



## **Office of Public Safety**

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

October 1<sup>st</sup>, 2024 (covering 2021 -2023)

---

*Published in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report was prepared by the Dean of Students Office, Title IX Coordinator, Director of Public Safety, Director of the Office for The Prevention of Interpersonal Violence 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.

Institutional Profile: .....	2
Office of Public Safety.....	3
Office of Public Safety Mission Statement .....	3
Office of Public Safety Law Enforcement Authority and Jurisdiction.....	4
Relationship with Local Law Enforcement Authorities.....	4
Reporting of Incidents and Emergencies.....	4
Emergency Phones on Campus .....	5
Anonymous Tip Line and Crime Prevention Programs .....	5
Safety Considerations Used in Campus Facility Maintenance .....	6
Campus Safety Committee .....	7
Juniata College Gold Card and Residence Hall Access.....	7
Emergency Operations Plan .....	8
Emergency Notification and Timely Warnings .....	8
Firearms and Related Items.....	11
Information Concerning Registered Sex Offenders in Pennsylvania.....	11
Missing Student Policy Statement.....	12
Juniata College Student Conduct Philosophy .....	13
Title IX Policy and Grievance.....	28
Violence Prevention, Education, Outreach, and Partnerships .....	70
Hazing .....	72
Bias-Related Confrontations/Incidents .....	72
Drug Free Schools and Communities Act .....	75
Campus Security Authorities .....	77
Crime and Incident definitions .....	77
2021- 2023 Crime Statistics .....	81
Annual Fire Safety Report.....	81

## **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 six full-time officers, one full-time office support officer, and three part-time officers, are supervised by a director who reports to the Dean of Students. 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 trauma informed investigation procedures, de-escalation 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 Public Safety Officers have an excellent working relationship with local and state police.

The department utilizes several resources and strategies to keep the campus secure, including but not limited to, vehicle and foot patrols, surveillance cameras, access control systems, and proper lighting. One of the most important strategies of the department is the formation and engagement of trusting and meaningful relationships with members of the campus community.

## **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 officer receives his authority from Act 501 of the Pennsylvania Consolidated Statutes. One officer is 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 firearms.

### Relationship with Local Law Enforcement Authorities

Juniata College Public Safety and the Huntingdon Borough Police are updating their formal Memorandum of Understanding. 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 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 it 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, activity, 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. Public Safety is committed to enhancing the safety and quality of life of the campus community by integrating the best practices of public and private security with state-of-the-art technology. A critical component of a comprehensive security plan using state-of-the-art technology is video surveillance.

The primary purpose of video technology is to deter crime and to assist the officers in protecting the safety and property of the college community. [video surveillance policy](#)

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

## Emergency Phones on Campus

The college has emergency phones strategically placed to assist community members in 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 give the answering officer the problem's location.

## 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 identifying existing and potential hazards and is committed to evaluating risk, preventing accidents, and educating 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 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 and present it 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. 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

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

### Notification Systems

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 the **Livesafe app** that sends an e-mail and text message to all students and community members. What is Vector LiveSafe? Vector LiveSafe is a free mobile app which is designed to help prevent crime and enable better incident response. This technology includes an app for smartphone users to receive notifications from Juniata College and access to safety resources. Vector LiveSafe encourages anyone in an emergency to always call 9-1-1. If you are unable to make a direct call due to situational or technical issues, or if you must be discreet, then Vector LiveSafe reporting becomes advantageous.

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



## Timely Warning Policy

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

To determine if a 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, law enforcement, and with offices on campus, including the Dean of Students Office, the Title IX Coordinator, 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 all factors reflecting on whether the information received represents an ongoing 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) and 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 consider the degree that such information should be communicated to the community. If a timely warning is still issued the content of the warning will note 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. <sup>(b)(7)</sup>

## Emergency Notification Policy

If the Office of Public Safety receives information that a significant emergency or dangerous situation is occurring or represents an immediate threat to the health and safety of students, faculty, staff and campus community, the Director of Public Safety or designee will authorize the issuance of an emergency notification. The issuance of an emergency notification will occur immediately upon confirmation of an emergency or dangerous situation.

In order to determine if an emergency notification is required, and to determine the content of the notification the Office of Public Safety may consult, if time permits, with all relevant outside authorities, including, but not limited to, local emergency responders, law enforcement agencies and with other offices on campus. Trained personnel within the Office of Public Safety are authorized to issue a timely warning.

In determining whether to issue an emergency notification, the college will consider any and all factors reflecting on whether the information received represents an immediate 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 imminent or immediate danger posed to the campus community.

The reasons the college does or does not issue an emergency notification for any incident reported to the college will be documented.

## Firearms and Related Items

Illegal and/or dangerous weapons, including 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 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 is 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 policy establishes procedures for the college's response to 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 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 designee, and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation.

## **Juniata College Student Conduct Philosophy**

The Juniata College community is committed to inclusive excellence, respecting the dignity and intrinsic value of everyone, fostering an environment free of harassment and violence, and promoting an ethic of compassionate care and service. The student conduct process strives to be an individualized educational and developmental experience that balances the interests of each student with the interests of the Juniata Community. Grounded in the Juniata College mission and Institutional Learning Outcomes (see below), the Code of Conduct and conduct process is designed to inspire students to become their best selves and to live out the values and principles of community that animate the Juniata experience.

### **Scope of the Code**

Juniata College students are provided a copy of the [Code of Conduct](#) annually in the form of a link on the [Dean of Students webpage](#). Students are responsible for having read and abiding by the provisions of the Code of Conduct, included in the student handbook, “The Pathfinder,” which also includes Residential Life, Public Safety, and Academic policies and procedures.

The College expects its students to conduct themselves as responsible citizens and to comply with all College policies. Conduct that is in violation of community principles, that impinges on the rights of others, and/or that adversely affects the College community, mission or reputation; or that specifically violates College policies may result in a student’s required participation in the student conduct process. This includes conduct that occurs both on and off college property.

The Code of Conduct and the student conduct process apply to the conduct of individual students, both undergraduate and graduate, and all Juniata-affiliated student organizations. For the purposes of the Code of Conduct, Juniata considers an individual to be a student when an offer of admission has been extended and thereafter if the student has a continuing educational interest in Juniata College.

The Juniata College student conduct process is an educational process designed to resolve matters concerning student conduct within the framework of students’ rights and responsibilities pursuant to College policies. The College strives to provide a fundamentally fair, equitable, and educational process for all participants. Student conduct proceedings are not a legal process and are not intended to duplicate legal proceedings.

Juniata College retains conduct jurisdiction over students who choose to take a leave of absence, withdraw, or have graduated for any alleged misconduct that occurred prior to the leave, withdrawal, or graduation. If sanctioned, a hold may be placed on the student’s ability to re-enroll, and/or obtain transcripts. All sanctions must be satisfied prior to becoming eligible for re-

enrollment. In the event of serious misconduct committed while still enrolled, but reported after the accused student has graduated, Juniata College may invoke these procedures and should the former student be found responsible, the College may take additional action that limits and/or revoke's that student's relationship with the College.

The Code of Conduct applies to behaviors that take place on campus, at Juniata-sponsored events, and also applies off campus when the Dean of Students or his/her designee determines that the off-campus conduct affects a substantial College interest. A substantial College interest is defined to include:

- Any situation where the student's conduct may present a danger or threat to the health or safety of self or other; and/or
- Any situation that significantly impinges upon the rights, property or achievements of self or others or significantly breaches the peace and/or causes social disorder; and/or
- Any situation that is detrimental to the educational mission, interests, or reputation of Juniata College.

The Code of Conduct may be applied to behavior conducted online, via e-mail or other electronic mediums such as blogs, web postings, chats, and social media. These public postings can subject a student to allegations of conduct violations if evidence of policy violations are posted online. The College does not regularly search for this information but may take action if and when such information is brought to the attention of College officials.

The Code of Conduct applies to guests of college community members whose hosts may be held accountable for their misconduct. The code may also be applied to resident non-students, camp attendees, and participants in the College's summer camps and conferences programs. Visitors to and guests of Juniata College may seek resolution of violations of the Code of Conduct committed against them by members of the Juniata community.

There is no time limit on reporting violations of the Code of Conduct; however, the longer a complainant waits to report an offense, the more difficult it becomes for College officials to conduct an investigation to obtain information and statements to make determinations regarding alleged violations.

Anonymous complaints will be received; however this form of complaint may limit the College's ability to investigate and respond comprehensively. [File an anonymous report here.](#) Those who are aware of perceived misconduct are encouraged to report it as soon as possible to the Dean of Students Office, Residential Life, or Juniata Public Safety.

Juniata's network e-mail, in which all Juniata students in good standing have an account, is the College's primary means of communication with students. Students are responsible for all communication delivered to their College e-mail address.

The Dean of Students or designee may vary procedures with notice upon determining that changes to law or regulation require policy or procedural alterations not reflected in the Juniata College Code of Conduct. Minor modifications may be made to procedures that do not

materially jeopardize the fairness owed to any party. Any question of interpretation of the Code of Conduct will be referred to an Ad Hoc committee of the Vice President for Student Life and Dean of Students, the Assistant Dean of Students, the Assistant Dean for Campus Life, and the Director of Public Safety. The committee's interpretation is final. Juniata's Code of Conduct is subject to annual review under the direction of the Assistant Dean of Students or his/her designee. Although we believe the information provided in this document is accurate and current, the College reserves the right to make changes in policies and procedures at any time deemed necessary. Students enrolled at the College agree to comply with the College's policies and to accommodate any necessary changes.

## Violations of Local, State, and Federal Law

Compliance with local, state, and federal laws is included in the Juniata student Code of Conduct. While the Juniata College student Code of Conduct process is distinct from legal criminal and civil proceedings, alleged violations of federal, state, and local laws may be investigated and addressed under the Code of Conduct. When an offense occurs, the College's conduct process will usually go forward notwithstanding any criminal complaint that may arise from the same incident.

The College reserves the right to exercise its authority of interim suspension upon notification that a student is facing criminal investigation and/or complaint. Interim suspensions are imposed by the Assistant Dean of Students until a hearing can be held, typically within 10 working days. Within that time, the suspended student may request an immediate hearing in writing to the Assistant Dean of Students to show cause for why the interim suspension should be lifted. If an immediate hearing is held, this hearing will serve to determine whether the interim suspension is continued but will not serve in place of the conduct hearing.

## Community Behavioral Standards

Juniata College considers the behaviors described in the following sections as inappropriate for the College community and contrary to Juniata's core values and the values of the student conduct process set forth in this document. These expectations apply to all students regardless of academic program or residency. The College encourages all community members to report to College officials all incidents that involve the following actions. Any student found to have committed, or to have attempted to commit, the following may be subject to the sanctions outlined in the Conduct Procedures section of this document below.

1. **Alcohol:** Use, possession, or distribution of alcoholic beverage or paraphernalia except as expressly permitted by law and the College's [Alcohol Policy](#).
2. **Drugs:** Use, possession, or distribution of illegal drugs and other controlled substances or drug paraphernalia except as expressly permitted by law and the College's [Drug Policy](#). This policy includes the abuse, misuse, sale, or distribution of prescription or over-the-counter medications.
3. **Tobacco:** Smoking or tobacco use within the bounds of the College campus, except as permitted by [policy](#).

4. **Violations of Law:** Violation of local, state, or federal laws, regardless of whether law enforcement intervened.
5. **Unauthorized Entry:** Unauthorized entry or use of College facilities, including trespassing, propping or unauthorized use of alarmed doors, or unauthorized possession or duplication of College keys, access cards, and codes.
6. **Damage and Destruction:** Intentional, reckless and/or unauthorized damage to or destruction of College property or the individual property of another.
7. **Weapons:** Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as, but not limited to, slingshots, catapults, and any device to hurl a missile or projectile, arrows, axes, machetes, nun chucks, throwing stars, or knives with a blade of longer than 4 inches, including the storage of any item that falls within the category of a weapon in a vehicle parked on College property.
8. **Violation of Residential Life Policies:** Violation of Residential Life policies or rules, which are found on the [Residential Life website](#).
9. **9. Fire Safety:** Violation of local, state, federal or campus fire policies including, but not limited to:
  1. Intentionally or recklessly causing a fire which damages College or personal property, or which causes injury;
  2. Failure to evacuate a College-controlled building during a fire alarm;
  3. Improper use of College fire safety equipment; or
  4. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on College property.
10. **Health & Safety:** Creation of health and/or safety hazards (failing to maintain a healthy/safe residence hall room, dangerous pranks, hanging out of or climbing from/on/in windows, balconies, roofs, etc.)
11. **Animals:** Animals, except for [animals that provide assistance](#), and pets as outlined in the [Residential Life policy](#), are not permitted within campus buildings except as permitted by [law and policy](#).
12. **Wheeled Devices:** Skateboards, roller blades, roller skates, bicycles, hover boards, and similar wheeled devices are not permitted inside College buildings, residence halls or on athletic fields. Additionally, wheeled devices may not be ridden on railings, curbs, benches, or any such fixtures that may be damaged by these activities, and individuals may be liable for damage to College property caused by such activities.
13. **Disruptive Behaviors:** Behavior which causes substantial disruption of College operations including obstruction of teaching, research, administration, other College activities, or other authorized non-College activities which occur on campus.
14. **Rioting:** Causing, inciting, or participating in any disturbance that presents a clear and present danger to self or others, causes physical harm to others, or damage and/or destruction of property.
15. **Harm to Persons:** Intentionally or recklessly causing physical harm or endangering the health or safety of any person, including self.



## 16. Threatening Behaviors:

1. **Threat:** Written or verbal conduct that causes a reasonable expectation of injury to the health or safety of any person or damage to any property.
2. **Intimidation:** Intimidation defined as implied threats or acts that cause a reasonable fear of harm in another.

17. **Bullying/Cyberbullying:** Repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally verbally, in writing, or via an online platform.

18. **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) . [Juniata hazing report](#). Juniata [athletics antihazing policy](#).

19. **Intimate Partner/Relationship Violence:** Violence or abuse by a person who has been in romantic or an intimate relationship with another. Please see further guidance [here](#).

20. **Stalking:** Engaging in a course of conduct directed at a specific person(s) that would cause a reasonable person to (a) fear for his or her safety or the safety of others, or (b) suffer substantial emotional distress. Please see further guidance [here](#).

21. **Sexual Misconduct:** Includes, but is not limited to, sexual harassment, sexual violence, and/or sexual exploitation. Please see further guidance [here](#).

22. **By standing:** Complicity with or failure of any student to address known or obvious violations of the Code of Conduct or law.

23. **Collusion:** Action or inaction with another or others to violate the *Code of Conduct*;

24. **Noncompliance:** Failure to comply with directions of College officials acting in the performance of their duties and/or failure to identify oneself to these persons when requested to do so.

25. **Discrimination:** Any act or failure to act that is based upon an individual or group’s actual or perceived status (race, color, religion, gender, national origin, age, disability, ancestry, genetic information, ethnic origin, marital and parental status, veteran status, citizenship status, sexual orientation, gender identity or expression, or because of any other protected status of an individual or that individual's associates or relatives) that is sufficiently severe that it limits or denies the ability to participate in or benefit from the College’s educational program or activities. See the College [Non-Discrimination and Harassment Policy](#). For information to bias-related confrontations/incidents, [click here](#).

26. **Harassment:** Any unwelcome conduct based on actual or perceived status (race, color, religion, gender, national origin, age, disability, ancestry, genetic information, ethnic origin, marital and parental status, veteran status, citizenship status, sexual orientation, gender identity or expression, or because of any other protected status of an individual or that individual's associates or relatives).

27. **Abuse of the Conduct Process:** Abuse or interference with, or failure to comply in, College processes including conduct and academic integrity hearings including, but not limited to:

1. Falsification, distortion, or misrepresentation of information.
2. Failure to provide, destroying or concealing information during an investigation of an alleged policy violation.
3. Attempting to discourage an individual's proper participation in, or use of, the conduct system.
4. Harassment (verbal or physical) and/or intimidation of a member of a campus conduct body prior to, during, and/or following a conduct hearing.
5. Failure to comply with the sanction(s) assigned by the hearing officer.
6. Influencing, or attempting to influence, another person to commit an abuse of the conduct process.

28. **Falsification:** Knowingly furnishing or possessing false, falsified, or forged materials, documents, accounts, records, identification or financial instruments.

29. **Forgery:** Alteration or misuse of college documents, records, or identification, or knowingly providing false documentation to the College.

30. **Academic Dishonesty:** Academic policies are outlined here.

31. **Unauthorized Access:** Unauthorized access to any College building (ex: keys, cards, etc.) or unauthorized possession, duplication or use of means of access to any College building or failing to make a timely report of a lost College access card.

32. **Trust:** Violations of positions of trust within the community.

33. **Theft:** Intentional unauthorized taking or possession of college property or the personal property of another, including goods, services, and other valuables.

34. **Trademark:** Unauthorized use (including misuse) of college or organizational names and images.

35. **Acceptable Use:** Violations of the College's institutional use and computing policy, found online here.

36. **Threatening Language / Speech:** Use of pejorative language or use of identity-related slurs with intent to threaten, intimidate, and/or humiliate.

## Overview of the Student Conduct Process

This section is intended to give an overview of how the Juniata College student conduct proceedings operate, but it should be noted that not all situations are of the same severity or complexity.

The student conduct process and all applicable timelines commence with notice to an administrator of a potential violation of college policies, including residential community standards. Notice is defined as when any source (complainant, staff member, 3<sup>rd</sup> party, online post, etc.) is in contact with a college official regarding allegations of a policy violation.

An Administrative Hearing may be held between the student accused of a policy violation and a hearing officer who acts on behalf of the College. A formal notice of the complaint will be issued to the students at the time when they are informed of the meeting. Juniata hearing officers include, but are not limited to, the individuals who serve in the positions listed below:

- Residential Life Coordinators (RLC's)
- Director of Public Safety
- Assistant Dean of Students
- Assistant Dean for Campus Life
- Vice President for Student Life and Dean of Students

Within 5 business days of an Administrative Hearing, a finding will be determined, and that decision is final unless a student completes a successful formal appeal.

A student found responsible for a policy violation will be issued a sanction congruent with the individual student and the policy violation/s. More information about sanctions is elaborated in the Conduct Procedures section below.

## Conduct Procedures

### A. Role of Conduct Procedure Participants

The Assistant Dean of Students or his/her designee will be the convener of each action outlined in this section. Definitions of roles within this section include:

- Responding Student: The person alleged to have violated the Code of Conduct.
- Complainant: The party bringing the complaint, who may be a student, employee, visitor, guest, or law enforcement.
- Witnesses: Persons who may offer information regarding the allegation or incident.
- Hearing Officer: College representative whose role is to facilitate discussion about the incident and to have an educational conversation with all parties before

determining responsibility in the matter. The hearing officer is also responsible for the assignment of sanctions and follow-up with students as needed.

## B. Group Violations

A student group or organization, including athletics teams, and its officers and/or membership may be held collectively and individually responsible when violations of the Code of Conduct by the organization or its member(s):

- Take place at an organization-sponsored or co-sponsored event, whether sponsorship is formal or implied.
- Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- Were known or should have been known to the membership or its officers.

Hearings for student groups or organizations follow the same general student conduct procedures. In any such action, individual determinations as to responsibility will be made and sanctions may be assigned collectively and individually and will be proportionate to the involvement of each individual and the organization.

## C. Pennsylvania Medical Amnesty Law:

Pennsylvania's Medical Amnesty Law: If a person, in good faith, calls and believes they are the first person to call 911, police, ambulance, or campus Public Safety on behalf of the impaired or injured person, gives their name and stays with the person to prevent that person's death or serious injury, the caller is immune from prosecution for consumption or possession of alcohol.

Student health and safety are the primary concerns of the Juniata College community. Juniata's medical amnesty policy also ensures students that seek assistance for an intoxicated individual and others will not be subject to disciplinary action with respect to the Juniata alcohol policy. (This policy does not preclude disciplinary action regarding other violations of behavioral standards, such as: causing or threatening physical harm, sexual assault, vandalism of College property, harassment, hazing, or any other policy violations not named. Additionally, this policy does not prevent action by city, county, or state authorities.) Public Safety Officers and/or other Juniata College staff may record names of intoxicated students to enable any follow-up that may be deemed necessary to ensure students' well-being. Other information may also be recorded to allow any other appropriate follow-up.

In order for this policy to apply, the intoxicated student(s) must agree to timely completion of recommended alcohol education activities, assessment, and/or treatment depending on the level of concern for student health and safety. Severe or repeated incidents will prompt a higher degree of medical interest. Failure to complete recommended follow-up will result in a student being

referred to the student conduct process. Likewise, groups or organizations involved in an incident must agree to take recommended steps to address medical concerns.

#### D. Notice of Alleged Violation

When a student has been accused of violating a policy of the Code of Conduct, a hearing officer will be assigned to the incident. In the event of multiple students' alleged involvement, the same hearing officer will work with all parties. Usually within 10 business days, the hearing officer will contact the respondents via Juniata e-mail to set up a time to meet with each of the students. At the time of this contact, the respondents will be notified of the Code of Conduct or College policy they are accused of having violated as well as the date, time, and location of the incident. Additional resources for learning more about the policies will be noted in the contact letter.

Most notices of alleged violation will contain information about a meeting that has been set up in advance between the responding student and the hearing officer. If the responding student needs to select a different meeting time, he/she must notify the hearing officer via e-mail a minimum of 24 hours prior to the meeting to reschedule.

#### E. Administrative Hearing

This meeting is intended to be an educational discussion that allows students the opportunity to learn more about expectations of the College community and how to foster good citizenship. This meeting will also serve to gather information regarding the alleged incident. At the start of the meeting, the hearing officer will explain the student conduct process before starting conversation about the alleged incident.

All meetings are closed and private, though students can be accompanied by an advisor of their choice. The advisor, regardless of their relationship to the student (parent, attorney, faculty advisor, coach, etc.), may act only as advisor and support person and not in any other role they may play in relationship to the student.

Witnesses may be permitted if it is believed that the witness personally observed, or has direct knowledge of, information relevant to the incident. Character witnesses are prohibited. The hearing officer reserves the right to determine whether witness commentary will be permitted. Students wishing to have a witness' statement considered must notify the hearing officer prior to the hearing, and the hearing officer will be responsible for setting up a meeting between the hearing officer and the witness. Witnesses appearing at an Administrative Hearing will be invited by the Hearing officer.

If the responding student fails to appear for a scheduled hearing and does not attempt to reschedule the meeting, the hearing officer may make a determination regarding the student's responsibility based on the information available (including, but not limited to, incident reports, formal complaints, information presented by others involved, etc.) and may impose sanctions as a result of violations. If a student does not attend the hearing, the student forfeits his/her right to appeal the decision.

#### F. Alternative to Administrative Hearing

In the case of first-time alleged conduct violations, the hearing officer may opt to send the responding student a letter that serves as a reminder of the College policy in lieu of a formal hearing. Within this letter, the alleged violation, date of alleged violation, time of alleged violation, location of alleged violation, and an explanation of the College policy will be presented. The responding student will be granted the opportunity to opt for a hearing and must do so prior to the date listed in the letter, usually 5 business days. A student's choice to not respond to the letter will be interpreted as acceptance of the written warning, and the written warning will be documented as the sanction for a finding of "responsible."

#### G. Show Cause Hearing: (appeal of interim measures)

Show cause hearing is intended to ensure due process and support interim measure decisions. If information is received that results in the interim measures of a student being suspended or prohibited from campus prior to adjudication: a student may request a "show cause" hearing to determine whether the student may return to campus and continue academic progress prior to the conclusion of the conduct process.

#### H. Determination of Responsibility

Following the Administrative Hearing, the hearing officer will take into consideration all information in the case including, but not limited to, students' previous conduct records, conversation and statements during hearings, written complaints, incident reports, witness statements, and other relevant information. No decisions regarding any of the responding students will be made until all parties conduct meetings have concluded. After review of this information, the hearing officer will make a determination to:

1. Find the accused student was not responsible for a violation of the Code of Conduct.

2. Find the accused student was responsible, more likely than not, for violating the Code of Conduct.

Regardless of outcome, each responding student will be contacted via Juniata e-mail to be notified of the decision, usually within five business days.

If responsible, the hearing officer will outline relevant sanctions that a responsible student must complete. An explanation of the sanction, including a timeline for completion, will be presented.

Notes and statements recorded as a part of the student conduct meeting are the property of the College. Student conduct records are maintained for seven years.

## I. Conduct Sanctions

One or more of the following sanctions may be imposed upon any student for any single violation of the *Code of Conduct*:

### Educational Sanctions

1. Apology: A written or oral apology to a person or group affected by the student's actions.
2. College Service: For a student or organization to complete a specific supervised College service.
3. Educational Programs: Requirement to attend and/or participate in a program related to the violation.
4. Online Course: For cases involving alcohol and/or other drugs, students may be required to complete an online sanctions course provided by Juniata partner Everfi.
5. Referral: Hearing officer may refer a student to counseling or another appropriate community resource.

### Administrative Sanctions

1. Warning: An official written notice that the student has violated Juniata policies and that more severe conduct action will result should the student be involved in other violations while the student is enrolled at Juniata College.
2. Restitution: Compensation for damage caused to the College or any person's property. This could also include situations such as failure to return a space to proper condition—labor costs and expenses. This is not a fine but, rather, a repayment for labor costs and/or the value of property damaged, consumed, destroyed or stolen.
3. Fines: Reasonable fines may be imposed.
4. Holds: A hearing officer may issue a hold to a student's account with the college if terms of a sanction are not completed by the stated deadline. These holds may result in a student's inability to register for classes, apply for on-campus housing, or receive transcripts.
5. Loss of Privileges: The student will be denied specified privileges for a designated period.
6. Confiscation of Prohibited Property: Items whose presence is in violation of College policy will be confiscated and will become the property of the College. Prohibited items

may be returned to the owner at the discretion of the Assistant Dean of Students or designee.

7. Exclusion: Student may be excluded for a definite or indefinite period from all or a portion of College premises, property, buildings, or residence areas, which would be specifically outlined in the sanction.
8. Restriction of Visitation Privileges: May be imposed on a resident or non-resident student. The parameters of the restriction will be specified.
9. No Contact Directive: Prohibits contact in any form or capacity (written, face-to-face, electronic, etc.) with a stated person or persons.
10. College Probation: The student is put on official notice that, should further violations of College policies occur during a specified probationary period, the student may face suspension or expulsion. Regular probationary meetings may also be imposed at the Assistant Dean of Students' discretion.
11. Social Probation: The student is deemed “not in good standing” with the College for a specified period. Specific limitations or exceptions may be granted by the Assistant Dean of Students or designee. Terms of this sanction may include, but not be limited to:
  1. Ineligibility to hold any office in any student organization recognized by College or hold any elected or appointed leadership position at the College; or
  2. Ineligibility to represent the College to anyone outside the College community in any way including participating in the student abroad program, attending conferences, or representing the College at an official function, event, or intercollegiate competition as a player, manager, or student coach, etc.
12. College Suspension: Separation from the College for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of suspension. If residential, the student is required to vacate the campus within 24 hours of notification of the sanction, though this deadline may be extended at the discretion of the Assistant Dean of Students. During the suspension period, the student is banned from College property, functions, events, and activities without prior written approval from the Assistant Dean of Students.
13. College Expulsion: Permanent separation from the College. The student is banned from College property and the student’s presence at any College-sponsored activity or event is prohibited. This action may be enforced with a no trespass action if necessary. This sanction will be noted as a Conduct Expulsion on the student’s official academic transcript.
14. Abeyance: Sanction or disciplinary action is issued but deferred. Allows the student to continue with their daily college activities under certain stipulations, good standing, and/or improved behavior. Any further violations of the Code of Conduct or college policy will result in issued sanction or disciplinary action be enacted.
15. Recision: Rescinding or cancellation of sanctions, charges, decisions, or findings.
16. Delay: In order to ensure the effective functioning of the administrative process or conduct proceedings a delay may be sanctioned in order to ensure full and careful consideration of all relevant information. (i.e. thorough investigation, gather more information, build an adequate record, establish patterned behavior, etc.)
17. Review: To reexamine or reconsider for purposes of correction.



18. Withholding of Degree: The College may withhold a degree as a disciplinary sanction for a specified period of time or until the student's completion of all other sanctions imposed, whichever occurs later.
19. Revocation of Degree: A Degree may be revoked by the College if: 1) upon examination of a Student's record, it is determined that the requirements for the Degree awarded were not met; or 2) information comes to light which, if known at the time the Degree was awarded, would have resulted in a determination that the Degree should not be conferred. The bases for a Degree revocation include, but are not limited to, the following:
  - a. Intentional misconduct by administrators, faculty, staff or Students, including fraud, dishonesty, or falsification or unauthorized altering of information of a Student record (including in an official College student information system).
  - b. Error(s) by administrators, faculty, staff or Students which resulted in the granting of the Degree when the Degree otherwise would not have been awarded.
  - c. Other violations of the College's Student Conduct Code that are of such a nature that had they been discovered prior to the issuance of the Degree, they would have resulted in the suspension or expulsion of the Student from the College.

The following sanctions may be imposed upon groups or organizations found to have violated the *Code of Conduct*

1. One or more of the sanctions listed above; or
2. Deactivation, de-recognition, loss of all privileges (including status as a College-registered group/organization), for a specified period of time. Specific instructions for reinstatement will be provided at time of sanction.

#### J. Parental Notification

The College reserves the right to notify the parents/guardians of dependent students regarding any conduct situation, particularly alcohol, drug, and violence-related violations. The College may also notify parents/guardians of non-dependent students under 21 of alcohol and other drug violations. Parental notification may also be utilized discretionarily by College officials when permitted by FERPA or consent of the student.

#### K. Notification of Outcomes

The outcome of a student conduct hearing is part of the education record of the responding student and is protected from release under the Federal Education Rights and Privacy Act (FERPA), except under certain conditions.

As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or forcible or nonforcible sex offense, the College will inform the party bringing the complaint in writing of the results of a hearing regardless of whether the College concludes that a violation was committed. Such release of information may only include the responding student’s name, the violation committed, and the sanctions assigned (if applicable). In cases of sexual misconduct and other offenses covered by Title IX, the rationale for the outcome will also be shared with all parties to the complaint in addition to the finding and sanction(s).

FERPA defines “crimes of violence” to include:

1. Arson
2. Assault offenses (including stalking)
3. Burglary
4. Criminal Homicide—manslaughter by negligence
5. Criminal Homicide—murder and nonnegligent manslaughter
6. Destruction/damage/vandalism of property
7. Kidnapping/abduction
8. Robbery
9. Forcible sex offense
10. Non-forcible sex offense

#### L. Failure to Complete Conduct Sanctions

All students, as members of the College community, are expected to comply with conduct sanctions within the timeframe specified by the hearing officer. Failure to follow through on conduct sanctions by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanctions and/or a hold being placed on the student’s account.

## Appeal Review Procedures

### Appeal Review Procedures

Any party may request an appeal of the decision of the hearing officer by filing a written request to the appropriate party as outlined below within 5 business days of when the notice of outcome was delivered:

*Original Hearing Officer:*

*Appeal Officer:*

Residential Life Coordinator

Assigned by Dean of Student Office

Director of Public Safety

Assistant Dean of Students

Assistant Dean for Campus Life

Vice President for Student Life and Dean of Students

College Counsel

Appeals must be grounded in one of the following conditions:

1. A procedural error occurred that significantly impacted the outcome of the hearing; or
2. New evidence or information has emerged that was unavailable during the original hearing, which could substantially impact the original decision or sanction. The additional material and its potential impact must be included in the written appeal; or
3. The disposition or sanction is incommensurate with the violation.

The appeal officer will conduct an initial review to determine if the appeal request meets the limited grounds and was submitted promptly.

If it is determined that the appeal does not meet the conditions of appeal:

- From the date of the appeal's submission, the appeal officer will notify the student if it is not heard within 5 business days of the appeal's filing.
- The original findings and sanction will stand, and the decision is final.

If it is determined that the appeal does meet the conditions of appeal:

- The original finding and sanction are presumed to have been decided reasonably and appropriately, thus the burden is on the appealing party to show clear error.
- The appeals officer will limit the review to the grounds presented.
  - For instances of appeals on procedural grounds, the appeals officer will make determinations in the case.
  - For instances of appeals on grounds of new evidence or information, the appeal officer will determine if the matter should be returned to the original decision-maker for reconsideration or if it will be reviewed by the appeal officer.
- For instances where the appeal alleges that the disposition or sanction are incommensurate with the violation, the appeal officer may consult with the original decision-maker and the relevant parties before making a final determination.
- The appeal officer may arrange a meeting with parties involved in the original hearing to discuss the appeal or determine that there is enough information to determine without an additional hearing.
- On reconsideration, the appeal officer may affirm or change the findings and/or sanctions of the original hearing.
- From the date of the appeal's submission, the appeal officer usually responds to the appeal with either a meeting request or final decision on the matter within ten business days.

- All decisions of the appeal officer are final.

## Conduct Records

All conduct records are maintained by the College for seven years from the time of their creation except those that result in separation (suspension or expulsion, including from housing) and those that fall under Title IX, which are maintained indefinitely. Conduct records are accessible by third parties only with the expressed, written, consent of the student or former student, or by legal instrument such as a court-authorized subpoena.

## Title IX Policy and Grievance

### Notice of Non-Discrimination

Juniata College is committed to providing an educational and work environment in which all members of the campus community can participate without being subjected to discrimination based on sex, sexual orientation, or gender identity. Where Juniata learns that any such discrimination occurs, the College is committed to remedying the discrimination and its effects.

### Statement of Policy Against Title IX Sexual Harassment

In compliance with Title IX, a federal law, Juniata College does not discriminate based on sex in the education programs or activities that it operates. Title IX of the Education Amendments of 1972 (20 U.S.C. §1681, et seq.) and its implementing regulations (34 C.F.R. Part 106) prohibit discrimination based on sex in education programs and activities.

No person in the United States shall, based on 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.

Title IX requires that colleges and universities maintain an environment free from sex discrimination for all faculty, staff, and students. Under Title IX, discrimination based on sex includes Title IX Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, and Stalking. Sexual harassment is also prohibited by Title VII of the Civil Rights Act of 1964 and by the state law.

Inquiries about the application of Title IX and its regulations may be referred to:

- Matthew Damschroder  
Acting Title IX Coordinator  
Office Address: Founders Hall 203  
Email: damschr@juniata.edu  
Telephone Number: 814/641-3157
  
- Tracy Grajewski  
Deputy Title IX Coordinator  
Office Address: Human Resources  
Email: grajewt@juniata.edu  
Telephone Number: 814/641-3194

Title IX Web page: <https://www.juniata.edu/its-on-us/title-ix-related-policies/index.php>

**OR**

- Assistant Secretary for Civil Rights  
U.S. Department of Education, Office for Civil Rights  
ocr@ed.gov  
1-800-421-3481

**Scope of this Policy**

This Policy on Title IX Sexual Harassment Discrimination (Policy) applies to all Employees (faculty, staff, all other non-student employees), and all students. This Policy addresses only Title IX Sexual Harassment, as defined in this Policy. Allegations of discrimination based upon other protected traits and allegations of sex discrimination that do not fit within this Policy's definition of Title IX Sexual Harassment will be address under other Juniata College policies, including other applicable discrimination policies and procedures, such as the Code of Conduct, Faculty Manual, and Employee Handbook.

Title IX Sexual Harassment is defined as conduct:

1. Based on sex,
2. That occurs within Juniata College's Education Program or Activity,
3. Within the United States, and
4. Involves

1. a Juniata College Employee conditioning the provision of an aid, benefit, or service on an individual's participation in unwelcome sexual conduct.
2. unwelcome conduct that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's Education Program or Activity;
3. Sexual Assault;
4. Dating Violence;
5. Domestic Violence; or
6. Stalking.

All allegations of Title IX Sexual Harassment will be addressed according to this Policy.

Juniata College may act against third Parties who engage in conduct prohibited by this Policy in connection with a College Education Program or Activity. In such circumstances, the College will determine whether to apply this Policy or another policy or procedure.

This Policy applies when any Employee of the College is alleged to have engaged in Title IX Sexual Harassment as defined by this Policy. To the extent this Policy is inconsistent with any provisions of any faculty or Employee handbook, policy, or procedure, because this Policy on Title IX Sexual Harassment is mandated by federal law, this Policy shall prevail. Federal law requires Juniata College to use the same Standard of Evidence in all matters alleging Title IX Sexual Harassment, which, therefore, fall within this Policy. Juniata College has no discretion to do otherwise.

All Employees who have experienced Title IX Sexual Harassment, who have provided a Report alleging Title IX Sexual Harassment, or have been alleged to have engaged in Title IX Sexual Harassment can seek confidential assistance through the Employee Assistance Program:

[REACH Employee Assistance Program](#)

800/950-3434

<http://www.reach-eap.com/what-we-do/overview>

### **Defined Terms**

This Policy uses many defined terms, indicated by the capitalization of the first letter(s) in the term. All defined terms are included in a [Glossary at the end of the Policy](#). The definitions in the Glossary are important to a complete understanding of this Policy.

### **Responsibilities of the Title IX Coordinator and Deputy Title IX Coordinator**

The Title IX Coordinator coordinates Juniata College's efforts to comply with Title IX, including overseeing this Policy and the publication and dissemination of information required by Title IX. The Title IX Coordinator's responsibilities include: (1) receiving and responding to Reports of conduct that may constitute a violation of this Policy; (2) coordinating the effective implementation of Supportive Measures; (3) designating Investigators, Facilitators, and Decision-makers to act pursuant to the Grievance Process; (4) ensuring that the technology needed to conduct and record hearings is available; (5) implementing effectively any Remedies or discipline imposed by a Decision-maker upon a finding of a violation of this Policy; and, (6) complying with the record-keeping requirements of this Policy.

The Deputy Title IX Coordinator supports the Title IX Coordinator in fulfilling their role and responsibilities and may serve as the Title IX Coordinator's designee to carry out any response, action, initiative, project, or other responsibility outlined in this Policy. **An individual requiring emergency support should call 911 Juniata College Public Safety** at 814/641-3636. An individual needing supports should contact the campus or community resources provided on the first page of this Policy.

### **Reports of Potential Violations of this Policy**

Juniata College strongly encourages anyone who has information about a potential violation of this Policy to provide a Report to the Title Coordinator or another Campus Official. Any person may provide a Report of a potential violation to the Title IX Coordinator in person, through an online form [https://cm.maxient.com/reportingform.php?JuniataCollege&layout\\_id=4](https://cm.maxient.com/reportingform.php?JuniataCollege&layout_id=4), by mail, by telephone or by electronic mail. Reports by mail, telephone or electronic mail made be made at any time, including outside of regular business hours.

A Report does not constitute a Formal Complaint. The procedure for filing a Formal Complaint is described in this Policy.

Any Campus Official who receives information or who otherwise has information about a potential violation of this Policy is required to provide the information received, in full, to the Title IX Coordinator.

### **Response to Potential Violations of this Policy**

When the Title IX Coordinator or a Campus Official receives a Report, Juniata College will respond by: (A) equitably offering Supportive Measures to the Complainant and Respondent, whether or not a Formal Complaint is filed; and (B) imposing disciplinary sanctions or other actions that are not Supportive Measures upon the Respondent only when the Respondent is found responsible for a violation of this Policy through a completed Grievance Process. Notwithstanding the foregoing, Juniata College may impose an emergency removal or administrative leave as provided in this Policy.

## **Initial Assessment**

### **1. Purpose**

When the Title IX Coordinator receives a Report of alleged Title IX Sexual Harassment or a Formal Complaint alleging Title IX Sexual Harassment, the Title IX Coordinator will seek to gather information to undertake an initial assessment of any risk of harm to individuals or to the campus community and the description of the alleged misconduct in order to evaluate the appropriate response.

### **2. Addressing Risk of Harm**

The Title IX Coordinator will take any action necessary to address any risk of harm identified by the Title IX Coordinator, including implementation of Supportive Measures, initiation of actions designed to protect the larger campus community, or Emergency Removal of a Respondent. A decision to remove a Respondent from campus pending the Grievance Process will follow the Emergency Removal of a Respondent process described in this Policy. At the Title IX Coordinator's discretion, one or more other Campus Officials may be included in the initial assessment or in evaluating information gathered in the initial assessment.

### **3. First Step in the Assessment**

The first step of the assessment is a discussion between the Title IX Coordinator and the Complainant. The purposes of the discussion are to:

- assess the nature and circumstances of the allegations;
- address the immediate physical safety and emotional well-being of the Complainant;
- notify the Complainant of the right to contact law enforcement (or not) and seek medical treatment;
- provide the Complainant with information about on- and off-campus resources;
- discuss the range and implementation of Supportive Measures;
- enter the Report into Juniata College's daily crime log;
- assess the Reported conduct for the need for a timely warning under the Clery Act; and,
- explain the College's policy prohibiting retaliation.

## **Determination After Initial Assessment**



After the initial assessment of the information gathered, the Title IX Coordinator will take one of the following steps regarding the Grievance Process:

### **1. Initiate Grievance Process**

If the Title IX Coordinator determines that the alleged misconduct falls within this Policy and a Formal Complaint has already been submitted, the Title IX Coordinator will proceed to initiate the Grievance Process, unless the Formal Complaint proceeds to Informal Resolution. If a Formal Complaint has not yet been submitted, the Title IX Coordinator will advise the Complainant that a Formal Complaint is required to initiate an investigation. The Title IX Coordinator will provide the Complainant a Formal Complaint form (or link to a website where the form is available) for the Complainant's completion and signature. Once a signed Formal Complaint is submitted, the Title IX Coordinator will proceed to initiate the Grievance Process, unless the Formal Complaint proceeds to Informal Resolution.

If the Complainant determines not to file a Formal Complaint, and the Title IX Coordinator determines, in their discretion, that the allegations must be investigated, the Title IX Coordinator may initiate the Grievance Process by completing and signing a Formal Complaint.

### **2. Refer for Action Pursuant to Different Policy**

With or without a Formal Complaint, when the initial assessment concludes with a determination that the alleged misconduct does not fall within the scope of this Policy but involves conduct that, if found to have occurred, violates another Juniata College policy, the matter will be referred for further action under the applicable policy. The determination regarding next steps will be communicated to the Parties in writing.

If a Formal Complaint has been filed, the Title IX Coordinator shall follow the procedures for Dismissal of a Formal Complaint set forth in Grievance Process.

### **Supportive Measures**

Promptly after receipt of a Report, the Title IX Coordinator will contact the Complainant and Respondent (if identified or identifiable based upon the Report) to discuss the availability of Supportive Measures. Supportive Measures are available with or without the filing of a Formal Complaint. In determining the Supportive Measures to be provided, the Title IX Coordinator will make an individualized determination, considering Complainant's wishes and other relevant factors, of the non-disciplinary, non-punitive measures that will be provided to the Complainant and Respondent to restore or preserve equal access to Juniata College's Education programs or Activities, to protect the safety of the Parties, and/or to deter Title IX Sexual Harassment.

All Supportive Measures will be provided without fee or charge and without unreasonably burdening the other Party. Supportive Measures will be maintained as confidential by Juniata College if confidentiality will not impair the ability to provide them.

Examples of Supportive Measures that may be implemented by Juniata College include:

- Academic extensions or adjustments
- Campus escort services
- Changes in housing
- Counseling
- Increased security or monitoring of certain areas of the campus
- Changes in work schedules or locations
- Modifications of class or activity schedules
- Mutual restrictions on contact between the Parties

### **Emergency Removal of a Respondent**

Juniata College may implement emergency removal of a Respondent, whether a Formal Complaint has been submitted if there is an immediate threat to the physical health or safety of any student or other individual that arises from allegations of conduct that could constitute a violation of this Policy.

Before implementing an emergency removal, Juniata College will first gather information to undertake an individualized safety and risk analysis. The analysis will be conducted by an individual who is free from bias or conflict of interest, who has relevant knowledge and experience, and who will not be involved in any later Grievance Process related to the student who is being evaluated for potential removal.

#### **1. Factors to be Considered**

The analysis of whether an immediate threat to the physical health and safety risk exists will focus on the specific Respondent and consider the specific circumstances arising from the allegations of Title IX Sexual Harassment that potentially pose an immediate threat to a person's physical health or safety. If a person expresses a subjective fear, that Juniata College will consider it and will also apply an objective reasonable person standard. The College will consider the Respondent's propensity, opportunity, and ability to carry out a stated or potential threat. The analysis will evaluate whether Supportive Measures or other less restrictive means can negate or sufficiently minimize the threat. As part of its analysis, the College may rely on

objective evidence and current medical knowledge and may consult with a licensed evaluator to analyze the information gathered. The College shall also consider Respondent's rights, if any, under applicable federal and/or state disability laws.

The relationship between a threat and the physical health or physical safety of any student or other individual will also be carefully evaluated. In some but not all cases, threatening speech or virtual interactions without an associated action may rise to the level of a threat to physical health or physical safety. If the threat posed is potential emotional impact only, the College will instead focus on identifying appropriate Supportive Measures.

Juniata College will also closely examine whether the threat arises from allegations of conduct that could constitute Title IX Sexual Harassment under this Policy. As an example, an immediate threat to physical safety is present when a Respondent threatens physical violence against the Complainant in response to the Complainant's allegations of verbal harassment by the Respondent. Threats of self-harm will be address under other applicable policies. If the individualized safety and risk analysis results in a determination that a Respondent's actions pose an immediate and identified threat, but do not arise from allegations of Title IX Sexual Harassment, Juniata College will respond pursuant to other applicable policies and/or procedures.

The College's assessment of the appropriateness of emergency removal will account for its multiple potential impacts, including whether providing Supportive Measures will be sufficient to ensure equal educational access; the adverse impacts of separating a Respondent from educational opportunities and benefits; the protection of the health and safety of Juniata's community; and the anticipated timeline of an investigation and hearing. Because these evaluations are necessarily fact specific, in some cases Juniata College may determine that restricting a Respondent's participation in specific programs or activities will adequately address the situation.

## **2. Emergency Removal is Not Discipline nor a Determination of Responsibility**

At all stages of the process, Juniata College will ensure that the emergency removal will not impose a premature sanction on the Respondent or circumvent the Grievance Process. An emergency removal does not equate to a determination that a Respondent has engaged in a violation of this Policy and will not result in a presumption of responsibility in any subsequent Grievance Process.

## **3. Notice of Emergency Removal and Appeal**

In the event Juniata College determines that emergency removal of a Respondent is appropriate, the Respondent will be notified immediately in writing. The written notice will include details

about the specifically identified emergency threat of physical safety or harm underlying the decision, as well as information about the Respondent's immediate opportunity to challenge the removal decision by filing an Appeal.

### **Placement of Employee on Administrative Leave**

In the event a Formal Complaint alleges conduct that could constitute Title IX Sexual Harassment Discrimination and identifies an Employee as Respondent, Juniata College may decide to place the Respondent on administrative leave, in emergency and non-emergency situations. Such an administrative leave is to allow a temporary separation of the Employee while the Grievance Process is ongoing. The College will determine the terms and conditions of the leave on a case-by-case basis. The decision process for placing an Employee-Respondent on leave will respect their rights under Title VII, Americans with Disabilities Act, and all other applicable employment laws.

### **Grievance Process for Formal Complaints**

#### **1. Overview**

All entitlements established in this section apply equally to the Parties. The Grievance Process applies when a Formal Complaint is signed and submitted, whether by a Complainant or by the Title IX Coordinator on behalf of Juniata College. This process is grounded in a presumption that a Respondent is not responsible unless and until a Determination of Responsibility at the conclusion of this process. The standard of review for determinations regarding responsibility is clear and convincing. The clear and convincing standard of proof is met when the evidence demonstrates that an allegation is substantially more likely than not to be true. The evidence must be clear, unequivocal, satisfactory, and convincing.

#### **2. Filing of Formal Complaint**

The Grievance Process begins with the filing of a Formal Complaint which alleges that a Respondent has engaged in Title IX Sexual Harassment, is signed by the Complainant or the Title IX Coordinator, and requests that Juniata College investigate the allegation of title IX Sexual Harassment. A Formal Complaint may be filed with the Title IX Coordinator in person, through submission of an online form, by mail, or by electronic mail.

#### **3. Dismissal or Withdrawal of Formal Complaint**

If, at any time during the Grievance Process, the Title IX Coordinator determines that the alleged misconduct does not fall within this Policy because the conduct did not occur within the College's Education Program or Activity, or the conduct did not occur within the United States, the Title IX Coordinator will dismiss the Formal Complaint by issuing a Notice of Dismissal.

If, at any time during the Grievance Process, the respondent is no longer enrolled or employed by the College or the Title IX Coordinator determines that specific circumstances prevent the College from gathering evidence sufficient to reach a determination of the allegations of the Formal Complaint, the College may dismiss the Formal Complaint by issuing a Notice of Dismissal.

The Notice of Dismissal, which will be issued to the Complainant within five (5) Business Days of the Title IX Coordinator's determination, will include the reasons for the dismissal. A dismissal of a Formal Complaint from the Grievance Process shall not prevent the College from addressing the allegations in the Formal Complaint under another applicable policy of the College. Any Party has the right to submit an Appeal from dismissal of a Formal Complaint.

If, at any time during the Grievance Process, the Complainant notifies the Title IX Coordinator in writing that they wish to withdraw the Formal Complaint or any allegations in the Formal Complaint, the Title IX Coordinator may dismiss the Formal Complaint. Alternatively, the Title IX Coordinator may decide that proceeding with the Grievance Process is necessary. In making that determination, the Title IX Coordinator must weigh the Complainant's wishes and the College's obligations to eliminate Title IX Sexual Harassment, prevent its recurrence, and remedy its effects.

#### **4. Length of Process**

Juniata College seeks to resolve all Reports of Title IX Sexual Harassment promptly, thoroughly, fairly, and equitably. The timeframes which the College strives to meet are set forth in this Policy. The College will inform the Parties regularly of the status of the Grievance Process, including the status of investigation and other steps in the process. Circumstances may arise that require the extension of anticipated times. Such circumstances may include the complexity of the allegations, the number of Witnesses involved, the availability of the Parties, Witnesses, or others involved, the effect of a concurrent criminal investigation, breaks or other closures of campus, concurrent law enforcement activity, the need for language assistance or accommodation of disabilities, or unforeseen circumstances. In the event timelines are modified, the College will provide written notification to the Parties.

#### **5. Privacy of Process**

Juniata College will keep confidential the identity of any individual who has made a Report or Formal Complaint, and the identity of any Complainant, Respondent, and Witness except as permitted by FERPA, required by law, or as necessary for the Institution to act under this Policy.

#### **6. Participation in Grievance Process is Voluntary**

Parties and Witnesses are not required to participate in the Grievance Process, but without their live testimony at the hearing, the Hearing Board cannot rely upon their Statements. Juniata

College may not threaten, coerce, or intimidate a Party or Witness into participating, nor may the College retaliate against a Party or Witness for declining to participate in any part of the Grievance Process.

## **7. Right to an Advisor**

Each Party has the right to choose an Advisor to assist and advise them (at the Party's own expense, if the Advisor is paid). Each Party has the right to be accompanied by their Advisor throughout the Grievance Process, including during all related meetings and hearings. Parties are encouraged to identify an Advisor as soon as practical, as Advisors play a significant role in supporting Parties. Each Party must notify the Title IX Coordinator promptly of the name, title, and contact information for their Advisor and any change in their Advisor. If a Party does not select an Advisor and the matter proceeds to a Live Hearing, an Advisor will be appointed by the College, at no fee to the Party, to ask Cross-examination Questions on that Party's behalf.

## **8. Request to Remove an Investigator, Hearing Board Member, or Title IX Coordinator**

Parties have the right to request that the Title IX Coordinator remove an Investigator or member of the Hearing Board based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial

### **1. Challenge to an Investigator**

A challenge to an Investigator must be raised in writing within five (5) Business Days of receipt of the Notice of Investigation. The Title IX Coordinator will determine whether to remove the Investigator. If the Investigator is not removed, the Title IX Coordinator will notify the requesting Party of the decision. If an Investigator is removed and replaced, the Title IX Coordinator will send written notification to the Parties of the name of the new Investigator.

### **2. Request to Remove a Hearing Board Member**

Following receipt of the Notice of Live Hearing, Parties have the right to request that the Title IX Coordinator remove a member of the Hearing Board based on reasonable and articulated grounds of bias, conflict of interest, or an inability to be fair and impartial. This request must be raised in writing within two (2) Business Days of receipt of the Notice of Live Hearing. The Title IX Coordinator will determine whether to remove the Hearing Board member. If the Hearing Board member is not removed, the Title IX Coordinator will notify the requesting Party of the decision. If a Hearing Board member is removed and replaced, the Title IX Coordinator will send written notification to the Parties of the name of the new Hearing Board member.

### **3. Request to Remove the Title IX Coordinator**

A Party may request that someone other than the Title IX Coordinator oversee the Grievance Process based on reasonable and articulated grounds of bias, conflict of interest, or an inability to be fair and impartial. Any such request must be submitted in writing to the College Counsel, Attorney David P. Andrews as soon as a Party becomes aware of any such grounds for removal. The College Counsel will determine whether to designate another person perform the Title IX Coordinator's duties for the specific matter, and if necessary, will identify the person to undertake those duties.

## **9. Procedures Following a Formal Complaint**

### **1. Initiate an Investigation**

The Title IX Coordinator will initiate an investigation unless the Formal Complaint is proceeding through the Informal Resolution Process. The Title IX Coordinator will issue a Notice of Investigation to known Parties sufficiently in advance of any request to meet with the Investigator. This Notice of Investigation will include:

1. Notice of these grievance procedures, including the Informal Resolution process, and a copy of this Policy.
2. The conduct alleged to violate this Policy, and the date and location of the alleged incident, if known.
3. Known Parties involved in the alleged incident
4. A statement that the Respondent is presumed not responsible for the alleged misconduct and that a Determination of Responsibility will be made at the process's end.
5. Notice of the Parties' right to an Advisor of choice, who will be permitted to accompany them to investigation meetings, interviews, and any hearing and to review materials provided to their advisee throughout the process.
6. Notice of and citation to the College's prohibition on knowingly making false Statements or submitting false information during a the College process.

If during an investigation, new or additional allegations arise that require investigation, the College will send the Parties an updated Notice of Investigation revising the investigation's scope.

### **2. Option of Informal Resolution**

If the Parties voluntarily agree to proceed with the Informal Resolution Process, the Title IX Coordinator may refrain from initiating the Grievance Process or may pause an ongoing Grievance Process.

### **3. Concurrent Law Enforcement Activity**

When Juniata College receives a Report of Title IX Sexual Harassment to which it has determined it must respond through its Grievance Process, the College's process continues regardless of whether a Complainant has made or decides to make a report to law enforcement. The filing of a report with law enforcement, or an ongoing law enforcement investigation or proceeding does not relieve the College of its obligation to address the Complaint through its Grievance Process. At the College's discretion, the College may temporarily pause its investigation at the request of law enforcement. In that circumstance, the Title IX Coordinator will send written notice to the Parties explaining the reason for pausing the investigation.

### **10. Consolidation of Certain Formal Complaints**

If there are multiple Complainants and one Respondent, the College may consolidate Formal Complaints where the allegations of Title IX Sexual Harassment arise out of the same facts or circumstances. All Parties will be notified in writing of a decision to consolidate Formal Complaints.

### **11. Investigation**

Juniata College's investigation process is designed to allow for the thorough, impartial, and reliable gathering of information and to result in a comprehensive investigation report summarizing relevant, admissible evidence. The College strives to complete its investigation within thirty (30) Business Days, understanding that numerous issues arise during investigations that may justify a compelling cause extension of the timeline.

#### **1. Assignment of Investigator**

The Title IX Coordinator will supervise the investigation, starting with determining who will serve as Investigator. The Investigator may be a College Employee or Employees, an external Investigator or Investigators, or a team of Investigators that pairs an external Investigator with a College Employee. All Investigators will conduct the investigation with a presumption that the Respondent is not responsible and will act without bias or conflict of interest.

#### **2. Process Overview**

The Investigator will conduct the investigation in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the Complainant, the Respondent, and any Witnesses. The Investigator will provide advance written notice to Parties of the date, time, location, participants, and purpose of any requested meeting(s). Investigation



interviews will be conducted in a thorough, impartial, and fair manner; all involved individuals will be treated with appropriate sensitivity and respect.

Interviews will be supplemented by the gathering of any physical, documentary, and other evidence, as appropriate and available. The burden of gathering relevant, admissible information sufficient for Juniata College to reach a determination of whether a violation of this Policy has occurred rests on the College. The Parties will have an equal opportunity to submit evidence and suggest Witnesses (including fact and expert Witnesses).

The Investigator will decide which individuals to interview based on the information the Investigator gathers as part of the investigation and, with respect to Witnesses offered by a Party, the Investigator may ask the Witnesses to describe the information the Party expects the Witness to provide. The Title IX Coordinator may direct that additional interview be conducted.

The Investigator will not ask questions or gather information or documents protected by a legally recognized privilege, including treatment records of a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in a professional capacity, without written consent to use such documents in the Grievance Process from the person protected by the privilege. The Investigator will not seek information about a Complainant's sexual predisposition and will only allow submission of or pursue information about a Complainant's prior sexual behavior if such questions and evidence: (1) are offered to prove that someone other than the Respondent committed the alleged misconduct; or, (2) concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to establish Consent.

The investigation will be conducted respectfully of individual privacy concerns. To be clear, however, confidentiality cannot be promised during an investigation because, for example, the Investigator may need to speak with Witnesses and others to gather evidence. The Parties are not restricted from discussing the allegations under investigation or from gathering and presenting relevant evidence. However, where the investigation reveals intentional efforts by a Party to fabricate or alter information they submit or to influence the information a Witness provides to the Investigator, conduct charges may result.

### **3. Parties' Review of and Response to Information Gathered as Part of Investigation**

At the conclusion of the investigation, the Investigator will assemble all inculpatory and exculpatory information gathered during the investigation that is directly related to the allegations of the Formal Complaint, including information upon which the College does not intend to rely in reaching a determination regarding responsibility. The Investigator will redact information that is unrelated to the allegations of the Formal Complaint or otherwise not admissible in the Grievance Process (i.e., because it is subject to an unwaived legally recognized

privilege or constitutes prior sexual history not offered to establish Consent or that Respondent did not engage in the alleged misconduct). The Investigator will create a list describing information it has redacted or removed as irrelevant, inadmissible, or not directly related to the allegations of the Formal Complaint, which it may allow the Parties to inspect.

The assembled information will then be shared with the Parties and their Advisors in hard copy or an electronic format. Depending on the nature of the information shared, the College may require Parties and their Advisors to agree to restrictions or sign a non-disclosure agreement prohibiting dissemination of any of the information provided for inspection and review or use of such evidence for any purpose unrelated to this Grievance Process. The Parties will have at least ten (10) Business Days to review the assembled information and submit a written response to it.

The Investigator will review the Parties' responses to evaluate whether further investigation may be required to ensure the investigation is thorough and complete. In consultation with the Title IX Coordinator, the Investigator will determine any further action indicated by the Parties' responses and develop a plan to complete the investigation.

#### **4. Investigation Report**

After considering the Parties' responses and conducting any additional investigation indicated by those responses, the Investigator will prepare a report summarizing all of the relevant, admissible information obtained during the investigation, including Inculpatory Evidence and Exculpatory Evidence. The Investigator will incorporate the Parties' responses to the report, an explanation of any additional steps taken after receipt of Party responses and include any related materials. All these written submissions and information gathered during the investigation will be considered the investigation report.

If the investigation report includes an assessment of Party and Witness Credibility, Credibility determinations may not be based on a person's status as a Complainant, Respondent or Witness.

#### **5. Parties' Review of and Response to Investigation Report**

When the investigation report is complete, Juniata College will provide a copy of it to the Parties and their Advisors in electronic format or hard copy for their review and written response. The Parties shall have five (5) Business Days to respond to the investigation report.

The investigation report and all evidence will be available at any hearing to give each party equal opportunity to refer to the evidence. Any hearing on the allegations investigated will not be held sooner than ten (10) Business Days after the investigation report is provided to the Parties and their Advisors.

## **12. Determination After Investigation**

At the conclusion of the investigation, the Title IX Coordinator will review the investigation report to determine whether the conduct, if proved, falls within this Policy. When the alleged conduct, if proved, falls within this Policy, the Title IX Coordinator will prepare a Notice of Charge based on information contained in the investigation report.

If the conduct, even if proved, does not fall within this Policy because it would not constitute Title IX Sexual Harassment, because it did not occur within the College's Education Program or Activity, or because it did not occur within the United States, the College must dismiss the Formal Complaint. The College may dismiss a Formal Complaint if the Title IX Coordinator determines that there is not sufficient cause to believe the alleged conduct may have occurred; the Respondent is no longer enrolled or employed by the College; or specific circumstances prevent the College from gathering sufficient evidence to reach a Determination of Responsibility or No Responsibility.

In either instance, the Title IX Coordinator will issue a Notice of Dismissal, including the reasons for the dismissal, to the Parties simultaneously within five (5) Business Days of the Title IX Coordinator's determination. If the alleged conduct would potentially violate a different College Policy, the Notice of Dismissal will direct the Parties to that policy. The Parties have a right to submit an Appeal from a dismissal of a Formal Complaint.

### **13. Notice of Charge**

If the Formal Complaint is not dismissed, the Title IX Coordinator will issue a Notice of Charge simultaneously to the Parties. The Notice of Charge shall not issue before the Parties have had five (5) Business Days to review and respond to the investigation report and will be sent to the Parties within ten (10) Business Days of the conclusion of the investigation. The hearing shall not be scheduled sooner than ten (10) Business Days after the Notice of Charge is issued. The Notice of Charge will include the following information:

1. a brief factual summary of the conduct alleged to have violated the Policy, including date, time, and location;
2. the specific Policy provision(s) at issue; and
3. sanctions associated with a finding of responsibility for the alleged Policy violation(s).

The Notice of Charge will attach a copy of this Policy or include the website where this Policy is available.

### **Live Hearings**

Following the issuance of the Notice of Charge, if Informal Resolution is not being conducted, the Grievance Process proceeds to a Live Hearing.

## **1. Notice of Live Hearing**

The Notice of Live Hearing will be sent to the Parties simultaneously within ten (10) Business Days of the delivery of the Notice of Charge and at least five (5) Business Days before the scheduled hearing date. The Notice of Live Hearing may be, but need not be, sent with the Notice of Charge. The Notice of Live Hearing will include the following information:

- the date, time, and location of the Live Hearing;
- whether the Live Hearing will be recorded via an audio recording, an audiovisual recording, or a transcript;
- the composition of the Hearing Board designated by the Title IX Coordinator; and,
- a statement that there is a presumption of No Responsibility on the part of the Respondent until a determination regarding responsibility is made at the conclusion of the Grievance Process.

In addition, the Notice of Live Hearing will attach a copy of this Policy or include a reference to the website where this Policy is published.

## **2. Title IX Coordinator as Hearing Board Chair**

Hearings are convened by the Title IX Coordinator. The Title IX Coordinator oversees all hearings. In rare circumstances when the Title IX Coordinator is unavailable or ineligible to do so, the Title IX Coordinator will designate the person to convene and oversee the Hearing Board process. The Title IX Coordinator will be the non-voting chair of the Hearing Board during Live Hearings, serving as a process and policy advisor to the Hearing Board. In this role, the Title IX Coordinator may be referred to as the Hearing Officer.

The Title IX Coordinator is never a Decision-maker, whether in connection with a Live Hearing or an Appeal but may be an Investigator.

## **3. Hearing Board**

Before the Live Hearing, the Hearing Board will have read all the information in the investigation report. The Parties will have the same information as the Hearing Board.

- **Gathering Information**

The Hearing Board will focus its questions on those areas where it needs clarification or more information. The Hearing Board will not necessarily need the Parties or Witnesses to repeat

everything they shared during the investigation, but as the Decision-maker(s), the Hearing Board is obligated to come to its own Findings of Fact.

The Hearing Board has the right and responsibility to ask questions and elicit information from Parties and Witnesses on the Hearing Board's own initiative to aid the Hearing Board in obtaining relevant information, both inculpatory and exculpatory.

Only members of the Hearing Board may ask questions of any person testifying, except in connection with Cross-examination Questions asked by Advisors. The Hearing Board is responsible for ensuring that it has sought and probed all information necessary to make an informed decision. At times, the Hearing Board will need to ask difficult or sensitive questions to understand the allegations and related information and to fully understand the context. If a Party does not understand a question or why the Hearing Board is asking a question, they should tell them. The Hearing Board will explain and modify its question at its discretion.

The Parties have equal rights to present information in front of the Hearing Board, which ensures that the Hearing Board has the benefit of each Party's perspectives about the evidence. This right includes calling Witnesses. Parties have no right to self-representation and may not ask questions directly of the other Party or Witnesses.

- **Evaluating Information**

The Hearing Board must objectively evaluate all admissible, relevant evidence for weight or Credibility, including both Inculpatory Evidence and Exculpatory Evidence. The Hearing Board must focus on evidence pertinent to proving whether facts material to the allegations under investigation are true. Credibility determinations may not be based upon a person's status as a Complainant, Respondent or Witness. Determinations of Credibility must be based on objective evaluation of relevant evidence, not on inferences based on Party or Witness status. Credibility determinations are based on a number of factors, including demeanor (but never only demeanor); opportunity and capacity to observe the event; contradiction or consistency with other evidence; availability of corroboration (where it should logically exist, noting that corroborating evidence is not required); level of detail in Statement or testimony; motive to be untruthful; and inherent plausibility or implausibility.<sup>1</sup> The evaluation of Credibility also takes into account the normal fallibility of human memory.

A Party's answers to Cross-examination Questions will be evaluated by the Hearing Board in context, considering that a Party may experience stress while answering Cross-examination Questions. Parties will not be unfairly judged if they are unable to recount every specific detail in sequence, whether such inability is due to trauma, the effects of drugs or alcohol or simple fallibility of human memory.

<sup>1</sup>*U.S. Equal Employment Opportunity Commission: Enforcement Guidance on Vicarious Employer Liability for Unlawful Harassment by Supervisors (June 18, 1999).*

#### **4. Role and Obligations of Advisors During Hearings**

- The Advisor is present to provide support to the Party and not to serve as a proxy voice for the Party.
- Advisors may not speak during the hearing process, except where permitted to present Cross-examination Questions. Therefore, in all instances other than Cross-examination Questions, Advisors may not speak to the Hearing Board, make statements or arguments, or answer questions.
- Advisors conducting Cross-examination must be capable of understanding the purpose or scope of Cross-examination. Equal competency between the Parties' Advisors is not required.
- When conducting Cross-examination, Advisors need not be advocates for Parties but may be individuals who ask questions.
- Advisors can confer quietly with their advisee as needed, but if there is a need for an extended discussion, the Party should ask for a break in the Live Hearing.
- Advisors cannot direct the Party how to answer a question.
- Advisors should conduct themselves quietly and professionally, must not disrupt the proceedings and must comply with any rules of decorum imposed by the College. An Advisor who does not do so may be removed from the Live Hearing. In that instance, the Party may select another Advisor, or the College will appoint a substitute Advisor.

#### **5. Location of the Live Hearing**

Live Hearings may be conducted with all Parties physically present in the same geographic location or, at the College's discretion, any or all Parties, Witnesses, and other participants may appear at the Live Hearing virtually, with the Parties being able to see and hear each other and Witnesses live.

At the request of either Party, the College will provide for the entire Live Hearing (including Cross-examination) to occur with the Parties located in separate rooms with technology enabling the Parties to see and hear each other. Unlike Parties, Witnesses do not have the right to demand

to testify in a separate room, but the College, in its discretion, may permit any participant to appear remotely.

## **6. Recording of Live Hearing**

Juniata College will create an audio or audiovisual recording or transcript of the entire Live Hearing. The recording or transcript will be available to the Parties for inspection and review.

## **7. Scope of the Live Hearing**

The Live Hearing will relate solely to charges set forth in the Notice of Charges issued to the Parties. If the Parties or any Witnesses share information that goes beyond these charges, the Hearing Board will redirect the speaker to the charges at hand.

Parties may be accountable for additional violations discovered through the Grievance Process even if they do not appear in the Notice of Charge/Notice of Live Hearing. In this instance, a separate Grievance Process under this Policy, or under other applicable policies, may be commenced.

## **8. Attendance at the Hearing**

The Live Hearing is closed, meaning it is not open to the public. Witnesses may be present only for their individual meeting with the Hearing Board. Advisors and Parties may be present throughout the proceeding. If a Party, after having been given notice, does not appear at the Live Hearing, the Live Hearing will be conducted in their absence, and the Party's Advisor may appear and conduct Cross-examination. In the event neither a Party nor their Advisor appear at the hearing, Juniata College will provide an Advisor to appear on behalf of the non-appearing Party.

## **9. Expectation of Honesty**

Parties and other individuals who offer information at a Live Hearing are expected to respond honestly and to the best of their knowledge. The Hearing Board may recall any Party or Witness for further questions and to seek additional information as it deems necessary. A Party or Witness who intentionally provides false or misleading information may be subject to discipline under this Policy or other applicable policies.

## **10. Cross-examination Questions and Effect of Failure to Submit to Cross-examination**

- **Advisors Conduct Cross-examination**

Advisors are allowed, on behalf of the Party they are advising, to cross-examine the other Party and Witnesses by asking relevant questions and follow-up questions, including questions challenging Credibility.

- **Relevance Determination Before Answering**

Before a Party or Witness answers a Cross-examination Question, the Hearing Board will determine if the question is relevant. If a question is deemed irrelevant, the Hearing Board will explain why. The requirement of Relevance applies throughout the hearing, including during Cross-examination, and will be determined by the Hearing Board. Parties should understand that the process of Cross-examination may be difficult and may feel uncomfortable because its purpose is to promote the perspective of the other Party. Cross-examination Questions may not be submitted in writing in advance of the Live Hearing or during the Live Hearing for purposes of seeking an evaluation of Relevance.

- If a Party or Witness does not submit to Cross-examination by Advisors at the Live Hearing, the Hearing Board must not rely on any Statement of that Party or Witness in reaching a determination regarding responsibility. This rule does not apply if a Party or Witness refuses to answer questions posed by the Hearing Board.
  1. “Submit to Cross-examination” means answering those Cross-examination Questions that are relevant, as determined by the Hearing Board in real time during the Live Hearing. If a Party or Witness disagrees with the Hearing Board’s Relevance determination, they may either (a) abide by the Hearing Board’s determination and answer the question or (b) refuse to answer the question. In the event the Party or Witness refuses to answer the question, unless the Hearing Board reconsiders the Relevance determination, the Hearing Board cannot rely on any Statement of that Party or Witness.
  2. “Statement” has its ordinary meaning but does not include evidence (such as videos) that do not constitute a person's intent to make factual assertions, or to the extent that such evidence does not contain a person's Statements. Thus, Documents and records that contain Statements may not be relied on in making a final determination after the completion of the hearing if the Party or Witness who made the Statements has not submitted to Cross-examination. Probing the Credibility and reliability of Statements contained in such documents requires the Parties to cross-examine the individual(s) making the Statements.
  3. Examples



- This rule applies to law enforcement report, SANE reports, medical reports, and any other documents and records that contain the Statements of a Party or Witness who has not submitted to Cross-examination.
- If one Party to a text message or email exchange submits to Cross-examination and the other does not, only the messages of the individual who submits to Cross-examination may be considered.
- Where a Party refuses to answer Cross-examination Questions but video evidence exists showing the underlying incident, the Hearing Board may still consider the available evidence and determine.
- If the matter does not depend upon a Party's or Witness's Statements, but on other evidence (e.g., video evidence that does not consist of "Statements" or to the extent the video contains non-Statement evidence), the Hearing Board can still consider this other evidence and reach a determination, but without drawing any inference based upon lack of Party or Witness testimony.

## **11. Breaks**

The Hearing Board may need to take breaks during testimony to ensure that it can confer regarding the information that has been offered and can determine whether further questions are necessary. At any time, a Party may request a break to talk with their Advisor or for another reason. In all instances, a break will be allowed.

## **12. Rape Shield Protections**

All questions and evidence about Complainant's sexual predisposition or prior sexual behavior are irrelevant unless offered to prove that someone other than the Respondent committed the alleged misconduct or offered to prove Consent.

## **13. Order of the Live Hearing**

- The Chair will call the Live Hearing to order and will explain the hearing process, which will include a reading of the charge(s) at issue and will provide an opportunity for all Parties to ask procedural questions prior to opening statements.
- The Parties shall be informed that the hearing is being recorded. The recording is the sole official verbatim record of the Live Hearing and is the property of the College.
- The Complainant may present an opening statement related to the charges.

- The Respondent may present an opening statement related to the charges.
- The Hearing Board will ask the Complainant questions relevant to the charges.
- The Respondent’s Advisor may ask Complainant relevant questions and follow-up questions, including those challenging Credibility (Cross-examination Questions).
- The Hearing Board will ask the Respondent questions relevant to the charges.
- The Complainant’s Advisor may ask Respondent relevant questions and follow up questions, including those challenging Credibility (Cross-examination Questions).
- The Hearing Board may call Witnesses to provide relevant information to the Hearing Board.
- At the conclusion of each Witness, Complainant and Respondent’s Advisors may ask each Witness relevant questions and follow up questions, including those challenging Credibility (Cross-examination Questions).
- At the conclusion of the testimony of the Parties and the Witnesses, the Parties will be able to make a closing statement, with the Complainant going first and the Respondent going next.
- The Chair will announce that the Live Hearing is concluded.

#### **14. Hearing Board Deliberations and Written Determination**

When the Live hearing concludes, the Hearing Board will deliberate and make its decision in accordance with the clear and convincing Standard of Evidence. The Hearing Board will issue a Written Determination, which will be sent to the Parties simultaneously within fifteen (15) Business Days of the conclusion of the Live Hearing. The Written Determination will include:

- a. Procedural History
- b. Summary of allegations in Notice of Charge/Notice of Live Hearing
- c. Policy provisions at issue
- d. Findings of Fact related to each allegation potentially constituting Title IX Sexual Harassment, made by the applicable standard of evidence
- e. Rationale (or evidentiary basis) for the Findings of Fact related to each allegation, which should include an evaluation of the weight or Credibility of admissible, relevant evidence

- f. A determination of whether the conduct found to have occurred violates this Policy (Determination of Responsibility) or not (Determination of No Responsibility)
- g. Rationale (or evidentiary basis) for the Determination of Responsibility or No Responsibility
- h. A statement of any disciplinary sanctions imposed on the Respondent and the rationale for the sanctions
- i. A statement of whether Remedies will be provided to the Complainant, using the phrase: “Remedies designed to restore or preserve equal access to Juniata College’s Education Program or Activity will be provided by the College to the Complainant.” The nature of such Remedies will not appear in the Written Determination. Remedies that do not directly affect the Respondent will not be disclosed to the Respondent.
- j. Information about how to file an Appeal and how to access the transcript or recording before the time to file an Appeal lapse.

The Title IX Coordinator is responsible for the effective implementation of any Sanctions or Remedies.

## **15. Sanctions**

- **Possible Sanctions**

The following sanctions and/or conditions may be imposed following a Determination of Responsibility for a violation of this Policy. The described range of sanctions is required by Federal law under Title IX and that the published range is purely for purposes of notice as to the possibility of a range of Remedies and disciplinary sanctions and does not reflect the probability that any particular outcome will occur.

### **1. Students**

- Expulsion (permanent separation)
- Suspension
- Deferred suspension
- Disciplinary Probation
- Disciplinary probation with deferred removal from the residence halls

- Loss of housing contract
- Residence hall probation
- Conduct warning
- Title IX Sexual Harassment education or other relevant education
- Parent or guardian notification (subject to privacy restrictions)
- Financial restitution
- Fine
- Community restoration and/or community service
- Loss of campus privileges
- Loss of campus employment and/or opportunities for campus employment
- Withholding records or degree
- Revocation of admission and/or degree
- Bar against registration
- Discretionary action
- Substance abuse education and/or evaluation

## **2. Employees**

- Termination of employment
- Revocation or denial of tenure
- Suspension
- Demotion
- Progressive discipline
- Warning
- Loss of pay or other pay adjustments
- Job transfer

- Change or restrictions in work location and/or job responsibilities
- Title IX Sexual Harassment education
- Restrictions on the Employee’s communications
- Limitations on the Employee’s movement in or on the College’s campus, programs, and activities

- **Factors in Determining Sanctions**

In considering the appropriate sanction within the recommended outcomes, the Hearing Board may consider the following factors:

1. Respondent’s prior discipline history;
2. how the College has sanctioned similar incidents in the past;
3. the nature of the conduct at issue, including whether there was violence;
4. the impact of the conduct on the Complainant;
5. the impact of the conduct on the College’s community, its members or the College’s property;
6. whether the Respondent accepted responsibility;
7. whether the Respondent is likely to engage in the conduct in the future;
8. any other mitigating or aggravating circumstances, including the College’s values and
9. Juniata College’s obligation to eliminate Title IX Sexual Harassment, prevent its recurrence, remedy its effects, and to maintain an environment free from Title IX Sexual Harassment.

Respondent’s lack of comprehension that conduct constituting Title IX Sexual Harassment violates the bodily or emotional autonomy and dignity of a victim does not excuse the misconduct, though genuine lack of understanding may, in the College’s discretion, factor into the sanction decision.

### **3. Remedial Action**

The Hearing Board may consider other remedial actions that may be taken to address and resolve any incident of Title IX Sexual Harassment and to prevent its recurrence, including: strategies to protect the Complainant and any Witnesses from retaliation; provide counseling for the

Complainant; other steps to address any impact on the Complainant, any Witnesses, and the broader campus community, and any other necessary steps reasonably calculated to prevent future occurrences of harassment.

#### **4.Failure to Comply with Sanctions.**

Failure to comply with the sanctions or conditions imposed by the Hearing Board will result in action under the College's Student Code of Conduct or Faculty or Employee Handbooks, as applicable.

#### **Effective Date of the Written Determination and Possible Notice to Parents**

The Written Determination becomes final only after the time to file an Appeal has expired or after the Appeal decision has been sent to the Parties. The Written Determination will identify to whom any Appeal must be addressed.

Juniata College reserves the right to notify parents of dependent students when student conduct has resulted in serious disciplinary sanctions.

### **Appeals**

#### **1. Filing an Appeal**

The Parties have equal rights to file an Appeal. Appeals will be submitted to the Title IX Coordinator. Appeals must be submitted within five (5) Business Days of the issuance of the Notice of Dismissal or Written Determination that the Party seeks to appeal.

#### **2. Grounds for Appeal**

An Appeal is not intended to be a rehearing of the information presented at the Live Hearing. An Appeal may only be based upon one or more of the following grounds:

1. Procedural Irregularity that affected the outcome of the matter;
2. New evidence that was not available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
3. Conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; and/or,
4. The sanction imposed is disproportionate to policy violation.

#### **3. Actions upon Receipt of Appeal**

1. The Title Coordinator shall designate a Decision-maker (the "Appeal Decision-maker") to consider and decide any Appeal.
2. Within five (5) Business Days of the receipt of the Appeal by the Title IX Coordinator, the Title IX Coordinator will give notice to the Parties of the appeal and of the identity of the Appeal Decision-maker.
3. The Parties will have two (2) Business Days after notice of receipt of the Appeal to request that the Title IX Coordinator remove the Appeal Decision-maker based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial. The Title IX Coordinator will determine whether to remove the Appeal Decision-maker. If the Appeal Decision-maker is not removed, the Title IX Coordinator will notify the requesting Party of the decision. If the Appeal Decision-maker is removed and replaced, the Parties will be sent simultaneous written notification of the name of the new Appeal Decision-maker.
4. When the time to request removal of the Appeal Decision-maker has run, the Appeal Decision-maker will be provided with the entire file provided to the Hearing Board, together with the Written Determination.
5. The Appeal Decision-maker will first determine whether the Appeal will be accepted, based upon whether one or more of the Appeal Grounds set forth above has been properly alleged by the Appellant. Within five (5) Business Days of the receipt of the Appeal, the Appeal Decision-maker will send written notice to the Parties simultaneously that either (a) the Appeal has been rejected due to insufficient grounds, with the Appeal Decision-maker's rationale, or (b) the Appeal has been accepted.
6. The non-appealing Party/ies will be entitled to submit a response to the Appeal, which must be sent to the Title IX Coordinator within five (5) Business Days of receipt that the Appeal was accepted.
7. The Appeal Decision-maker will then analyze all of the materials related to the Appeal and will take one of the following actions:
  1. Uphold the original decision
  2. Send the matter back to the Hearing Board for further consideration
  3. Refer the matter to the Title IX Coordinator for further investigation or a new hearing with a new Hearing Board
8. The Appeal Decision-maker will issue its written decision on Appeal within ten (10) Business Days after the receipt of the non-appealing Party/ies response. If no response is submitted by the non-appealing Party/ies, then the written decision shall be issued within ten (10) Business Days after the date the response was due to be submitted.

9. The written Appeal decision, which will include the Appeal Decision-maker's rationale, will be sent to the Parties simultaneously.

#### 4. Appeal Decisions are Final

A decision denying the entitlement to an Appeal and all decisions made by the Appeal Decision-maker are final.

#### 5. When an Appeal is not Filed

The Parties will be notified if the time to file an Appeal has expired without any Appeal submitted.

#### Grievance Process Timeframes

Measured from the conclusion of the investigation, Juniata College strives to meet the following time limits for the Grievance Process. All days are measured in Business Days.

1. A Notice of Charge or Notice of Dismissal: The Notice of Charge or Notice of Dismissal will be sent to the Parties simultaneously within ten (10) Business Days of the conclusion of the investigation.
2. Notice of Live Hearing: As applicable, a Notice of Live Hearing will be sent the Parties simultaneously within ten (10) Business Days of the delivery of the Notice of Charge.
3. Challenge to Hearing Board Member: Within two (2) Business Days of receipt of the Notice of Live Hearing, Parties have the right to make a written request that the Title IX Coordinator remove a member of the Hearing Board based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial.
4. Live Hearing: The Live Hearing will begin no sooner than ten (10) Business Days after the Notice of Charge is issued, no sooner than five (5) Business Days after the Notice of Live Hearing, and no later than twenty (20) Business Days after the Notice of Live Hearing is issued.
5. Written Determination following a Live Hearing: Following a Live Hearing, the Written Determination will be sent to the Parties simultaneously within fifteen (15) Business Days of the conclusion of the Live Hearing.
6. Appeals:
  1. Parties must file an Appeal within five (5) Business Days of receipt of the Written Determination.
  2. Within five (5) Business Days of the receipt of the Appeal by the Title IX Coordinator, the Appellant and non-appealing Party/ies will receive written notice that an Appeal has been submitted and the identity of the Appeal Decision-maker.



3. The Parties will have two (2) Business Days after notice of receipt of the Appeal to request that the Title IX Coordinator remove a member of the Appeal Decision-maker based on reasonable and articulated grounds of bias, conflict of interest or an inability to be fair and impartial.
4. Within five (5) Business Days of the receipt of the Appeal, the Appeal Decision-maker will send written notice to the Parties either accepting or rejecting the Appeal.
5. The Appeal Decision-maker will issue its written decision on Appeal within ten (10) Business Days after the receipt of the non-appealing Party/ies response to the Appeal.

## **Informal Resolution**

### **1. Option for Voluntary Informal Resolution**

Juniata College offers a voluntary process for Formal Complaints to be addressed through Informal Resolution. During the Informal Resolution process, a Facilitator will try to help the Parties agree on how to resolve a Formal Complaint. The Informal Resolution process is available to the Parties only after a Formal Complaint is filed and before a Determination of Responsibility or No Responsibility is issued. The Informal Resolution process is never available where a Formal Complaint alleges that a College Employee engaged in Title IX Sexual Harassment toward a student.

All Parties' participation in the Informal Resolution process must be voluntary. In order to initiate the Informal Resolution process, each Party must sign the "Consent to Informal Resolution Process" form and submit it to the Title IX Coordinator. When all Parties to a Formal Complaint have submitted the consent forms, the College will pause the Grievance Process, including any ongoing investigation or hearing, for a period of fifteen (15) Business Days (unless a shorter or longer time is set by the Title IX Coordinator), to allow the Parties to proceed with the Informal Resolution Process. The time period during which the Grievance Process is paused for the Informal Resolution Process shall not count toward the time periods set forth to conclude the Grievance Process.

### **2. Notice Prior to Informal Resolution.**

Before the Informal Resolution process begins, the College will provide notice of the allegations of the Formal Complaint and direct the Parties' attention to the Informal Resolution provisions of this Policy.

### **3. Role of the Facilitator**

The Facilitator will decide the process and procedures to be used in the Informal Resolution process but shall not take actions inconsistent with this Policy. The Facilitator will treat the Parties fairly and equitably. Each Party may be accompanied by their Advisor during any portion of the Informal Resolution process. The Facilitator may meet with the Parties separately, may share information obtained during any investigation with the Parties, may make suggestions about the terms of an Informal Resolution, and may take other reasonable steps to assist the Parties in determining if they can

reach an Informal Resolution. The Facilitator shall not require the Parties to meet in-person unless they agree.

If the Parties reach an agreement to resolve a Formal Complaint informally, the Facilitator shall create a written agreement that lists the terms of the Informal Resolution for the Parties to sign. A Party may withdraw from the Informal Resolution process at any time before they sign a written document agreeing to an Informal Resolution and within 48 hours (about 2 days) after the Party signs the written agreement. If a Party timely withdraws from the information resolution process, then the College shall resume the Grievance Process.

Under no circumstances may the Facilitator be called as a Witness in the Grievance Process.

#### **4. Approval of Informal Resolution by Title IX Coordinator**

If no Party withdraws from the written agreement within 48 hours (about 2 days), the agreement shall be presented to the Title IX Coordinator for final approval and implementation. The Title IX Coordinator shall give deference to the Parties' agreement but shall not approve an agreement that the Title IX Coordinator determines to be impractical, unduly burdensome, or inconsistent with the College's obligations under this Policy, Title IX, or another applicable law or policy. If the Title IX Coordinator disapproves the Parties' written agreement, the Facilitator and the Parties may agree to modify and resubmit the agreement. If they do not agree to do so and/or submit a modified written agreement, the College shall resume the Grievance Process.

#### **Prohibition Against Retaliation**

Neither Juniata College nor any other person may retaliate against an individual who has participated or refused to participate in any matter addressed under this Policy. Retaliation includes any action to intimidate, threaten, coerce, or discriminate against an individual (a) for the propose of interfering with any right or privilege secured by Title IX or its implementing regulations; or (b) because the individual has made a Report or Formal Complaint, testified, assisted, or participated or refused to participate in any manner in any investigation, proceeding, or hearing under this Policy. Retaliation is also prohibited against individuals involved in matters that do not arise under this policy but arise out of the same facts or circumstances as a Report or Formal Complaint of sex discrimination or sexual harassment.

#### **Recordkeeping**

Juniata College will maintain the records identified in this section of this Policy for seven (7) years. The records maintained shall be kept confidential and not disclosed, except as permitted or required by law. The records may be maintained in paper or digital files. In connection with each Report and each Formal Complaint, Juniata College will maintain the following records, to the extent they exist:

- documentation of any Report of alleged Title IX Sexual Harassment;
- documentation of any Supportive Measures or if no Supportive Measures are provided, the reasons why and an explanation of how the College's response was not clearly unreasonable;

- the Formal Complaint.
- documentary evidence gathered during an investigation and photographs or descriptions of nondocumentary evidence gathered during an investigation.
- written responses of the parties provided prior to the finalization of the investigation report.
- the Investigation Report.
- the audio recording, audiovisual recording, or transcript of any Live Hearing.
- the Written Determination;
- any Appeal and Written Appeal Decision;
- records of the sanctions and/or remedies;
- records of any other steps taken to restore or preserve equal access to the College's Education Program or Activity,
- any written agreement of an informal resolution; and
- a statement documenting the basis for Juniata College's conclusion that its response to a report or formal complaint was not deliberately indifferent.

Juniata College shall also maintain all materials used to train its Title IX Coordinators, Investigators, Decision-makers, and Facilitators and a copy of each version of its Title IX Policy on Sex Discrimination.

### **Modifications to this Policy**

This Policy may be modified from time-to-time, during an academic year or otherwise, in Juniata College's discretion and as may be required by law. College Employees and Students will be notified whenever this Policy is modified.

### **GLOSSARY OF DEFINED TERMS**

- **Advisor:** A person selected by a Complainant or Respondent or appointed by Juniata College to support Complainant or Respondent, or a person appointed by Juniata College to ask Cross-examination Questions, if the Party has not selected another Advisor.
- **Administrative Leave:** Temporary separation from a person's job, with or without pay and benefits intact, as determined by Juniata College and any relevant obligations binding the College.
- **Appeal:** An objective review of the prior process and outcome unless new evidence must be considered.

- Appeal Decision-maker: An individual or a group of people that decides an Appeal. An Appeal Decision-maker cannot be the Investigator, the Title IX Coordinator, or members of the Hearing Board.
- Appellant: A person who files an Appeal.
- Business Days: Any day, excluding Saturday, Sunday, and federal and state holidays.
- Campus Official: An Employee of Juniata College who has authority to institute corrective measures on behalf of Juniata College.
- Complainant: An individual who is alleged to have been the target of conduct that could constitute Title IX Sexual Harassment under this Policy, whether the individual has filed a Formal Complaint.
- Consent: Affirmative Consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions if those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, by itself, does not demonstrate Consent. The definition of Consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.
  - Consent to any sexual act or prior consensual sexual activity between or with any Party does not necessarily constitute Consent to any other sexual act.
  - Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
  - Consent may be initially given but withdrawn at any time.
  - Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot Consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to Consent.
  - Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.
  - When Consent is withdrawn or can no longer be given, sexual activity must stop.
- Credibility: The worthiness of belief of information shared by a Party or a Witness.
- Cross-examination Questions: Relevant questions and follow-up questions, including questions challenging Credibility. Cross-examination Questions are intended to give the Parties equal

opportunity to meaningfully challenge the plausibility, reliability, Credibility, and consistency of the information provided by the other Party and Witnesses so that the outcome of each individual case is more likely to be factually accurate.

- **Dating Violence:** Violence committed by a person: (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and, (b) where the existence of such a relationship shall be determined by (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Title IX requires that Juniata College use this definition, of Dating Violence.
- **Decision-maker:** A person or persons designated to conduct Live Hearings, to decide if a violation of this Policy has or has not occurred, to determine disciplinary sanctions and Remedies when a violation occurred, and/or to decide Appeals. Decision-makers may or may not be Employees of Juniata College. Decision-makers are trained on the definition of Title IX Sexual Harassment, the scope of the College’s program or activity, the Grievance Process, Relevance, the technology to be used at a hearing, how to conduct hearings and Appeals, and how to serve impartially.
- **Determination of Responsibility or No Responsibility:** A determination by the Hearing Board regarding whether the conduct of Respondent found to have occurred (the Findings of Fact) violates this, Policy.
- **Domestic Violence:** Violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the state. Title IX requires that Juniata College use this definition of Domestic Violence.
- **Education Program or Activity:** Locations, events, or circumstances over which Juniata College exercised substantial control over the Respondent and the context in which the conduct allegedly constituting Title IX Sexual Harassment occurred. Education program or Activity includes any building owned or controlled by the College and/or by a student organization that is officially recognized by the College
- **Employee:** Faculty, staff, administrator, and any other individual employed by Juniata College in any capacity or role, except not including a person who is also enrolled as a full-time student of the College.
- **Exculpatory Evidence:** Evidence, such as a Statement, tending to excuse, justify, or absolve the alleged fault or responsibility of a Respondent.

- **Facilitator:** A person or persons designated to facilitate an Informal Resolution of a Formal Complaint. Facilitators may or may not be Employees of Juniata College. Facilitators are trained on the definition of Title IX Sexual Harassment, the scope of the College's program or activity, how to conduct an Informal Resolution process, and how to serve impartially.
- **Formal Complaint:** A document signed by a Complainant or a Title IX Coordinator alleging Title IX Sexual Harassment against a Respondent and requesting that the allegation(s) be investigated.
- **Findings of Fact:** A Hearing Board's decision regarding what occurred.
- **Grievance Process:** The process for investigating and resolving a Formal Complaint.
- **Hearing Board:** A single Decision-maker or group of Decision-makers who conduct the Live Hearing. The Hearing Board cannot be the same person(s) as the Title IX Coordinator or the Investigator.
- **Inculpatory Evidence:** Evidence that shows or suggests that a Respondent engaged in the alleged Title IX Sexual Harassment.
- **Informal Resolution:** A voluntary process that allows the Parties to engage in discussions to come to an agreement, subject to approval by Juniata College to resolve a Formal Complaint that does not involve a full investigation, hearing, and/or determination
- **Investigator:** A person or persons, internal or external to Juniata College, designated by the College to investigate the allegations of a Formal Complaint. An Investigator may also be the Title IX Coordinator but may not be a member of the Hearing Board or the Appeal Decision-maker. Investigators are trained on the definition of Title IX Sexual Harassment, the scope of the College's program or activity, the Grievance Process, Relevance, how to investigate, how to create an investigation report, and how to serve impartially.
- **Live Hearing:** A hearing where all Parties can see and hear each other in real time, whether in the same location or connected via technology.
- **Notice of Charge:** A notice sent to the Parties detailing the allegations potentially constituting Title IX Sexual Harassment (the charges) and indicating that charges and information gathered during an investigation will proceed to the Grievance Process for evaluation.
- **Notice of Dismissal:** written notice of the Title IX Coordinator's decision to dismiss a Formal Complaint, including the basis of the decision.
- **Notice of Investigation:** A written notice to the Parties commencing the Grievance Process.
- **Notice of Live Hearing:** The letter sent to the Parties providing notice that allegations falling with the scope of this Policy will proceed to a Live Hearing.

- **Party or Parties:** Individuals who are Complainants and Respondents in a Grievance Process. When referencing the Complainant, the Respondent may be referred to as the “other Party” and when referencing the Respondent, the Complainant may be referred to as the “other Party.”
- **Procedural History:** A section of the Written Determination describing the procedural steps taken from the receipt of the Formal Complaint through the determination, including notifications to the Parties; the date Respondent received notice of the allegation; the investigation process; and hearings held.
  - Regarding the description of the investigation process, the Procedural History section should include: which Parties and Witnesses were interviewed and when; site visits; methods used to gather evidence; what type of evidence was reviewed; and the process undertaken to inspect and review the evidence and to disseminate the investigation report, including timelines. The Written Determination should include any actual or perceived procedural issues. For example, if a process was delayed for good cause, that delay should be explained in the Written Determination. Likewise, if the Parties requested that the Investigator follow certain “leads” that the Investigator was not reasonably able to pursue based on a lack of time, resources, or the unavailability of Witnesses, that should be addressed in the timeline.
- **Procedural Irregularity:** A failure to follow Juniata College’s own procedures.
- **Rape Shield Protections:** Rules that protect Complainants from questions about or submission of evidence regarding the Complainant’s sexual predisposition or prior sexual behavior except in very limited circumstances.
- **Relevance:** Information that is relevant directly relates to the allegations in dispute, and, therefore, is probative of a material fact concerning the allegations. Information that is not relevant includes information protected by a legally recognized privilege; evidence about a Complainant’s prior sexual predisposition or prior sexual behavior unless offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant or offered to prove Consent, where Consent is at issue (and it concerns specific instances of sexual behavior with Respondent); any Party’s medical, psychological, and similar records unless the Party has given voluntary, written consent; Party or Witness Statements that have not been subjected to Cross-examination at a Live Hearing; and evidence duplicative of other evidence.
- **Remedies:** Measures taken by Juniata College following a Determination of Responsibility on the part of Respondent designed to restore or preserve equal access to the College’s Education Program or Activity. Remedies may be disciplinary or punitive and may burden the Respondent.
- **Report:** The submission of information to the Title IX Coordinator or a Campus Official regarding a potential violation of this Policy. A Report is not a Formal Complaint and, therefore, will not be investigated and does not trigger the Grievance Process.

- Respondent: Any individual who has been alleged to have engaged in conduct that could violate this Policy.
- Sexual Assault: Any conduct that would constitute a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Sexual Assault includes the following prohibited conduct:
  - Rape (Except Statutory Rape) - the carnal knowledge of a person, without the Consent of the person, including instances where the person is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical incapacity. “Carnal knowledge” means contact between the penis and the vulva or the penis and the anus, including penetration of any sort, however slight.
  - Sodomy - oral or anal sexual intercourse with another person, without the Consent of the person, including instances where the person is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - Sexual Assault with An Object - to use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the Consent of the person, including instances where the person is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical incapacity.
  - 4. Fondling - touching of the private body parts of another person for the purpose of sexual gratification without the Consent of the person, including instances where the person is incapable of giving Consent because of their age or because of their temporary or permanent mental or physical 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.

Title IX requires that Juniata College use this definition of Sexual Assault.

- • Stalking: engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (a) fear for their safety or the safety of others; or (b) suffer emotional distress. Title IX requires that Juniata College use this definition of Stalking.
- • Standard of Evidence: The Standard of Evidence reflects the degree of confidence that a Decision-maker has in the correctness of the factual conclusions reach. Juniata College will apply the clear and convincing Standard of Evidence to matters within the scope of this Policy.
- • Statement: Evidence that constitutes a person’s intent to make factual assertions.



- • Supportive Measures: Non-disciplinary and non-punitive services that are offered, without fee or charge, by Juniata College on an individualized basis to a Complainant or Respondent that are designed to restore or preserve equal access to the College’s Education Program or Activity without unreasonably burdening the other Party.
- • Title IX Coordinator: The person or persons designated by Juniata College as a Title IX Coordinator, including any persons designated as an “acting,” “deputy” or “interim” Title IX Coordinator. If unusual circumstances require the Title IX Coordinator to designate another person to address their responsibilities, the term also includes the Title IX Coordinator’s designee.
- • Title IX Sexual Harassment: Conduct, based on sex, that occurs within Juniata College’s Education Program or Activity within the United States, and that involves:
  - an employee of the College conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct;
  - unwelcome conduct that is determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s Education Program or Activity;
  - Sexual Assault;
  - Dating Violence;
  - Domestic Violence; or,
  - Stalking
- Witness: A person who has seen, heard or otherwise has knowledge or information relevant to an alleged violation of this Policy, but not including the Investigator. The Investigator and Hearing Board meet with Witnesses at their request and at the suggestion of the Parties.
- Written Determination: A letter delivered simultaneously to the Parties that describes the Hearing Board’s decision regarding responsibility, which must be supported by evidence.

## **On Campus Contacts**

### **Public Safety**

(814) 641-3636: Emergency Line  
 (814) 641-3192: Tim Launtz, Director of Public Safety  
 (814) 641-3163: Carla Panosetti, Public Safety Officer & Office Assistant

### **Title IX Compliance Officer**

: Matthew Damschroder, Acting Title IX Coordinator & Vice President for Student Life and Dean of Students (814) 641-3157

Dan Cook-Huffman: Title IX Hearing Advisor Title IX [titleix@juniata.edu](mailto:titleix@juniata.edu)

Deputy Title IX Coordinator

### **Dean of Students Office**

(814) 641-3157: Matthew Damschroder, Vice President for Student Life and Dean of Students

(814)641-3151: Erin Paschal, Associate Dean of Students

(814) 641- 3077: Jody Althouse, Sr Assoc Dean of Student Success & Intpers Violence Prev

### **Glaeser Counseling Center, Counseling**

(814) 641-3358: Jonathan Reveley-Cohen, Director, Glaeser Counseling Center

### **Campus Ministry**

(814) 641-3360: Office Phone

### **The SPoT (Office for the Prevention of Interpersonal Violence)**

(814)-641-3076:

### **Additional Resources**

#### **Huntingdon Borough Police**

911 or (814) 643-3960

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

(814) 506-8237

**Huntingdon House (Domestic Violence, Dating Violence & Stalking)**

(814) 643-1190

**Victim Services Hotline- Family Services Inc.  
(Domestic Abuse, Relationship & Sexual Violence)**

(814) 944-3585 (Altoona)

**Penn Highlands Hospital - Huntingdon**

(814) 643-2290 or 911

**What To Do If You're Assaulted**

Juniata College is genuinely 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 separate 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 use all on-campus and community resources that may help 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 can, 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](tel: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, 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 limit 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.

## 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:** Vector'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 adopting the nationally recognized Green Dot bystander intervention program.
- **Teams, Clubs, and Student Organizations:** Expect Respect and SafeDate 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**

- 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.
- In 2014 Juniata College became a pilot member of the Clery Collaborative and has followed Clery regulations since the beginning of the initiative. <http://clerycenter.org>
- In 2016, 2019, and 2021 Juniata College received three consecutive 3-year grants from the Department of Justice Office on Violence Against Women entitled, JC-CEVN, Juniata Coalition to End Violence Now. Through the initial grant a new position and office were created: the Office for the Prevention of Interpersonal Violence. Through this office the DOJ grant continues to be administered, and prevention efforts are coordinated.
- In 2016, 2017, 2018, 2019, 2021, 2022, and 2023 Juniata College received the It's On Us PA grant to prevent sexual assault from the PA Governor's Office and the PA Department of Education.

### **Prevention efforts include:**

- All athletic teams meet as individual teams, at least once a semester (1.5 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.
- 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 Coordinated Community Response Team (CCRT) includes Penn Highlands Hospital, The Abuse Network (sexual violence), Huntingdon House (dating/domestic violence & stalking), the District Attorney, and Huntingdon Borough Police Department.
- The Community CCRT partners present prevention programming on campus, respond to victims and survivors, and partner in events.

### **Highlights:**

- Department of Justice OVW Grant: Our third 3-year, \$300,000 continuation grant is at the end of the second year and we will apply for our next continuation grant when the

RFP is released.

- It's On Us PA Grant to Prevent Sexual Assault: A seventh consecutive \$30,000 grant is in process.
- Green Dot Engaging Bystanders Program trainings continue campus with faculty, student, and staff.
- Green Dot Engaging Bystanders Program has been incorporated into all First Year Foundations classes which results in all first-year students being trained on prevention during their first month of college.
- Peer Advocate Network Training: In the spring of 2023, a 3.5-day training retreat for 35 Juniata students resulted in a Peer Advocate Support Network.
- SAAM (Sexual Assault Awareness Month) Students planned, organized and implemented 30 SAAM activities during the 30 days in April
- Students: Five student workers at the SPoT completed a 12-hour training to become confidential peer advocates.
- Athletics: Each athletic team participated in two 90-minute interactive sessions focused on healthy relationships, positive team building, and creating a student culture shift on campus from reactive to proactive.
- Student Leaders: JAB, student government, RAs, tour guides, global village leaders, and inbound leaders all participated (as individual groups) in interactive prevention-focused learning sessions.

## 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 conduct adjudication system 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 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](#)

## Drug Free Schools and Communities Act

More information about Juniata College's Drug and Alcohol Prevention Programs (DAAPP) and the colleges biannual review can be requested from the Dean of Students Office. Notification of Juniata Colleges programs are sent annually by the Dean of Students Office.

## Drug and Alcohol Abuse Prevention Programs

*Prevention program elements are the activities implemented at Juniata College to achieve program goals and outcomes. Program elements may refer to the tactics used, such as a campus task force or a campus and community coalition, as well as the elements relating to environmental strategies. Environmental strategies are those areas of strategic intervention that affect the social, legal, economic, and physical environment in which decisions about alcohol use are made.*

The Alcohol and Other Drugs program at Juniata College is developed and administered by the Student Life Leadership Team comprised of representatives from student-serving units across the institution, including:

- Dean of Students Office
- Equity, Diversity and Inclusion
- Rights and Responsibilities
- Health Services
- Glaeser Counseling Center
- Orientation and Transitions
- Career Development
- Eagles Care Team and student case management
- Public Safety
- Office for the Prevention of Interpersonal Violence
- Athletics
- Campus and Residential Life
- Dining Services
- Community Engagement

In addition, the campus invites engagement with community stakeholders, such as the Huntingdon Borough Council, Huntingdon Borough Police, Huntingdon High School, Huntingdon House, The Abuse Network, and the District Attorney to promote community standards and values through action items and interest convergence.

## 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 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 because of such crime or offense, their next of kin will be treated as the alleged victim for this policy's purpose.**

## 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, Student Engagement Staff, and Human Resources staff.
- Any faculty, staff, or administrator with a significant responsibility for student and campus activities, including 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 Glaeser Counseling 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 individual 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 this definition, dating violence includes 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 destroy willfully or maliciously, 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) anyone against an adult or youth victim protected from that person’s acts under the domestic or family violence laws of the jurisdiction where 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 threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to 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. *A 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.



## 2021- 2023 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.

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

\* 2021-2023 There were no reports received that were determined to be unfounded.

Offenses	2021				2022				2023			
	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	3	3	0	0	4	0	0	0	3	3	0	0
Fondling	0	0	0	0	1	2	0	0	3	3	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	1	1	0	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	1	2	0	0	2	2	0	0
Motor Vehicle Theft	0	1	0	0	0	0	0	0	0	0	3	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	2	2	0	0	3	0	0	0	3	3	0	0
Stalking	0	2	0	0	1	0	0	0	3	3	0	1
<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	0	0	2	0
Alcohol	0	0	0	0	0	0	0	0	0	0	1	0
<b>Disciplinary</b>												
Weapons	0	0	0	0	0	0	0	0	1	0	0	0
Drugs	2	2	0	0	4	5	0	0	9	9	0	0
Alcohol	20	20	0	0	6	13	0	0	29	29	0	0
Hate Crimes	2021				2022				2023			
	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	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	1	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	1	0	0	0	0	0
Destruction/damage	1	0	0	0	0	2	0	0	0	0	0	0

## 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 Dean of Students Office.

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 always have a metal plate under them. 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 to 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 (about 12 months) 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** received 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) and 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 shared 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 on the ground floor of Shuster Hall.

<b>Statistics for the year ending</b>	<b>2023</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?	35
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)?	None  NOTE: This will not include fire safety training provided to specialties such as laboratory assistants.  This must be actual training with contact time and not include simply handing out brochures, fire safety articles in the student newspaper, etc.  An example of contact hours would include fire extinguisher training provided to 30 students in one hour, which would equal 30 contact hours.
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 coil, 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 to 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 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 are 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 trained individual who is knowledgeable about fire safety issues.</p> <p>It does not refer to a security officer making regular rounds or inspection by Residential Staff during break closings. ALL the rooms must be inspected during these inspections and checked for hazards.</p>