



# Juniata College

P E N N S Y L V A N I A

◆ 1876 ◆

## **Office of Public Safety**

### **Annual Security Report & Fire Safety Report**

October 1, 2017

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*Published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report is prepared by Jesse Leonard, The Director of Public Safety, with the help of the Dean of Students Office, and campus security authorities.*

NOTE: The Office of Public Safety reserves the right to change or cancel, without notice, policies, regulations, procedures, or any of the following information based on the needs of the Juniata College community and new compliance standards enacted by the Department of Education for the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

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## **Institutional Profile:**

Founded in 1876, Juniata is an independent, co-educational college of liberal arts and sciences. Located in the scenic mountains of central Pennsylvania, the beautiful 110-acre main campus is supplemented by the 365-acre Baker-Henry Nature Preserve and Baker Peace Chapel. In addition, a 365-acre Environmental Studies Field Station on nearby Raystown Lake provides one of the most distinctive opportunities in environmental science in the nation.

The College has a strong reputation for excellent academics, personal attention, and state-of-the-art technological resources. Juniata students enjoy small classes, a challenging, flexible curriculum, collaborative student-faculty relationships, countless chances to learn by doing, and a lively campus offering lots to do and great new friends.

## **Office of Public Safety**

The Public Safety Office at Juniata College is an important area within Student Life. The staff of five full-time officers, one full-time office support officer, two part-time officers, are supervised by a Director who reports to the Associate Dean of Students and Title Ix Coordinator. The Public Safety Office is a service-oriented operation on campus. The Public Safety Officers have a variety of training and professional experiences ranging from criminal investigation procedures, self-defense techniques, and medical training. Each officer must go through periodic training as part of their employment requirements. Public Safety personnel are on the job 24 hours a day, seven days a week. The department has at its disposal a vehicle with full radio communication equipment to communicate with local law enforcement agencies and emergency management. The Public Safety Officers have an excellent working relationship with local and state police.

## **Office of Public Safety Mission Statement**

The Public Safety Office is committed to providing a safe and secure environment as essential to the Juniata College community. The Public Safety Office focuses on the protection of college assets, but the primary goal is to assure a safe, secure, and comfortable living environment which promotes learning and personal development. Respect, consideration, and fairness to others are paramount in our daily operations.

## **Office of Public Safety Law Enforcement Authority and Jurisdiction**

The Office of Public Safety has the authority to respond to all emergencies on Juniata College owned property. The office of Public Safety will also conduct investigations, issue Juniata College identification cards, and maintain motor vehicle registrations and parking enforcement.

The sworn police officers receive their authority from Act 501 of the Pennsylvania Consolidated Statutes. Some officers are also trained under Act 120, known as the Municipal Police Training and Education Act. All officers are also trained under Act 235 (lethal weapons training) and do carry fire arms.

## **Relationship with Local Law Enforcement Authorities**

Juniata College maintains a long standing verbal agreement with the Huntingdon Borough Police to investigate alleged criminal offenses of a misdemeanor of the third degree or higher classification. The Office of Public Safety and its officers have an excellent working relationship with the Huntingdon Borough Police, which also services all Juniata College properties within the Borough of Huntingdon. Criminal incidents which are reported to the Office of Public Safety can be passed through to the Huntingdon Borough Police. The Huntingdon Borough Police informs the Office of Public Safety whenever a situation is reported to the police that may warrant an emergency response or timely warning on campus. The Office of Public Safety also works closely with the agency to monitor local crime trends that may affect the Juniata community. Juniata College occasionally works with other law enforcement agencies, including the Federal Bureau of Investigation, the Department of Homeland Security, and The Pennsylvania State Police.

## **Reporting of Incidents and Emergencies**

Students, faculty, staff, and guests of Juniata College are encouraged to immediately report emergencies, criminal activity, and any suspicious conditions, subjects, or vehicles to the Office of Public Safety at 814-641-3636, extension 3636 from an on-campus telephone, or activate an emergency phone. Officers will conduct a thorough investigation of all incidents and offenses. Public Safety will respect the privacy of the reporting person and persons involved as much as reasonably possible. The identity of complainant(s), victim(s), and witness(es) will be kept as confidential to the extent that the law allows.

## Emergency Phones on Campus

The college has emergency phones strategically placed to assist community members in the event of an emergency. These phones are easily identified by the reflective “emergency” lettering attached to the sides of the tall white call box. In case of an emergency, the large red button on the face of the phone unit should be pushed. This will immediately ring the Public Safety emergency line and will give the answering officer the location of the problem.

## Anonymous Tip Line and Crime Prevention Programs

### Public Safety Anonymous Tip Line (814) 641-3318

#### **WHAT IS IT?**

The Juniata Office of Public Safety provides a confidential tip line as an alternative means by which individuals can relay valuable information in an anonymous manner. The Office’s goal in providing this service is to obtain information on criminal activity and to assist the department in investigating criminal activity that might otherwise go unreported. **Public Safety Anonymous Tip Line (814) 641-3318**

Callers are encouraged to leave their names and phone numbers, but may choose to leave information anonymously. Whenever someone contacts Juniata College Office of Public Safety with information concerning criminal activity, we attempt to protect their identity to the extent that the law allows.

Telephone calls received on the **Public Safety Anonymous Tip Line** are answered by department personnel only. Once the information is obtained, the Director of Public Safety will distribute the information received to the proper personnel, according to established procedures. In some instances, criminal investigations may be initiated from this information. In all cases, the information received will be thoroughly evaluated.

#### **HOW DOES IT WORK?**

When a member of the campus community calls (814) 641-3318, a person may answer or the message will go to the recording. Speak clearly and explain the activity in as much detail as you can. You do not have to provide your name, address, or telephone number.

Be as specific as possible in providing the following information:

- Location of building or house, names of nearest intersecting streets
- Description of persons involved, such as height, sex, age, weight, clothing, hair color, eye color, any distinguishing marks, names if known, and if there are any weapons involved

- Description of vehicles involved including make, model, color, and license plate

### **WHEN TO USE IT**

Use the **Public Safety Anonymous Tip Line** to report information concerning: Vandalism, Theft, Burglary, suspicious behavior, suspicious situations, and other serious crimes.

### **WHAT IF I WANT TO REPORT CRIMINAL ACTIVITY THAT IS HAPPENING RIGHT NOW?**

If you witness a crime such as break-ins, vandalism or any other crime occurring **dial the Office of Public Safety's Emergency Line at (814) 641-3636 immediately.**

Take the first step in helping us make our community safer by calling the **Public Safety Anonymous Tip Line** when you have personal knowledge of criminal activity. Be part of the solution. This is your community.

## **Safety Considerations Used in Campus Facility Maintenance**

With the cooperation of the Campus Safety Committee, Public Safety Department, and Facilities Services Department, tours of the campus are conducted to identify potential security/safety problems, such as poor lighting conditions, malfunctioning access systems, potential fire hazards, and slip, trip, and fall hazards. The local fire agencies are also invited to tour and inspect campus properties and residential units. The Office of Public Safety maintains open communications with the Facilities Services Department to address any safety deficiencies and fire-code violations that officers have noted during their routine patrols. Facilities Services gives the highest priority to repairing/replacing all safety deficiencies and to rectifying any fire code violations. An Emergency call-back system is in place for after-hours maintenance or housekeeping emergencies.

## **Campus Safety Committee**

The Campus Safety Committee provides an avenue for the identification of existing and potential hazards and is committed to the evaluation of risk, prevention of accidents, and education of the Juniata community in safety awareness. The Committee's primary goal is to create the highest quality safety climate to reduce and prevent personal injury and asset loss.

The Campus Safety Committee meets monthly to review employee injuries, conduct accident investigations, develop campus policies, and determine training and budget priorities for safety initiatives. Persons wishing to submit a safety suggestion to the Campus Safety Committee can do so at the following link: <http://www.juniata.edu/offices/environmental-safety/campus-safety-committee.php>



## **Juniata College Gold Card and Residence Hall Access**

All students, faculty, and staff are issued a Gold Card photo identification card. The Gold Card is used for identification purposes. The Gold Card is also used as an electronic key for access to campus buildings, residence halls, and also serves as a library card. The Gold Card can also be used by students for meals and as a debit card for preloaded declining credit balance to be used at the various food service locations on campus.

Persons should carry their Juniata College Gold Card at all times and present their Gold Card upon request of any Juniata College Official. The Gold Card is not transferable. Misuse of the card may result in confiscation of the Gold Card, loss of privileges, and/or access to college services.

The office of Public Safety can replace lost or damaged Gold Cards for a small fee. Gold Cards that become nonfunctional due to standard use will be replaced without charge.

### ***Students***

A new Juniata College Gold Card will be issued to all incoming first-year and transfer students, and to students who have lost their identification cards. All returning sophomores, juniors, and seniors should retain their current Gold Card.

### ***Faculty and Staff***

All faculty and staff must retain their current Gold Card from year to year.

## **Emergency Operations Plan**

Juniata College's Emergency Operations Plan can be found at the following link:

<http://www.juniata.edu/services/security/jceop.doc>

The Emergency Operations Plan is maintained, reviewed, and updated annually by the Director of Public Safety. The plan governs the campus response to fires, natural disasters, hazardous material spills, bomb threats, temporary college closings, and any other emergencies on campus. It also provides details about evacuation, emergency sheltering, and lockdown procedures.

## Emergency Notification and Timely Warnings

All calls for emergency response should be made to the Office of Public Safety, at 814-641-3636. The Public Safety Officers have the ability to directly contact the Huntingdon County Emergency Dispatch Center. In the event that 911 is contact it is essential that Public Safety be contacted in addition to 911 so Public Safety officers are able to direct emergency responders to the location of the emergency. The Office of Public Safety will ensure that local emergency authorities are advised of the emergency, as necessary.

The College has several pre-established methods of communication within the College and with local communities in the event of an emergency. For immediate mass notification, the Public Safety Office will utilize the emergency alert sirens located on campus as well as our Wireless Emergency Notification Service (WENS) that sends an e-mail and text message to all students and community members enrolled. Enrollment in the emergency notification system can be done at the following link: <http://www.juniata.edu/offices/security/campus-safety-programs/wens.php>

Other communications mediums used include the use of e-mail, web site announcements, daily announcements, announcements on local radio stations, messages on the main phone switchboard, written communication, and other systems as developed.

## Timely Warning Policy

In the event that a situation arises on the Juniata College campus, including student residence halls, academic or administrative buildings, all college property owned or controlled by Juniata College, and public property contiguous to campus, a timely warning will be issued. If information received is considered by Juniata College's Office of Public Safety to represent a serious or continuing threat to students or employees, the Director of Public Safety or designee will authorize the issuance of a timely warning. For purposes of this policy, "timely" means as soon as reasonably feasible after an incident has been reported to the Office of Public Safety or a campus security authority.

In order to determine if timely warning is required, and to determine the content of the warning, the Office of Public Safety may consult with all relevant outside authorities, including local emergency responders, and with offices on campus, including the Dean of Students Office, the Title IX Coordinator, Media Relations, and the Office of Human Resources. If time permits, the President's Office will be consulted prior to issuing the warning. Trained personnel are authorized to issue a timely warning.

In determining whether to issue a timely warning, the college will consider any factors reflecting on whether the information received represents a serious or continuing threat to the college community, including, but not limited to, (a) the nature of the incident; (b) when and where the incident occurred; (c) when it was reported; (d) the continuing danger to the campus community. If there is insufficient information available to determine whether the incident represents a continuing threat to the college community, the college will issue a timely warning unless, based on the information available, it appears unlikely that there is an ongoing threat to the community, and will note in the content of the timely warning that, based on the information available, the college does not have full information to evaluate the nature of the ongoing threat.

The reasons the college does or does not issue a Timely Warning for any incident reported to the college will be documented.

**Confidentiality of victims:** When issuing a timely warning with respect to a crime or hate crime, Juniata College will withhold as confidential the name and other personally identifying information or personal information about the victim, to the extent possible, while balancing the need to ensure the safety of the campus community.

## Firearms and Related Items

Illegal and/or dangerous weapons, including but not limited to BB / pellet guns, sling shots, and pneumatic weapons that resemble a real firearm, are not permitted on campus. Violators will be subject to disciplinary action and arrested if appropriate. Legal and approved firearms used for sport, target shooting, or hunting, ammunition, archery equipment, knives and other edged - weapons with blades exceeding three inches, and/or devices that can be considered a danger to the campus community must be registered and stored in the Public Safety Office. Firearms that are being stored at the Raystown Field Station must be registered with college staff designee and kept in the gun safe on site.

- Handguns and assault weapon platforms are prohibited.
- Students must complete an application/registration for each firearm.
- All firearms being transported to or from campus must be secured and placed within an approved firearms carrying case.
- Registered firearms and/or dangerous weapons are not permitted in administrative/ academic buildings or college residence halls. Failure to comply with this regulation may result in expulsion from the college and/ or arrest .
- Public Safety or college staff designee will not sign out a firearm to a student who appears to be in an altered mental state, under the influence, or if the request is inconsistent with traditional hunting times.
- With proper identification and registration card, students may sign-out registered items by contacting the Public Safety Office or college staff designee.

## Information Concerning Registered Sex Offenders in Pennsylvania

The federal Campus Sex Crimes Prevention Act requires that institutions of higher learning advise members of the campus community where they may obtain information concerning registered sex offenders in the state. In Pennsylvania, this information is listed on a website and may be found at <http://www.pameganslaw.state.pa.us/Main.aspx> .

## Missing Student Policy Statement

### Purpose

The purpose of the policy is to establish procedures for the college's response to reports of missing students, as required by the Higher Education Opportunity Act of 2008.

The policy applies to students who reside in campus housing, including college owned off campus housing.

For purposes of the policy, a student may be considered to be a "missing student" if the student's absence is contrary to his/her usual pattern of behavior or unusual circumstances may have

caused the absence. Such circumstances could include, but not be limited to, a report or suspicion that the missing person may be the victim of foul play, has expressed suicidal thoughts, is drug dependent, is in a life-threatening situation, or has been with persons who may endanger the student's welfare.

## **Procedures**

In the event of a suspected missing Juniata College student, immediately contact a member of the Public Safety Department at 814-641-3636.

All reports of missing persons made to Residence Life and/or Public Safety Department staff are immediately reported to the Student Life Leadership on Call and followed up with an on-going investigation.

After consultation with the Dean of Students Office or Student Life Leadership on Call, if the missing person report has any threatening/violate circumstances surrounding it, law enforcement would be immediately alerted.

If it is determined by the Public Safety Department and the Dean of Students that a student for whom a missing person report has been filed, has not been resolved within 24 hours, and had no known threatening/violate circumstances, the Dean of Students will initiate the following:

Notify the individual identified by the student as the missing person contact

Notified law enforcement officials for any student under the age of 18 who is a dependent, (the school is required to notify a parent or guardian no later than 24 hours after the student is reported missing).

Notify law enforcement officials no later than 24 hours after a nondependent student is determined to be a "missing person."

## **Designation of confidential emergency contact information**

Students will be given the opportunity to designate an individual or individuals to be contacted by the college no more than 24 hours after the time that the student is determined to be missing in accordance with the procedures set forth below. A designation will remain in effect until changed or revoked by the student. This information will be maintained confidentially and will be available only to the Office of Public Safety and Dean of Students, or his designee, and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

## Title IX Policy and Grievance

Juniata College is committed to a policy of equal opportunity for all persons, without regard to race, sex, age, religion, national or ethnic origin, color, disability, veteran status or family status. *"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."* Legal Citation: Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX).

### Reporting an Incident

Schools receiving Federal financial assistance must designate at least one professional employee as the Title IX Coordinator to oversee compliance efforts and investigate any complaint of sex discrimination. The Title IX Coordinator is responsible for monitoring the overall implementation of Title IX policies for the College and coordinating compliance with Title IX regulations. Administering procedures to provide prompt and equitable resolution of complaints is a critical function of the Title IX Coordinator. The Coordinator can assist those alleging sexual harassment or discrimination in filing a report. The Title IX Coordinator at Juniata is Dan Cook-Huffman, Associate Dean of Students, 1700 Moore Street, Huntingdon, PA 16652, 814-641-3151, cookhud@juniata.edu

Any student who believes he or she has been the victim of unlawful sex discrimination is urged to submit a report to the Title IX coordinator, Dan Cook-Huffman, Associate Dean of Students. Students may also report instances of sexual harassment and discrimination cases to Dean of Students or Director of Public Safety. In all cases, the Title IX Coordinator will oversee the investigation of the report up to and including the resolution of the case. No retaliation will be tolerated and every effort will be made to maintain confidentiality regarding the report.

### What To Do If You're Assaulted

Juniata College is very concerned about incidents of gender-based or sexual misconduct and acknowledges that while each person experiences and responds in differing ways, there are a variety of formal and informal options for support. Please review the information pertaining to your options for support, assistance, and reporting so that you can make an informed decision based on your personal needs. Your needs may change over time, so please also know that you may choose to utilize different forms of response at different times.

If you have experienced any act of sexual misconduct, our first concern is for your safety and well-being. Juniata offers on-campus resources to assist students who may have been affected by sexual violence or sexual misconduct. Additional services are available off-campus through the local community. Individuals are encouraged to utilize any and all on-campus and community resources that may be of assistance to them.

Deciding to get help is a personal decision that belongs to the survivor alone. A person who has been sexually assaulted has already endured a lot and often the thought of talking to someone or seeking medical attention can be overwhelming. It is important to keep in mind however, that there are some recommended actions a survivor can take that can be beneficial in the future:

- **Believe in yourself.** Know that when you are forced to have any form of sexual contact without your consent, it is not your fault.
- **Find a safe environment—anywhere away from the attacker.** Contact someone immediately. Go to this person's house or have them go to where you are. Ask someone you trust to stay with you for support.
- **Seek medical attention immediately.** Do not change your clothes, bathe or brush your teeth. If possible, refrain from using the bathroom. This can help to preserve evidence if you choose to make a police report. Going to the hospital does not mean you have to notify the police. It is for your medical safety to be examined. Even with no visible physical injuries, it is important to determine if internal injuries were sustained (such as tearing or bruising), and to weigh the risks of sexually transmitted diseases and pregnancy. Preventative medication can be provided if the circumstances are appropriate.  
In order to preserve any forensic evidence, ask the nurse, doctor and/or advocate to explain what the forensic rape kit is, how it is performed, what the process is once it is completed and the benefits of the procedure. If there was no penetration, you may still have the kit completed to obtain evidence elsewhere on your body.
- **If you suspect you may have been drugged,** report immediately to hospital staff. The window period to collect evidence of drugs (either through a urine sample or blood) is extremely short. The sample will be analyzed at a forensic lab.

## Reporting

- If you are able to, write down all the details you can recall about the assault and the perpetrator. Or ask a friend you can confide in to record this information for you.
- Call the National Sexual Assault Hotline, operated by [RAINN](#), for free, confidential counseling, 24 hours a day: [1-800-656-HOPE](#). When you call, you will be connected to your local rape crisis center. An advocate may be available to meet you at the hospital.
- Report the sexual assault to local law enforcement authorities, even if the assault occurred in another district. An advocate can provide the information you'll need to understand the criminal justice system process.

- Report the sexual assault to campus authorities understanding privacy limits for confidential or mandatory reporters.
- To make an online confidential or anonymous report of sexual or gender-based misconduct, [click here](#).

## Confidentiality

### Confidential vs. Private

All efforts will be made to preserve your privacy; this means that only people who need to know about the incident will be given your name and other limited information as necessary. This is different from confidentiality. Confidentiality means that no information can be disclosed and your support person cannot talk and work with others on your behalf.

### Confidential Reporters

Professional counselors through Juniata Counseling Services, Campus Ministries and the Chaplain, when acting in an official capacity, and the Director of the Office for the Prevention of Interpersonal Violence are not considered to be campus security authorities and are not required to report crimes for inclusion into the annual disclosure of crime statistics. As a matter of policy, these counselors are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.

### Mandatory Reporters

In accordance with Title IX requirements, all other College employees are considered “mandatory reporters” for the purpose of reporting sexual assault and misconduct. Furthermore, the Clery act allows for a designation of “Campus Security Advisors” which include residence life staff, security staff, coaching and other athletics staff, Dean of Students office staff, human resources staff and the three Title IX deputies. All mandatory reports must report concerns to a Title IX officer who is also a “campus security advisor.”

### Recognize that healing from sexual assault or any trauma takes time.

Allow yourself the time you will need to recover emotionally, mentally, and physically. **There is no set time frame for your healing process.**



## How to Help a Friend

- **Say something. Lend a listening ear.** Show that you care and are willing to listen. Do not force the issue but allow the individual to confide in you at his/her own pace. Never blame the person for what is happening or underestimate his/her fear of potential danger. Focus on supporting the individual's right to make his/her own decisions.
- **Guide survivors to campus and community resources.** Let him/her know they are not alone and people are available to help. Encourage him/her to seek sexual violence advocates and assure them that information will be kept confidential in most cases.
- **Do not ever judge survivors.** Tell the person you are sorry they have been hurt. No matter his/her behavior prior to the assault, they are not responsible--the perpetrator is. No one deserves to be assaulted.
- **Remind survivors that their feelings are normal.** They may feel "crazy". Assure survivors they are not "crazy" and any feeling or reaction is normal.
- **Validate survivors in their feelings.** Continue to do so even if they feel everything is terrible and even if you feel frustrated with their recovery.
- **Focus on his/her/their strengths.** The individual has probably continually been told by the abusive person that they are a bad person, a bad student, or a bad friend. They may believe they cannot do anything right and that there really is something wrong with them.
- **Give emotional support and help in recognizing personal strengths and skills.** Emphasize that he/she/they deserves a life that is free from violence.
- **Find your own support.** You cannot support someone else if you are not supported. However, do not try to receive that support from the survivor.

## Report/Appeal Processes

The student, or any person(s) acting on behalf of the student, may file a report with the Title IX Coordinator. The Title IX Coordinator will discuss the student's complaint and attempt to resolve or adjust the dispute on an informal basis. The student may present any facts or circumstances he/she deems relevant to the complaint/dispute. The Title IX Coordinator may investigate the matter and gather any relevant facts and circumstances, including conducting interviews or may assign the investigation to a trained investigator. The Title IX Coordinator shall complete an investigation within sixty (60) calendar days after the report. Within seven (7) calendar days from the date of the determination by the Title IX Coordinator, the student may appeal by submitting a written request for a further review by the Dean of Students Office.

The Dean of Students or designee shall review all matters relating to the complaint/dispute as presented to the Title IX Coordinator and may solicit additional facts and evidence as deemed necessary. The student may present any further facts or evidence he/she feels is relevant. The Dean of Students or designee shall complete the review and render a decision within twenty (20) calendar days after the appeal has been submitted to the Dean of Students.

### Intercollegiate Athletics

Title IX governs the overall equity of treatment and opportunity in athletics while giving schools the flexibility to choose sports based on student body interest, geographic influence, budget restraints, and gender ratio. [In other words, it is not a matter of women being able to participate in football or that exactly the same amount of money is spent per women's and men's basketball player. Instead, the focus is on the necessity for women to have equal opportunities as men on a whole, not on an individual basis.]

In regard to intercollegiate athletics, there are three primary areas that determine if an institution is in compliance:

**Substantial Proportionality** – satisfied when participation opportunities for men and women are “substantially proportionate” to the institution’s undergraduate enrollment.

**History and Continuing Practice** – satisfied when an institution has a history and continuing practice of program expansion that is responsive to the developing interests and abilities of the underrepresented sex.

**Effectively Accommodating Interests and Abilities** – satisfied when an institution is meeting the interest and abilities of its underrepresented sex.

Appraisal of compliance is on a program-wide basis, not a sport-by-sport basis.

### DISSEMINATION OF POLICY AND EVALUATION

This policy shall be made available to all students, parents/guardians of dependent students, staff members, and organizations. This policy and the institution’s compliance with Title IX objectives will be reviewed on an on-going basis. It is the primary responsibility of the Title IX Coordinator to ensure the effective installation, maintenance, processing, record keeping, and notifications required by the grievance procedures. The Title IX Coordinator shall keep all reports and findings on file for a minimum of five years.

\*\*\* No person shall be subjected to retaliation for having utilized or having assisted others in the utilization of the reporting or appeals process.

## Standards of Conduct

### Principle of Community

The basic principle of community at Juniata holds that any behavior, **whether on or off-campus**, which infringes upon the rights, safety, privileges or property of any individual, or impedes the educational process, is unacceptable. To that end, Juniata students are expected to exhibit a high degree of personal integrity and honesty. Dishonesty in any phase of college work, disregard for the safety of others, and theft of property or service are considered serious offenses in a community dedicated to the development of responsible individuals.

Instances of student misconduct will be considered according to procedures described in the Pathfinder under "Disciplinary Structure."

### Student Code of Conduct

Local, state, and federal laws which serve to preserve individual rights and to maintain the community are considered to be included in the college policy. The following, while not intended to define misconduct in every circumstance, constitutes unacceptable behavior.

Students are subject to disciplinary action for participation in any of the following violations **whether on or off-campus**:

1. Threatening, harassing, assaulting, or endangering the health or safety of any individual(s).
2. Possession or use of firearms, explosives, dangerous chemicals or other weapons -- including any slingshot, catapult, or any device to hurl a missile.
3. Use, possession, or distribution of narcotics, alcohol, or other dangerous drugs, except as permitted by law. (See "alcohol" and "other controlled substances" policies for more information.)
4. Willful destruction of, or damage to, college property.
5. Furnishing misleading or false information to the college and/or college officials.
6. Willfully causing any false report, warning, or threat of fire, explosion, or other emergency.
7. Failure to comply with the direction of college officials, including campus safety and security personnel and residence hall staff in performance of their duties.
8. Unauthorized alteration, forgery, or unauthorized use of any college document or signature.
9. Unauthorized presence in or use of college facilities, property, or premises.
10. Theft of property or services.
11. Intentional violation of the terms of any disciplinary action imposed in accordance with judicial policy.

## Felony Charges

Any student formally charged with a felony level offense is required to take a leave of absence from the College until the legal charges are dropped, dismissed, or otherwise resolved.

## Prohibited Conduct and Definitions

This Policy prohibits “Sexual Misconduct” and “Relationship Violence,” broad categories encompassing the conduct defined below. Sexual Misconduct and Relationship Violence can be committed by anyone and can occur between people of the same or of different sex and/or gender. For purposes of this Policy, the various forms of prohibited Sexual Harassment are referred to as “Sexual Misconduct.”

Prohibited conduct includes:

Sexual Misconduct:

- Sexual Harassment
- Sexual Assault
- Sexual Exploitation
- Stalking
- Retaliation
- Complicity
- Harassment, Harm to Others, and Harassing Conduct

Relationship Violence:

- Domestic Violence
- Stalking
- Intimate Partner Violence
- Dating Violence

**Sexual Harassment** Sexual Harassment can be a single, serious incident or a series of related, repeated incidents. Sexual harassment is defined as unwelcome conduct of a sexual nature (verbal or physical conduct) when the conduct:

- is reasonably perceived as creating an intimidating or hostile work, learning or living environment,
- unreasonably interferes with, denies or limits someone’s ability to participate in or benefit from any educational program and/or activities, and
- is based on power differentials, or the creation of a hostile environment.

In addition to the above, specific types of sexual harassment constituting violations of this Policy include:

- **Sexual Assault:** Having or attempting to have sexual intercourse or oral sex, without Consent. Sexual intercourse means anal or vaginal penetration by a penis, tongue, finger, or inanimate object.
- **Sexual Exploitation:** An act attempted or committed by a person for sexual gratification, financial gain, or other advancement through the abuse or exploitation of another person's sexuality. Examples of sexual exploitation include, but are not limited to, non-consensual observation of individuals who are undressed or engaging in sexual acts, non-consensual audio- or video recording or streaming of sexual activity, prostituting another person, and allowing others to observe a personal consensual sexual act without the knowledge or consent of all involved parties.
- **Coercion:** The use or attempted use of pressure and/or oppressive behavior, including express or implied threats, intimidation, or physical force such that the application of pressure or oppression causes the recipient of the behavior to engage in unwanted sexual activity. Coercion includes administering or pressuring another to consume a drug, intoxicant, or similar substance with the intent to impair that person's ability to consent prior to engaging in sexual activity.
- **Complicity:** Assisting, facilitating, or encouraging the commission of a violation of the Sexual Misconduct and Relationship Violence Policy.
- **Harm to Others:** Physical violence including (but not limited to) physical abuse, assault, threats of violence, striking, shoving or subjecting another person to unwanted physical contact.
- **Harassing Conduct:** Intentionally or recklessly endangering, threatening, or causing emotional harm to any person. This may also include causing physical damage to their property.
- **Harassment:** Harassment includes any written, verbal or physical acts (including electronically transmitted acts) that is reasonably perceived as creating an intimidating or hostile work, learning or living environment, particularly if questionable behavior is repeated and/or if it continues after the offending party is informed of the objectionable and/or inappropriate nature of the behavior. Harassment can be a single incident, or a series of repeated incidents.
- **Sexually Inappropriate Behavior:** Conduct that is rude, obscene or sexually suggestive gestures or communication. Public masturbation, disrobing or exposure of one's self to another person without that person's consent is one example. This may be an isolated occurrence.

## Relationship Violence

Relationship Violence is a violation of this policy and is defined as:

**Domestic Violence:** Knowingly, intentionally, or recklessly causing or attempting to cause bodily injury, physical or sexual assault, abuse, placing another in reasonable fear of serious bodily injury, engaging in repetitive conduct toward a certain person that puts them in fear of bodily injury, restraining another's liberty or freedom of movement, or stalking where such conduct is directed against the Complainant by an individual's current or former spouse, household member, intimate partner or any other person from whom the Complainant is protected under federal or Pennsylvania law.

Pennsylvania law defines domestic abuse as knowingly, intentionally or recklessly causing bodily injury of any kind, causing fear of bodily injury of any kind, assault (sexual or not sexual), rape, sexually abusing minor children, or knowingly engaging in a repetitive conduct toward a certain person that puts them in fear of bodily injury. These acts can take place between family or household members, sexual partners or those who share biological parenthood in order to qualify as domestic abuse.

**Stalking:** Repeated acts or communications directed toward another person, including following the other person without proper justification, which places the other person in reasonable fear of bodily injury or causes substantial emotional distress.

For the purpose of this definition; course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, through third parties, or by any action causes substantial emotional stress. Stress means significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

**Intimate Partner Violence and Dating Violence:** Causing or attempting to cause physical or emotional harm, sexual assault or abuse, placing another in reasonable fear of serious bodily injury, restraining another's liberty or freedom of movement, or stalking, where such conduct is directed against the Complainant by someone with whom they have been in a romantic or intimate relationship. Whether there was such a relationship will be gauged by its length, type, and frequency of interaction. Dating violence can be a single event or a pattern of behavior that includes, but is not limited to, sexual or physical abuse.

## Other Definitions

- **Reporting Individual:** Any individual who has allegedly experienced an act or acts of Sexual Misconduct or Relationship Violence.
- **Responding Individual:** Any individual or authorized student organization that is alleged to have committed an act or acts of Sexual Misconduct or Relationship Violence.
- **Adjudicator:** The College administrative official who will be responsible for disposition and resolution of a Sexual Misconduct or Relationship Violence complaint. Typically, this will be a trained Title IX Investigator or other Title IX Deputy Investigator.
- **Mandatory Reporters:** Mandatory Reporters are persons who, as a result of their profession, may be aware of cases of abuse or violence. At Juniata, all professional and student staff (with the exception of professional health, counselors and pastoral counselors) are designated as mandatory reporters with regard to cases of suspected sexual assault/violence, sexual misconduct, and relationship violence. Suspected incidents need to be immediately reported to the Title IX Coordinator or Dean of Students office. If requested by the reporting party, a “John or Jane Doe” report may be made. This type of report will protect the privacy of the reporting individual, but may still require the mandatory reporter to communicate other details of the alleged violation.

## Sexual Misconduct/Assault

Sexual misconduct can be generally defined as non-consensual sexual activity that occurs as a result of intimidation, threat of force, force, coercive behavior, or taking advantage of one who is unable to give consent due to mental or physical incapacitation. Non-consensual and/or inappropriate sexual behaviors include but are not limited to: non-consensual sexual contact or sexual intercourse, non-consensual touching or fondling, harassment by communication or social media, stalking, and threats of physical harm. Juniata recognizes that sexual misconduct may affect anyone, regardless of gender or sexual identity.

Students who are survivors of sexual misconduct are urged to report the incident to a staff member of Public Safety, Residential Life, the Dean of Students Office, Counseling Services, Campus Ministry, or any other appropriate member of the college community with whom they feel comfortable. The other aforementioned members of the campus community (with the exception of professional health, counselors, and campus ministry staff) may be required to file an incident report with the college’s Title IX Coordinator, Public Safety and/or the Dean of Students Office. All efforts will be made to maintain the confidentiality of both the survivor and the accused. The survivor may decide whether or not to file an official complaint; however, under the requirements of Title IX and the Cleary Act, an investigation will be pursued if the College deems it advisable to conduct a full investigation to protect the safety and interests of the greater campus community. Survivors of sexual misconduct are urged to seek a medical examination within 48 hours of the incident whether or not the survivor chooses to report the incident or press criminal charges. The survivor is also encouraged to undergo an examination for DNA evidence, and therefore is advised not to change clothes or shower prior to examination (rainn.org). Please note that medical facilities have the obligation to inform law enforcement of

any reports of rape or sexual assault. However, it is the survivor's choice on whether to speak with an officer or file a report. If the survivor chooses to file an official complaint of the incident of sexual misconduct, the case will be investigated by a trained Title IX investigator, assisted by Juniata Public Safety and/or local law enforcement as appropriate. After an incident has been formally reported to the Title IX Coordinator and/or the Dean of Student's office, an investigation will be launched by a Title IX investigator and deposition will take place within 60 days. As outlined in the Department of Education's "Dear Colleague" Letter, the preponderance of evidence standard of proof will be used by the College throughout this investigation. This is a different standard of proof (is it more likely to have happened than not) than the clear and convincing standard used in all other student Judicial Board cases. Both the reporting individual and the responding individual will be offered periodic updates of the status of the investigation. After receiving official notification of the recommended resolution or judicial disposition, both parties will have 48 hours in which to submit an appeal to the Provost or designee. Student Life staff and other members of the college community are available for support and advocacy for both parties throughout the process. Retaliation by the reporting individual, the responding individual, or anyone on their behalf is prohibited by college policy and will not be tolerated. If necessary, action will be taken by the college to protect the reporting or responding individual and the campus community at large. Depending on the findings of the investigation, the college may choose to act to protect members of the community and separate an offender under the "Emergency and Extraordinary Situations" section of the Pathfinder. Survivors may choose to press criminal charges independent from any investigation and enforcement carried out by the college.

## Sexual Harassment

It is policy of Juniata College to promote and maintain a campus environment free of all forms of discrimination, intimidation, and exploitation—including sexual harassment. The use of one's institutional position or authority to seek or solicit unwanted sexual relations with a member of the Juniata College community is incompatible with the mutual trust and respect among members of the college community fundamental to the mission of Juniata College. If a student has a supervisor or teacher who has used his or her position to seek or solicit unwanted sexual relations, that student should report the matter to the Title IX Coordinator, Dan Cook-Huffman, Associate Dean of Students, 814-641-3151, [cookhud@juniata.edu](mailto:cookhud@juniata.edu)



## On Campus Contacts

### **Public Safety**

814-641-3636-Emergency Line

814-641-3162- Jesse Leonard, Director of Public Safety

814-641-3163- Carla Panosetti, Public Safety Officer & Office Assistant

### **Title IX Compliance Officer**

814-641-3151- Dan Cook-Huffman, Associate Dean of Students, Title IX Coordinator

### **Dean of Students Office**

814-641-3157- Matthew Damschroder, Vice President for Student Life/Dean of Students

814-641-3152- Ellen Campbell, Interim Assistant Dean of Students

### **Health & Wellness Center, counseling**

814-641-3353- Office phone

### **Campus Ministry**

814-641-3360- Office phone

### **The SPoT (Safe Place to Talk)**

814-641-3077 – Jody Althouse, Director, Office for the Prevention of Interpersonal Violence

## Additional Resources

### **Huntingdon Borough Police**

911 or 814-643-3960

### **Abuse Network (Sexual Assault & Rape)**

814-506-8237

### **Huntingdon House (Domestic Violence & Abuse)**

814-643-1190

### **Victim Services Hotline (Domestic Abuse, Relationship & Sexual Violence)**

814-944-3585 (Altoona)

### **JC Blair Hospital**

814-643-2290 or 911

## Violence Prevention, Education, Outreach, and Partnerships

Juniata College is committed to creating a culture shift on campus by utilizing prevention programming and developing a user-friendly and easily accessible system for reporting and understanding the equity resolution (conduct) process.

### Educational Programs

- Online Education Modules: Everfi's AlcoholEdu and Haven programs have been a required component of the first-year seminar for all new students for the last five years.
- Bystander Intervention: Juniata College is in the process of adopting the nationally recognized Green Dot bystander intervention program.
- Teams, Clubs, and Student Organizations: Expect Respect and SafeDates programming is facilitated with the athletic teams, orientation leaders, in-bound leaders, and residential life staff.
- Incorporation of nationally recognized programs and speakers into campus speaker series.

### Prevention, Outreach, & Support

- In 2014 Juniata College became a pilot member of the Clery Collaborative and has been a member since the beginning of the initiative. <http://clerycenter.org>
- In August of 2016 Juniata College received a grant from the Department of Justice Office on Violence Against Women entitled, JC-CEVN, Juniata Coalition to End Violence Now. Funds were released in January 2017 and JC created a new position/office and hired Jody Althouse as Director of the Office for the Prevention of Interpersonal Violence. Through this office the DOJ grant is administered and prevention efforts are coordinated.

Prevention efforts include:

- 19 athletic teams meet twice a semester (3 total hours per team) for sessions on healthy relationships, consent, sexual assault prevention and engaging bystanders. Student orientation leaders, in-bound leaders, tour guides, and residential life staff are trained to respond to victims appropriately in a nonjudgmental, non-victim blaming, empowering way.
- Juniata College has created the SPoT (Safe Place to Talk) - a confidential place on campus for students to tell their story, re-write the ending to their story, and get the resources they need including empowerment counseling, medical care, and legal assistance. This, of course, is nonjudgmental, victim-centered help.
- An on-campus Coordinated Community Response Team (CCRT) has been initiated and includes senior administration, athletic department officials, faculty, staff, public safety, and students.

- A community CCRT includes JC Blair Hospital, The Abuse Network (sexual violence), Huntingdon House (dating/domestic violence & stalking), the District Attorney, Huntingdon Borough Police Department, and the Michael Ayers Law Project.
- In partnership with Huntingdon House and the Abuse Network, Juniata College hosted a half-day training for law enforcement officials on "Trauma Informed Response" to victims of interpersonal violence. 100% of the college public safety officers and staff attended.
- Juniata College is in the process of revising our policies and procedures on sexual assault under the guidance of the Department of Justice and other grant partners. Attorney Daniel Swinton, from NCHERM (National Center for Higher Ed Risk Management) and ATIXA (Association of Title IX Administrators) facilitated a day-long workshop for Juniata's Title IX staff on legal and policy issues regarding Title IX on Juniata's campus (June, 2017).

The primary long-term goal of Juniata College is to create a culture of consent, engaged bystanders, and a mindful community which will prevent sexual assaults and dating violence from occurring on our campus and in our students' lives.

## Hazing

Hazing is prohibited under Pennsylvania State law. Any person who causes or participates in hazing commits a misdemeanor of the third degree (P.L. 1595, No. 175 subsection 3). Hazing is also a violation of college policy, and infractions may result in a direct referral to the Judicial Board or a summary suspension from the College. “Hazing” is defined as any action or situation which recklessly or intentionally endangers the mental or physical health or safety of a student or which willfully destroys or removes public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by Juniata College (Antihazing Law).

## Bias-Related Confrontations/Incidents

### Guidelines for Reporting and Addressing Bias-Related Confrontations/Incidents

Juniata College promotes a community that celebrates respect and inclusion. Attitudes and actions informed by bias create a hostile environment and are unacceptable. When bias-related incidents occur, the cooperation of the college community is expected to ensure that appropriate steps are taken to stop the unacceptable behavior, redress harms, and actively foster a culture of inclusion and support. This three-pronged response will affirm the values of the College and its mission.

A bias incident is an event which expresses negative bias against a person because of a perceived quality of that person such as race, ethnicity, color, national origin, gender, age, sexual identity, gender identity and/or expression, religion, political affiliation, disability, veteran or family status. Bias incidents often increase levels of fear and intergroup tension in communities, and their victims often face greater difficulty coming to terms with their victimization. A bias incident may not always be against a person who is of the targeted group, but it is motivated because the perpetrator believes the victim to be part of the targeted group.

Juniata College makes clear distinctions between bias-related incidents that violate Juniata College policies and illegal intolerance/discrimination based on protected identity characteristics. While criminal or illegal incidents will be reported to local law enforcement and/or the appropriate state and federal offices for civil and/or criminal action, Juniata College responds to bias-related incidents through concurrent processes generated by independent units with responses grounded in their mission, authority, and College policy directives:

- the Bias Response Team
- the Dean of Students Office
- Office of Residential Life
- Office of Human Resources
- Public Safety

## Juniata Bias Response Team

The Juniata College Bias Response Team is charged with developing appropriate responses to campus issues which may arise from instances of intolerance and/or biased behaviors by working with a group composed of students, faculty, and administrators. Upon receipt of notice that an incident of bias has taken place on campus, the Team will assemble to gather information, consider reactive and proactive responses, and implement solutions that stop the unacceptable behavior, redress harms, and actively foster a culture of inclusion and support.

Reports of bias may be submitted directly through an online intake form, or made in person at the Office of Diversity and Inclusion (Unity House) or the Dean of Students Office (Founders Hall). Reports may also be forwarded directly to the Bias Response Team. Additionally, key personnel who are made aware of incidents involving bias, such as Residential Life Staff and Public Safety Officers, will also act to ensure that such incidents are brought to the attention of the Bias Response Team for reflection, consideration, and response.

Responses generated by the Bias Response Team will be focused on:

- Attending to the individuals who experienced the bias, and assuring that they are safe, supported, and provided with restorative processes
- Responding to the perpetrator of the incident to provide education, the opportunity to take responsibility, redress harms, and create space for healing.
- Addressing those who were witnesses or contingent to the incident of bias and helping to empower their voices in responding to the incident and contributing to restorative solutions.
- Educating the broader communities in which the bias incident was sourced or situated to help reduce intolerance, shift or change attitudes, and create conditions whereby equity and inclusion overcome biased views and actions.
- Affirming our college and community values and standards and drawing clear distinctions about behaviors that are permissible and those that are impermissible.

## Getting help for yourself or another

If you are the victim of bias or witness a bias-related incident, you are urged to report the incident immediately to a campus official:

- If the incident has been physical and/or if anyone is injured, please contact Juniata College Public Safety at 814-641-3636 or local law enforcement at 911.
- Share your experience at the Dean of Students Office 814-641-3150 or the Office of Diversity and Inclusion 814-641-3125.
- Complete the online [bias report form](#)

## Sanctions for Violations

The following disciplinary sanctions may be imposed for violations of college policy. Depending on the circumstances, more than one sanction may be imposed.

### *Expulsion*

A student's permanent dismissal from the college.

### *Summary Suspension*

Summary suspension requires that a student leave the campus or vacate college property for a specified time. The Dean of Students, or a designated individual, may invoke this suspension if there is cause to believe that the continued presence of that student on campus constitutes a substantial threat to the safety of himself or herself, to other persons or property, or to the continuance of normal college operations. Suspensions may also be invoked if the student charged fails to appear at a scheduled hearing. A student who returns to campus during the period of a summary suspension may be subject to disciplinary expulsion and/or prosecution for unlawful trespassing.

### *Disciplinary Suspension*

Disciplinary suspension excludes the student from registration, class attendance, and use of college facilities for a specific period of time. During the period in effect, disciplinary suspension is recorded on the student's academic record. Upon the student's reinstatement, this notation is permanently removed from the academic records, and that student will be considered for registration in compliance with academic policy. Any further incidents of misconduct after the student is readmitted may result in expulsion.

### *Dismissal from Residence*

The student may be required to move out of college housing for willfully causing damage or destruction in college residences or for repeat minor misconduct in college residences. The student may also be barred from entering any college residence or building for any purpose unless a specific waiver is granted by the Dean of Students or a designee. A summary process may be used when this sanction is invoked.

### *Disciplinary Probation*

Disciplinary probation may be imposed with or without restrictions for a period up to the duration of a student's undergraduate career at Juniata. The penalty is given for major misconduct or repeated minor misconduct. Restrictions generally associated with disciplinary probation include qualifications for prizes and participation in and/or attendance of college extracurricular activities—including intercollegiate athletics. Another incident of misconduct or violation of the terms of probation will likely result in disciplinary suspension. Disciplinary Probation carries with it a \$100 fine.

### *Loss of Privileges*

Loss of privileges denies a privilege or use of a service for a specified period of time commencing when the offense was committed. This sanction may be imposed separately or in addition to other sanctions.

### *Disciplinary Warning*

A disciplinary warning informs a student that his or her conduct was unacceptable and that any further incidents of misconduct will be handled more stringently.

*Fines*

Fines may be levied for minor and major offenses. Failure to pay the fine or fulfill other obligations may prevent registration and graduation and may be referred to the Judicial Board.

*Restitution*

Restitution requires a student to pay for damages.

*College/Community Work Assignments*

When appropriate, a specified number of work hours may be assigned. The student will meet with the assignment supervisor to develop a specific work schedule and must notify the supervisor in advance of any legitimate circumstances arising which will prevent him or her from keeping this schedule. Failure to do so will result in suspension from the college. This sanction may be added to other sanctions.

**Emergency Situations**

The college recognizes the possibility that compelling circumstances, such as posing a threat (to oneself or others), may require that certain procedures normally afforded students be suspended. To facilitate the prompt processing for a matter under such circumstances, the Dean of Students or delegate shall determine appropriate sanctions and/or termination of student status.

## Procedures for Judicial Board Hearings

- Major misconduct and/or repeat minor misconduct which violates the Student Code of Conduct or the Academic Integrity Policy, may result in referral to the Judicial Board.
- If a student has been referred to the Judicial Board for a hearing, the accused student shall be informed in writing of the charges at least 48 hours in advance of any hearing. The notice shall include a copy of the hearing procedures. Students appearing before the Judicial Board may have an advisor from the college community and/or parents/guardian(s) attend the hearing.
- The hearing is private (closed).
- The student may call a reasonable number of witnesses on his or her behalf. Witnesses are subject to questioning by members of the Judicial Board.
- The student must inform the chairperson 24 hours in advance of the hearing if he or she intends to have witnesses appear. The notification must include the names of any proposed witnesses and their relevance to the situation.
- If the student does not appear, the hearing will be held in absentia and the student may be additionally charged with failure to comply.
- When a student appears before the Judicial Board, the Chair reminds the student that he or she is expected to tell the truth. If it is later discovered that a student has been dishonest and/or misrepresented himself or herself to the Board, that student is eligible for suspension from the college.
- On behalf of the college, the Chairperson of the Judicial Board presents the charge(s) against the student.
- The student shall have an opportunity to make an opening statement.
- In the specific case of a charge of academic integrity, the faculty member presents the evidence of the violation to the Board. The student is responsible for presenting any evidence in defense of himself or herself. The burden of proof is on the faculty member. The student and the faculty member may question any witness and inspect any document offered as evidence and make whatever statement or argument appears to be appropriate.
- After the student's opening statement (and presentation of evidence from the faculty member for academic integrity charges), the Board may address questions to any party or witness summoned, but shall limit the scope of the testimony to matters relevant to the charges. (The Board may request the presence of any witness deemed necessary for the hearing.)
- The student and/or advisor may not directly question any witnesses. However, the student and/or advisor may suggest questions to the Judicial Board to ask of witnesses.
- At the end of the question and answer period, the student and/or advisor(s) and parent(s)/guardian(s) have the opportunity to make closing statements.
- Following the conclusion of the hearing, the Board shall deliberate in private.
- The Board shall, by majority vote, make a determination as to whether there has been a violation of Juniata policy and recommend sanctions. The Board provides its recommendation to the hearing chairperson. The hearing chairperson will inform the student of the recommendation(s). The chairperson of the hearing prepares a final report documenting the hearing and the final decision.
- The Hearing chairperson of the Judicial Board will officially notify the student charged of the final decision and any sanction imposed.



## Rights of Students Charged

Certain procedural rights are normally afforded a student charged with a disciplinary violation of college policy.

- The right to have one's case processed without undue delay.
- Written notice (including email) of the charges and the regulation upon which the charges are based no less than 48 hours before the scheduled hearing.
- Written notice of the time, place and date of the hearing. (Students are responsible for checking their electronic inbox and mailboxes daily.)
- The right, but not the obligation, to be present at an Administrative Hearing.
- The right to testify on one's own behalf or to remain silent.
- The right to be assisted in one's defense by any member of the college community of one's own choosing.
- The right of appeal.

Following an alleged act of student misconduct, and until final disposition of the charges, the status of a student shall not be altered or his or her right to be present on campus and to attend classes suspended, except for reasons relating to his or her physical or emotional safety and the well-being of other students, faculty, or college property, or for reasons relating to the protection of the normal functions of the college.

## Judicial Board Membership

The Judicial Board conducts hearings in which students have been charged with violating Juniata College policy. The Board is comprised of three faculty members, two students (appointed by the Student Government), one administrator from Student Life, and one administrator from Academic Affairs. The Judicial Board is chaired by either an Assistant Provost or the Dean of Students (or other appropriate appointee). A recording secretary appointed by the Judicial Board Chairperson is also present.

Each Judicial Board is selected from a pool of eight faculty members, five students designated by the Student Government and all members of the Academic Affairs and Student Life staff.

Duties of Chairperson — The Chairperson of the Judicial Board shall call and preside over meetings of the Board when necessary.

Duties of Secretary — The Secretary of the Judicial Board shall record and transmit to the Dean of Students Office the proceedings and resulting recommendations of each hearing.

Duties of Members— It is the duty of all members to keep all proceedings confidential. It is the responsibility of members to disqualify themselves whenever they feel that they cannot, in good faith and with an open mind, hear the dispute impartially and without prejudgment of the specific case before the Board. If a member refuses to disqualify himself or herself and a party objects, the Chairperson of the Judicial Board shall determine whether or not the member must withdraw. If the Judicial Board Chairperson does not disqualify himself or herself and a party objects, non-challenged members of the Board shall determine if the chairperson should be disqualified.

## Voting

Although the Judicial Board strives for consensus, the Board may enact by vote. Each member shall have one vote in every decision and the voting shall be done by secret ballot. For a recommendation to be conclusive, at least five members of the Judicial Board must concur in the decision.

## Appeals

- A student has 48 hours from the hearing conclusion to submit an appeal in writing to the hearing chairperson. Failure to submit an appeal within the time allotted renders the decision final.
- The Chairperson refers the appeal to the Dean of Students or Provost (in cases of academic integrity). A decision on the appeal will be made within 48 hours and is based on the letter of appeal and the case file. The Dean of Students or Provost may remand the case to the Judicial Board only if he/she specifies procedural errors that denied the student a fair hearing, or if additional significant evidence becomes available.
- The Dean of Students shall send a copy of the written decision on the appeal to the student, the faculty member, and the hearing chairperson.
- The decision of the Dean of Students or Provost shall be final.

The appeal letter must state the grounds upon which the appeal is based and the justification for such an appeal. Grounds for appeal include:

1. Evidence not available at the time of the decision, but now available, which would affect the decision itself.
2. The case was initiated or conducted with improper procedure.

In cases involving a suspension from the College, the student is not permitted on campus during the appeal process.

## Crime Statistics Definitions

In accordance with the Clery Act, specific criminal statistics must be compiled, published, and distributed annually to all current students and employees and to any applicant for enrollment or employment, upon request. The most recent three calendar years of crime statistics are included in this report.

The Office of Public Safety is responsible for compiling these statistics and communicates closely with local law enforcement authorities to obtain crime statistics that may not have been reported to the office of public safety. The compiled statistics will provide information on the following types of incidents:

### Primary Crimes:

- Criminal homicide:
  - Murder and non-negligent manslaughter
  - Negligent manslaughter
- Sex offenses:
  - Rape
  - Fondling
  - Incest
  - Statutory rape
- Robbery
- Aggravated assault
- Burglary
- Arson
- Motor vehicle theft

### Hate crimes:

A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation or ethnicity/national origin. For the purposes of this definition, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin or disability. The following crimes, in addition to the primary crimes above, if they were motivated by bias, will be reported as hate crimes:

- Larceny-Theft
- Simple Assault
- Intimidation
- Destruction/Damage/Vandalism of Property

### Arrests and referrals for disciplinary action

- Arrests for liquor law violations, drug law violations, and illegal weapons possession;
- Referrals for disciplinary actions for liquor law violations, drug law violations and illegal weapons possession.

## Dating Violence, Domestic Violence and Stalking

The college will report incidents of dating violence, domestic violence and stalking that were reported to campus security authorities or the local police.

### Note:

**The college will disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code) or any non-forcible sex offense, the results of any college disciplinary proceeding against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim will be treated as the alleged victim for the purpose of this policy.**

## Campus Security Authorities

Juniata College's Campus Security Authorities include the following individuals:

- All Office of Public Safety Staff and Officers.
- All Staff members in Student Life, including but not limited to, Residential Life Staff, Dean of Students, Department of Athletics Staff, and Human Resources staff.
- Any faculty, staff, or administrator that has a significant responsibility for student and campus activities, including but not limited to club advisors, chaperones, group leaders, etc.
- Exempted officials include pastoral and professional counselors as explained below.

Campus security authorities who witness, learn of, or hear about a Clery Act crime must contact the Office of Public Safety and report what happened and where it happened. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

### **Pastoral Counselor**

An employee of an institution 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 Juniata College this includes the Campus Chaplain and other pastoral staff.

### **Professional Counselor**

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution's community and who is functioning within the scope of his or her license or certification. At Juniata College this includes the mental health counselors at the Health & Wellness Center.

## Crime and Incident definitions

**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.

**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, or personal property of another, etc.

**Burglary:** An unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

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

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

**Dating violence:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on 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. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

**Domestic Violence:** A felony or misdemeanor crime of violence committed by —

- (i) a current or former spouse or intimate partner of the victim;
- (ii) a person with whom the victim shares a child in common;
- (iii) a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- (iv) 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, or
- (v) 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.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/ or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession,

transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

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

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

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

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

**Referrals for campus disciplinary action:** The referral of any person to any campus official who initiates a disciplinary action of which a record is kept and which may result in the imposition of a Unfounded Crimes: An institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situations where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report for purposes of reporting under this section. The recovery of stolen property, the low value of stolen property, the refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

**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.

**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.

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

**Statutory Rape:** Nonforcible sexual intercourse with a person who is under the statutory age of consent.

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (i) Fear for the person’s safety or the safety of others; or
- (ii) 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. Any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**Weapons Carrying, Possessing, Etc.:** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons; encompasses weapons offenses that are regulatory in nature.

## 2014 -2016 Crime Statistics

The following statistics are compiled from the Office of Public Safety's reporting software database, the Dean of Students Office student judicial database, and reports solicited from campus security authorities, the Huntingdon Borough Police, and the Pennsylvania State Police.

Offenses	2014				2015				2016			
	On-Campus		Public Property	Non-Campus	On-Campus		Public Property	Non-Campus	On-Campus		Public Property	Non-Campus
	Residence Hall	Total On-Campus			Residence Hall	Total On-Campus			Residence Hall	Total On-Campus		
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	2	2	0	0	2	2	0	0	9	9	0	0
Fondling	0	0	0	0	3	3	0	0	7	8	1	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	1	1	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
<b>VAWA Offenses</b>												
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	7	9	0	0
Stalking	0	2	0	0	0	6	0	0	4	4	0	0
<b>Arrests</b>												
Weapons	0	0	0	0	0	0	0	0	0	0	0	0
Drugs	0	0	0	0	0	0	0	0	1	1	0	0
Alcohol	5	5	2	0	0	0	0	0	0	0	0	0
<b>Disciplinary</b>												
Weapons	0	0	0	0	0	0	0	0	0	0	0	0
Drugs	1	1	1	0	13	13	0	0	7	7	0	0
Alcohol	50	53	0	0	73	73	1	0	32	32	0	0
<b>Hate Crimes</b>												
Murder/Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0
Larceny	0	0	0	0	0	0	0	0	0	0	0	0
Simple Assault	0	0	0	0	0	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0	0	0	0	0	0
Vandalism	0	0	0	0	0	0	0	0	0	0	0	0

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

\* 2014-2016 There were no reports received that were determined to be unfounded



## Annual Fire Safety Report

The Higher Education Opportunities Act (HEOA) of 2008 requires colleges and universities maintaining on-campus housing to compile fire data and issue a fire safety report annually. This report includes required information about student housing fire safety systems, fire drills, fire safety policies, and education and training programs.

*This report includes statistics regarding the number/causes of fires, number of fire injuries and deaths, and value of property damage. It also includes information on each campus student housing fire safety systems, the number of regular mandatory fire drills, fire safety policies and education programs and any plans for needed fire safety improvements*

### Fire Safety

Fire alarm systems and fire extinguishers are required for the protection of all residents and are to be used only in case of fire. Tampering with fire equipment or setting off a false alarm is a misdemeanor under state law. Deliberately causing a fire is a felony. Disciplinary action (and/or arrest) will be taken against any student found tampering with fire equipment, falsely setting off the alarm system, or causing fire. In addition, persons discharging a fire extinguisher unnecessarily will be directly referred to the Judicial Board.

For fire safety reasons, the following are expressly prohibited in residence halls:

1. Cut Christmas trees
2. Propane tanks
3. Candles and/or any open flame, including incense
4. Fireworks
5. Potpourri
6. Flame heated stoves, hotplates, and appliances with exposed heating coils
7. Halogen lamps/sun lamps
8. Portable heaters
9. Hookahs
10. Fog and Smoke machines
11. Flammable liquids

Decoration lights (Christmas lights, novelty lights) should not be used as an on-going light source, and should not be attached to room fixtures or ceilings using metal fasteners and should not be used in any manner contrary to manufacturers' recommendations.

Fires are not permitted in small house fireplaces i.e. 1731, 1631, and 2111.

Coffee makers, George Forman grills, hotpots and coffee pots are allowed but must have a metal plate under them at all times. Metal plates can be obtained from your Residence Director.

Hanging fabric (tapestries) from the ceiling or in front of doors or windows is prohibited.

Extension cords must be heavy-duty cords with a minimum of 12-gauge wire. Extension cords are not permitted under rugs, carpet, or run through the ceiling or beds (frames).

Surge protectors must be heavy duty with a self-tripping breaker.

The storage or use of flammable liquids, such as gasoline, kerosene, lighter fluid, etc., is strictly prohibited. Only self-starting charcoal is permitted when using a grill. All grilling must be conducted at a safe distance (10 feet) from any structure.

## **Hallways**

Hallways/Stairwells must remain clear in case of emergency. Items such as: drying racks, shoes, rugs, furniture, bicycles and other items which obstruct access and egress are prohibited from being in hallways or stairwells. Garbage containers and recycling bins should remain in designated areas.

## **In Case of Fire or Fire Alarm**

All residents are expected to participate in fire drill evacuations. Students are expected to leave residence halls when an alarm sounds. Failure to comply will result in disciplinary action.

In case of fire:

- Sound the building fire alarm system.
- Notify a residence hall staff member or Public Safety (814-641-3636).
- In case of smoke, carry a towel to cover your nose and mouth to minimize the danger of asphyxiation.
- Evacuate the building immediately per instructions given by the Residential Life Staff and Public Safety.
- Go to the nearest exit.
- Assemble outside the residence hall at least 200 feet from the building to allow emergency vehicle access.
- DO NOT RETURN to the residence hall until an "all clear" signal is given.

## **On-Campus Housing Fire Safety Equipment**

All of Juniata College's Residence Halls have networked fire alarm systems that are monitored by Public Safety. When a networked fire alarm is activated, the alarm monitoring company notifies the Public Safety Office, which is staffed 24 hours a day, 365 days a year. An officer then responds to the building and determines the cause of the alarm and whether the fire department should be notified. All fire safety equipment is tested, inspected, and cleaned or replaced annually.

### **Student Housing Fire Safety Systems**

**Sunderland** fire alarm system is monitored by a central station. The building has smoke detectors in common spaces (i.e. hallways, stairwells, lounges) but not in resident rooms.

**East Houses Long-Miller** has a central fire alarm system that is monitored by a central station. The complex has smoke detectors in common spaces (i.e. hallways, stairwells, lounges) that are tied to the central system. Each resident room has a smoke detector as well; however they are only tied to the other resident rooms in the apartment. Only the common room in the apartment is tied to the central system.

**East Houses Flory-Kline** receiving a complete building upgrade during the summer of 2007 which included tying all smoke detectors to the central system. These buildings have smoke detectors in common spaces (i.e. hallways, stairwells, lounges) as well as resident rooms and living rooms.

**Cloister, Leshar, Sherwood, South, Tussey-Terrace, Mission, Pink, 1610 Moore Street, 1631 Mifflin Street, 1731 Mifflin Street, 1815 Washington Street, 2111 Cold Springs Road and Nathan Hall** have central fire alarm systems that are monitored by a central station. The buildings have smoke detectors in common spaces (i.e. hallways, stairwells, lounges) as well as resident rooms and living rooms (in apartments).

*2111 Cold Springs Road, Leshar, and Nathan Hall have a sprinkler system throughout the building.*

*Leshar has 2 rooms that have been equipped with strobe lights inside the room and South Hall has 4 rooms that have been equipped with strobe lights inside the rooms*

**Hess Apartments** has a central fire alarm system that is monitored by a central station. The building has smoke detectors in common spaces (i.e. hallways, stairwells, lounges) and in the living room of each apartment but not in resident rooms.

The two student lodges at the **Raystown Field Station** have smoke detectors in each sleeping area and in all common areas, as well as heat detectors in the kitchen. When activated the system has an audible strobe light. Both units are tied into a central monitoring station located in the ground floor of Shuster Hall.

<b>Statics for the year ending</b>	<b>2016</b>
What percentages of your student housing sleeping rooms are protected by an automatic fire sprinkler system with a fire sprinkler head located in the individual sleeping rooms?	18%
What percentages of your student housing sleeping rooms are equipped with a smoke detector that is connected to a supervised fire alarm system?	100%
How many malicious fire alarms occur in student housing per year?	0
What percentage of student housing building fire alarm systems, if activated, result in a signal being transmitted to a monitored location, and security investigates before notifying the fire department?	100 %
What percentage of student housing building fire alarm systems, if activated, results in a signal being transmitted immediately to the fire department so they can begin responding?	0% If Campus Public Safety does not answer the initial call from the fire alarm company, the fire department is dispatched.
How many students are trained in fire safety in campus provided housing each semester?	33
What percentage of RAs and housing directors receive fire safety training?	100%
How many contact hours of fire safety training is provided to students not living in student housing (i.e., off-campus, including Greek)?	<p>None</p> <p>NOTE: This will not include fire safety training provided to specialties such as laboratory assistants.</p> <p>This must be actual training with contact time and not include simply handing out brochures, fire safety articles in the student newspaper, etc.</p> <p>An example of contact hours would include fire extinguisher training that is provided to 30 students in one hour which would equal 30 contact hours.</p>
How many regularly scheduled, supervised exit drills are held per year in student housing?	4

How many fires did your school experience last year in student housing?	None
What is the dollar loss related to fire that has occurred on your campus in residential housing?	\$0
How many students have been injured by fires in student housing?	0
How many students have been killed by fires in student housing?	0
Does your school ban any of the following items or activities in student housing sleeping rooms?	<p>Candles- yes</p> <p>Halogen lamps – yes</p> <p>Smoking-Yes</p> <p>Cooking- Coffee maker, hotpots and George Foreman grills are allowed but must have a metal plate under them at all times.</p> <p>Live Christmas trees- yes</p> <p>Ceiling tapestries-yes</p> <p>Other – (please specify) propane tanks, smoke machine, any open flames including incense, fireworks, potpourri, hookahs, flame heated stoves, hotplates and any appliance with an exposed heating coils, sun lamps portable heaters, storage or use of flammable liquids. Only self-starting charcoal is permitted when using a grill. All grilling must be conducted at a safe distance (10 feet) from any structures. Extension cords must be heavy duty with a minimum of 14 gauge wire. Extension cords are not permitted under rugs, carpet, or run through the ceiling or bed frames. If a student uses a surge protector, they must be heavy duty 14 gauge with a self-tripping breaker</p>
Does your school require fire-resistance ratings on furniture (including, but not limited to, beds, mattresses, desks, and chairs) in student housing sleeping rooms?	Yes – But only for college supplied mattresses
Does your school require that furnishings brought in by the students have fire-resistance ratings?	No
How often is fire safety rules-compliance inspections conducted in your school's student housing?	<p>None</p> <p>NOTE: This refers to regularly scheduled, in-room inspections conducted by an inspector or</p>

trained individual who is knowledgeable about fire safety issues.

It does not refer to a security officer making regular rounds or inspection by Residential Staff during break closings. ALL of the rooms must be inspected during these inspections and checked for hazards.