set forth above. In the event that the Minor is not returned to the custody and supervision of any of the individuals as set forth above within 5 (five) hours of being under the supervision of University Public Safety, the Assistant Vice President of Public Safety (or a designee) shall refer the matter to local law enforcement.
- If it is reasonably believed that the Minor is in need of immediate medical attention, an ambulance shall be called to transport the Minor to a local medical facility accompanied by an Authorized Adult. Steps should also be taken as set forth above to return the Minor to the custody and supervision of the appropriate individual.

Immunity from Liability & Prohibition of Retaliation

Under the Law, a person acting in good faith who makes a report of Child Abuse, whether required to report or not, has immunity from civil and criminal liability. ([23 Pa. C.S. §6318\(a\)](#)).

No person who makes a good faith report of suspected child abuse or neglect will be retaliated against in the terms and conditions of employment or educational program.

Failure to Report

Pursuant to the Law, a mandated reporter who willfully fails to report a case of suspected Child Abuse or to make a referral to the appropriate authorities commits an offense up to the level of a felony of the third degree. (23 Pa. C.S. §6319) and may be subject to disciplinary action up to and including termination.

D. Responsible Office/Department

The Office of Human Resources and the Assistant Vice President of Public Safety are responsible for the administration of this policy.

E. End Notes

This policy replaces the Protecting Minors on Campus Policy (2015)

Effective: September 18, 2017

Revised: March 18, 2022

¹ Or, in circumstances where the Assistant Vice President of Public Safety for some reason cannot be involved, the Vice President of Student Development & Campus Life.

Exhibit A

A background check obtained pursuant to the Protecting Minors on Campus Policy shall be deemed unsuccessful in the event that any one of the following is revealed through an individual's background check:

1. The individual is named in the central register as the perpetrator of a founded report of child abuse committed within the preceding five years.
2. The individual is named in the central register as the perpetrator of a founded report for a school employee committed within the preceding five years.
3. The individual has been convicted of (or is currently charged with) one of the following offenses under Title 18 of the Pennsylvania Code (or an equivalent crime under Federal law or the law of another state):
 - (a) Chapter 25 (relating to criminal homicide);
 - (b) Section 2702 (relating to aggravated assault);
 - (c) Section 2709.1 (relating to stalking);
 - (d) Section 2901 (relating to kidnapping);
 - (e) Section 2902 (relating to unlawful restraint);
 - (f) Section 3121 (relating to rape);
 - (g) Section 3122.1 (relating to statutory sexual assault);
 - (h) Section 3123 (relating to involuntary deviate sexual intercourse);
 - (i) Section 3124.1 (relating to sexual assault);
 - (j) Section 3125 (relating to aggravated indecent assault);
 - (k) Section 3126 (relating to indecent assault);
 - (l) Section 3127 (relating to indecent exposure);
 - (m) Section 4302 (relating to incest);
 - (n) Section 4303 (relating to concealing death of child);
 - (o) Section 4304 (relating to endangering welfare of children);

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- (p) Section 4305 (relating to dealing in infant children);
- (q) A felony offense under section 5902(b) (relating to prostitution and related offenses);
- (r) Section 5903(c) or (d) (relating to obscene and other sexual materials and performances);
- (s) Section 6301 (relating to corruption of minors);
- (t) Section 6312 (relating to sexual abuse of children); or
- (u) the attempt, solicitation or conspiracy to commit any of the offenses set forth in this paragraph.

4. The individual has been convicted of a felony offense under the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act, committed within the preceding five years.

Reference: 23 Pa. C.S. § 6344(c)

Sex Offender Registry and Community Notification

In accordance with 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, Public Safety is providing a link to the Pennsylvania State Police Sex Offender Registry in this report.

This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by the state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that state at which the person is employed, carries on a vocation, or is a student. In the Commonwealth of Pennsylvania, convicted sex offenders and sexual predators must register with Pennsylvania State Police.

You can find more information on Megan's Law at the Pennsylvania State Police Sexual Offender Information website:
www.pameganslaw.state.pa.us.

Information regarding registered sex offenders on the campus of La Salle University may be obtained from the following agency:

Main Campus

Philadelphia Police Department
Special Victims Unit
300 E. Hunting Park Ave.
Philadelphia, PA 19124
215-685-3263



Missing Student Notification Procedure

When a student is reported missing to any campus official, Public Safety will be notified immediately at 215-951-1300. Residence Life and Operations will also be notified if the student resides on or near campus.

1. Public Safety will immediately log the report and begin an incident report.
2. Public Safety and/or Residence Life and Operations will:
 - a. Attempt to contact the student by via cell phone and e-mail.
 - b. Attempt to locate the student in their on-campus residence and/or classroom.
 - c. Contact roommate(s) and/or known friends or acquaintances to determine most recent contact.
 - d. Check use of social media.
 - e. Request attendance history from faculty, organization, advisor, coach, etc.
3. Public Safety will check access control records for use of the ID for access and contact Dining Services to check use of the card for dining.

If the student is not located and all information determines there is no record or sighting of the student in the previous 24 hours, the designated dean of students/assistant vice president of student development and campus life, or designees, will contact the student's pre-determined emergency contact. If the emergency contact has no knowledge of the student's whereabouts, the AVP will notify Public Safety and Public Safety will notify the Philadelphia Police Department.

If the missing student is under the age of 18, Residential Life staff will notify the student's parent or legal guardian and Public Safety will notify the Philadelphia Police immediately to investigate the report ([PA General Assembly Consolidated Statutes Title 18 Section 2908](#)).

Resident Students

All students living in La Salle University's residence facilities provide emergency contact information as part of the on-campus housing check-in process. Students identify an individual to be notified in the event the student is determined to be missing. This information is maintained in a secure housing management system, accessible by authorized professional staff. Use of this information is limited to campus officials, Public Safety and law enforcement for purposes of missing person notification.

Weapons and Other Dangerous Articles and Substances

Policy Statement on Weapons and Other Dangerous Articles and Substances

A. Purpose/Policy Statement

THE PURPOSE OF THIS POLICY IS TO DEFINE THE UNIVERSITY'S STANCE ON WEAPONS AND OTHER DANGEROUS ARTICLES AND SUBSTANCES ON THE LA SALLE UNIVERSITY CAMPUS.

B. Definitions

1. "Offensive weapon" is defined as any bomb, grenade, machine gun, sawed-off shotgun with a barrel less than 18 inches, firearm specially made or specially adapted for concealment or silent discharge, any blackjack, sandbag, metal knuckles, dagger, knife, razor or cutting instrument, the blade of which is exposed in an automatic way by switch, push-button, spring mechanism or otherwise, or other implement for the infliction of serious bodily injury which serves no common lawful purpose.
2. "Firearms" include any weapon which is designed to or may readily be converted to expel any projectile by the action of an explosive, or the frame or receiver of any such weapon.
3. Normal laboratory materials are excluded from this policy when used in an academic laboratory setting to fulfill course requirements or conduct research authorized and supervised by faculty.

C. Policy Procedure/Guidelines

1. No student or visitor may keep, possess, display, transport, or use any offensive weapons; firearms; ammunition; gunpowder; gas or air powered rifles, guns, or pistols; fireworks; explosives; or other dangerous articles and substances in University buildings, on University property, or at University functions in off-campus settings. Realistic facsimiles of these items are also prohibited, with reasonable exceptions made, in consultation with the Chief Student Affairs Officer (CSAO), for theatrical productions and similar circumstances.
2. Members of the Reserve Officers Training Corps (ROTC) are authorized to store, transport, and use firearms when performing functions associated with their official duties.
3. Active public law enforcement officers are authorized to store, transport, and use firearms when performing functions associated with their official duties, but are not permitted to transport firearms or be in possession of firearms when visiting La Salle University for other reasons, such as attending events, dining on campus, visiting the library or the gym, or attending class.
4. All members of the campus community, including but not limited to students, should be aware that any violation of this policy will likely result in being separated from the institution.
5. Under the leadership of the CSAO, students will be referred to a Formal Student Conduct Hearing which may result in suspension or expulsion, whereas faculty and staff will be referred to Human Resources. Additionally, any violations of this policy will result in a referral to local law enforcement.
6. All members of the campus community are expected to immediately contact Public Safety or 911 if they learn of an actual or a threatened unauthorized weapon on campus.

D. Responsible Office/Department

Office of Student Conduct
Division of Student Development and Campus Life

E. End Notes

Effective: 4/1/21



PART II - DRUGS AND ALCOHOL POLICY

Policy: Student Alcohol and Other Drug University Expectations

Purpose

La Salle University is a community that believes the best environment for learning occurs when the community promotes and supports healthy and responsible behavior among its members. Students make their own choices and are ultimately responsible for their behavior. The purpose of the Student Alcohol and Other Drug University Expectations is to promote individual responsibility and advance the goals and expectations central to the university mission. The Student Alcohol and Other Drug University Expectations applies to all student members of the university community and their guests.

La Salle University follows all local, state, and federal laws. Students and student organizations are subject to local, state and federal laws regarding alcohol and drug use, and the university will not protect individuals or groups from law enforcement with respect to drugs and alcohol use or abuse. In order to avoid the dangerous and possibly fatal effects of alcohol poisoning or overdosing from other drugs, an individual who has passed out or shows other signs of serious effects from alcohol or other drug consumption should immediately be brought to the attention of La Salle Public Safety, Residence Life, Community Development or some other person able to assist or to get assistance. Seeking such help is encouraged by La Salle and the Amnesty Process is included in the expectations listed below.

Federal, State, and City Sanctions Related to the Use, Possession, and Distribution of Alcohol and Drugs

a. Alcohol

- i. Under Pennsylvania law and the Pennsylvania Crimes and Liquor Codes, a person under 21 years of age commits a summary offense if they attempt to or in actuality (1) purchase, (2) consume, (3) possess, or (4) transport alcohol. Police must notify the parents of a minor charged with violating this law. If convicted, the minor's driver's license will be suspended. A second offense will yield a fine of up to \$500.
- ii. In addition, any person who intentionally provides alcohol to a minor will be convicted of a misdemeanor in the third degree, for which the fine will be at least \$1,000 for the first offense, and \$2,500 for any subsequent violations.

- iii. The City of Philadelphia prohibits the consumption, carrying, or possession of an open container of alcoholic beverages in the public right-of-way or on private property without the expressed permission of the landowner or tenant. A person who commits a violation may be subject to a fine up to \$300, as well as imprisonment for up to ten (10) days, if the fine together with costs, are not paid within ten (10) days.

b. Drugs

- i. Federal and state laws prohibit the possession, use, and distribution of illegal drugs. Also, under federal law, anyone who is at least 18 years old and who distributes drugs to anyone under 21 will be imprisoned and/or fined up to twice what is otherwise provided by law, with a minimum prison sentence of one year.

c. Procedures

La Salle University Expectations Regarding Student Alcohol and Other Drugs

Students who are found to be in potential violation of the following university expectations will be referred to the University Student Conduct Process and subject to university disciplinary action.

i. Alcohol

1. No person less than twenty-one (21) years of age shall purchase, consume, possess, be in the presence of, transport or attempt to purchase, consume, possess, or transport any alcohol, liquor, or malt or brewed beverages on University property or at any University sponsored events.
2. No student shall transfer or possess a registration card or other form of identification for the purpose of falsifying age to secure any alcohol, liquor, or malt or brewed beverages.
3. No student shall sell, furnish, allow to possess, or give any alcohol, liquor, or malt or brewed beverages, or permit any alcohol, liquor, or malt or brewed beverage to be sold, furnished, allowed to be possessed, or given to any person under twenty-one (21) years of age.
4. Behavior that results in intoxication, disorderliness, or offensive behavior resulting from the use of alcohol is prohibited, regardless of the student's age.
5. The use of alcohol is prohibited in the academic buildings, or in the public areas of residence halls or university-owned apartments, in the La Salle Union or other University facilities, or at University sponsored functions on or off campus unless it is authorized by the University.
6. Students who are twenty-one (21) years of age or older are permitted to consume alcohol on campus only when such consumption does not interfere with the rights and privileges of other community members.
7. Students who are twenty-one (21) years of age or older are permitted to drink alcohol only at registered events or in the privacy of residence hall rooms, apartments, or townhouses.
8. No bulk quantities of alcohol (i.e. kegs), grain alcohol or alcohol over 100 proof is permitted in residence hall rooms, apartments, or townhouses.
9. Students, regardless of age, may not brew or distill any alcoholic beverages in residence hall rooms, apartments or townhouses.
10. La Salle students will be responsible at all times for the behavior of their guests.
11. Students under twenty-one (21) years of age may not possess empty containers of alcohol in any university residence hall room, apartment or townhouse.
12. If alcohol is present for students who are twenty-one (21) years of age or older, the following occupancy numbers must be followed:
13. Residents and guests may not exceed a total of eight (8) in a residence hall room.
14. Residents and guests may not exceed a total of twelve (12) in an apartment/townhouse.
15. Off-campus incidents that involve alcohol consumption by students who are under twenty-one (21) years of age, result in behavior that includes intoxication, disorderliness, or offensive behavior resulting from the use of alcohol is prohibited, regardless of the student's age and will be subject to the university's student conduct process.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

16. Students are prohibited from advertising parties where alcohol is to be served. Fliers, public social media posts or mass electronic invitations are not permitted.

ii. **Drugs**

1. Students are prohibited from illegally using, possessing, manufacturing or distributing drugs. Distribution includes selling or providing drugs to persons of any age.
2. Sharing or distributing prescription medicine or other legal drugs, with or without the exchange of money, is prohibited.
3. Students are prohibited from possessing drug paraphernalia on university property.

Additional Notes

La Salle University Alcohol and Other Drug Amnesty Process

Student health and safety is a primary concern for the La Salle University community. Students are expected to contact La Salle Public Safety, Residence Life or Community Development when it is believed an individual needs medical attention due to the abuse of alcohol or other drugs including illegal, prescription, over the counter substances. The Alcohol and Other Drug Amnesty Process is designed to provide education rather than discipline when a student voluntarily contacts university personnel (e.g., La Salle Public Safety, an RA/CC or professional staff member in Residence Life or Community Development) or outside emergency services for medical assistance related to alcohol or other drugs. Individuals covered by the Alcohol and Other Drug Amnesty Process are the caller, the person in need of assistance, the host student organization, and any witnesses named in the incident report.

- a. The Director of Student Conduct or their designee will determine whether or not the Alcohol and Other Drug Amnesty Process is applicable for each incident.
- b. Incidents involving sex discrimination, sexual harassment, sexual misconduct, sexual violence, dating violence, domestic violence, or stalking shall be covered by the Alcohol and Other Drug Amnesty Process for those students reporting or intervening to prevent harm to a particular student.
- c. Incidents involving other violence or serious student conduct code violations will not apply.
- d. A professional from Student Development and Campus Life will contact the student or the student organization involved in the incident to arrange for a meeting.
- e. There will be no official student conduct process from the university through the Alcohol and Other Drug Amnesty Process.
- f. The person who made the call to university personnel may also be asked to attend a meeting with a professional from Student Development and Campus Life.
- g. At the meeting, the incident will be reviewed with the student or student organization to determine an appropriate educational response, which could include participation in an educational group or class, program presentations, counseling intake session, or substance abuse education and/or evaluation. A response may also include parental/ guardian notification of the incident.
- h. If a student or student organization fails to attend the meeting with the professional from Student Development and Campus Life or complete the educational responses following the meeting, the incident will be referred to the Student Conduct Process.

Produced by the Office of the Vice President for Student Affairs
Effective Date: August 21, 2017

Sanctions for Violating the Student Alcohol and Other Drug University Expectations

The responses listed below are intended to guide the process of determining the most reasonable outcome to potential violations of the **Student Alcohol and Other Drug University Expectations**. Each reported incident will be reviewed individually, and an appropriate response will be assigned given the specific circumstances. In some cases, despite it being a first-time violation, there may be a more serious response. Student organizations can also be assigned the same responses listed below.

Behavior	First Violation	Second Violation	Third Violation
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ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

<p>Possession/consumption of alcohol by a student under the age of twenty-one (21)</p> <p>Open container</p> <p>Possession or use of a fake ID</p> <p>Possession of bulk container of alcohol, grain alcohol or liquor over 100 proof</p> <p>Brewing or distilling any alcoholic beverages in residence hall rooms, apartments or townhouses</p> <p>Exceeding occupancy numbers in a residence hall room/apartment/townhouse</p>	<p>Warning or Probation</p> <p>\$100 fine <i>or</i> Alcohol or Cannabis Awareness Project (AAP, CAP)</p> <p><i>Two 1-on-1 sessions –</i></p>	<p>Probation</p> <p>\$200 or Risk Assessment</p> <p>3 individual sessions – further elaboration on social norms and harm reduction, but also includes an assessment/counseling component to determine if there are further issues that need to be addressed</p> <p>Parental/legal guardian notification</p>	<p>Removal from University housing</p> <p>Possible suspension from the university</p> <p>Parental/legal guardian notification</p>
<p>Behavior that results in intoxication, disorderliness, or offensive behavior resulting from the use of alcohol is prohibited, regardless of the student's age</p> <p>Transport to the hospital/medical attention due to alcohol consumption</p> <p>Serving, purchasing, or sale of alcohol to individuals under the age of twenty-one (21)</p> <p>Hosting an on-campus party and serving to alcohol to individuals under the age of twenty-one (21)</p>	<p><i>Probation</i></p> <p><i>\$200 or Risk Assessment</i></p> <p><i>3 individual sessions – further elaboration on social norms and harm reduction, but also includes an assessment/counseling component to determine if there are further issues that need to be addressed</i></p> <p><i>Parental/legal guardian notification</i></p> <p><i>Possible removal from university housing</i></p> <p><i>Possible removal from the university</i></p>	<p>Removal from university housing</p> <p>Possible suspension from the university</p> <p>Referral to Substance Abuse Support for an assessment</p> <p>Parental/legal guardian notification</p>	<p>Suspension or Expulsion from the university</p> <p>Parental/legal guardian notification</p>
<p>Hazing involving the use of alcohol</p>	<p>Suspension or Expulsion</p> <p>Referral to local law enforcement agency</p> <p>Parental/legal guardian notification</p>		
<p>Possession/use of marijuana</p> <p>Possession of drug paraphernalia</p>	<p>Warning or Probation</p> <p>\$100 fine <i>or</i> Alcohol or Cannabis Awareness Project (AAP, CAP)</p> <p>2 group sessions – educational with group processing around social norms and harm reduction strategies</p>	<p>Probation</p> <p>\$200 or Risk Assessment</p> <p>3 individual sessions – further elaboration on social norms and harm reduction, but also includes an assessment/counseling component to determine if there are further issues that need to be addressed</p> <p>Parental/legal guardian notification</p> <p>University housing probation</p>	<p>Removal from University housing</p> <p>Possible suspension from the university</p> <p>Parental/legal guardian notification</p>

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Possession of or use of illegal drugs (other than marijuana)	<i>Probation</i> <i>\$200 or Risk Assessment</i> <i>3 individual sessions – further elaboration on social norms and harm reduction, but also includes an assessment/counseling component to determine if there are further issues that need to be addressed</i> <i>Parental/legal guardian notification</i> <i>University housing probation</i>	Removal from university housing Possible suspension from the university Parental/legal guardian notification	Suspension or Expulsion from the university Parental/legal guardian notification
Transport to the hospital due to drug overuse	Probation \$200 or Risk Assessment 3 individual sessions – further elaboration on social norms and harm reduction, but also includes an assessment/counseling component to determine if there are further issues that need to be addressed Parental/legal guardian notification University housing probation	Removal from university housing Possible suspension from the university Risk Assessment Parental/legal guardian notification	Suspension from the university Parental/legal guardian notification
Manufacturing, selling or distributing drugs Sharing or distributing prescription medicine or other legal drugs, with or without the exchange of money	Suspension or Expulsion from the university Referral to local law enforcement agency Parental/legal guardian notification		

Alcohol Abuse

There is a distinct difference between the responsible use of and the abuse of alcohol. The abuse of alcohol under any circumstances contradicts the values implicit in a La Salle education. The following is a definition of alcohol abuse for the La Salle University community.

Alcohol abuse is the consumption of alcohol to the degree that a person's judgment and/or physical responses are significantly impaired. Alcohol abuse does not excuse irresponsible action; rather it compounds the seriousness of those actions. Areas of special concern are:

1. Violent acts against persons or property. These include sexual assault and misconduct, vandalism, the willful damage of personal or institutional property, fighting, assaults, and/or injuries resulting from irresponsible actions.
2. Drunkenness. This involves significant impairment of judgment and/or physical responses, including uncoordinated movements, speech difficulties, and/or inappropriate behavior for circumstances.
3. Contributing to alcohol abuse by another. This includes encouraging persons to overindulge, providing alcohol to a person who is already intoxicated, or possessing high-proof distilled spirits such as grain alcohol or liquor that is over 100 proof.
4. Medical emergencies. There are two types: (1) excessive consumption and (2) injury occurring while intoxicated.



Substance Abuse Education

Drug and alcohol abuse education programs are primarily developed through the Student Counseling Center (part of Student Wellness Services) in collaboration with other campus partners, including the Public Safety Department, and Student Development and Campus Life.

La Salle's Student Counseling Center supports students in accomplishing their educational goals by helping them resolve concerns associated with alcohol and/or other drug use. In addition, Student Counseling Center houses our Assistant Director, Sexual Violence Prevention & Response who is the institutions key resource for support and advocacy to students who have experienced sexual assault, sexual harassment or other gender-based or sex-based harassment, or violence.

The staff at the Student Counseling Center work to educate all of our students to the dangers associated with college life and provide support for those in need. Together, students and Student Counseling Center staff develop a plan that, when followed, reduces the risk and increases the probability of improving academic and social adjustment at La Salle.

Our services help students learn coping strategies which promote a greater sense of emotional well-being in their lives including:

- Individual counseling to assess and identify risky alcohol and other drug use and administer intervention and treatment;
- Individual and group support for students in recovery;
- Health and wellness prevention services to the campus community on pertinent topics;
- Outreach education services to students, faculty, staff, and other on- and off-campus groups;
- Counseling and support groups to students who belong to families with alcohol and other drug abuse concerns;
- Education and early intervention sessions for students who violate the alcohol/drug policies of the University;
- Consultation services and resources for students, faculty, staff, and other on- and off-campus groups.
- Confidential individual support and advocacy around sexual violence
- Weekly survivors support group—open to survivors of any type of sexual violence. *Depending on student interest.
- Training and education for faculty and staff about how to support and refer students who experience sexual violence.

In addition, the professional counselor, substance abuse is a member of several AOD networks that allow for questions and research agendas to be discussed with other subscribers on an international basis. To clarify information or for consultation on an AOD issue, a counselor is available by appointment.

Additional information and resources can be obtained by contacting the Student Counseling Center at 215-951-1355.

PART III SEXUAL ASSAULT PREVENTION AND RESPONSE, TITLE IX, SEXUAL MISCONDUCT AND HARASSMENT POLICIES

SECTION III POLICIES ADDRESSING TITLE IX, SEXUAL MISCONDUCT AND HARASSMENT COMPLAINTS

This section includes the La Salle University policies that provide information on sexual assault prevention and response, and address conduct covered under Title IX, and sexual misconduct and harassment not covered under Title IX. Each of the policies listed below are included in full in this section. Policies are indexed within separate Tables of Contents.

- [Sexual Assault Prevention and Response](#)
- [Policy for Handling Title IX Complaints Against Students](#)
- [Student Sexual Misconduct and Interpersonal Violence Policy](#)
- [Policy for Handling Title IX Complaints Against Employees](#)
- [Equal Employment Opportunity and Anti-Harassment Policy](#)

SEXUAL ASSAULT PREVENTION AND RESPONSE

As an educational institution, La Salle University values and encourages an authentic community in which all members feel secure physically and intellectually. Behavior that harms others or threatens the safety of this community contradicts the institution's key mission to "to contemplate life's ultimate questions as they develop their faith, engage in a free search for truth, and explore their full human potential." Sexual misconduct is such behavior and is prohibited at La Salle. Sexual misconduct is a broad range of behavior that includes, but is not limited to, non-consensual sexual penetration, non-consensual sexual contact, sexual exploitation, sexual harassment, dating/relationship violence, domestic violence, and stalking. Use of alcohol or other drugs does not minimize or excuse a person's responsibility for conduct that violates this policy. Additionally, the University prohibits retaliation against anyone who reports or witnesses an incident of possible sexual misconduct.

Sexual misconduct is an action or course of actions that violates the rights of others and demonstrates flagrant disregard for the principles of this community. La Salle seeks to prevent all forms of sexual misconduct, and desires to establish and maintain a safe and healthy environment for all members of the community through sexual misconduct prevention, education, support, and a fair adjudication process. La Salle is unwavering in its commitment to support survivors of sexual violence, to respond promptly to reports of any type of sexual misconduct, and to investigate and adjudicate reports in a manner that is fair and equitable to all parties involved. Because we know the needs of our community are ever-changing, La Salle is also committed to continually assessing and improving its policies, prevention initiatives, and educational programs based on input from the campus community, best practices at other institutions, and regulatory guidance.

Title IX of Education Amendments of 1972 (Title IX)

The U.S. Department of Education's Office for Civil Rights (OCR) enforces, among other statutes, Title IX of the Education Amendments of 1972. Title IX protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX 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 financial assistance.

Scope of Title IX

Title IX applies to institutions that receive federal financial assistance from the U.S. Department of Education (ED), including state and local educational agencies. These agencies include approximately 16,500 local school districts, 7,000 postsecondary institutions, as well as charter schools, for-profit schools, libraries, and museums. Also included are vocational rehabilitation agencies and education agencies of 50 states, the District of Columbia, and territories and possessions of the United States.

Educational programs and activities that receive ED funds must operate in a nondiscriminatory manner. Some key issue areas in which recipients have Title IX obligations are: recruitment, admissions, and counseling; financial assistance; athletics; sex-based harassment; treatment of pregnant and parenting students; discipline; single-sex education; and employment. Also, a recipient may not retaliate against any person for opposing an unlawful educational practice or policy, or made charges, testified or participated in any complaint action under Title IX. For a recipient to retaliate in any way is considered a violation of Title IX

Pursuant to the guidelines of Title IX, La Salle University has taken action to investigate incidents of sexual harassment and sexual violence, and further has taken immediate and effective steps to end such discriminatory practices.

For more information concerning Title IX and La Salle University, refer to the *Student Guide to Resources, Rights, and Responsibilities*, which can be found at www.lasalle.edu/studentguide or lasalle.edu/titleix.

Immediate Emergency Services

If a member of the University community is the victim of rape or sexual assault, the survivor has the option to participate in a SANE exam, which should be conducted as soon as possible following an assault to determine their physical condition and to collect evidence that may be used in any proceedings. Even if a victim has not been physically hurt beyond the assault itself, this exam is recommended to help a victim to maintain their legal options.

SANE Exams are available at the following locations:

Philadelphia Sexual Assault Response Center: 215-800-1589 (non-emergency number); 215-425-1625 (emergency number for on-call sexual assault nurse examiner)
300 E Hunting Park Ave., Philadelphia PA 19140

Jefferson Abington Hospital: 215-481-2000
1200 Old York Rd., Abington, PA 19001

If a victim seeks treatment at a local hospital, and police are contacted, this does not mean a victim must proceed with criminal charges.

When a student or employee reports to the University that they have been a victim of sexual assault, dating violence, domestic violence, or stalking, the University will provide the student or employee a written explanation of the student's or employee's rights and options, whether the offense occurred on or off campus.

Victim Assistance

Victims in these cases have options. La Salle will provide assistance and interim measures to victims of sexual harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and/or stalking, including, as necessary, counseling, as well as changes in academics, living arrangements, and transportation, if so requested and reasonably available, regardless of whether the victim chooses to report the crime to campus security or local law enforcement. The interim measures may be requested and facilitated by calling the Assistant Director, Sexual Violence Prevention & Response at 215-951-1176.

In addition, individuals may request that the institution assist them with the process for obtaining a protection order. This may be facilitated by contacting either the Division of Student Development and Campus Life, or Public Safety.

If Sexual Violence Occurs

1. Help the person get to a safe place.
2. Encourage that person to consider:
 - i. Preserving all evidence
 - ii. Getting medical attention
 - iii. Contacting Public Safety (215-991-2111) if there is a safety concern or local law enforcement to make a report
3. Seek Resources
 - a. During Business Hours:
 - i. Assistant Director, Sexual Violence Prevention & Response – 215-951-1176
 1. Medical Office Building Suite 112
 - ii. Student Counseling Center – 215-951-1355
 1. Medical Office Building Suite 112

2. Walk-in hours every day from 1:00-2:00PM and 3:00-4:00PM
- b. After Hours/Weekends:
 - i. La Salle Protocall – 215-951-1355 *option 2*
 - ii. Philadelphia Center Against Sexual Violence (WOAR) – 24/7 confidential hotline 215-985-3333
 - iii. Trained counselors provide information and options, counseling confidentiality to individuals who have been sexually assaulted, and to friends of persons who have been sexually assaulted.

Maintaining Personal Security

Upon request, the Vice President of Student Development and Campus Life will make special provisions for alternate campus housing and changes in academic situations, if the changes are reasonably available. Other special support may be provided upon request. Any accommodations, protective measures, or “interim measures” will be kept confidential to the extent that maintaining such confidentiality does not impair the ability of the University to provide them.

Rights and Reporting

Survivors’ Bill of Rights

If you are a survivor of sexual violence, you have many rights and resources available to you, regardless of whether you choose to report the behavior. These rights and resources include without limitation:

- The right to be informed of your option to notify law enforcement of the assault and to be assisted by campus authorities in notifying law enforcement;
- The right to be notified that on-campus, confidential counseling and mental health services for victims of sexual assault are available;
- The right to receive private and confidential medical treatment and to be examined for personal injuries, sexually transmitted diseases, and pregnancy;
- The right to be notified of options for and available assistance by the University in changing academic and living situations;
- The right to be considered with the same credibility as a person reporting any other crime; and
- The right to be treated without prejudice regarding race, class, lifestyle, sex, age, occupation, or religious beliefs.

Should you choose to take disciplinary action through the University disciplinary system, **both the complainant and the respondent** have the following rights:

- The right to the same opportunity to have a support person present at any such proceeding;
- The right to be informed of the outcome of any disciplinary proceeding in which sexual misconduct is alleged; and
- The right to withdraw from an administrative proceeding even though the University may continue the investigation.

Support Options — Confidential

There are options for individuals to confidentially report sexual violence, and those resources are also available to provide support without disclosing details of your report with others at the university. At La Salle, these confidential reporting options are:

- Survivor/Complainant Advocate (Assistant Director, Sexual Violence Prevention & Response) – 215-951-1176
 - Maggie Szeder is the designated confidential resource for complainants/survivors of sexual violence. **Her office is in the Student Counseling Center**, which is in the Medical Office Building Suite 112. She can be reached via e-mail at szeder@lasalle.edu
- Respondent Advocate – 215-951-1470
 - Brother Bob Kinzler is the designated confidential resource for respondents in sexual violence cases. **His office is located in the Lower Level of College Hall near the De La Salle Chapel**. He can be reached via e-mail at kinzler@lasalle.edu.
- Student Counseling Center – 215-951-1355
- Student Health Center – 215-951- 1565
- Ministry, Service, and Support Ordained Priest – 215-951-1048

Support Options — Private

Only the resources listed above are able to maintain confidentiality once receiving a report. All other faculty and staff at La Salle who are not listed in the section above are non-confidential resources. Non-confidential faculty or staff members will maintain your privacy to the greatest extent possible. Information shared with them will never be disclosed to other faculty and staff who do not need to know about a situation.

Risk Reduction

With no intention to blame the complainant, and with recognition that only those who commit sexual misconduct and violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act. (Taken from Rape, Abuse, & Incest National Network, www.rainn.org):

Increasing On-campus Safety

The following tips may reduce your risk for many different types of crimes, including sexual violence.

- **Know your resources.** Who should you contact if you or a friend needs help? Where should you go? Locate resources such as the campus health center, campus police station, and a local sexual assault service provider. Notice where emergency phones are located on campus, and program the campus security number into your cell phone for easy access.
- **Stay alert.** When you're moving around on campus or in the surrounding neighborhood, be aware of your surroundings. Consider inviting a friend to join you or asking campus security for an escort. If you're alone, only use headphones in one ear to stay aware of your surroundings.
- **Be careful about posting your location.** Many social media sites, like Facebook, Instagram and Snapchat use geo-tracking to publicly share your location. Consider disabling this function and reviewing other social media settings (<https://www.rainn.org/articles/social-media-safety>).
- **Building friendships in college can be different than high school.** A college environment can foster a false sense of security. Folks you meet may feel like fast friends, but give people time to earn your trust before relying on them.
- **Spend some time thinking about back-up plans for potentially sticky situations.** If your phone dies, do you have a few numbers memorized to get help? Do you have emergency cash in case you can't use a credit card? Do you have the address to your residence hall or college memorized? If you drive, is there a spare key hidden, gas in your car, and a set of jumper cables?
- **Be secure.** Lock doors and windows while sleeping or away from your residence hall or apartment/house. If you notice people constantly propping open main access doors, tell Public Safety or a trusted authority figure.

Safety in Social Settings

- **Be a good community member.** Trust your instincts. If you notice something that does not feel right, it probably is not. Think about intervening in safe ways through distraction, delegation, or direct interaction. Learn more about how to keep your friends safe in social settings: <https://www.rainn.org/articles/your-role-preventing-sexual-assault>
- **Make a plan.** If you are going to a party, go with people you trust. Agree to watch out for each other and plan to leave together. If your plans change, make sure to touch base with the other people in your group. Do not leave someone stranded in an unfamiliar or unsafe situation. If you see someone stranded or walking alone, consider approaching them to ask if they're ok.
- **Know what you are drinking.** Drink from unopened containers or drinks you watched being made and poured. It is not always possible to know if something has been added to someone's drink. In drug-facilitated sexual assault, a perpetrator could use a substance that has no color, taste, or odor.
- **Know your limits.** Keep track of how many standard drinks you have had, and be aware of your friends' behavior. If someone begins exhibiting signs of severe impairment (slurring of speech, lack of motor control, vomiting, loss of consciousness), leave the party or situation and find help immediately.
- **You are never obligated to remain in a situation that makes you feel uncomfortable, pressured, or threatened.** You can also help a friend leave a situation that you think may be dangerous. Some excuses you could use are needing to take care of another friend or family member, an urgent phone call, not feeling well, and having to be somewhere else by a certain time.

Bystander Intervention

Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander.

Some examples of bystander intervention:

- If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.
- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, and try to make out with or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health or counseling assistance.

Sexual Assault Prevention and Awareness Campaigns

La Salle University continues to expand its campaigns to prevent sexual assault and promote awareness in the areas of health, safety, and wellness. Public Safety and Residence Life personnel receive training on Title IX response. Students, Faculty, and Staff are given access to a Title IX and Clery learning tool through the Canvas platform.

LA SALLE UNIVERSITY POLICY FOR ADDRESSING FORMAL COMPLAINTS OF SEXUAL HARASSMENT UNDER THE TITLE IX REGULATIONS²

A. PURPOSE/POLICY STATEMENT

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of “sexual harassment” (including forms of sex-based violence)
- Addresses how this institution **must** respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution **must** follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://bit.ly/TitleIXReg>

Based on the Final Rule, La Salle University will implement the following Policy for Handling Title IX Complaints Against Students (hereinafter called “Title IX Policy”), effective August 14, 2020.

B. APPLICABILITY

The procedures set forth herein do not apply to faculty and staff. Any faculty and/or staff accused of violating the standards set forth in the Title IX Policy shall be subject to the procedures set forth here (link). If a student worker is accused of violating the Title IX Policy, the University will determine whether the alleged conduct occurred primarily in the student's capacity as a student or as a staff member and proceed under the appropriate policy at La Salle University's sole discretion. If an individual's status with the University (i.e., student, staff, faculty member, non-community member) has changed from the time of the alleged policy violation to the time of complaint, the University will determine which policies will apply.

² This Policy is adapted from the **Model Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations** published by the SUNY Conduct Institute on July 1, 2020.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

In recent years, “Title IX” cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, La Salle University must narrow both the geographic scope of its authority to act under Title IX and the types of “sexual harassment” that it must subject to its Title IX investigation and adjudication process. ***Only*** incidents falling within the Final Rule’s definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Policy defined below.

La Salle University remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, La Salle University has:

- A [Student Code of Conduct](#) that defines certain behavior as a violation of campus policy, and
- A **Sexual Misconduct and Interpersonal Violence Policy** that addresses the types of sex-based offenses constituting a violation of campus policy, and the procedures for investigating and adjudicating those sex-based offenses.

To the extent that alleged misconduct falls outside the Title IX Policy, or misconduct falling outside the Title IX Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the [Student Code of Conduct](#) and/or the Sexual Misconduct and Interpersonal Violence Policy through a separate conduct proceeding. More information on these policies and procedures can be found in the [Student Guide to Rights, Resources, and Responsibilities](#).

The elements established in the Title IX Policy under the Final Rule have no effect and are not transferable to any other policy of the University for any violation of the [Student Code of Conduct](#), employment policies, or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the University and may not be cited for or against any right or aspect of any other policy or process.

The University’s commitment to addressing and preventing instances of sexual harassment remains the same, what has changed is the way the University Staff will handle different types of reports arising from sexual misconduct, as detailed herein.

C. GENERAL RULES OF APPLICATION

Effective Date

This Title IX Policy will become effective on August 14, 2020, and will only apply to formal complaints of sexual harassment brought on or after August 14, 2020. Complaints brought prior to August 14, 2020 will be investigated and adjudicated according to the Title IX Policy if a case is not complete by that date.³

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Policy be revoked in this manner, any conduct covered under the Title IX Policy shall be investigated and adjudicated under the existing [Student Code of Conduct](#) and/or Sexual Misconduct and Interpersonal Violence Policy.

Non-Discrimination in Application

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution’s policy or process may contact the Department of Education’s Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>.

D. DEFINITIONS

Covered Sexual Harassment

For the purposes of this Title IX Policy, “covered sexual harassment” includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);

³ This specific provision may be subject to additional guidance from OCR (which will be shared, if issued).

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Pennsylvania domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Pennsylvania.
6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the [Student Code of Conduct](#) and/or the Sexual Misconduct and Interpersonal Violence Policy.

Consent

For the purposes of this Title IX Policy, "consent" means Consent means words or actions, freely and actively given by each party, which a reasonable person would interpret as a willingness to participate in agreed-upon sexual conduct. Consent is not present or valid when:

1. A person is incapable of giving consent because they are incapacitated by drugs and/or alcohol;
2. when intimidation, threats, physical force, or other actions that a reasonable person in that person's circumstances would consider coercive are applied;
3. when that person is placed in fear that any person will suffer imminent bodily injury;
4. when a physical or mental condition is present such that the person cannot knowingly or voluntarily give consent; or
5. when a person is under the age of 16 consent, which in the Commonwealth of Pennsylvania is 16 years old.

Silence, non-communication, or a lack of resistance does not necessarily imply consent. Previous relationships or consent do not imply consent to future sexual conduct. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent can be rescinded at any time.

The use of alcohol and/or drugs does not minimize or excuse a person's responsibility for committing sexual misconduct, or that person's responsibility for determining whether another is capable of giving consent.

An objective standard will be used in determining whether a person is incapable of giving consent due to the person's incapacitation by the use or consumption of drugs and/or alcohol, or if a physical or mental condition as described above is present. That is, consent is not present or valid when:

- i. The person was, in fact, incapable of giving consent because the person was incapacitated by the person's use or consumption of drugs and/or alcohol such that the person could not understand the fact, nature, or extent of the sexual situation, or the person was incapable of providing knowing or voluntary consent due to a physical or mental condition, and
- ii. From the standpoint of a reasonable person, the respondent knew, or reasonably should have known, that the person was incapable of giving consent because the person was incapacitated by the person's use or consumption of drugs and/or alcohol such that the person could not understand the fact, nature, or extent of the sexual situation, or that the person's physical or mental condition would prevent knowing and voluntary consent.

Education Program or Activity

For the purposes of this Title IX Policy, La Salle University's "education program or activity" includes:

- Any on-campus premises
- Any off-campus premises that La Salle University has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of La Salle University's programs and activities over which the La Salle University has substantial control.

Formal Complaint

For the purposes of this Title IX Policy, “formal complaint” means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within La Salle University’s education program or activity and requesting initiation of the procedures consistent with the Title IX Policy to investigate the allegation of sexual harassment.

Complainant

For the purposes of this Title IX Policy, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

Relevant evidence and questions

“Relevant” evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

“Relevant” evidence and questions do not include the following types of evidence and questions, which are deemed “irrelevant” at all stages of the Title IX Process:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
 - They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
- Evidence and questions that constitute, or seek disclosure of, information protected under a recognized legal privilege in accordance with Pennsylvania law.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

Respondent

For the purposes of this Title IX Policy, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

Privacy vs. Confidentiality

Consistent with the [Student Code of Conduct](#), references made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to *privacy* mean La Salle University offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. La Salle University will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Disability Accommodations

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

School Days

For the purposes of this Policy, school days will refer to weekdays in which classes are in session. It will not include University Holidays or emergency closures, but may include extended University breaks, such as summer break, at the discretion of the Title IX Coordinator. The decision to continue this process over extended University breaks will be based primarily on the availability of the involved parties and witnesses; both parties will receive written notice of this decision.

E. MAKING A REPORT

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

Contact Information for the Title IX Coordinator:

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Rose Lee Pauline
Title IX Coordinator
1900 West Olney Avenue
Philadelphia, Pennsylvania PA 19141-1199
215/951-1014
pauline@lasalle.edu

Dr. Gabrielle St. Léger
Deputy Title IX Coordinator for Students
Vice President of Student Affairs and Enrollment Management
1900 West Olney Avenue
Philadelphia, Pennsylvania PA 19141-1199
215/951-1018
stleger@lasalle.edu

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator. Reports can also be made online [here](#) or by accessing the Incident Report page found on the MyLaSalle Portal in the Tool Menu.

Private and Confidential Reporting

The following Officials will provide *privacy, but not confidentiality*, upon receiving a report of conduct prohibited under this policy:

- Title IX Coordinator or Deputy Title IX Coordinator as listed above
- Student Conduct Office, La Salle Union 303, 215/951-1916
- Office of Residence Life, La Salle Union 205, 215/951-1350
- La Salle Public Safety, Good Shepard, 215/951-1300 or 215/991/2111 for emergencies

The following Officials may provide *confidentiality*:

- Assistant Director, Sexual Violence Prevention & Response, Medical Office Building 112, 215/951-1176
- Respondent Advocate, College Hall 215/951-1470
- Student Counseling Center 215/951-1355
- Student Health Center 215/951-1565
- Ordained Priest in Ministry, Service and Support 215/951-1976

F. NON-INVESTIGATORY MEASURES

Supportive Measures

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from the University regardless of whether they desire to file a complaint. Supportive measures are non-disciplinary and non-punitive. As appropriate, supportive measures may include, but not be limited to:

- Counseling
- extensions of deadlines or other course-related adjustments
- modifications of work arrangements or class schedules
- campus escort services
- restrictions on contact between the parties (No Contact Orders)
- changes in work or housing locations
- Leave of Absence
- increased security and monitoring of certain areas of the campus
- individualized safety planning with Public Safety

See 85 Fed. Reg. 30401.

Emergency Removal

La Salle University retains the authority to remove a respondent from the University's program or activity on an emergency basis, where the University (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal. This removal may include restrictions from housing facilities and/or academic or other campus facilities.

If La Salle University determines emergency removal is necessary, the Respondent will be provided notice and an opportunity to appeal the decision immediately following the removal. This notice will be in the form of an email from the Student Conduct Office to their University email account and instructions on how to appeal will be included in the email. An Assistant Vice President in Student Affairs and Enrollment Management, or

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

designee will hear appeals to this decision. The contact information for the specific Assistant Vice President will be included in the removal email. It is the responsibility of all La Salle University students to maintain and regularly check their email accounts.

Role of Alcohol and Other Drug Use

The University's wants to ensure that individuals feel comfortable reporting a complaint. The health and safety of every student at La Salle University is of the utmost importance. La Salle University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an alleged violation of this Policy occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct.

A complainant or witness acting in good faith that discloses any incident of an alleged violation of this Policy to a University employee or law enforcement will not be subject to La Salle University's [Student Code of Conduct](#) for violations of alcohol and/or drug policies (*see* Alcohol & Other Drugs Policy) occurring at or near the time of the commission of the alleged violation of this Policy.

The consumption of alcohol and/or use of other drugs, in and of itself, is not an excuse for a violation of this, but may be considered as a factor in the adjudication of matters under this Policy.

G. THE TITLE IX PROCESS

Filing a Formal Complaint

The timeframe for the Title IX Process begins with the filing of a Formal Complaint. The process will be concluded within a reasonably prompt manner, and no longer than one hundred and twenty (120) school days after the filing of the Formal Complaint, provided that the Process may be reasonably extended because the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities, or other similar reasons. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of La Salle University, including as an employee. For complainants who do not meet these criteria, the College will utilize existing policy in the [Student Code of Conduct](#) and/or the Sexual Misconduct and Interpersonal Violence Policy.

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. La Salle University will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in this Policy, [Student Code of Conduct](#), or the Sexual Misconduct and Interpersonal Violence Policy prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process. Students who wish to make a police report may contact the Philadelphia Police directly, or may also contact La Salle University Public Safety or a designated University advocate to assist in making such a report.

Multi-Party Situations

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

Determining Jurisdiction

The Title IX Coordinator, or appropriate designee, will determine if the Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in La Salle University's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, La Salle University will investigate the allegations according to the Process.

Allegations Potentially Falling Under Two Policies:

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Process will be applied in the investigation and adjudication of all of the allegations.

Mandatory Dismissal

If any one of these elements are not met, The Title IX Coordinator, or appropriate designee, will notify the parties that the Formal Complaint is being dismissed for the purposes of the Title IX Policy. Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

Discretionary Dismissal

The Title IX Coordinator, or appropriate designee, may dismiss a Formal Complaint brought under the Title IX Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator or Deputy Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by the University; or,
- If specific circumstances prevent the University from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in “Appeals,” below.

Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

Notice of Removal

Upon dismissal for the purposes of Title IX, La Salle University retains discretion to utilize the [Student Code of Conduct](#) and/or Sexual Misconduct and Interpersonal Violence Policy to determine if a violation of either of those policies has occurred. If so, La Salle University will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Process and removal of the allegations to the conduct process.

H. NOTICE OF ALLEGATIONS

The Title IX Coordinator, or appropriate designee, will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable, after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator, or appropriate designee, may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with or in separate correspondence after, the Notice of Allegations.

Contents of Notice

The Notice of Allegations will include the following:

- Notice of the institution’s Title IX Process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);
- A statement that the [Student Code of Conduct](#) prohibits knowingly making false statements or knowingly submitting false information during the process.

Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered “sexual harassment” falling within the Title IX Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

I. ADVISOR OF CHOICE AND PARTICIPATION OF ADVISOR OF CHOICE

La Salle University will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

The La Salle University has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. An Advisor of Choice may accompany students participating as Complainant or Respondent in this process to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of La Salle University.

La Salle University will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

La Salle University's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Policy, and La Salle University cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The Title IX Coordinator or designee shall make the determination of what is reasonable. La Salle University will not be obligated to delay a meeting or hearing under this process more than five (5) school days due to the unavailability of an Advisor of Choice and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by the University.

Notice of Meetings and Interviews

La Salle University will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

Delays

Each party may request a one-time delay in the Process of up to five (5) school days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Conduct, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Director of Student Conduct or designee shall have sole judgment to grant further pauses in the Process.

J. INVESTIGATION

General Rules of Investigations

An investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

La Salle University and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from La Salle University and does not indicate responsibility.

La Salle University cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. The University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

2. inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider prior to when the parties' time to inspect and review evidence begins. See, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

The institution will send the evidence made available for each party and each party's advisor, if any, to inspect and review through an electronic format. The Institution is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) school days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses and will include the responses in the Final Investigative Report.

The institution may provide the parties five (5) school days after the initial inspection and review of evidence, and before the investigator completes their Investigative Report, to provide additional evidence in response to their inspection and review of the evidence, and then provide the parties five (5) school days to inspect, review, and respond to the party's additional evidence through a written response to the investigator. Those written responses may be disclosed to the parties. See, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors agree not to photograph or otherwise copy the evidence. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020). The parties and their advisors are not permitted to use, disclose, disseminate or share any evidence subject to inspection and review for any purpose other than the Title IX process.

Inclusion of Evidence Not Directly Related to the Allegations:

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will be included in the appendices to the investigative report.

K. INVESTIGATIVE REPORT

The investigator designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence, will and provide that Report to the parties at least ten (10) school days prior the hearing in an electronic format for each party's review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant. See, 85 Fed. Reg. 30026, 30304 (May 19, 2020).

L. HEARING

General Rules of Hearings

La Salle University will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing.

Following completion of the Final Investigative Report, the Director of Student Conduct shall provide a Hearing Notification Letter to the parties referencing the specific provision of the [Student Code of Conduct](#) and the Title IX Policy alleged to have been violated and the possible sanctions, as well as the date, time, and location of the scheduled hearing. Equal consideration will be shown to the parties' academic commitments when scheduling the hearing. Except in extenuating circumstances, both parties will be given at least five school days' notice of the hearing.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at La Salle University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through Zoom, or other similar live video conferencing service. This technology will enable participants simultaneously to see and hear each other. At its discretion, La Salle University may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through audio recording. That recording will be made available to the parties for inspection and review. The parties and their advisors are not permitted to use, disclose, disseminate or share any of the testimony heard or evidence obtained in the hearing for any purpose other than the Title IX process.

Continuances or Granting Extensions

La Salle University may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, La Salle University will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Newly-discovered Evidence

As a rule, no new evidence or witnesses may be submitted during the live hearing.

If a party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The Decision-maker, or designee, will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the Decision-maker, or designee, answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

Participants in the live hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that may constitute a "statement" by that party.
 - For example, a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint may be considered even if they are not subject to cross-examination. Additionally, the University may also consider police reports, Sexual Assault Nurse Examiner documents, medical reports, and other documents even if those documents contain statements of a party or witness who is not cross-examined at the live hearing.
- La Salle University will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party's participation. See 34 C.F.R. § 106.71; see also 85 Fed. Reg. 30026, 30216 (May 19, 2020).
- If a party does not submit to cross-examination, the decision-maker may rely on any prior statements made by that party in reaching a determination regarding responsibility, and may reach a determination regarding responsibility based on evidence that does not constitute a "statement" by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross-examination or other questions. See 34 C.F.R. § 106.45(b)(6)(i).

The Decision-maker

- The hearing body will consist of the decision-maker, usually the Director of Student Conduct, and at least one, but no more than two co-hearer(s).
- No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination. Advisors who do not follow this standard will be issued one warning by the decision-maker and will then be subject to removal from the hearing.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf. 85 Fed. Reg. 30026, 30340 (May 19, 2020).
- If neither a party nor their advisor appear at the hearing, the University will provide an advisor to appear on behalf of the non-appearing party. See, 85 Fed. Reg. 30026, 30339-40 (May 19, 2020).
- Advisors shall be subject to La Salle University's Rules of Decorum, incorporated herein by reference, and may be removed in the event of a violation of those Rules.

Witnesses

- Witnesses cannot be compelled to participate in the live hearing and have the right not to participate in the hearing free from retaliation. See, 85 Fed. Reg. 30026, 30360 (May 19, 2020).
- If a witness does not submit to cross-examination, as described below, the decision-maker may still rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. See Suzanne B. Goldberg, Acting Assistant Secretary for Civil Rights, U.S. Department of Education, "Letter to Students, Educators, and other Stakeholders re *Victim Rights Law Center et al. v. Cardona*," p.1 (August 24, 2021)
- Witnesses shall be subject to La Salle University's Rules of Decorum, incorporated herein by reference.

Hearing Procedures

For all live hearings conducted under this Title IX Process, the procedure will be as follows:

- The Decision-maker will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- The Decision-maker and co-hearer(s) will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination after Decision-maker conducts its initial round of questioning; During the Parties' cross-examination, the Decision-maker will have the authority to pause cross-examination at any time for the purposes of asking their own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Decision-maker. A Party's waiver of cross-examination does not eliminate the ability of the Decision-maker to use statements made by the Party.

Live Cross-Examination Procedure

Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination, the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the Decision-maker will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the Decision-maker may be deemed irrelevant if they have been asked and answered.

Review of the Recording

The recording of the hearing will be available for review by the parties within 2 school days, unless there are any extenuating circumstances. The recording of the hearing will not be provided to parties or advisors of choice.

M. DETERMINATION REGARDING RESPONSIBILITY

Standard of Proof

La Salle University uses the preponderance of the evidence for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the investigation and hearing determine whether it is more likely than not that a violation of the Policy occurred.

General Considerations for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-makers shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Final Rule requires that La Salle University allow parties to call "expert witnesses" for direct and cross-examination. La Salle University does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that La Salle University allow parties to call character witnesses to testify. La Salle University does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that La Salle University admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Decision-maker may draw an adverse inference as to that party or witness' credibility.

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the [Student Code of Conduct](#) and the Title IX Policy if any, the respondent has or has not violated.
5. For each allegation:
 - a. A statement of, and rationale for, a determination regarding responsibility;
 - b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
 - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
6. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

Components of the Determination Regarding Appropriate Sanctioning

If a finding of responsibility is made, the Decision-maker and co-hearer(s) will consider, as part of their deliberations, whether a sanction will:

1. Bring an end to the violation in question;
2. Reasonably prevent a recurrence of a similar violation; and
3. Remedy the effects of the violation on the complainant and La Salle University Community.

In determining an appropriate sanction, the Decision-maker and co-hearer(s) may consider any record of past violations of the [Student Code of Conduct](#), this Policy, or any other University Policy, as well as the nature and severity of such past violation(s). Past violations are *not* to be considered when determining responsibility.

The range of sanctions that may be imposed for a violation of this Policy include a Warning, Conduct Probation, Deferred Suspension, Suspension, or Expulsion and/or additional educational sanctions deemed appropriate by the Decision-maker and co-hear(s). More information on sanctions can be found in the [Student Code of Conduct](#).

In cases where a respondent is found responsible for committing sexual non-consensual sexual intercourse, suspension or expulsion is the likely outcome.

If suspension is assigned, reinstatement or readmission criteria may include, but are not limited to, evidence of satisfactory progress by the respondent on relevant educational components to the sanction, such as counseling and training.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

The conditions of reinstatement or readmission will be communicated to both parties. If the Respondent's return will coincide with the Complainant's presence at La Salle University, additional accommodations for the complainant and/or conditions on the respondent to preserve the right of the complainant to a safe environment may be assigned, including but not limited to room assignment consideration, class changes, No Contact Order adjustments, and/or building or extracurricular activity restrictions.

Long-term remedies may also be offered or provided to the complainant following sanctioning, which may include: providing an escort on campus; assistance with academics including rescheduling exams and assignments; facilitating a classroom change; housing assignment relocation; restriction of campus access for the respondent (restricted from specific buildings, areas, etc.); No Contact Orders; campus employment reassignment; and counseling referrals.

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by La Salle University within ten (10) school days of the completion of the hearing.

Finality

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

N. APPEALS

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) school days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution's own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals should be submitted in a Microsoft Word document or Portable Document Format (PDF) using CAMBRIA or TIMES NEW ROMAN, 12-point font, and single-spaced, and shall not exceed 5 pages. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by the University Appeals Board, who will be free of conflict of interest and bias, and will not include anyone who served as investigator, Title IX Coordinator, or hearing decision-maker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.

O. RETALIATION

La Salle University will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Policy.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Complaints alleging retaliation may be filed according to This Policy.

P. OFF-CAMPUS RESOURCES

Medical Concerns/Treatments

Philadelphia Sexual Assault Response Center
300 E. Hunting Park Ave., Philadelphia, PA
Call *Public Safety* (215.951.1300) for free transport.

215-425-1625

Abington Hospital
1200 Old York Road
Abington, PA 19001
215-481-2000

24 Hour Hotlines

Philadelphia Center Against Sexual Violence (WOAR), 24-hour hotline, 215-985-3333

Philadelphia Domestic Violence Hotline ([Women Against Abuse](#)): 1-866-723-3014

AIDS Hotline: 215-985-AIDS

[Rape, Abuse & Incest National Network](#) (RAINN): 1-800-656-4673

Services for Domestic Violence in Philadelphia

Women in Transition Lifeline (M-F 10am-4pm): 215-751-1111

Lutheran Settlement House, Bilingual Domestic Violence Program, 215-426-8610, ext. 1245

Congreso de Latinos Unidos, Latina Domestic Violence Program (Spanish services): 215-763-8870 x1300

State Resources for Sexual Assault

Pennsylvania Commission on Human Relations: 215-560-2496

Criminal Prosecution

Philadelphia Special Victims Unit: 215-685-3251

Resources for Respondents (Male or Female):

Men's Resource Center: 215-564-0488

Courdea: 215-242-2235

John J. Peter's Institute: 215-701-1560

Q. OFFICIAL COMMUNICATION

All written notices to the parties may be delivered at the University's discretion to any email or mailing address on file with the University. All written notices will be deemed received when sent.

R. DESIGNATIONS

Whenever an official University title or office is named throughout this Policy, the official's or office's designee may act in the official's or office's role.

S. INQUIRIES CONCERNING THIS POLICY

Inquiries concerning the application of Title IX may be referred to the applicable Deputy Title IX Coordinator(s), the Title IX Coordinator, or to the United States Department of Education Office for Civil Rights, Philadelphia Office, U.S. Department of Education, The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107-3323, Telephone (215) 656-8541, Fax (215) 656-8605, Email OCR.Philadelphia@ed.gov.

T. RESPONSIBLE OFFICE/DEPARTMENT

The Division of Student Development and Campus Life

U. EFFECTIVE DATE

August 14, 2020

Revised November 11, 2021

POLICY ON HARASSMENT, SEXUAL MISCONDUCT, AND DISCRIMINATION

STUDENT SEXUAL MISCONDUCT AND INTERPERSONAL VIOLENCE POLICY

A. PURPOSE/POLICY STATEMENT

This Sexual Misconduct and Interpersonal Violence Policy ("Policy"), including all principles, and processes contained herein, shall exclusively govern any incident raising concerns of harassment and/or discrimination based on race, color, sex, sexual orientation, gender identity, religion, creed, national or ethnic origin, citizenship status, age, disability, veteran status or any other legally protected class status *that is not* a violation of Title IX of the Education Amendments of 1972, including sexual misconduct of any nature, gender-based discrimination, retaliation, domestic violence, dating violence, stalking or sexual assault where a student (from the time of acceptance of admission) is identified as a potential respondent. This Policy governs conduct both on and off La Salle University's campus, and also governs conduct that occurs while students are on a leave of absence or studying abroad. It also includes conduct that occurs when students are not officially enrolled during a particular term if they have a continuing relationship with the University. This Policy will apply to a student's behavior even if the student withdraws or graduates from the University while a disciplinary matter is pending. La Salle University reserves the right to investigate and adjudicate complaints under this Policy irrespective of actions taken (or not taken) by other institutions or law enforcement agencies.

Violations of Title IX of the Education Amendments of 1972 are addressed through the [University's Student Title IX Policy](#).

The procedures set forth in this Policy do not apply to faculty and staff. Any faculty and/or staff accused of violating the standards set forth in this Policy shall be subject to the procedures set forth in the University's Equal Opportunity and Anti-Harassment policy. If a student worker is accused of violating this Policy, the University will determine whether the alleged conduct occurred primarily in the student's capacity as a student or as a staff member and proceed under the appropriate policy at LaSalle University's sole discretion. Non-La Salle University community members may report violations of this Policy and the report will be addressed in accordance with the procedures below. However, a non-La Salle University community member's role in the University's investigatory and disciplinary procedures may be limited. La Salle University's support resources are available only to members of the La Salle University community. If an individual's status with the University (i.e., student, staff, faculty member, non-community member) has changed from the time of the alleged policy violation to the time of complaint, the University will determine which policies will apply.

To the extent this Policy conflicts with any another University policy, principle, and/or process, this Policy shall govern.

A. DEFINITIONS

1. **Sexual Misconduct:** Sexual misconduct is an action or course of actions that violate the rights of others and demonstrate flagrant disregard for the principles of this community. La Salle University seeks to prevent all forms of sexual misconduct and desires to establish and maintain a safe and healthy environment for all members of the community through sexual misconduct prevention, education, support, and a fair adjudication process. The use of alcohol and/or other drugs does not minimize or excuse a person's responsibility for conduct that violates this Policy. Sexual misconduct may include sexual assault, sexual exploitation, dating/domestic violence, stalking, and/or harassment. The definitions below are intended to provide clarity, and do not suggest that one behavior is more severe or violating than the other.
2. **Coercion:** Coercion is defined as compelling someone to act by applying pressure, harassment, threats, intimidation, or other actions a reasonable person would consider to be coercive.

3. **Consent:** Consent means words or actions, freely and actively given by each party, which a reasonable person would interpret as a willingness to participate in agreed-upon sexual conduct. Consent is not present or valid when:

- i. a person is incapable of giving consent because they are incapacitated by drugs and/or alcohol;
- ii. when intimidation, threats, physical force, or other actions that a reasonable person in that person's circumstances would consider coercive are applied;
- iii. when that person is placed in fear that any person will suffer imminent bodily injury;
- iv. when a physical or mental condition is present such that the person cannot knowingly or voluntarily give consent; or
- v. when a person is under the age of consent, which in the Commonwealth of Pennsylvania is 16 years old.

Silence, non-communication, or a lack of resistance does not necessarily imply consent. Previous relationships or consent do not imply consent to future sexual conduct. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent can be rescinded at any time.

The use of alcohol and/or drugs does not minimize or excuse a person's responsibility for committing sexual misconduct, or that person's responsibility for determining whether another is capable of giving consent.

An objective standard will be used in determining whether a person is incapable of giving consent due to the person's incapacitation by the use or consumption of drugs and/or alcohol, or if a physical or mental condition as described above is present. That is, consent is not present or valid when:

- The person was, in fact, incapable of giving consent because the person was incapacitated by the use or consumption of drugs and/or alcohol such that the person could not understand the fact, nature, or extent of the sexual situation, or the person was incapable of providing knowing or voluntary consent due to a physical or mental condition; and
- From the standpoint of a reasonable person, the Respondent knew, or reasonably should have known, that the person was incapable of giving consent because the person was incapacitated by the person's use or consumption of drugs and/or alcohol such that the person could not understand the fact, nature, or extent of the sexual situation, or that the person's physical or mental condition would prevent knowing and voluntary consent.

4. **Complainant:** The Complainant is an individual who is alleged to be the victim of conduct that could constitute a violation of this Policy. In some cases (such as, e.g., cases in which a person involved in an incident of alleged sexual misconduct, domestic or dating violence or misconduct, stalking, or related retaliation does not wish to participate in the process but La Salle University decides that the alleged misconduct needs to be investigated), La Salle University may pursue an investigation and adjudication under this Policy without a designated complainant. In these cases, La Salle University may extend some or all of the rights of a complainant as defined in this Policy to affected parties as deemed appropriate by the Vice President of Student Affairs and Enrollment Management.
5. **Respondent:** The Respondent is an individual who has been reported to be the perpetrator of conduct that could constitute a violation of this Policy. For ease of reference, the term "respondent" is also used throughout this Policy to refer generally to an individual who allegedly engaged in prohibited conduct as defined in this Policy.
6. **Supportive Measures and Accommodations:** Supportive Measures are actions that the University may take in order to maintain protect the health and safety of the community. At any time during the process described in this Policy, the University may take interim steps to provide for the rights and safety of the complainant and respondent parties, as well as the campus community. These may include, but are not limited to, interim suspension from the University and/or interim removal from housing, adjustments to academic classes or University residence assignments for the complainant or the respondent, access to University facilities, the issuance of no-contact orders, etc. Interim measures may be modified throughout this process, and may in some instances last beyond the investigation and adjudication of a complaint. Restrictive measures are used only when deemed necessary. Students wishing to access such services during or after the investigation should contact the Vice President of Student Affairs and Enrollment Management. Students who are subjected to Interim Measures may request a review of those measures by contacting the Assistant Vice President of University Life.

- i. **Emergency Removal**
When there is an actual or perceived threat to the rights and safety of either party or the campus community, based on a threat assessment completed by University Public Safety, the University may issue an Emergency Removal. At the discretion of the Director of Student Conduct, students who are removed from campus in this manner may be prohibited from attending classes or exams, residing in University owned housing, or being present on campus for any purpose but to respond to matters related to the conduct case and with prior permission from the Director of Student Conduct or University Public Safety.
- ii. **No Contact Order**
When a violation of this Policy has been alleged, or when otherwise deemed appropriate under the circumstances, the University may issue No Contact Orders to the students involved. A No Contact Order is used to restrict encounters and communications between individuals. No Contact Orders can be issued whether or not disciplinary action is taken and may remain in effect after the adjudication of a conduct case, regardless of the findings. While a No Contact Order in and of itself does not constitute discipline and will not appear on a student's disciplinary record, refusal to adhere to the order after written or verbal notification of its terms is prohibited and may result in disciplinary action, including suspension or expulsion.
- iii. **Persona Non-Grata**
The University may also initiate a no-trespass/ *persona non-grata* (PNG) status, indicating that an individual is not welcome on University property and could face criminal arrest for trespassing.
- iv. **Academic Accommodations**
The University may assist students with a variety of academic accommodations such as changing class schedules, providing alternate exam locations, and having relevant absences excused.
- v. **Housing Accommodations**
Pending availability, the University can assist students with housing accommodations such as providing an alternate living space on campus or emergency housing for off-campus students.
- vi. **Safety Plans**
The University will assist students in developing personal safety plans for both on and off-campus.
- vii. **Counseling**
Both parties can access counseling services through the Student Wellness Services and University Ministry and Support.

B. PROHIBITED ACTS/BEHAVIORS UNDER THIS POLICY

1. **Sexual Assault:** Sexual assault may be actual, or attempted, rape, fondling without consent, incest, statutory rape, as defined in the Clery Act and below:
 - i. Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - ii. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent (as defined below) of the victim, including instances where the victim is incapable of giving consent because of their temporary or permanent mental incapacity.
 - iii. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law in the applicable jurisdiction.
 - iv. Statutory rape is sexual intercourse with a person who is under the statutory age of consent in the applicable jurisdiction.

Sexual assault can be committed by any person against any other person, regardless of gender, gender identity, sexual orientation, or past or current relationship status. Sexual assault may occur with or without physical resistance or violence.

2. **Sexual Exploitation:** Sexual exploitation occurs when a person takes non-consensual, sexual advantage of another person for the benefit of anyone other than that other person. Examples of behavior that could constitute sexual exploitation include, but are not limited to the following:

- i. Intentional non-consensual contact with the private body parts of another person that does not meet the definition of behaviors prohibited under the definition of "Sexual Assault," above;
 - ii. Prostituting another person;
 - iii. Recording or capturing through any means images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nudity without that person's consent;
 - iv. Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nudity, if the individual distributing the images or audio knows, or reasonably should have known, that the person(s) depicted in the images or audio did not consent to such disclosure and object(s) or would object to such disclosure;
 - v. Viewing another person's sexual activity, intimate body parts, or nudity in a place where that person would have a reasonable expectation of privacy, without that person's consent, if the individual viewing the other person's or persons' sexual activity, intimate body parts, or nudity in such a place knows, or reasonably should have known, that the person(s) being viewed would object to that.
 - vi. Exposing one's genitals without the consent of the other parties.
 - vii. Knowingly exposing another person to a Sexual Transmitted Infection without their consent.
3. **Dating Violence:** Dating violence is violence committed by a person who is, or has been, in a social relationship of a romantic or intimate nature with the person subjected to the violence. The existence of such a relationship shall be determined based on the complainant's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, if the involved individuals are, or have been, dating as determined using the criteria listed above.

For the purposes of this definition, violence means conduct that involves the use, or threatened use, of physical force against a person, or creates a reasonable belief that physical force may be used against a person in the course of the conduct.

Dating violence does not include acts covered under the definition of domestic violence stated below.

4. **Domestic Violence:** Domestic violence is violence committed by:
- i. a current or former spouse or intimate partner of the person subjected to the violence;
 - ii. a person with whom the person subjected to the violence shares a child in common;
 - iii. a person who is cohabitating with, or has cohabitated with, the person subjected to the violence as a spouse or intimate partner;
 - iv. a person similarly situated to a spouse of the person subjected to the violence under the domestic or family violence laws of the jurisdiction in which the violence occurred; or
 - v. any other person against an adult or youth who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the violence occurred.

For the purposes of this definition, domestic violence includes but is not limited to sexual or physical abuse or the threat of such abuse, if involving individuals who are or have been in a domestic relationship as defined above.

For the purposes of this definition, violence means conduct that involves the use, or threatened use, of physical force against a person, or creates a reasonable belief that physical force may be used against a person in the course of the conduct.

5. **Harassment:** Harassment is verbal, written, visual, or physical conduct based on or motivated by an individual's actual or perceived sex, sexual orientation, gender identity or expression, race, creed, color, place of birth, ancestry, ethnicity, religion, national origin, age, disability, marital status, or other characteristics as defined and protected by law that has the purpose or

effect, from the point of view of a reasonable person, of objectively and substantially: (a) undermining and detracting from or interfering with an individual's educational or work performance or access to University resources; or (b) creating an intimidating, hostile, or offensive educational, work, or living environment. Harassment may include repeated slurs, or taunts in the guise of jokes, or disparaging references to others, use of epithets, stereotypes, comments, gestures, threats, graffiti, display or circulation of written or visual materials, taunts on manner of speech, and negative reference to customs when such conduct is based on or motivated by one or more of the protected characteristics identified above, or other characteristics protected by applicable law.

6. **Discrimination:** Discrimination is adverse conduct directed at an individual based on race, creed, color, place of birth, ancestry, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, marital status, genetic information, disability and/or any other status or characteristic protected by applicable law.
7. **Stalking:** Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

For the purposes of this definition:

- i. Course of conduct means two or more acts, including, but not limited to, acts in which the alleged stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- ii. Reasonable person means a reasonable person under similar circumstances and with similar identities to the person subjected to the stalking.
- iii. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
- iv. Examples of stalking behaviors or activities include, but are not limited to the following, if they occur in the context of stalking as defined above:
 - a. Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, text messages, written letters, gifts, or any other communications that are unwelcome.
 - b. Use of online, electronic or digital technologies in connection with such communication, including but not limited to:
 1. Posting of pictures or text on social media or other websites;
 2. Sending unwanted/unsolicited e-mail or talk requests;
 3. Posting private or public messages on Internet sites, social media, or in other public spaces.
 - c. Non-consensual surveillance of another, including, but not limited to:
 1. Installing spyware on a person's computer;
 2. Using Global Positioning Systems (GPS) or similar technology to monitor a person;
 3. Pursuing, following, waiting for, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the person;
 4. Other types of observation including staring or "voyeurism";
 5. Trespassing;
 6. Vandalism;
 7. Gathering information about an individual from friends, family, or co-workers;
 8. Accessing private information through unauthorized means
 - d. Additional stalking behaviors can include, but are not limited to:
 1. Non-consensual touching that is not covered under Sexual Assault or Exploitation;
 2. Direct verbal or physical threats;
 3. Threats to harm self or others;
 4. Defamation and/or lying to others about the person; or

- e. Using a third party or parties to accomplish any of the above.

8. **Retaliation**

Retaliating directly or indirectly against a person who has in good faith made a report under this Policy or participated in an investigation is prohibited. Retaliation includes, but is not limited to, ostracizing the person, pressuring the person to drop or not support the complaint or to provide false or misleading information, engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment, threatening, intimidating or coercing the person, or otherwise discriminating against any person for exercising their rights or responsibilities under this Policy. Depending on the circumstances, retaliation may also be unlawful. Retaliation under this Policy may be found whether or not the underlying complaint is ultimately found to have merit. In the event an individual believes that he or she has been retaliated against, an investigation will be conducted and appropriate disciplinary action will be taken, if warranted. That investigation may be independent of or may be combined with the existing investigation, as determined by the Director of Student Conduct.

C. POLICY PROCEDURE/GENERAL PRINCIPLES

1. **Reporting Options**

- i. **Confidential Reporting Option:** There are options for individuals to confidentially report incidents reasonably believed to be in violation of this Policy. Confidential reporting options will not disclose any details of the report with anyone. At La Salle University, these confidential reporting options are the Student Counseling Center, the Student Health Center, designated individuals in Ministry, Service, and Support, the Assistant Director, Sexual Violence Prevention & Response, and a designated Respondent Advocate.
Sharing information with a Confidential Resource will not result in a report to La Salle University or investigatory or disciplinary action against a respondent. Statistical information about confidentially-reported incidents may still be included in the University's annual Clery Act reporting, but such statistical information will not include any identifying information about any student.
- ii. **Reporting to a non-Confidential Resource:** All La Salle University faculty and staff who are not listed above as Confidential Resources are required by the University to report information received relating to violations of this Policy. Faculty and staff receive annual notification and training regarding their duty and obligation to report knowledge of sexual misconduct involving a member(s) of the campus community and are instructed to report any such acts to the Vice President of Student Development and Campus Life, who has been specifically trained to receive and respond to allegations of violations of this Policy. Students who have experienced a violation of this Policy and would like La Salle University to respond by offering resources and/or investigating the incident should fill out a report of Sexual Misconduct in the MyLaSalle Portal or contact the Assistant Director, Sexual Violence Prevention & Response.
- iii. **Confidentiality and Privacy:** Only Confidential Resources can offer confidentiality. However, even non-Confidential Resources (such as faculty and staff members) will maintain privacy to the greatest extent possible. Privacy is not confidentiality; if reported to a non-Confidential Resource, confidentiality cannot be guaranteed and there may be circumstances in which the University may need to investigate a report of a violation of this Policy and take appropriate actions to fulfill its legal obligations, even if the complainant wishes to maintain confidentiality or to not pursue an investigation and adjudication of an incident violating this Policy. The determination of when to proceed with an investigation or adjudication against the complainant's wishes shall be at the discretion of the University based on the facts and circumstances of the case, including, but not limited to, the health and safety of the complainant, the health and safety of others, the safety of the campus community, and the rights of the parties.

The information provided to a non-Confidential Resource will be shared only as necessary for an investigation and/or to seek resolution. To the extent practicable, non-Confidential Resources will inform a potential complainant of their responsibility to report any case of a potential violation of this Policy and the options for confidential reporting on campus. At that time, the potential complainant can decide to move forward and share the information with the non-Confidential Resource or choose to access a Confidential Resource.

2. **Timeliness of Report or Complaint**

The University will take prompt and appropriate steps to respond to complaints of a violation of this Policy. While there is no time limit for reporting a violation of this Policy, the complainant is encouraged to report any incident as soon as possible in order to maximize the University's ability to respond and investigate promptly and effectively.

3. **Timeliness of Investigations**

The investigation generally will take no longer than 120 days; however, complex cases, the availability of witnesses, and other exceptional circumstances may require additional time and/or the modification of the timeframes described herein. If there are delays in the investigation, the Director of Student Conduct or other appropriate individual will notify the parties of the delays and explain the circumstances causing the delays.

La Salle University is not obligated wait for the conclusion of a criminal investigation or proceeding to begin its own investigation and resolve complaints under this Policy. The University will, however, comply with valid requests by law enforcement in a criminal investigation. As such, La Salle University may need to temporarily delay an investigation under this Policy while law enforcement is in the process of gathering evidence. Once law enforcement has completed its gathering of evidence, the University will promptly resume and complete its investigation.

4. Standard of Proof

La Salle University addresses reports of a violation of this Policy using a preponderance of the evidence standard, meaning that the outcome will be based on a conclusion of what was more likely than not to have occurred. Formal rules of evidence do not apply to investigations or adjudications under this Policy.

5. Prior Sexual History

The complainant's or respondent's past sexual history generally may not be referenced throughout the process described herein, except that either party (complainant or respondent) may reference a prior sexual relationship between the complainant and the respondent. Sexual history that relates to past complaints or findings of responsibility under this Policy may be considered when determining an appropriate sanction if a respondent is found responsible.

6. Mental Health Diagnosis and/or Treatment

Both the reporting and responding parties have the right to exclude information relating to their own mental health diagnosis and/or treatment. It should be noted however, that in cases where the complainant's capacity to consent is being assessed, information regarding the use of medication may be relevant.

7. Role of Alcohol and Other Drug Use

La Salle University's primary concern is ensuring that individuals feel comfortable reporting a complaint. The health and safety of every student at La Salle University is of the utmost importance. La Salle University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an alleged violation of this Policy occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. The University strongly encourages students to report an alleged violation of this Policy to the appropriate La Salle University official. A complainant, bystander, or witness acting in good faith that discloses any incident of an alleged violation of this Policy to a responsible employee or law enforcement will not be subject to La Salle University's code of conduct for violations of alcohol and/or drug policies (*see Alcohol & Other Drugs Policy*) occurring at or near the time of the commission of the alleged violation of this Policy.

The consumption of alcohol and/or use of other drugs, in and of itself, is not an excuse for a violation of this Policy, but may be considered as a factor in the adjudication of matters under this Policy.

8. Equal Rights and Opportunities

To the extent permitted by law, the complainant and respondent will be afforded the same rights and opportunities throughout the investigation and adjudication process, including the opportunity to recommend witnesses, submit evidence, and appeal the outcome of any formal University disciplinary process.

9. Cooperation of Parties

The parties to a complaint and/or investigation conducted under this Policy are expected to cooperate fully with the resolution of the complaint and/or investigation by providing complete, accurate, and truthful information and any potentially relevant documentation in any format. In the event that the complainant chooses not to cooperate, the University may be obligated to continue with an investigation and adjudication. If the respondent chooses not to cooperate with the investigation or adjudication, the adjudication of the complaint will proceed without input or involvement from the respondent. The University will also cooperate with other colleges or universities if the respondent or complainant is from a university other than La Salle University.

10. Cooperation of Witnesses

All witnesses interviewed or contacted in the investigation are required to cooperate fully by providing complete, accurate, and truthful information. They may also be expected to sign statements or other materials documenting the information they provide, and may be asked to keep the substance of the interview confidential. In the event the witness cannot meet in person, the witness will be offered the option to participate electronically via technology. Failure to cooperate fully with the investigation may subject a witness

to conduct action up to and including possible suspension or expulsion. Failure to cooperate includes, but is not limited to, providing false, misleading, or incomplete information, failure to provide requested documentation, whether in paper or electronic format, or intentional destruction of relevant or requested evidence.

11. Related Charges under the University's Code of Conduct

In cases where multiple allegations and/or multiple violations arise out of the same event or series of related events, the University shall have the discretion to direct that a single investigation be conducted under procedures set forth in this Policy.

12. Effect of Withdrawal, Transfer, or Degree Conferral While Investigation or Adjudication Pending

In the event that a respondent withdraws or seeks to transfer while an investigation is pending but unresolved, the University may elect to proceed with the investigation in the respondent's absence. In addition, in the University's sole discretion, a hold may be placed on the respondent's account during the pendency of an investigation, with no degrees to be awarded or official transcripts to be provided until the investigation has resolved.

13. Role of Advisors and Support Persons

i. Advisors

Should they so desire, the complainant and respondent will each be provided one University-designated advisor to assist them through this process. These advisors are members of the University community who have been approved by the University to serve in this role. The advisors will be available to meet with the complainant or respondent before and after a hearing, and will also assist in preparation. Advisors, as opposed to support persons, may assist the complainant or respondent during the formal hearing. Students are not required to work with a University Advisor to participate in this process or to access any of the resources provided by the University. Students not wishing to work with a University Advisor may elect to bring an Advisor of their choice.

ii. Support Person

Both the complainant and the respondent may each be accompanied at any point in this process, including at a hearing or appeal, by one support person of their choice, so long as the support person is not also a witness in the same matter. Hearings will not be postponed due to the unavailability of the student's support person.

The complainant and the respondent are responsible for presenting their own information and therefore a support person is limited to a supportive, non-participatory role and may not speak, write, record, or otherwise communicate on behalf of the complainant or the respondent at any point during this process, including by formulating questions for the party during proceedings. A support person who fails to comply with these requirements, hinders this process or is otherwise disruptive, may be asked to leave during this process. In cases where the complainant or respondent have chosen legal counsel as a support person or advisor, the University reserves the right to have University counsel present as well. The University reserves the right to impose additional parameters on a support person's or an advisor's role and standards of acceptable conduct throughout this process at its discretion.

14. Making a Criminal Complaint to Law Enforcement

Initiating the University's student conduct process does not preclude reporting the incident to the police. Students have the opportunity at all times, but are not required, to file criminal complaints and student conduct complaints simultaneously. Students who wish to make a police report may contact the Philadelphia Police directly, or may also contact La Salle University Public Safety or a designated University advocate to assist in making such a report.

15. False Reports or Complaints

The intentional reporting of false reports or complaints will not be tolerated and may subject the individual making the false report or complaint to disciplinary action and potential criminal and/or civil liability. A finding of not responsible in and of itself does not constitute a false complaint or report.

16. Investigation and Adjudication of Reported Cases

i. Initial Assessment

- a. In most cases, within five (5) school days of receiving notification of a violation of this Policy, the Vice President of Student Development and Campus Life, or their designee, will contact the complainant and offer to set up a meeting to gather preliminary information about the report or complaint, inform the complainant of the contents of this

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Policy, provide information about on- and off-campus resources, discuss potential interim measures, provide the complainant with a link to this Policy, review the conduct process and other relevant procedures (including the University's prohibition against retaliation), as well as provide instructions on how to file a Formal Report with the University.

- b. Once a Formal Report is received, the Vice President of Student Development and Campus Life and Director of Student Conduct shall make an initial assessment of whether, if the complainant's allegations are true, the allegations would constitute a violation of this Policy.
 - 1. If the Complainant's allegations, even if true, would not constitute a violation of this Policy, then the Director of Student Conduct shall inform the Complainant of that decision and no formal or informal process will move forward. The complainant will receive this notification in writing and will be provided with instructions on how to appeal this decision. The complainant shall still be offered campus resources and may also be entitled to interim measures. Any doubt as to whether an investigation is warranted should be resolved in favor of proceeding with an investigation.
 - 2. If it is determined that the complainant's allegations, if true, would constitute a violation of the Student Conduct of Conduct other than this policy, the allegations will be addressed through procedures outlined in the applicable policy.
 - c. If the Director of Student Conduct, in consultation with the Vice President of Student Development and Campus Life, determines that supportive measures are appropriate, the Director of Student Conduct will impose supportive measures.
 - d. The Vice President of Student Development and Campus Life in their discretion will determine whether an informal resolution process is an option under the circumstances presented by the complaint. Informal resolutions will generally not be appropriate for allegations that present significant disputed issues of fact or circumstances, or where the alleged conduct is of a nature that may warrant the imposition of a sanction of suspension or expulsion. Informal resolutions are not eligible for appeal.
 - 1. The Informal Resolution Process will only be used if both the Complainant and Respondent agree to an informal resolution.
 - 2. At any point in the conduct process prior to a Formal Hearing, either party can request an Informal Resolution. The Vice President of Student Development and Campus Life and Director of Student Conduct will review the request, may speak with the other party, and will make a determination as to whether or not to offer an Informal Resolution.
 - 3. If it is determined that the informal resolution process may be used, the respondent and complainant will be given an opportunity to discuss the option of an informal resolution with their advisors. If the parties agree to move forward with an informal resolution, the Director of Student Conduct will assign a trained staff member from the Division of Student Development and Campus Life to facilitate the informal resolution.
 - 4. An informal resolution will not be used unless both parties agree, and a party will not be required to meet face-to-face with the other party at any time in connection with the process of reaching an informal resolution unless both parties agree.
 - e. If the Vice President of Student Development and Campus Life determines that a formal investigation should be conducted, or if either party requests a formal investigation and the Vice President of Student Development and Campus Life determines that a formal investigation is appropriate, the investigation and adjudication thereof shall be conducted pursuant to the process described immediately below.
- ii. **Formal Investigation**
- a. The University's investigation and adjudication process under this Policy is not a legal proceeding. The University's investigation and adjudication process provides a fundamentally fair process as defined and described by the procedures set forth below. This process does not provide for direct contact between the parties, but, as described below, does allow the parties to provide information that they consider relevant to the case.
 - b. If the Vice President of Student Development and Campus Life determines a formal investigation is to be conducted, an investigator will be selected by the Vice President of Student Development and Campus Life to conduct the formal investigation (the "Investigator(s)").

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- c. Following the appointment of the Investigator(s), both parties will be contacted to schedule a meeting with the Investigator(s).
- d. At their respective meetings, the Investigator(s) will notify the complainant and the respondent that they may each submit a written statement to the Investigator(s), addressing the allegations presented in the Formal Report and provide a list of potential witnesses that each party would like the Investigator(s) to interview. The complainant and the respondent may also provide the Investigator(s) with any other relevant evidence they would like the Investigator(s) to consider and may provide the Investigator(s) with lists of specific questions to be asked of the witnesses and/or each another. It is at the discretion of the Investigator(s) to determine the evidence to consider and the witnesses to interview; the Investigator(s) is not required to consider the evidence identified by the parties or to interview any particular witness, even if identified by one of the parties, nor to ask any or all of the questions provided by either party. Additionally, the investigator is not limited to the only witnesses suggested by the complainant and respondent and may interview any additional witnesses they deem relevant.
- e. Within a reasonable amount of time following the above steps, the Investigator(s) shall generate a draft of the completed Investigatory Report and notify the parties. Electronic copies of the draft Investigatory Report will be provided to both parties. The draft Investigatory Report should contain: (1) a summary of the factual allegations against the respondent; (2) the policy provision the alleged conduct, if true, would violate; (3) summaries of the information obtained by the Investigator(s) from the parties and witnesses; and (4) copies of other relevant information obtained by the Investigator(s). Where, in his/her discretion, a summary of material points in agreement and points of disagreement would be of assistance to the fact finder, the Investigator(s) may also include such a summary in the draft Investigative Report. The complainant and the respondent shall have 10-school days to review the draft Investigatory Report to provide their written responses, if any.
- f. The parties and their advisors agree not to photograph or otherwise copy the evidence, and are not permitted to use, disclose, disseminate or share any evidence subject to inspection and review for any purpose other than this policy.
- g. The Investigator(s) will review the complainant's and the respondent's written responses, if any, and determine, within his/her sole discretion, if any additional investigation is warranted and/or whether revisions to the draft Investigatory Report are warranted, based on information provided in the parties' responses.
- h. Once the Draft Final Report has been finalized by the Investigator(s) following the parties' written responses, the Final Investigatory Report, along with all other relevant evidence shall be forwarded to the Director of Student Conduct and made available to the complainant and the respondent in the same manner the draft Investigatory Report was shared.

iii. Formal Adjudication Procedure

- a. Following receipt of the Final Investigatory Report, the Director of Student Conduct shall provide notice to the complainant and respondent referencing the specific provision of this Policy alleged to have been violated and the possible outcomes, as well as the date, time, and location of the scheduled hearing. Except in extenuating circumstances, both parties will be given at least 5-school days' notice of the hearing.
- b. The hearing shall be presided over by the Director of Student Conduct and an additional one or two co-hearers (selected from a pool of trained hearing officers). In the event that a material conflict of interest is deemed to exist, the Vice President of Student Development and Campus Life shall designate an alternate(s) to preside over the hearing.
- c. Both the complainant and the respondent shall have an opportunity to present evidence and testimony during the hearing. A list of potential witnesses, as well as any additional information either party plans to present, must be submitted to the Investigator(s) no less than five (5) school days in advance of the hearing. Whether a proposed witness is permitted to present evidence at the hearing is in the sole discretion of the Director of Student Conduct. It is the responsibility of the parties to inform their witnesses of the date and time of the hearing.
- d. The hearing will be private and audio recorded.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- e. The live hearing may be conducted with all parties physically present in the same geographic location, or, at La Salle University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through Zoom, or other similar live video conferencing service. Students who wish to participate through live video conferencing are asked to request such accommodations 48 hours before the scheduled hearing. At its discretion, La Salle University may delay or adjourn a hearing based on technological errors not within a party's control.
- f. Only the Director of Student Conduct and the co-hearer(s) may directly ask questions of the individual parties and any witnesses. Both the complainant and respondent will have the opportunity to ask questions to one another through the Director of Student Conduct, who may choose, in their sole discretion, to reframe questions or omit questions that are deemed to be irrelevant or redundant. The Director of Student Conduct and co-hearer(s) may also permit additional questions to be asked during the course of the hearing.
- g. If the Director of Student Conduct and co-hearer(s) determine that unresolved issues exist that would be clarified by the presentation of additional information and/or speaking to any party, the Director of Student Conduct may postpone the hearing and reconvene it in a timely manner to receive such additional information.
- h. Both the complainant and the respondent shall have the option not to participate in the hearing. Non-participation will not prevent the University from moving forward with the conduct process. Non-participation may not be the sole factor in determining an outcome.
- i. Both the complainant and the respondent shall have the opportunity to make an impact statement prior to the Director of Student Conduct and co-hearer(s)'s determination of the hearing outcome and corresponding sanction if applicable.
- j. The Director of Student Conduct and co-hearer(s) will then make a decision as to whether, by a preponderance of the evidence, that this Policy was violated. The decision will be communicated to both the complainant and the respondent in written, electronic notification concurrently, within five (5) school days after the hearing has concluded, barring any exigent circumstances that may cause reasonable delays. To the extent permitted by law, the Hearing Outcome Letter will include:
 - 1. The name of the respondent;
 - 2. The alleged violation(s) of the Code of Conduct and the finding of responsibility;
 - 3. The sanction(s) imposed, if any;
 - 4. The factual findings supporting the determination; and,
 - 5. Information regarding the appeal process.
- k. Both the complainant and the respondent will be informed of the outcome of the hearing and it shall be the decision of the complainant or the respondent to disclose or discuss the outcome of the hearing.
- l. If a finding of responsibility is made, the Director of Student Conduct and co-hearer(s) will consider, as part of their deliberations, whether a sanction will:
 - 1. Bring an end to the violation in question;
 - 2. Reasonably prevent a recurrence of a similar violation; and
 - 3. Remedy the effects of the violation on the complainant and La Salle University Community.
- m. In determining an appropriate sanction, the Director of Student Conduct and co-hearer(s) may consider any record of past violations of the Code of Conduct, as well as the nature and severity of such past violation(s). Any sanction imposed will be explained and supported by factual findings in the written rationale of the Director of Student Conduct and co-hearer(s).
- n. The range of sanctions that may be imposed for a violation of this Policy include warning, probationary status, deferred suspension, suspension, or expulsion, and/or any additional conditions deemed appropriate by the Director of Student Conduct and co-hearer(s).
- o. If suspension is assigned reinstatement or readmission criteria may include, but are not limited to, evidence of satisfactory progress by the respondent on relevant educational components to the sanction, such as counseling and training.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- p. The conditions of reinstatement or readmission will be communicated to both parties. If the respondent's return will coincide with the complainant's presence at La Salle University, additional accommodations for the complainant and/or conditions on the respondent to preserve the right of the complainant to a safe environment may be assigned, including but not limited to room assignment consideration, class changes, No Contact Order adjustments, and/or building or extracurricular activity restrictions.
- q. Long-term remedies may also be offered or provided to the complainant following sanctioning, which may include: providing an escort on campus; assistance with academics including rescheduling exams and assignments; facilitating a classroom change; housing assignment relocation; restriction of campus access for the respondent (restricted from specific buildings, areas, etc.); no-contact orders; campus employment reassignment; and counseling referrals.

D. APPEALS

1. Each party may appeal (1) the dismissal of a formal report or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) school days of being notified of the decision, indicating the grounds for the appeal.
2. The limited grounds for appeal available are as follows:
 - i. Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution's own procedures);
 - ii. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
 - iii. The Investigator and/or members of the hearing board had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.
3. The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.
4. If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.
5. Appeals should be submitted in a Microsoft Word document or Portable Document Format (PDF) using CAMBRIA or TIMES NEW ROMAN, 12-point font, and single-spaced, and shall not exceed 5 pages. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.
6. Appeals will be decided by the University Appeals Board, who will be free of conflict of interest and bias, and will not include anyone who served as investigator, advisor, or hearing board member in the same matter.
7. Outcome of appeal will be provided in writing simultaneously to both parties, and include the rationale for the decision.

E. OFFICIAL COMMUNICATION

All written notices to the complainant or respondent may be delivered at the University's discretion to any e-mail or mailing address on file with the University. All written notices will be deemed received when sent.

F. DESIGNATIONS

Whenever an official University title or office is named throughout this Policy, the official's or office's designee may act in the official's or office's role.

G. UNIVERSITY RESOURCES

Campus Confidential Resources:

Assistant Director, Sexual Violence Prevention & Response
Respondent Advocate
Student Counseling Center

215-951-1176
215-951-1470
215-951-1355

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Student Health Center 215-951-1565
Ordained Priest in Ministry, Service and Support 215-951-1048

Additional Campus Resources:

Student Conduct Office, La Salle Union 303 215-951-1458
Office of Residence Life, La Salle Union 205 215-951-1350
La Salle Public Safety, Good Shepherd 215/951-1300
215-991-2111 for emergencies

Off Campus Resources:

Medical Concerns/Treatments:

Philadelphia Sexual Assault Response Center
300 E. Hunting Park Ave., Philadelphia, PA
Call Public Safety (215.951.1300) for free transport. 215-425-1625

Abington Hospital
1200 Old York Road
Abington, PA 19001 215-481-2000

24 Hour Hotlines:

Philadelphia Center Against Sexual Violence (WOAR): 215-985-3333
Philadelphia Domestic Violence Hotline (**Women Against Abuse**): 1-866-723-3014
AIDS Hotline: 215-985-AIDS
Rape, Abuse & Incest National Network (RAINN): 1-800-656-4673

Services for Domestic Violence in Philadelphia

Women in Transition Lifeline (M-F 10am-4pm): 215-751-1111
Lutheran Settlement House, Bilingual Domestic Violence Program: 215-426-8610, ext. 1245
Congreso de Latinos Unidos, Latina Domestic Violence Program (Spanish services): 215-763-8870 x1300

State Resources for Sexual Assault

Pennsylvania Commission on Human Relations: 215-560-2496

Criminal Prosecution

Philadelphia Special Victims Unit: 215-685-3251

Resources for Respondents (Male or Female):

Men's Resource Center: 215-564-0488
Courdea: 215-242-2235
John J. Peter's Institute: 215-701-1560

H. RESPONSIBLE OFFICE/DEPARTMENT

1. The Student Conduct Office/Division of Student Affairs and Enrollment Management

I. EFFECTIVE DATE

1. August 14, 2020

POLICY FOR HANDLING TITLE IX COMPLAINTS AGAINST EMPLOYEES

A. PURPOSE/POLICY STATEMENT

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities and employees to equally access a workplace free from harassment and discrimination of any form.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of "sexual harassment" (including forms of sex-based violence)
- Addresses how this institution **must** respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution **must** follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://bit.ly/TitleIXReg>

Based on the Final Rule, the University will implement the following Policy for Handling Title IX Complaints Against Employees (henceforth called "Title IX Policy"), effective August 14, 2020.

B. APPLICABILITY

The procedures set forth herein do not apply to students. Any students accused of violating the standards set forth in the Title IX Policy shall be subject to the procedures set forth in the Policy for Handling Title IX Complaints Against Students. If a student worker is accused of violating the Title IX Policy, the University will determine whether the alleged conduct occurred primarily in the student's capacity as a student or as a staff member and proceed under the appropriate policy at La Salle University's sole discretion. If an individual's status with the University (i.e., student, staff, faculty member, non-community member) has changed from the time of the alleged policy violation to the time of complaint, the University will determine which policies will apply.

In recent years, "Title IX" cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, La Salle University must narrow both the geographic scope of its authority to act under Title IX and the types of "sexual harassment" that it must subject to its Title IX investigation and adjudication process. **Only** incidents falling within the Final Rule's definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Policy defined below.

La Salle University remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, La Salle University has:

- [An Equal Employment Opportunity and Anti-Harassment Policy](#) that defines certain behavior as a violation of campus policy, including any forms of sexual discrimination and sexual harassment

To the extent that alleged misconduct falls outside the Title IX Policy, or misconduct falling outside the Title IX Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the [Equal Employment Opportunity and Anti-Harassment Policy](#).

The elements established in the Title IX Policy under the Final Rule have no effect and are not transferable to any other policy of the University for any violation of the [Equal Employment Opportunity and Anti-Harassment Policy](#), all other University employment policies, or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the University and may not be cited for or against any right or aspect of any other policy or process.

The University's commitment to addressing and preventing instances of sexual harassment remains the same, what has changed is the way the University Staff will handle different types of reports arising from sexual misconduct, as detailed herein.

C. TABLE OF CONTENTS

D. GENERAL RULES OF APPLICATION

Effective Date

This Title IX Policy will become effective on August 14, 2020, and will only apply to formal complaints of sexual harassment brought on or after August 14, 2020. Complaints brought prior to August 14, 2020 will be investigated and adjudicated according to the Title IX Policy if a case is not complete by that date.¹

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Policy be revoked in this manner, any conduct covered under the Title IX Policy shall be investigated and adjudicated under the existing Grievance Procedure stated in the [Equal Employment Opportunity and Anti-Harassment Policy](#).

Non-Discrimination in Application

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal, state, or local law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the Department of Education's Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr>.

E. DEFINITIONS

Covered Sexual Harassment

For the purposes of this Title IX Policy, "covered sexual harassment" includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity or workplace;
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Pennsylvania domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Pennsylvania.
6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the [Equal Employment Opportunity and Anti-Harassment Policy](#).

Consent

For the purposes of this Title IX Policy, "consent" means Consent means words or actions, freely and actively given by each party, which a reasonable person would interpret as a willingness to participate in agreed-upon sexual conduct. Consent is not present or valid when:

1. A person is incapable of giving consent because they are incapacitated by drugs and/or alcohol;
2. when intimidation, threats, physical force, or other actions that a reasonable person in that person's circumstances would consider coercive are applied;
3. when that person is placed in fear that any person will suffer imminent bodily injury;
4. when a physical or mental condition is present such that the person cannot knowingly or voluntarily give consent; or

5. when a person is under the age of 16 consent, which in the Commonwealth of Pennsylvania is 16 years old.

Silence, non-communication, or a lack of resistance does not necessarily imply consent. Previous relationships or consent do not imply consent to future sexual conduct. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent can be rescinded at any time.

The use of alcohol and/or drugs does not minimize or excuse a person's responsibility for committing sexual misconduct, or that person's responsibility for determining whether another is capable of giving consent.

An objective standard will be used in determining whether a person is incapable of giving consent due to the person's incapacitation by the use or consumption of drugs and/or alcohol, or if a physical or mental condition as described above is present. That is, consent is not present or valid when:

- i. The person was, in fact, incapable of giving consent because the person was incapacitated by the person's use or consumption of drugs and/or alcohol such that the person could not understand the fact, nature, or extent of the sexual situation, or the person was incapable of providing knowing or voluntary consent due to a physical or mental condition, and
- ii. From the standpoint of a reasonable person, the respondent knew, or reasonably should have known, that the person was incapable of giving consent because the person was incapacitated by the person's use or consumption of drugs and/or alcohol such that the person could not understand the fact, nature, or extent of the sexual situation, or that the person's physical or mental condition would prevent knowing and voluntary consent.

Education Program or Activity

For the purposes of this Title IX Policy, La Salle University's "education program or activity" includes:

- Any on-campus premises
- Any off-campus premises that La Salle University has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of La Salle University's programs and activities over which La Salle University has substantial control.

Formal Complaint

For the purposes of this Title IX Policy, "formal complaint" means a document – including an electronic submission – filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within La Salle University's education program or activity and requesting initiation of the procedures consistent with the Title IX Policy to investigate the allegation of sexual harassment.

Complainant

For the purposes of this Title IX Policy, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

Relevant evidence and questions

"Relevant" evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

"Relevant" evidence and questions do not include the following types of evidence and questions, which are deemed "irrelevant" at all stages of the Title IX Process:

- Evidence and questions about the complainant's sexual predisposition or prior sexual behavior unless:
 - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
 - They concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
- Evidence and questions that constitute, or seek disclosure of, information protected under a recognized legal privilege in accordance with Pennsylvania law.
- Any party's medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

Respondent

For the purposes of this Title IX Policy, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

Privacy vs. Confidentiality

Consistent with the [Equal Employment Opportunity and Anti-Harassment Policy](#), references made to *confidentiality* refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to *privacy* mean La Salle University offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. La Salle University will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Disability Accommodations

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

F. MAKING A REPORT

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report.

Contact Information for the Title IX Coordinator and Deputy Coordinator:

Rose Lee Pauline
Title IX Coordinator
1900 West Olney Avenue
Philadelphia, PA 19141-1199
215/951-1014
pauline@lasalle.edu

Kristin Heasley
Deputy Title IX Coordinator for Employees
Vice President of Human Resources
1900 West Olney Avenue
Philadelphia, PA 19141-1199
215/951-1947
heasley@lasalle.edu

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator or Deputy Coordinator. Reports can also be made online [here](#) or by accessing the Report page found on the *MyLaSalle* Portal in the Tool Menu.

Private and Confidential Reporting

The following Officials will provide *privacy*, *but not confidentiality*, for employees upon receiving a report of conduct prohibited under this policy:

- Title IX Coordinator or Deputy Title IX Coordinator as listed above
- Any "Official with Authority". Officials with Authority are the employees with the University title of Director, Chair, Dean, Assistant or Associate Vice President, Vice President, Provost or President who has supervisory authority over the respondent employee or the complainant employee.

The following Officials may provide confidentiality for employees:

- Employee Assistance Program – 1-800-854-1446
- Ordained Priest in Ministry, Service and Support 215-951-1048

For Students:

- Assistant Director, Sexual Violence Prevention & Response, Medical Office Building 112, 215/951-1176
- Respondent Advocate, College Hall 215/951-1470
- Student Counseling Center 215/951-1355
- Student Health Center 215/951-1565
- Ordained Priest in Ministry, Service and Support 215/951-1976

G. NON-INVESTIGATORY MEASURES

Supportive Measures

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from the University regardless of whether they desire to file a complaint. Supportive measures are non-disciplinary and non-punitive. As appropriate, supportive measures may include, but not be limited to:

- Counseling
- Extensions of deadlines or other course-related adjustments
- Modifications of work or class schedules
- Campus escort services
- Restrictions on contact between the parties (No Contact Orders)
- Changes in work or housing locations
- Leave of Absence
- Increased security and monitoring of certain areas of the campus
- Individualized safety planning with Public Safety

See 85 Fed. Reg. 30401.

Emergency Removal

La Salle University retains the authority to remove a respondent from the University's program or activity on an emergency basis, where the University (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any employee, student or other individual arising from the allegations of covered sexual harassment justifies a removal.

If La Salle University determines emergency removal is necessary, the Respondent will be provided notice and an opportunity to challenge the decision immediately following the removal. The Respondent may challenge the decision to the head of their division or to the President if the Respondent reports directly to the President.

Administrative Leave

The University retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process.

Role of Alcohol and Other Drug Use

The University wants to ensure that individuals feel comfortable reporting a complaint. The health and safety of every employee at La Salle University is of the utmost importance. La Salle University recognizes that employees who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that an alleged violation of this Policy occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct.

A complainant or witness acting in good faith that discloses any incident of an alleged violation of this Policy to a University employee or law enforcement will not be subject to La Salle University's [Alcohol and Other Drugs Policy](#) for violations of alcohol and/or drug policies (*see* Alcohol & Other Drugs Policy) occurring at or near the time of the commission of the alleged violation of this Policy.

The consumption of alcohol and/or use of other drugs, in and of itself, is not an excuse for a violation of this, but may be considered as a factor in the adjudication of matters under this Policy.

H. THE TITLE IX GRIEVANCE PROCESS

Filing a Formal Complaint

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The process will be concluded within a reasonably prompt manner, and no longer than one hundred and twenty (120) calendar days after the filing of the Formal Complaint, provided that the Process may be reasonably extended because the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities, or other similar reasons. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of La Salle University, including as an employee. For complainants who do not meet these criteria, the University will utilize existing policy in the [Equal Employment Opportunity and Anti-Harassment Policy](#).

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. La Salle University will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Nothing in this Policy or the [Equal Employment Opportunity and Anti-Harassment Policy](#) prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process. Employees and students who wish to make a police report may contact the Philadelphia Police directly, or may also contact La Salle University Public Safety or a designated University advocate to assist in making such a report.

Multi-Party Situations

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

Determining Jurisdiction

The Title IX Coordinator, or appropriate designee, will determine if the Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in La Salle University's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, the University will investigate the allegations according to the Title IX Grievance Process.

Allegations Potentially Falling Under Two Policies

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied in the investigation and adjudication of all of the allegations.

Mandatory Dismissal

If any one of these elements are not met, The Title IX Coordinator, or appropriate designee, will notify the parties that the Formal Complaint is being dismissed for the purposes of the Title IX Policy. Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

Discretionary Dismissal

The Title IX Coordinator, or appropriate designee, may dismiss a Formal Complaint brought under the Title IX Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator or Deputy Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by the University; or,
- If specific circumstances prevent the University from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in "Appeals," below.

Notice of Dismissal

Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

Notice of Removal

Upon dismissal for the purposes of Title IX, La Salle University retains discretion to utilize the [Equal Employment Opportunity and Anti-Harassment Policy](#) to determine if a violation of either of those policies has occurred. If so, La Salle University will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the conduct process.

I. NOTICE OF ALLEGATIONS

The Title IX Coordinator, or appropriate designee, will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable, after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator, or appropriate designee, may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with or in separate correspondence after, the Notice of Allegations.

Contents of Notice

The Notice of Allegations will include the following:

- Notice of the institution is Title IX Process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);
- A statement that the [Equal Employment Opportunity and Anti-Harassment Policy](#) prohibits knowingly making false statements or knowingly submitting false information during the process.

Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

J. ADVISOR OF CHOICE AND PARTICIPATION OF ADVISOR OF CHOICE

La Salle University will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

The La Salle University has a long-standing practice of requiring students and employees to participate in the process directly and not through an advocate or representative. Students and employees participating as Complainant or employees as Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of La Salle University.

La Salle University will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

La Salle University's obligations to investigate and adjudicate in a prompt timeframe under the Title IX Grievance Policy and other college policies apply to matters governed under this Policy, and La Salle University cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The Title IX Coordinator or designee shall make the determination of what is reasonable. La Salle University will not be obligated to delay a meeting or hearing under this process more than five (5) school days due to the unavailability of an Advisor of Choice and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by the University.

Notice of Meetings and Interviews

La Salle University will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

Delays

Each party may request a one-time delay in the Process of up to five (5) school days for good cause (granted or denied in the sole judgment of the Title IX Coordinator or designee or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator or designee shall have sole judgment to grant further pauses in the Process.

K. INVESTIGATION

General Rules of Investigations

The Deputy Title IX Coordinator for Employees and/or an investigator designated by the Deputy Title IX Coordinator for Employees will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

La Salle University and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from La Salle University and does not indicate responsibility.

La Salle University cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. The University will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

Inspection and Review of Evidence

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;
2. inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider prior to when the parties' time to inspect and review evidence begins. See, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

La Salle University will send the evidence made available for each party and each party's advisor, if any, to inspect and review through an electronic format or hard copy. La Salle University is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses and will include the responses in the Final Investigative Report.

La Salle University may provide the parties five (5) business days after the initial inspection and review of evidence, and before the investigator completes their Investigative Report, to provide additional evidence in response to their inspection and review of the evidence, and then provide the parties five (5) school days to inspect, review, and respond to the party's additional evidence through a written response to the investigator. Those written responses may be disclosed to the parties. See, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors agree not to photograph or otherwise copy the evidence. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020). The parties and their advisors are not permitted to use, disclose, disseminate or share any evidence subject to inspection and review for any purpose other than the Title IX process.

Inclusion of Evidence Not Directly Related to the Allegations:

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will be included in the appendices to the investigative report.

L. INVESTIGATIVE REPORT

The investigator designated by the Deputy Title IX Coordinator for Employees will create an Investigative Report that fairly summarizes relevant evidence, and will provide that Report to the parties at least ten (10) school days prior the hearing in an electronic format for each party's review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant. See, 85 Fed. Reg. 30026, 30304 (May 19, 2020).

M. HEARING

General Rules of Hearings

La Salle University will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing

Following completion of the Final Investigative Report, the Deputy Title IX Coordinator for Employees or their designee shall provide a Hearing Notification Letter to the parties referencing the specific provision of the Title IX Grievance Policy alleged to have been violated and the possible sanctions, as well as the date, time, and location of the scheduled hearing. Equal consideration will be shown to the parties' academic commitments when scheduling the hearing. Except in extenuating circumstances, both parties will be given at least five business days' notice of the hearing.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at La Salle University's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through Zoom, or other similar live video conferencing service. This technology will enable participants simultaneously to see and hear each other. At its discretion, La Salle University may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through audio recording. That recording will be made available to the parties for inspection and review. The parties and their advisors are not permitted to use, disclose, disseminate or share any of the testimony heard or evidence obtained in the hearing for any purpose other than the Title IX process.

Continuances or Granting Extensions

La Salle University may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, La Salle University will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

Newly-discovered Evidence

As a general rule, no new evidence or witnesses may be submitted during the live hearing.

If a party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The Decision-maker will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the Decision-maker, or designee, answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

Participants in the live hearing

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a "statement" by that party. 85 Fed. Reg. 30026, 30361 (May 19, 2020).
 - For example, A verbal or written statement constituting part or all of the sexual harassment itself is not a "prior statement" that must be excluded if the maker of the statement does not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint. See, OCR Blog (May 22, 2020), available at <https://www2.ed.gov/about/offices/list/ocr/blog/20200522.html>
- La Salle University will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party's participation. See 34 C.F.R. § 106.71; see also 85 Fed. Reg. 30026, 30216 (May 19, 2020).

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a “statement” by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party’s absence from the live hearing or refusal to answer cross-examination or other questions. See 34 C.F.R. §106.45(b)(6)(i).

The Decision-maker

- The hearing body will consist of a single decision-maker.
- No Decision Maker will also have served as the Title IX Coordinator, the Deputy Title IX Coordinator for Employees, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No Decision Maker will have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The Decision Maker will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker’s actual or perceived conflicts of interest or bias at the commencement of the live hearing.

Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination. Advisors who do not follow this standard will be issued one warning by the decision-maker and will then be subject to removal from the hearing.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party’s advisor may appear and conduct cross-examination on their behalf. 85 Fed. Reg. 30026, 30340 (May 19, 2020).
- If neither a party nor their advisor appear at the hearing, La Salle University will provide an advisor to appear on behalf of the non-appearing party. See, 85 Fed. Reg. 30026, 30339-40 (May 19, 2020).
- Advisors shall be subject to La Salle University’s Rules of Decorum, incorporated herein by reference, and may be removed in the event of a violation of those Rules.

Witnesses

- Witnesses cannot be compelled to participate in the live hearing and have the right not to participate in the hearing free from retaliation. See, 85 Fed. Reg. 30026, 30360 (May 19, 2020).
- If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. 85 Fed. Reg. 30026, 30347 (May 19, 2020).
- Witnesses shall be subject to La Salle University’s Rules of Decorum, incorporated herein by reference.

Hearing Procedures

For all live hearings conducted under this Title IX Process, the procedure will be as follows:

- The Decision-maker will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- The Decision-maker will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination after Decision-maker conducts its initial round of questioning; During the Parties’ cross-examination, the Decision-maker will have the authority to pause cross-examination at any time for the purposes of asking their own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party’s Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Decision-maker. A Party’s waiver of cross-examination does not eliminate the ability of the Decision-maker to use statements made by the Party.

Live Cross-Examination Procedure

Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination, the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the Decision-maker will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the Decision-maker may be deemed irrelevant if they have been asked and answered.

Review of the Recording

The recording of the hearing will be available for review by the parties within five (5) business days, unless there are any extenuating circumstances. The recording of the hearing will not be provided to parties or advisors of choice.

N. DETERMINATION REGARDING RESPONSIBILITY

Standard of Proof

La Salle University uses the preponderance of the evidence for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the investigation and hearing determines whether it is more likely than not that a violation of the Policy occurred.

General Considerations for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-makers shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Final Rule requires that La Salle University allow parties to call "expert witnesses" for direct and cross-examination. La Salle University does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that La Salle University allow parties to call character witnesses to testify. La Salle University does not provide for character witnesses in other proceedings. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that La Salle University admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Decision-maker may draw an adverse inference as to that party or witness' credibility.

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the Title IX Grievance Policy if any, the respondent has or has not violated.
5. For each allegation:
 - a. A statement of, and rationale for, a determination regarding responsibility;
 - b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
 - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
6. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

Components of the Determination Regarding Responsibility

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their University email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the [Equal Employment Opportunity and Anti-Harassment Policy](#), if any, the respondent has or has not violated.
5. For each allegation:
 - a. A statement of, and rationale for, a determination regarding responsibility;
 - b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
 - c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
6. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

Timeline of Determination Regarding Responsibility

If there are no extenuating circumstances, the determination regarding responsibility will be issued by La Salle University within ten (10) school days of the completion of the hearing.

Finality

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

Disciplinary Action

The head of the respondent employee's division will review the finding of responsibility and determine whether disciplinary action and other remedial measures should be taken.

O. APPEALS

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) business days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution's own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals should be submitted in a Microsoft Word document or Portable Document Format (PDF) using ARIAL or TIMES NEW ROMAN, 12-point font, and single-spaced, and shall not exceed three typed pages (including attachments). Appeals should use footnotes, not endnotes. Appeals

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by the Assistant Vice President of Human Resources and Deputy Title IX Coordinator for Employees, who will be free of conflict of interest and bias, and will not include anyone who served as investigator, Title IX Coordinator, or hearing decision-maker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.

P. RETALIATION

La Salle University will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for Equal Employment Opportunity and Anti-Harassment Policy violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Complaints alleging retaliation may be filed according to This Policy.

Q. OFF-CAMPUS RESOURCES

Medical Concerns/Treatments

Philadelphia Sexual Assault Response Center
300 E. Hunting Park Ave., Philadelphia, PA
Call *Public Safety (215.951.1300)* for free transport.
215-425-1625

Abington Hospital
1200 Old York Road
Abington, PA 19001
215-481-2000

24 Hour Hotlines

Philadelphia Center Against Sexual Violence (WOAR), 24-hour hotline, 215-985-3333

Philadelphia Domestic Violence Hotline ([Women Against Abuse](#)): 1-866-723-3014

AIDS Hotline: 215-985-AIDS

[Rape, Abuse & Incest National Network](#) (RAINN): 1-800-656-4673

Services for Domestic Violence in Philadelphia

Women in Transition Lifeline (M-F 10am-4pm): 215-751-1111
Lutheran Settlement House, Bilingual Domestic Violence Program, 215-426-8610, ext. 1245
Congreso de Latinos Unidos, Latina Domestic Violence Program (Spanish services): 215-763-8870 x1300

State Resources for Sexual Assault

Pennsylvania Commission on Human Relations: 215-560-2496

Criminal Prosecution

Philadelphia Special Victims Unit: 215-685-3251

Resources for Respondents (Male or Female):

Men's Resource Center: 215-564-0488

Courdea: 215-242-2235

John J. Peter's Institute: 215-701-1560

24 Hour Hotlines

Women Organized Against Rape (WOAR): 215-985-3333

Philadelphia Domestic Violence Hotline

R. OFFICIAL COMMUNICATION

All written notices to the parties may be delivered at the University's discretion to any email or mailing address on file with the University. All written notices will be deemed received when sent.

S. DESIGNATIONS

Whenever an official University title or office is named throughout this Policy, the official's or office's designee may act in the official's or office's role.

T. INQUIRIES CONCERNING THIS POLICY

Inquiries concerning the application of Title IX may be referred to the applicable Deputy Title IX Coordinator(s), the Title IX Coordinator, or to the United States Department of Education Office for Civil Rights, Philadelphia Office, U.S. Department of Education, The Wanamaker Building, 100 Penn Square East, Suite 515, Philadelphia, PA 19107-3323, Telephone (215) 656-8541, Fax (215) 656-8605, Email OCR.Philadelphia@ed.gov.

U. RESPONSIBLE OFFICE/DEPARTMENT

The Office of Human Resources

V. EFFECTIVE DATE

August 14, 2020

EQUAL EMPLOYMENT OPPORTUNITY AND ANTI-HARASSMENT POLICY

A. Purpose/Policy Statement

The objective of this Policy is to encourage and enable all Individuals, without the fear of retaliation, to raise concerns regarding alleged discrimination or harassment. This Policy is not intended to be the method for reporting employment grievances related to other types of interpersonal issues with colleagues or supervisors. Incidents relating to other interpersonal issues should be addressed with the employee's supervisor, department head, or division head as appropriate. The Office of Human Resources is also available to serve as a resource as necessary.

B. Definitions

Employee: any regular or temporary employee

Department Head: the head of the department in which the employee works

Supervisor: an employee's direct supervisor

C. Policy Procedure/Guidelines

Equal Employment Opportunity Policy

La Salle University is a diverse community dedicated in the tradition of the Christian Brothers, and is concerned for both the ultimate values and the individual values of its faculty, employees, and students. Accordingly, in support of this values-driven mission, the University is an Equal Opportunity Employer and does not discriminate against any employee or applicant for employment based upon race, color, religion, sex, age (40 years and older), disability, national origin, ethnicity and/or ancestry, citizenship, sexual preference or orientation, marital, parental, family, and pregnancy status, gender identity, military or veteran status, genetic information, or any prohibited basis, unless there is a bona fide occupational qualification which justifies a differentiation. This commitment applies to all aspects of the employment relationship, including hiring, promotion, compensation, discipline, discharge, and any term or condition of employment and extends to participation in all educational programs and activities of La Salle University. Employment is based upon an applicant's ability to meet the established requirements for employment. All employment decisions will be made in compliance with all applicable federal, state, and local antidiscrimination laws.

In addition, La Salle University will make reasonable accommodation for qualified individuals with disabilities that are known to the University. The University will also make reasonable accommodations to the religious beliefs and practices of which it is aware. The University, however, need not make any accommodation that would cause it an undue hardship.

Policy Against Harassment

La Salle University firmly believes in providing a workplace that is free from all forms of harassment and will not tolerate any form of impermissible harassment. Such harassment disregards individual values and impedes the Lasallian mission of providing an educational community that fosters both intellectual and spiritual development. Included in this prohibition are sexual harassment (which includes sexual misconduct, sexual violence, stalking, domestic violence and dating violence), racial harassment, national origin harassment and harassment based upon ancestry, color, religion, age, disability, citizenship, marital status, gender identity, military or veteran status, sexual preference or orientation, genetic information, or any prohibited basis under applicable non-discrimination laws.

This Policy applies to all employees of La Salle University and applicants for employment at the University and also prohibits discrimination and harassment of employees by any of the University's students, business invitees, or other third parties if such actions relate to an individual's employment at the University. This Policy also prohibits discrimination and harassment by an employee of students and other non-employees of the University with whom the employee comes into contact in the course of his or her employment.

The following are examples of harassing behavior:

1. Unwelcome verbal comments, such as sexual innuendos, suggestive comments, jokes of a racial, sexual, or religious nature, sexual propositions, and threats, including any such comments made through e-mail or through any other electronic means and all other media;
2. Non-verbal actions, such as sexual advances, displaying sexually suggestive objects, pictures, calendars, books, or magazines (including any such items depicted on clothing), making suggestive or insulting sounds, leering or ogling in a sexually demeaning way, whistling, or obscene gestures, including any such actions taken through e-mail or through any other electronic means and all other media;
3. Unwelcome physical contact, including touching, pinching, bumping or brushing the body, hugging, kissing, pushing, patting, or similar contact.
4. Any type of sexual misconduct or sexual violence, including sexual assault, rape and attempted rape, or any sexual contact with another person without his/her consent, including through the use of force or where the individual is incapacitated;
5. Stalking, including cyber-stalking, which involves a course of conduct or repeated acts directed at specific person(s) that would cause the person to (a) fear for his or her safety or the safety of others, and/or (b) suffer substantial emotional distress;
6. Domestic violence, i.e., abuse committed against an adult who is a spouse or former spouse, cohabitant or someone with whom the abuser has a child, has an existing dating or other relationship, or has had a former relationship;
7. Dating violence, i.e., a pattern of abuse committed by a person involved in a past or present social, sexual or romantic relationship with the victim;

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

8. Unwelcome verbal comments, name-calling, or symbolic or physical behavior that stigmatizes, insults, victimizes, or persecutes an individual based upon race, national origin, religion, age, disability, or other protected basis;
9. Making an employee submit to any of the above types of conduct or similar harassing or discriminatory conduct as an explicit or implicit term or condition of employment;
10. Making an employee's submission to or rejection of such conduct or similar harassing or discriminatory conduct as the basis for an employment decision affecting the employee;
11. Directing such conduct at an employee intending to interfere with, or that results in interference with, his or her work performance, or that creates an intimidating, hostile, or offensive work environment.

Other forms of prohibited harassment, although not discussed at length in this Policy, are equally prohibited.

Grievance Procedure for Alleged Violations

Complaints of Discrimination or Harassment

Any employee or applicant for employment who believes that he or she has been subjected to discrimination or harassment in violation of this Policy or is a witness to such conduct (whether by an employee or non-employee) should report the conduct immediately to his or her supervisor, department head, or to the Assistant Vice President of Human Resources. If these individuals are involved in or with the alleged harassment, the complaint may then be made to the University's Affirmative Action Officer. Supervisors and department heads who receive a complaint of discrimination or harassment shall inform the Assistant Vice President of Human Resources immediately upon receipt of the complaint. If an employee is unsure as to whether certain conduct constitutes violation of this Policy, but finds the conduct offensive, he or she is urged to make a report of the conduct.

Informal Resolution of Complaints

Except in cases involving alleged sexual violence (including, e.g., sexual assault), domestic violence, dating violence, or stalking, if an employee wishes to informally attempt to resolve a problem directly with the individual engaging in the offensive conduct, the employee may approach him or her directly, and tell the individual that the behavior is unwelcome and should stop. The employee also may contact his or her supervisor to facilitate an informal conference to resolve the matter.

Employees are not required or expected to informally resolve the matter, and an employee may end an informal resolution process at any time and instead proceed with a complaint to the Assistant Vice President of Human Resources, as set forth below. If an employee does engage with the individual or his or her supervisor directly, and is not fully satisfied with the response, the employee should contact the Assistant Vice President of Human Resources.

The University may also have an independent obligation to investigate reports of discrimination or harassment in violation of this Policy whether or not an employee makes a report or pursues a complaint under this Policy.

Investigation of Complaints

This Grievance Procedure is intended to provide a prompt and equitable resolution to all complaints of alleged discrimination and harassment. Human Resources will immediately investigate all complaints of alleged discrimination or harassment made to any of the individuals listed above. During the course of the investigation, both parties will have an equal opportunity to identify witnesses and other evidence to the investigator(s). Human Resources shall have a goal of completing any such investigation within sixty (60) days of notice of the complaint. If, due to the complexity of the investigation, the nature of the allegations, or other unforeseen circumstances, the investigation may take longer than the time frame provided above, Human Resources shall inform the complainant and the person alleged to be in violation of this Policy (the "respondent") of the need for additional time to complete the investigation and the anticipated completion date.

Within two (2) weeks of the completion of the investigation, the investigator(s), the Vice President of Human Resources, and the employee's Area Vice President will review the results of the investigation, determine whether any employee discipline is warranted or other remedial measures should be taken based on the results of the investigation, and issue written notice to the complainant and the respondent regarding the results of the investigation.

Confidentiality Concerns

The existence and nature of any complaint or report of discrimination or harassment in violation of this Policy will be disclosed only to the extent necessary to effectively investigate or to take the appropriate remedial conduct. While Human Resources will conduct the investigation in as confidential manner as is reasonably possible, the University cannot guarantee confidentiality in its investigation. Participants in the investigation may be instructed to keep the investigation confidential and may be subject to discipline for failing to do so.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Only certain employees in University Ministry, the Student Counseling Center, and the La Salle University Community Psychological Services can offer complete confidentiality.

Prohibition of Retaliation

No employee will be subject to any form of retaliation or discipline for making a good faith complaint or report under this Policy, supporting a complaint or report under this Policy, providing information (including acting as a witness) concerning any complaint or report under this Policy, or otherwise properly opposing prohibited discrimination or harassment in the workplace. If an employee believes that he or she has been retaliated against in any way, he or she should report it to the Assistant Vice President of Human Resources. Retaliation will be cause for appropriate discipline, up to and including discharge.

Sanctions for Violations of the Policy

If an investigation of a reported or suspected incident of discrimination or harassment supports the claim of discrimination or harassment by a preponderance of the evidence, La Salle University will take appropriate, prompt, and effective remedial action to halt the conduct, to correct the discriminatory effects of such conduct on the complaining party and any others affected, and to prevent the recurrence of such conduct. The University also will take appropriate disciplinary action, up to and including discharge. The conduct warranting discipline or discharge need not constitute unlawful activity if La Salle University concludes such conduct is contrary to the best interests of the University.

D. Responsible Office/Department

The Office of Human Resources is responsible for the administration of this policy.

E. End Notes

Effective: May 19, 2015

SECTION III THE CLERY ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires the distribution of an annual security report to all current faculty, staff, and students and notice of its availability to prospective students, faculty, and staff. The purpose of this report is to inform current and potential La Salle University community members of crime, arrest and referral statistics, of current crime response, reporting, prevention and awareness policies, including policies regarding sexual assault domestic violence, dating violence and stalking, of campus disciplinary policies and relevant state laws, and of campus safety and security. This Annual Security and Fire Safety Report includes crime, arrest and referral 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 La Salle University, and on public property within, or immediately adjacent to, and accessible from, the campus. The Fire Report at the end the document contains the La Salle University housing fire safety protocols and fire statistics for the previous three calendar years.

Under Clery, a crime is “reported” when it is brought to the attention of a campus security authority or local law enforcement personnel by a victim, witness, other third party or even the offender. If a campus security authority receives a report, he or she must include it as a crime report using the procedures established by the university. It doesn’t matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the institution. Statistics are gathered through reports to the La Salle University Public Safety Department, the Division of Student Affairs, other Campus Security Authorities, and the Philadelphia Police Department. The Division of Student Affairs periodically contacts Student Wellness Services and University Ministry to encourage them to provide basic, non-identifying information about crimes reported confidentially to them for inclusion in the report. Public Safety also requests crime statistics from law enforcement agencies that may have jurisdiction over property which is owned or controlled by La Salle University. Public Safety collaborates with various offices throughout the University in compiling the crime, arrest and referral statistics to ensure statistics are not missed or double counted. A copy of this report is disseminated to faculty, staff, and students in an e-mail sent at the beginning of the fall, spring and summer semesters. Crimes are classified using the FBI Uniformed Crime Reporting Handbook, except for sex offenses which are defined by the National Incident Based Reporting System Handbook. Domestic Violence, Dating Violence, and Stalking offenses are defined by the Violence Against Women Act of 1994. Pennsylvania law is used to define drug, liquor and weapons law violations.

Geographic Location Definitions

The University is required to report crime statistics for Clery-designated crimes and to issue timely warnings for those crimes that represent a severe and continuing threat in the following geographic locations: *on campus, public property and non-campus buildings and property.*

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

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

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

PUBLIC PROPERTY

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

NON-CAMPUS BUILDINGS 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.

La Salle University

Campus Map and Directory



DIRECTORY

Anselm Hall—Brothers' Residence (37*)
 Benilde Pod (13)
 Blue and Gold Dining Commons (19*)
 Center Tower (12)
 College Hall (30)
 Communication Center (56)
 Connolly Library (28*)
 De La Salle Community—
 Brothers' Residence (32)
 Hawk Dev/Incant Field (47*)
 EastWell (40)
 Explorers Den (7)
 Facilities Management Administration (8)
 Founders' Hall (6*)
 Gatehouse (43)
 Gazette (56)
 Germantown Hospital Founder's Building (11)
 Greenhouses (44)
 Grounds Building (16)
 Hansen Quad (33)
 Hayman Hall/La Salle Art Museum (41*)
 Holyroyd Hall/Hugh and Nancy Devlin Center
 for Science and Technology (34*)
 Housing Utility Building (4)

Independence Blue Cross Fitness Center (53)
 Japanese Tea Ceremony House (49)
 La Salle Apartments (3)
 La Salle Union (40*)
 La Salle Outpost (39*)
 Lawrence Center (31*)
 Mackin Lounge, North Hills (25)
 Maintenance Building (14)
 McCarthy Stadium East Stands/
 Frank Werder Track (42)
 McCarthy Stadium West Stands/
 Frank Werder Track (46)
 Medical Office Building (10)
 MBI Building (9)
 Multicultural and International Center (27)
 Pauline's Deli (8)
 Peale House (42)
 Power House (15)
 Public Safety Department Dispatch Center—
 Carriage House (45)
 Public Safety Department Headquarters—
 Good Shepherd Hall (2)
 St. Albert Hall (24)
 St. Basil Court (50*)

St. Bernille Tower (13)
 St. Bernard Hall (20)
 St. Cassian Hall (21)
 St. Denis Hall (18)
 St. George Hall (23)
 St. Hilary Hall (26)
 St. Jerome Hall (24)
 St. John Neumann Hall (54)
 St. John Neumann Hall Annex (52)
 St. Katharine Hall (17*)
 St. Miguel Court Townhouses (34*)
 St. Mullen Hall (55)
 St. Teresa Court Apartments (1)
 Starbucks® (41*)
 Stone House (5)
 Student Health Center (12)
 Tennis Courts (38)
 Tretoops Café (51*)
 Trumark Financial Center/Tom Golia
 Arena (28*)
 TruMark Financial Credit Union (40*)
 Union Food Court/Market (40)
 Wister Hall (39*)
 Mary and Frances Water House (36)



* Building access
 for handicapped
 (Security will provide
 parking assistance.)

KEY

Student Parking
 Lots B, C1, C2, F, H, J2, and J3 and
 4:30–10:30 p.m. in K (Commuters only) and
 4:30 p.m.–1 a.m. in E (Commuters only)
Faculty and Staff Parking
 Lots A, D, E, and K
General Parking
 Lots G and J1 (pay lot)

August 2021
 Version A

Clery – Reportable Crime Definitions

La Salle University is required to report crime statistics as defined by the Clery Act for the following crimes if the crimes are reported and occur in geographic locations as defined above.

- **Homicide: Murder and Non-Negligent Manslaughter** - *The willful (non-negligent) killing of one human being by another.*
- **Homicide: Manslaughter by Negligence** - *The killing of another person through gross negligence.*
- **Sex Offenses** - *Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.*
 - **Rape:** *The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.*
 - **Fondling:** *The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.*
 - **Incest:** *Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.*
 - **Statutory Rape:** *Sexual intercourse with a person who is under the statutory age of consent.*
- **Robbery** - *The taking or attempting to take anything of value from the care, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.*
- **Aggravated Assault** - *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. (It is not necessary that injury result from an Aggravated Assault when a gun, knife, or other weapon that could cause serious personal injury is used).*
- **Burglary** - *The unlawful entry of a structure to commit a felony or a theft.*
- **Motor Vehicle Theft** - *The theft or the attempted theft of a motor vehicle.*
- **Arson** - *Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.*

Understanding VAWA Offenses

On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4), which, among other provisions, amended section 485(f) of the Higher Education Act of 1965, as amended (HEA), otherwise known as the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act). The Clery Act requires institutions of higher education to comply with certain campus safety- and security-related requirements as a condition of participating in the Federal student financial aid programs authorized by Title IV of the HEA. Notably, VAWA amended the Clery Act to require institutions to compile statistics for incidents of domestic violence, dating violence, sexual assault, and stalking and to include certain policies, procedures, and programs pertaining to these incidents in their annual security and fire safety reports (ASFRs).

Violence Against Women Act (VAWA) and the Campus Sexual Violence Elimination Act (SaVE)

The Campus Sexual Violence Elimination (SaVE) Act refers to Section 304 of the recently reauthorized Violence Against Women Act (VAWA) which was signed into law on March 7, 2014. The Campus SaVE Act amends the Clery Act, which addresses campus sexual assault policies within the Higher Education Act of 1965. Thus, what is referred to as the Campus SaVE Act is the Clery Act and the amendments serve as a complement to Title IX requirements. The Campus SaVE Act increases transparency on campus about incidents of sexual violence, guarantees victims enhanced rights, sets standards for disciplinary proceedings, and requires campus-wide prevention education programs. The Act also broadens the requirement to mandate fuller reporting of sexual violence to include incidents of domestic violence, dating violence, and stalking. La Salle University complies with all of the requirements of the VAWA amendments, including the Campus SaVE Act, and as such, includes statistics for the reported offenses of Domestic Violence, Dating Violence and Stalking in the Annual Security and Fire Safety Report.

VAWA Definitions

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

- *Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.*

- *Dating violence does not include acts covered under the definition of domestic violence*

Domestic Violence is defined as a *felony or misdemeanor crime of violence committed—*

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

To categorize an incident as Domestic Violence, the relationship between the perpetrator and the victim must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have an intimate relationship.

Stalking is defined as *engaging in a course of conduct directed at a specific person that would cause a reasonable person to—*

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

For the purposes of this definition—

- **Course of conduct** means *two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.*
- **Reasonable person** means *a reasonable person under similar circumstances and with similar identities to the victim.*
- **Substantial emotional distress** means *significant mental suffering or anguish that may but does not necessarily require medical or other professional treatment or counseling.*

Explanation of Referrals

Arrest and Referral for Disciplinary Action

Arrest is defined as *persons processed by arrest, citation or summons*. Referral for disciplinary action is defined as the *referral of any person to any official who initiates a disciplinary action of which a record is established, and which may result in the imposition of a sanction*. The disciplinary action may, but does not have to, result in a sanction and the action can be initiated in an informal as well as formal manner. Clery Act statistics are disclosed for arrests and referrals regarding liquor law violations, drug law violations, and illegal weapons possession. Only violations of the law resulting in arrest or referral are disclosed. Violations of institutional policy alone are not included in Clery Act statistics.

Liquor Law Violation: *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.*

Drug Law Violation: *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.*

Weapon Law Violation: *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.*

Hate Crimes

La Salle University seeks to foster a learning environment that exemplifies the inclusion of diverse persons and perspectives. Unfortunately, no community is immune to problems that can arise as a result of various forms of bias. The definition of a hate crime is: *a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim*. Hate crimes are not separate, distinct crimes, but rather traditional offenses such as harassment or arson that are motivated by the offender's bias. It is, therefore, unnecessary to create a whole new crime category to report this information. To the contrary, hate crime data instead is collected by merely capturing additional information about offenses already being reported to UCR.

Reporting a Bias Incident or Hate Crime

All members of the University community are urged to promptly report to the University Public Safety Department any bias incident directed against a community member or group that occurred on-campus or at any LaSalle-sponsored off-campus event. A reported incident of bias crime will be thoroughly investigated, and victims of a bias crime will be referred to Student Wellness Services.

Hate crimes are reported if they involve murder, forcible rape, aggravated assault, simple assault, larceny-theft, intimidation, destruction-damage or vandalism to property, or any other criminal offense that resulted in bodily injury to the victim, other than alcohol, drug, and weapons violations.

Hate Crime Definitions

Although there are many possible categories of bias, under the *Clery Act*, only the following eight categories are reportable:

- **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 or African Americans, whites.*
- **Religion.** *A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being, e.g., Catholics, Jews, Protestants, atheists.*
- **Sexual Orientation.** *A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation. Sexual Orientation is the term for a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual (straight) individuals.*
- **Gender.** *A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.*
- **Gender Identity.** *A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g., bias against transgender or gender non-conforming individuals. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.*
- **Ethnicity.** *A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry. The concept of ethnicity differs from the closely related term "race" in that "race" refers to a grouping based mostly upon biological criteria, while "ethnicity" also encompasses additional cultural factors.*
- **National Origin.** *A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth. This bias may be against people that have a name or accent associated with a national origin group, participate in certain customs associated with a national origin group, or because they are married to or associate with people of a certain national origin.*
- **Disability.** *A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.*

For *Clery Act* purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- Murder and Non-negligent Manslaughter
- Sexual Assault
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson
- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

The first seven offenses are defined in the Clery – Reportable Crime Definitions section earlier. In addition to those offenses, the following are included in *Clery Act* statistics only if they are Hate Crimes.

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

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

- **Simple Assault** is an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation** is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property** is to willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Unfounded Crimes

A crime is considered unfounded for *Clery Act* purposes only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. A reported crime cannot be designated “unfounded” if no investigation was conducted or the investigation was not completed. Nor can a crime report be designated unfounded merely because the investigation failed to prove that the crime occurred; this would be an inconclusive or unsubstantiated investigation.

Fire Safety in the Residence Halls

Each University Residential Facility is equipped with fire protection equipment including extinguishers, smoke detectors, fire alarms, and, in some cases, sprinkler systems.

All resident students participate in fire evacuation drills conducted under the supervision and support of Residence Life and Public Safety personnel.

Fire prevention, evacuation, and fire extinguisher training is provided for Resident Coordinators, Resident Assistants, and Public Safety staff.

**REPORT ALL FIRES TO PUBLIC SAFETY AT 215-951-1300 OR 9-1-1.
PUBLIC SAFETY WILL IMMEDIATELY CONTACT THE FIRE DEPARTMENT.**

ITEMS BANNED TO PREVENT FIRE OR SPREAD OF FIRE

- Smoking
- Hot plates
- Extension cords
- Candles/incense
- Halogen lamps
- Portable heaters
- Live Christmas trees
- Heat-generating Appliances

**SMOKING IS NOT PERMITTED IN ANY
LA SALLE UNIVERSITY FACILITY**

REPORTED FIRES FOR THREE MOST RECENT CALENDAR YEARS

2023 (0 FIRES)

RESIDENCE	CAUSE	INJURIES	FATALITIES	VALUE OF PROPERTY DAMAGE
St. Albert Hall	N/A	N/A	N/A	N/A
St. Basil Court	N/A	N/A	N/A	N/A
St. Bernard Hall	N/A	N/A	N/A	N/A
St. Cassian Hall	N/A	N/A	N/A	N/A
St. Denis Hall	N/A	N/A	N/A	N/A
St. George Hall	N/A	N/A	N/A	N/A
St. Hilary Hall	N/A	N/A	N/A	N/A
St. Jerome Hall	N/A	N/A	N/A	N/A
St. Katherine Hall	N/A	N/A	N/A	N/A
St. Miguel Townhouses	N/A	N/A	N/A	N/A
St. Neumann Hall	N/A	N/A	N/A	N/A
Total	0	N/A	N/A	N/A

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

2022

RESIDENCE	CAUSE	INJURIES	FATALITIES	VALUE OF PROPERTY DAMAGE
St. Albert Hall	N/A	N/A	N/A	N/A
St. Basil Court	N/A	N/A	N/A	N/A
St. Bernard Hall	N/A	N/A	N/A	N/A
St. Cassian Hall	N/A	N/A	N/A	N/A
St. Denis Hall	N/A	N/A	N/A	N/A
St. George Hall	N/A	N/A	N/A	N/A
St. Hilary Hall	N/A	N/A	N/A	N/A
St. Jerome Hall	N/A	N/A	N/A	N/A
St. Katherine Hall	N/A	N/A	N/A	N/A
St. Miguel Townhouses	Electrical Fire	0	0	\$200.00
St. Neumann Hall	N/A	N/A	N/A	N/A
St. Teresa Court Apts.	N/A	N/A	N/A	N/A
La Salle Apts.	Cooking Fire	0	0	\$25,550.64
Total	2	0	0	\$25,755.64

2021

RESIDENCE	CAUSE	INJURIES	FATALITIES	VALUE OF PROPERTY DAMAGE
St. Albert Hall	N/A	N/A	N/A	N/A
St. Basil Court	N/A	N/A	N/A	N/A
St. Bernard Hall	N/A	N/A	N/A	N/A
St. Cassian Hall	N/A	N/A	N/A	N/A
St. Denis Hall	N/A	N/A	N/A	N/A
St. George Hall	N/A	N/A	N/A	N/A
St. Hilary Hall	N/A	N/A	N/A	N/A
St. Jerome Hall	N/A	N/A	N/A	N/A
St. Katherine Hall	N/A	N/A	N/A	N/A
St. Miguel Townhouses	Exhaust Fan	0	0	\$1,200.00
St. Neumann Hall	N/A	N/A	N/A	N/A
St. Teresa Court Apts.	N/A	N/A	N/A	N/A
La Salle Apts.	N/A	N/A	N/A	N/A
Total	1	0	0	\$1,200.00

Residence Halls – Active Bed Count

RESIDENCE HALL	# OF BEDS	FIRE ALARM	CENTRAL STATION	SMOKE DETECTORS	SPRINKLER SYSTEM
St. Albert Hall	0	YES	YES	YES	NO
St. Basil Court	386	YES	YES	YES	FULL
St. Bernard Hall	0	YES	YES	YES	NO
St. Cassian Hall	0	YES	YES	YES	NO
St. Denis Hall	0	YES	YES	YES	NO
St. George Hall	0	YES	YES	YES	NO
St. Hilary Hall	0	YES	YES	YES	NO
St. Jerome Hall	0	YES	YES	YES	NO
St. Katherine Hall	161	YES	YES	YES	NO
St. Miguel Townhouses	330	NO SYSTEM	NO	*YES (LOCAL)	NO
St. Neumann Hall	144	YES	YES	YES	PARTIAL
Total	1021				

Building Evacuation Procedure

1. If a member of the campus community sees fire or smoke, or detects the odor of smoke, gas, propane or hazardous materials release, activate the nearest pull station to sound the fire alarm, and evacuate the building immediately. Call Public Safety once safely outside.
2. When a fire alarm sounds, LEAVE IMMEDIATELY using the nearest fire exit. Close the door when exiting a room or office. Residential Life and Operations staff will supervise the evacuation of the building.
3. Do not use the elevators. They will stop if power fails, causing occupants to become trapped inside.
4. Do not open closed doors if the surface feels hot or smoke is seeping from beneath. If a community member becomes trapped in a location and cannot reach the fire exit, the door must be kept closed to keep out smoke. Call Public Safety or notify fire fighters on scene and provide the location. Public Safety will give the information to the Philadelphia Fire Department responders.
5. Open doors cautiously. Close quickly if smoke or fire are observed or if there is heat pressure against the door. If the hallway is clear, proceed to the nearest fire exit and evacuate the building.
6. Persons with disabilities that effect mobility should be assisted by an assigned, responsible person in an event requiring evacuation. If the person is on an upper floor and cannot navigate stairs, they should be taken to the closest area of refuge (stairway landing or behind a fire door) and remain there while the Philadelphia Fire Department is notified to assist the evacuation.
7. Heat rises: if caught in smoke or heat, stay low where the air is better. Cover the face with a piece of cloth, if possible, and take short breaths through the nose until reaching a safe area.
8. After leaving the building, do not re-enter until authorized by Public Safety or the Philadelphia Fire Department

IMPORTANT REMINDERS:

- Assume every alarm is real. Do not wait to evacuate.
- Know the locations of pull stations and fire extinguishers and how to use them.
- Know the evacuation and assembly site for the building. Remember that the closest exit may not be the one most commonly used.
- Fire exit and hallway doors must be kept closed at all times. These doors are intended to keep smoke and heat from entering stairwells and hallways. If at any time these doors are propped open, they must be closed immediately.

Initial and Alternative Evacuation and Assembly Sites

ZONE	OUTDOOR ASSEMBLY AREAS		INDOOR ASSEMBLY AREAS	
	<i>Initial</i>	<i>Alternative</i>	<i>Initial</i>	<i>Alternative</i>
Area #1 MAIN CAMPUS (All buildings situated between Central High School's Parking Lot and 20th Street)	Quad	McCarthy Stadium	Union Ballroom	TruMark Financial Center
Area #2 NORTH CAMPUS (North Residence Halls Complex, and Blue and Gold Dining Commons.)	North Halls Quad	Faculty and Staff Lot E	Blue and Gold Dining Commons	TruMark Financial Center
Area #3 CENTRAL CAMPUS (Trumark Center, St. Miguel Court Townhomes, Peale House, and Connelly Library)	Parking Lot H	Tennis Courts	TruMark Financial Center	Blue and Gold Dining Commons
Area #4 SOUTH CAMPUS (St. Neumann Hall, St. Basil Court, Treetops Café, and Independence Blue Cross Fitness Center)	Parking Lots B and C	Parking Lot D	Treetops Café	Communication Center Room 100 (Movie room)
Area #5 WEST CAMPUS (St. Benilde Tower, Center Tower, and Medical Office Building)	Parking Lot K	Parking Lot J	TruMark Financial Center	Blue and Gold Dining Commons
Area #6 GOOD SHEPHERD	Parking Lot G	Parking Lot J	Founders Hall Lobby	

Clery Crime Statistics

Main Campus / Offenses

REPORTABLE CRIME CATEGORIES	YEAR	ON CAMPUS	RESIDENCE HALLS	NON - CAMPUS	PUBLIC PROPERTY
Criminal Homicide: Murder and Non-negligent Manslaughter	2021	0	0	0	1
	2022	0	0	0	0
	2023	0	0	0	0
Criminal Homicide: Manslaughter by Negligence	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
Sex Offenses: Rape	2021	1	1	0	1
	2022	5	5	0	0
	2023	0	0	0	0
Sex Offenses: Fondling	2021	0	0	0	0
	2022	0	0	0	0
	2023	1	1	0	0
Sex Offenses: Incest	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
Sex Offenses: Statutory Rape	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
Robbery	2021	1	0	0	1
	2022	1	0	0	3
	2023	0	0	0	3
Aggravated Assault	2021	1	0	0	1
	2022	2	0	0	1
	2023	0	0	0	1
Burglary	2021	1	1	0	0
	2022	3	1	0	0
	2023	1	0	0	0
Motor Vehicle Theft	2021	3	0	0	2
	2022	3	0	0	6
	2023	9	0	0	17
Arson	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0

Main Campus / Violence Against Women Act (VAWA)

REPORTABLE CRIME CATEGORIES	YEAR	ON CAMPUS	RESIDENCE HALLS	NON-CAMPUS	PUBLIC PROPERTY
Domestic Violence	2021	0	0	0	0
Dating Violence	2021	0	0	0	2
Stalking	2021	1	0	0	0
Domestic Violence	2022	0	0	0	0
Dating Violence	2022	1	1	0	0
Stalking	2022	0	0	0	0
Domestic Violence	2023	0	0	0	0
Dating Violence	2023	3	2	0	0
Stalking	2023	0	0	0	0

Main Campus / Arrests

VIOLATION	YEAR	ON CAMPUS	RESIDENCE HALLS	NON-CAMPUS	PUBLIC PROPERTY
Liquor Law	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
Drug Law	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
Weapons Law	2021	0	0	0	2
	2022	0	0	0	0
	2023	0	0	0	1

Main Campus / Disciplinary Referrals

VIOLATION	YEAR	ON CAMPUS	RESIDENCE HALLS	NON-CAMPUS	PUBLIC PROPERTY
Liquor Law	2021	27	24	0	0
	2022	46	46	0	0
	2023	99	99	0	0
Drug Law	2021	6	6	0	0
	2022	13	13	0	0
	2023	13	13	0	0
Weapons Law	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0

Main Campus / Hate Crimes

There was one incident of Vandalism/Graffiti-Bias (Race) reported in 2021. There were no hate crimes reported for this location during 2022 and 2023.

Main Campus / Unfounded Crimes

There were no unfounded crimes reported for this location during 2021, 2022, and 2023.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

University Student/Employee Population Fall Semester 2023

Student enrollment and employee figures are based on actual head counts. Figures are calculated at the beginning of the fall semester each year.

MAIN CAMPUS

ENROLLMENT		RESIDING ON CAMPUS	
Undergraduate	2,411	Undergraduate	726
Graduate	1,127	Graduate	37
Doctorate	195		
Total	3,733	Total residing on campus	763

Non-Student Employees	698
Total Main Campus	698

Total student / employee population: 4,431

Crime Rates

Pennsylvania Act 180, the Uniform Crime Reporting Act, is an act requiring institutions of higher education to provide students and employees with information relating to crime statistics and security measures and to provide similar information to prospective students and employees upon request. The crime index is based on the premise that the University Community consists of 100,000. The actual FTE (Full Time Equivalent) population was 4,431 in Fall 2023, 4789 in Fall 2022, 4078 in Fall 2021.

Crime rates are provided for Main Campus.

OFFENSES

REPORTABLE CRIME CATEGORIES	YEAR	CRIME INDEX (per 100,000)
Aggravated Assault	2021	2/49.04
	2022	0/0.0
	2023	0/0.0
Other Assaults	2021	2/49.04
	2022	0/0.0
	2023	1/22.57
Arson	2021	
	2021	0/0.0
	2022	0/0.0
Burglary	2021	1/24.52
	2022	3/62.64
	2023	1/22.57
Disorderly Conduct	2021	7/148.68
	2022	3/62.64
	2023	5/112.84
Driving Under Influence	2021	0/0.0
	2022	0/0.0
	2023	0/0.0
Drug Abuse	2021	6/147.13
	2022	13/271.45
	2022	13/293.39
Drunkenness	2021	0/0.0
	2022	0/0.0
	2023	0/0.0
	2021	0/0.0

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

Embezzlement	2022	0/0.0
	2023	0/0.0
Forgery/Counterfeiting	2021	0/0.0
	2022	0/0.0
	2023	0/0.0
Fraud	2021	0/0.0
	2022	0/0.0
	2023	0/0.0
Gambling	2021	0/0.0
	2022	0/0.0
	2023	0/0.0
Liquor Laws	2021	27/662.09
	2022	46/960.53
	2023	99/2,234.26
Motor Vehicle Theft	2021	3/63.72
	2022	3/62.64
	2023	9/203.11
Murder	2021	0/0.0
	2022	0/0.0
	2023	0/0.0
Offenses Against Family	2021	0/0.0
	2022	0/0.0
	2023	0/0.0
Prostitution	2021	0/0.0
	2022	0/0.0
	2023	0/0.0
Rape	2021	2/42.48
	2022	5/104.4*
	2023	0/0.0
Other Sex Offenses	2021	0/0
	2022	0/0
	2023	1/22.57
Robbery	2021	1/24.52
	2022	1/20.88
	2023	0/0.0
Theft/Larceny	2021	8/169.92**
	2022	19/396.74**
	2023	29/654.48
Vagrancy	2021	0/0.0
	2022	0/0.0
	2023	0/0.0
Vandalism	2021	15/367.83
	2022	26/542.91
	2023	30/677.04
Weapons	2021	2/49.04
	2022	0/0.0
	2023	0/0.0
TOTAL	2021	76/1863.66
	2022	120/2,505
	2023	206/4,649.06

***NOTE: 2022 Index per 100,000 residents was recalculated after corrected data was obtained.**

****NOTE: 2021 and 2022 Index per 100,000 residents was recalculated after corrected data was obtained.**

Definition of Terms as Defined by Pennsylvania State Criminal Statutes

Consent is defined in Pennsylvania criminal law as:

311. Consent.

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

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

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

(c) INEFFECTIVE CONSENT. Unless otherwise provided by this title or by the law defining the offense, assent does not constitute consent if: (1) it is given by a person who is legally incapacitated to authorize the conduct charged to constitute the offense;

(2) it is given by a person who by reason of youth, mental disease or defect or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense;

(3) it is given by a person whose improvident consent is sought to be prevented by the law defining the offense; or

(4) it is induced by force, duress or deception of a kind sought to be prevented by the law defining the offense.

Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eff. in 6 months; Act 1992-24 (S.B.3), PL.108, 17, approved Apr.13, 1992, eff.in 60 days.

Sexual assault is defined under the following statutes in Pennsylvania criminal code: PA Crimes Code Chapter 31.

SEXUAL OFFENSES SUBCHAPTER

A. GENERAL PROVISIONS SUBCHAPTER

B. DEFINITION OF OFFENSES SUBCHAPTER

C. LOSS OF PROPERTY RIGHTS

SUBCHAPTER A.

GENERAL PROVISIONS

3101. Definitions.

3102. Mistake as to age.

3104. Evidence of victim's sexual conduct.

3105. Prompt complaint.

3106. Testimony of complainants.

3107. Resistance not required.

3101. Definitions.

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

COMPLAINANT. An alleged victim of a crime under this chapter.

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

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

FOREIGN OBJECT. Includes any physical object not a part of the actors' body.

INDECENT CONTACT. Any touching of the sexual or other intimate parts of the person for the purpose of arousing or gratifying sexual desire, in either person.

SERIOUS BODILY INJURY. As defined in section 2301 (relating to definitions).

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

Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eff. in 6 months; Act 1984-230 (H.B. 281), PL. 1210, 1, approved Dec. 21, 1984, eff. immediately; Act 1990-4 (H.B. 1120), PL. 6, 4, approved Feb. 2, 1990, eff. in 60 days; Act 1995 Special Session-10 (S.B. 2), PL. 985, 1, approved Mar. 31, 1995, See section of this act for effective date information; Act 2002-162 (H.B.976), PL. 1350, 1, approved Dec. 9, 2002, eff. In 60 days; Act 2002-226 (S.B. 1402), PL. 1953, 1, approved Dec. 16, 2002, eff. in 60 days.

3102. Mistake as to age.

Except as otherwise provided, whenever in this chapter the criminality of conduct depends on a child being below the age of 14 years, it is no defense that the defendant did not know the age of the child or reasonably believed the child to be the age of 14 years or older. When criminality depends on the child's being below a critical age older than 14 years, it is a defense for the defendant to prove by a preponderance of the evidence that he or she reasonably believed the child to be above the critical age.

Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eff. in 6 months; Act 1976-53 (H.B.580), PL. 120, 1, approved May 18, 1976, eff. In 30 days; Act 1995 Special Session-10 (S.B. 2), PL. 985, 1, approved Mar. 31, 1995, See section of this act for effective date information.

3104. Evidence of victim's sexual conduct. (a) GENERAL RULE. Evidence of specific instances of the alleged victims past sexual conduct, opinion evidence of the alleged victims past sexual conduct, and reputation evidence of the alleged victims past sexual conduct shall not be admissible in prosecutions under this chapter except evidence of the alleged victims past sexual conduct with the defendant where consent of the alleged victim is at issue and such evidence is otherwise admissible pursuant to the rules of evidence.

(b) EVIDENTIARY PROCEEDINGS. A defendant who proposes to offer evidence of the alleged victims past sexual conduct pursuant to subsection (a) shall file a written motion and offer of proof at the time of trial. If, at the time of trial, the court determines that the motion and offer of proof are sufficient on their faces, the court shall order an in-camera hearing and shall make findings on the record as to the relevance and admissibility of the proposed evidence pursuant to the standards set forth in subsection (a). *Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eff. in 6 months; Act 1976-53 (H.B.580), PL. 120, 1, approved May 18, 1976, eff. In 30 days.*

3105. Prompt complaint.

Prompt reporting to public authority is not required in a prosecution under this chapter: Provided, however, that nothing in this section shall be construed to prohibit a defendant from introducing evidence of the complainant's failure to promptly report the crime if such evidence would be admissible pursuant to the rules of evidence.

Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eff. in 6 months; Act 1976-53 (H.B.580), PL. 120, 1, approved May 18, 1976, eff. In 30 days; Act 1995 Special Session-10 (S.B. 2), PL. 985, 3, approved Mar. 31, 1995, See section of this act for effective date information.

3106. Testimony of complainants.

The credibility of a complainant of an offense under this chapter shall be determined by the same standard as is the credibility of a complainant of any other crime. The testimony of a complainant need not be corroborated in prosecutions under this chapter. No instructions shall be given cautioning the jury to view the complainant's testimony in any other way than that in which all complainants' testimony is viewed. *Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eff. in 6 months; Act 1976-53 (H.B.580), PL. 120, 2, approved May 18, 1976, eff. In 30 days; Act 1995 Special Session-10 (S.B.2), PL. 985, 3, approved Mar. 31, 1995, See section of this act for effective date information.*

3107. Resistance not required.

The alleged victim need not resist the actor in prosecutions under this chapter: Provided, however, that nothing in this section shall be construed to prohibit a defendant from introducing evidence that the alleged victim consented to the conduct in question. *Act 1976-53 (H.B. 580), PL. 120, 2, approved May 18, 1976, eff. in 30 days.*

SUBCHAPTER B. DEFINITION OF OFFENSES

3121. Rape.

3122.1. Statutory sexual assault.

3123. Involuntary deviate sexual intercourse.

3124.1. Sexual assault.

3124.2. Institutional sexual assault.

3125. Aggravated indecent assault.

3126. Indecent assault.

3127. Indecent exposure.

3129. Sexual intercourse with animal.

3130. Conduct relating to sex offenders. [Effective until December, 20, 2012]

3121. Rape.

(a) OFFENSE DEFINED. A person commits a felony of the first degree when the person engages in sexual intercourse with a complainant:

- (1) By forcible compulsion.
- (2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution.
- (3) Who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring.
- (4) Where the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance.
- (5) Who suffers from a mental disability which renders the complainant incapable of consent.
- (6) (Deleted by amendment).

(b) ADDITIONAL PENALTIES. In addition to the penalty provided for by subsection

(a), a person may be sentenced to an additional term not to exceed ten years confinement and an additional amount not to exceed \$ 100,000 where the person engages in sexual intercourse with a complainant and has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, any substance for the purpose of preventing resistance through the inducement of euphoria, memory loss and any other effect of this substance.

(c) RAPE OF A CHILD. A person commits the offense of rape of a child, a felony of the first degree, when the person engages in sexual intercourse with a complainant who is less than 13 years of age.

(d) RAPE OF A CHILD WITH SERIOUS BODILY INJURY. A person commits the offense of rape of a child resulting in serious bodily injury, a felony of the first degree, when the person violates this section and the complainant is under 13 years of age and suffers serious bodily injury in the course of the offense.

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

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

Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eff. in 6 months; Act 1984-230 (H.B. 281), PL. 1210, 1, approved Dec. 21, 1984, eff. in 60 days; Act 1995 Special Session-10 (S.B.2), PL. 985, 3, approved Mar. 31, 1995, See section of this act for effective date information; Act 1997-65 (H.B. 1125), PL. 621, 2, approved Dec. 19, 1997, eff. in 60 days; Act 2002-162 (H.B.976), PL. 1350, 2, approved Dec. 9, 2002, eff. in 60 days; Act 2002-226 (S.B. 1402), PL. 1953, 1.1, approved Dec. 16, 2002, eff. in 60 days.

3122.1. Statutory sexual assault.

(a) FELONY OF THE SECOND DEGREE.

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

- (1) four years older but less than eight years older than the complainant; or
- (2) eight years older but less than 11 years older than the complainant.

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

Act 1995 Special Session-10 (S.B. 2), PL. 985, 5, approved Mar 31, 1995, See section of this act for effective date information; Act 2011-111 (S.B.1183), 1, approved Dec. 20, 2011, eft. in 60 days.

3123. Involuntary deviate sexual intercourse. (a) OFFENSE DEFINED. A person commits a felony of the first degree when the person engages in deviate sexual intercourse with a complainant:

- (1) by forcible compulsion;
- (2) by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
- (3) who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring;
- (4) where the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;
- (5) who suffers from a mental disability which renders him or her incapable of consent; or (6) (Deleted by amendment).

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

(b) INVOLUNTARY DEVIATE SEXUAL INTERCOURSE WITH A CHILD. A person commits involuntary deviate sexual intercourse with a child, a felony of the first degree, when the person engages in deviate sexual intercourse with a complainant who is less than 13 years of age.

(c) INVOLUNTARY DEVIATE SEXUAL INTERCOURSE WITH A CHILD WITH SERIOUS BODILY INJURY. A person commits an offense under this section with a child resulting in serious bodily injury, a felony of the first degree, when the person violates this section and the complainant is less than 13 years of age and the complainant suffers serious bodily injury in the course of the offense.

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

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

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

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

Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eft. in 6 months; Act 1995 Special Session-10 (S.B. 2), PL. 985, 6, approved Mar 31, 1995. See section of this act for effective date information; Act 2002-162 (H.B. 976), PL. 1350, 2, approved Dec. 9, 2002, eft. in 60 days; Act 2002-226 (S.B. 1402), PL. 1953, 1.1, approved Dec. 16, 2002, eft. in 60 days.

3124.1. Sexual assault.

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

Act 1995 Special Session-10 (S.B. 2), PL. 985, 8, approved Mar 31, 1995, See section of this act for effective date information.

3124.2. Institutional sexual assault.

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

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

(a.2) SCHOOLS.

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

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

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

(ii) Employee. (A) Includes:

(I) A teacher, a supervisor, a supervising principal, a principal, an assistant principal, a vice-principal, a director of vocational education, a dental hygienist, a visiting teacher, a home and school visitor, a school counselor, a child nutrition program specialist, a school librarian, a school secretary the selection of whom is on the basis

of merit as determined by eligibility lists, a school nurse, a substitute teacher, a janitor, a cafeteria worker, a bus driver, a teacher aide and any other employee who has direct contact with school students.

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

(B) The term does not include:

(I) A student employed at the school.

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

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

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

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

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

Agent. A person who is assigned to work in a State or county correctional or juvenile detention facility, a youth development center, youth forestry camp, other licensed residential facility serving children and youth or mental health or mental retardation facility or institution, who is employed by any State or county agency or any person employed by an entity providing contract services to the agency.

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

Act 1998-157 (H.B. 689), PL. 1240, 1, approved Dec. 21, 1998, eff. in 60 days; Act 2000-12 (S.B. 1047), PL. 38, 1, approved May 10, 2000, eff. immediately; Act 2011-111 (S.B. 1183), 1, approved Dec. 20, 2011, eff. in 60 days.

3125. Aggravated indecent assault.

(a) OFFENSES DEFINED. Except as provided in sections 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse) and 3124.1 (relating to sexual assault), a person who engages in penetration, however slight, of the genitals or anus of a complainant with a part of the person's body for any purpose other than good faith medical, hygienic or law enforcement procedures commits aggravated indecent assault if:

(1) the person does so without the complainant's consent;

(2) the person does so by forcible compulsion; (3) the person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;

(4) the complainant is unconscious or the person knows that the complainant is unaware that the penetration is occurring;

(5) the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;

(6) the complainant suffers from a mental disability which renders him or her incapable of consent;

(7) the complainant is less than 13 years of age; or

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

(b) AGGRAVATED INDECENT ASSAULT OF A CHILD. A person commits aggravated indecent assault of a child when the person violates subsection (a)(1), (2), (3), (4), (5) or (6) and the complainant is less than 13 years of age.

(c) GRADING AND SENTENCES.

(1) An offense under subsection (a) is a felony of the second degree.

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

Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eff. in 6 months; Act 1973-117 (S.B. 513), PL. 341, 1, approved Nov. 28, 1973, eff. in 60 days; Act 1990-4 (H.B. 1120), PL. 6, 5, approved Feb. 2, 1990, eff. in 60 days; Act 1995 Special Session-10 (S.B. 2), PL. 985, 9, approved Mar. 31, 1995, See section of this act for effective date information; Act 2002-162 (H.B. 976), PL. 1350, 2, approved Dec. 9, 2002, eff.

in 60 days; Act 2002-226 (S.B. 1402), PL. 1953, 1.1, approved Dec. 16, 2002, eff. in 60 days.

3126. Indecent assault.

(a) OFFENSE DEFINED. A person is guilty of indecent assault if the person has indecent contact with the complainant, causes the complainant to have indecent contact with the person or intentionally causes the complainant to come into contact with seminal fluid, urine or feces for the purpose of arousing sexual desire in the person or the complainant and:

(1) the person does so without the complainants' consent;

(2) the person does so by forcible compulsion; (3) the person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;

- (4) the complainant is unconscious or the person knows that the complainant is unaware that the indecent contact is occurring;
- (5) the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;
- (6) the complainant suffers from a mental disability which renders the complainant incapable of consent;
- (7) the complainant is less than 13 years of age; or
- (8) the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.

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

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

(2) An offense under subsection (a)(2), (3), (4), (5) or (6) is a misdemeanor of the first degree. (3) An offense under subsection (a)(7) is a misdemeanor of the first degree unless any of the following apply, in which case it is a felony of the third degree:

(i) It is a second or subsequent offense.

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

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

(iv) The indecent assault is committed by touching the person's sexual or intimate parts with the complainant's sexual or intimate parts. *Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eff. in 6 months; Act 1976-53 (H.B. 580), PL. 120, 1, approved May 18, 1976, eff. in 30 days; Act 1990-4 (H.B. 1120), PL. 6,*

6, approved Feb. 2, 1990, eff. in 60 days; Act 1995 Special Session-10 (S.B. 2), PL. 985, 9, approved Mar. 31, 1995, See section of this act for effective date information; Act 2005-76 (H.B.1400), PL. 412, 1, approved Nov. 23, 2005, eff. In 60 days.

3127. Indecent exposure.

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

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

Act 1972-334 (S.B. 455), PL. 1482, 1, approved Dec. 6, 1972, eff. in 6 months; Act 1995 Special Session-10 (S.B. 2), PL. 985, 9, approved Mar. 31, 1995, See section of this act for effective date information.

3129. Sexual intercourse with animal.

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

Act 1999-8 (H.B. 124), PL. 67, 1, approved June 18, 1999, eff. in 60 days.

3130. Conduct relating to sex offenders. [Effective until December, 20, 2012]

(a) OFFENSE DEFINED. A person commits a felony of the third degree if the person has reason to believe that a sex offender is not complying with or has not complied with the requirements of the sex offenders probation or parole, imposed by statute or court order, or with the registration requirements of 42 Pa.C.S. 9795.2 (relating to registration procedures and applicability), and the person, with the intent to assist the sex offender in eluding a law enforcement agent or agency that is seeking to find the sex offender to question the sex offender about, or to arrest the sex offender for, noncompliance with the requirements of the sex offenders probation or parole or the requirements of 42 Pa.C.S. 9795.2:

(1) withholds information from or does not notify the law enforcement agent or agency about the sex offender's noncompliance with the requirements of parole, the requirements of 42 Pa.C.S. 9795.2 or, if known, the sex offenders' whereabouts;

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

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

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

(b) DEFINITION. As used in this section, the term sex offender means a person who is required to register with the Pennsylvania State Police pursuant to the provisions of 42 Pa.C.S. 9795.1 (relating to registration). *Act 2006-178 (S.B. 944), PL. 1567, 1, approved Nov. 29, 2006, eff. Jan. 1, 2007.*

3130. Conduct relating to sex offenders

[Effective December 20, 2012]

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

about, or to arrest the sex offender for, noncompliance with the requirements of the sex offenders' probation or parole or the requirements of 42 Pa.C.S. Ch. 97 Subch. H:

- (1) withholds information from or does not notify the law enforcement agent or agency about the sex offender's noncompliance with the requirements of parole, the requirements of 42 Pa.C.S. Ch. 97 Subch. H or, if known, the sex offenders' whereabouts;
- (2) harbors or attempts to harbor or assist another person in harboring or attempting to harbor the sex offender;
- (3) conceals or attempts to conceal, or assists another person in concealing or attempting to conceal, the sex offender; or
- (4) provides information to the law enforcement agent or agency regarding the sex offender which the person knows to be false.

(b) DEFINITION. As used in this section, the term sex offender means a person who is required to register with the Pennsylvania State Police pursuant to the provisions of 42 Pa.C.S. Ch. 97 Subch. H. *Act 2006-178 (S.B. 944), PL. 1567, 1, approved Nov. 29, 2006, eff. Jan. 1, 2007; Act 2011-111 (S.B. 1183), 1, approved Dec. 20, 2011, eff. in 1 year.*

SUBCHAPTER C.

LOSS OF PROPERTY RIGHTS

3141. General rule. [Effective until December 20, 2012]

3142. Process and seizure.

3143. Custody of property.

3144. Disposal of property.

3141. General rule. [Effective December 20, 2012]

A person:

- (1) convicted under section 3121 (relating to rape), 3122.1 (relating to statutory sexual assault), 3123 (relating to involuntary deviate sexual intercourse), 3124.1 (relating to sexual assault), 3125 (relating to aggravated indecent assault) or 3126 (relating to indecent assault); or (2) required to register with the Pennsylvania State Police under 42 Pa.C.S. Ch. 97 Subch. H (relating to registration of sexual offenders); may be required to forfeit property rights in any property or assets used to implement or facilitate commission of the crime or crimes of which the person has been convicted. Such property may include, but is not limited to, a computer or computers, telephone equipment, firearms, licit or illicit prescription drugs or controlled substances, a motor vehicle or such other property or assets as determined by the court of common pleas to have facilitated the persons criminal misconduct. *Act 2006-178 (S.B. 944), PL. 1567, 2, approved Nov. 29, 2006, eff. Jan. 1, 2007; Act 2011-111 (S.B. 1183), 1, approved Dec. 20, 2011, eff. in 1 year.*

3142. Process and seizure.

(a) SEIZURE. Property subject to forfeiture under this section may be seized by law enforcement authority upon process issued by the court of common pleas having jurisdiction over the person or property.

(b) SEIZURE WITHOUT PROCESS. Seizure without process may be made if the seizure is incident to an arrest or a search under a search warrant and there is probable cause to believe that the property was or is material to the charges for which the arrest or search warrant was issued. In seizures without process, proceedings for the issuance thereof shall be instituted immediately.

(c) RETURN OF PROPERTY. Property belonging to someone other than the convicted sex offender or registrant shall be returned if the offense was committed without the knowledge or consent of the owner.

Act 2006-178 (S.B. 944), PL. 1567, 2, approved Nov. 29, 2006, eff. Jan. 1, 2007.

3143. Custody of property.

Property taken or detained under this subchapter is deemed to be the property of the law enforcement authority having custody thereof and is subject only to the court of common pleas having jurisdiction over the criminal or forfeiture proceedings, the district attorney in the matter or the Attorney General.

Act 2006-178 (S.B. 944), PL. 1567, 2, approved Nov. 29, 2006, eff. Jan. 1, 2007.

3144. Disposal of property.

Property taken or detained pursuant to the provisions of this subchapter shall be sold in the manner of property forfeited under 42 Pa.C.S. Ch. 68 (relating to forfeitures). The net proceeds, as determined by the law enforcement authority having custody thereof, shall be utilized for investigation or prosecution of sexual offenses or donated to nonprofit charitable institutions which provide counseling and other assistance to victims of sexual offenses.

Act 2006-178 (S.B. 944), PL. 1567, 2, approved Nov. 29, 2006, eff. Jan. 1, 2007.

Domestic violence is defined in Pennsylvania criminal statutes as:

2711. Probable cause arrests in domestic violence cases.

(a) GENERAL RULE. A police officer shall have the same right of arrest without a warrant as in a felony whenever he has probable cause to believe the defendant has violated section 2504 (relating to involuntary manslaughter), 2701 (relating to simple assault),

2702(a)(3), (4) and (5) (relating to aggravated assault), 2705 (relating to recklessly endangering another person), 2706 (relating to terroristic threats) or 2709.1 (relating to stalking) against a family or household member although the offense did not take place in the presence of the police officer. A police officer may not arrest a person pursuant to this section without first observing recent physical injury to the victim or other corroborative evidence. For the purposes of this subsection, the term family or household member has the meaning given that term in 23 Pa.C.S. 6102 (relating to definitions).

(b) SEIZURE OF WEAPONS. The arresting police officer shall seize all weapons used by the defendant in the commission of the alleged offense.

(c) BAIL.

(1) A defendant arrested pursuant to this section shall be afforded a preliminary arraignment by the proper issuing authority without unnecessary delay. In no case shall the arresting officer release the defendant from custody rather than taking the defendant before the issuing authority. (2) In determining whether to admit the defendant to bail, the issuing authority shall consider whether the defendant poses a threat of danger to the victim. If the issuing authority makes such a determination, it shall require as a condition of bail that the defendant shall refrain from entering the residence or household of the victim and the victim's place of employment and shall refrain from committing any further criminal conduct against the victim and shall so notify the defendant thereof at the time the defendant is admitted to bail. Such condition shall expire at the time of the preliminary hearing or upon the entry or the denial of the protection of abuse order by the court, whichever occurs first. A violation of this condition may be punishable by the revocation of any form of pretrial release or the forfeiture of bail and the issuance of a bench warrant for the defendants' arrest or remanding him to custody or a modification of the terms of the bail. The defendant shall be provided a hearing on this matter.

(d) NOTICE OF RIGHTS.

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

- (1) An order restraining the abuser from further acts of abuse.
- (2) An order directing the abuser to leave your household.
- (3) An order preventing the abuser from entering your residence, school, business or place of employment.
- (4) An order awarding you or the other parent temporary custody of or temporary visitation with your child or children.
- (5) An order directing the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so.

Act 1986-10 (H.B. 350), PL. 27, 1, approved Feb. 15, 1986, eff. in 60 days; Act 1990-206 (H.B.1023), PL. 1240, 3, approved Dec. 19, 1990, eff. in 90 days; Act 2000-101 (S.B. 1444), PL. 728, 1, approved Dec. 20, 2000, eff. in 60 days; Act 2002-218 (S.B. 1515), PL. 1759, 3, approved Dec. 9, 2002, eff. in 60 days.

Title 23 – Domestic Relations - Definitions

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

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

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

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

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

"Comparable court." A foreign court that: (1) has subject matter jurisdiction and is authorized to issue ex parte, emergency, temporary or final protection orders in that jurisdiction; and (2) possessed jurisdiction over the parties when the protection order was issued in that jurisdiction.

ANNUAL SECURITY AND FIRE SAFETY REPORT - 2024

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

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

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

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

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

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

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

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

"Minor." An individual who is not an adult.

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

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

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

"Sheriff."

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

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

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

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

(b) Other terms. - Terms not otherwise defined in this chapter shall have the meaning given to them in 18 Pa.C.S. (relating to crimes and offenses). (*Oct. 6, 1994, PL.574, No.85, eff. 60 days; Mar. 31, 1995, 1st Sp. Sess., PL.985, No.10, eff. 60 days; June 22, 2001, PL.576, No.39, eff. 60 days; Nov. 30, 2004, PL.1618, No.207, eff. 60 days; Nov. 10, 2005, PL.335, No.66, eff. 180 days; Oct. 9, 2008, PL.1352, No.98, eff. 60 days*)

Dating violence is defined in Pennsylvania criminal statutes as:

No separate state statute is provided in Pennsylvania criminal law for Dating Violence.
Covered under Title 23 – Domestic Relations

Stalking is defined in Pennsylvania criminal statutes as:

PA CRIMES CODE

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

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

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

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

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

(c) GRADING.

(1) Except as otherwise provided for in paragraph (2), a first offense under this section shall constitute a misdemeanor of the first degree.

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

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

(e) APPLICATION OF SECTION. This section shall not apply to conduct by a party to a labor dispute as defined in the act of June 2, 1937 (P.L.1198, No. 308), known as the Labor Anti-Injunction Act, or to any constitutionally protected activity.

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

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

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

Emotional distress. A temporary or permanent state of mental anguish.

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

Act 2002-218 (S.B. 1515), PL. 1759, 2, approved Dec. 9, 2002, eff. in 60 days.

QUICK REFERENCE GUIDE

Essential Phone Numbers

POLICE/FIRE/MEDICAL EMERGENCY	911
Public Safety Dispatch	215.951.1300
Public Safety Emergency Line	215.991.2111
Main Campus Information	215.951.1000
Vice President of Student Development and Campus Life	215.951.1017
Director of Student Conduct	215.951.1916
Counseling Center	215.951.1355
Student Health Center	215.951.1565
Admission Office	215.951.1500
Parking and Gold Card/ID Office	215.951.1579

Emergency Closing Numbers

Call 215-951-1910 for info on emergency closings or check on [mylasalle](#) for up to date closing information. Notification will also be sent out via Rave Alert, the University's emergency notification system.

Courses at the University remain in session unless announced otherwise by the University

In all cases, check email, text alerts, and visit the La Salle University [website](#) for additional information.

Fully online courses are rarely cancelled for weather related reasons.