



# IUP Annual Security and Fire Safety Report

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**Crime and Fire Statistics Representing Calendar Years 2019, 2020, 2021**

**IUP Department of Public Safety**

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*From IUP President*

*To the University Community:*

*It is up to each one of us to foster a secure and supportive environment at IUP — an environment in which everyone is safe to learn, visit, work, and live. The principles of responsibility and respect are most important. They are essential to any community and serve as the foundation for the success and productivity of our students, faculty, and staff. Truly safe campuses can only be achieved through everyone's cooperation.*

*This publication contains information about campus safety measures and reports statistics about crime in our university community. It also describes our efforts to combat sexual violence and alcohol and drug abuse. Please take the time to read it and help to foster a more caring and safer environment.*

*Remember, if you ever wonder whether you should report something you have observed, you should. This report tells you whom to call.*

*Michael A. Driscoll, President*

## How to Reach the Indiana University of Pennsylvania Police Department

**Emergency: 911** (Indiana County Emergency Management Agency)

**Non-Emergency:** 724-357-2141

**Administration:** 724-357-3201

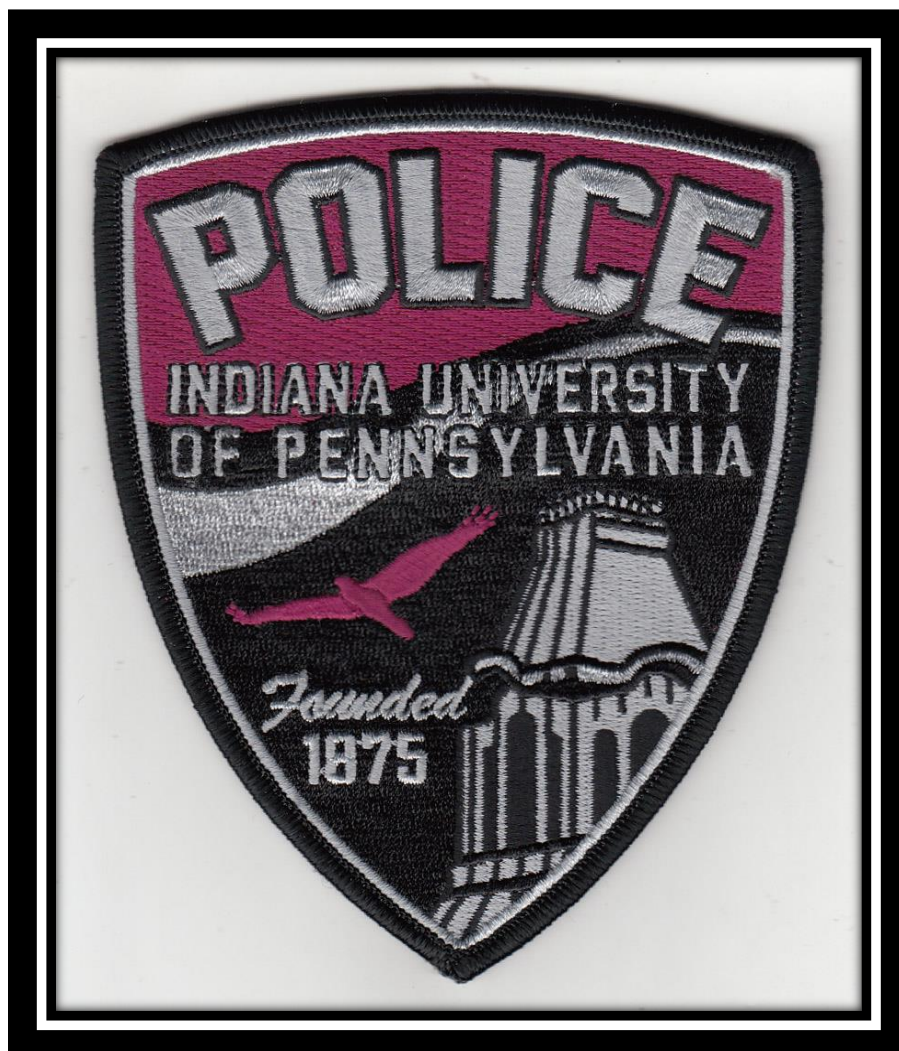
**Emergency Management:** 724-357-2546

**Investigations:** 724-357-5706

**Website:** [www.iup.edu/police](http://www.iup.edu/police)

**Anonymous Tip Line:** 724-357-2255

**Anonymous Reporting Form:** [www.iup.edu/police/forms/anonymous-reporting-form/](http://www.iup.edu/police/forms/anonymous-reporting-form/)



## What is the Clery Act?

Signed into law in 1990, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All post-secondary public and private institutions participating in federal student aid programs must adhere to these regulations. The Clery Act was championed by Howard & Connie Clery after their daughter was murdered at Lehigh University in 1986. To ensure compliance with the Clery Act, Indiana University of Pennsylvania (IUP) must meet certain obligations required by federal law. These obligations include: 1) policy disclosure; 2) records collection and retention; 3) information dissemination.

### 1. Policy disclosure

IUP must provide the university community and the public with accurate statements of current policies and practices regarding procedures for students and others to report criminal actions or other emergencies on campus, security of and access to university facilities and university law enforcement. **NOTE:** all policy statements contained in this report apply to each IUP campus unless otherwise stated.

### 2. Records Collection and Retention

IUP is required to keep campus records of crimes reported on campus to University Police or Campus Security Authorities; make a good faith effort to obtain certain crime statistics from appropriate law enforcement agencies where IUP has campuses to include in the annual security report; and keep a daily crime log open for public inspection.

### 3. Information Dissemination

IUP is required to provide members of the university community with information needed to make informed personal safety decisions and must: 1) provide a “timely warning” of any Clery Act crime that represents an ongoing threat to the safety of students and employees; 2) develop and maintain a log of all crimes reported to the IUP Police Department and ensure public access to the crime log during normal business hours; and, 3) publish an annual security and fire safety report; make the report available to all current students and employees; and ensure the annual security and fire safety report is made available to prospective students and employees.

## STATEMENT ADDRESSING PREPARATION OF THE ANNUAL SECURITY AND FIRE SAFETY REPORT

IUP uses representative personnel from various institution departments to prepare this report in compliance with the Clery Act. The Department of Public Safety (which includes University Police); the Student Affairs Division; the Office of Housing, Residential Living and Dining; the Office of Student Support and Community Standards; the Academic Affairs Division; the Office of Social Equity / Title IX; Human Resources; Student Health Services; the Athletics Department; other Campus Security Authorities; and local law enforcement agencies with jurisdictional boundaries contiguous to, or concurrent with, properties owned or controlled by the institution and used in direct support of the University’s educational mission all contribute to information provided in this report.



## **OVERVIEW OF THE INDIANA UNIVERSITY OF PA POLICE DEPARTMENT**

### **STATEMENTS ADDRESSING LAW ENFORCEMENT AUTHORITY, JURISDICTION, WORKING RELATIONSHIPS AND AGENCY AGREEMENTS**

The IUP Police Department (IUP PD) operates on a 24 hour-a-day, 365 days-a-year basis at the Indiana campus. The IUP PD is located at 850 Maple Street, Indiana, PA 15705 and may be contacted by calling (724) 357-2141. IUP PD operates a reduced schedule at the Punxsutawney campus and relies upon an agreement with the Punxsutawney Borough Police to maintain response coverage when IUP PD officers are not present. IUP PD offices for the Punxsutawney campus are located at 1012 Winslow Street, Punxsutawney, PA 15767, and may be contacted by calling (724) 46413825.

#### **Mission**

The IUP PD's mission is to provide a public service-oriented, safe, and secure academic, working and living environment in support of the University's overarching mission to prepare students to become productive national and world citizens.

#### **Philosophy**

The IUP PD Police Department seeks to promote and support a department-wide commitment and philosophy to continuous improvement in public safety service delivery through collaborative partnerships, shared decision-making and development of mutual trust and respect with the campus community. Improved quality of service is the result of increased effectiveness and efficiency achieved through efforts of the campus community and Department members working together.

#### **Authority and Training**

IUP PD are commissioned police officers who complete the Act 120 Municipal Police Officer's Training Course for certification required of all municipal police officers in the Commonwealth of Pennsylvania. IUP PD officers are commissioned under Act 188 of 1982, as amended by Act 49 of 2003, and have the same authority as municipal police officers in Pennsylvania.

IUP PD officers investigate all criminal incidents on the Indiana and Punxsutawney campuses and are authorized to carry firearms and make custodial arrests. In addition, IUP PD officers are authorized to enforce IUP policies, rules, and regulations.

Upon graduation from the police academy, newly hired IUP PD officers complete a Field Training Officer (FTO) program under the supervision of experienced officers and shift supervisors. This training lasts approximately four months and provides additional training for crime and security issues specific to the IUP community. After successful completion of the FTO program, newly hired IUP PD officers must complete a probationary period before being certified for their department positions. Once IUP PD officers have successfully completed their initial training and probationary period, they remain obligated to complete annual in-service training on a variety of topics for the remainder of their careers.

## **Jurisdiction and Interagency Relationships with Local and State Law Enforcement**

IUP PD has statutory authority (Commonwealth Code 42 Pa. C.S. 8953) to aid or request assistance from other law enforcement agencies, as needed or required. Currently, IUP PD only has jurisdiction on, and deploys officers for, the Indiana and Punxsutawney campuses. Law enforcement agencies with jurisdiction at the IUP Northpointe and IUP Pittsburgh East campuses provide service response for those specific locations.

IUP PD, the Indiana County District Attorney's Office and the Pennsylvania State Police maintain an operating agreement for assistance with certain crime types and investigations that would exceed the resources and capabilities of the IUP PD.

IUP PD maintains a cooperative and collaborative working and mutual aid relationship with other state and local law enforcement agencies and will coordinate responses to crimes, special events and emergency management issues with these departments, when appropriate. IUP PD routinely meets with area agency representatives on a formal and informal basis, participates as members of committees with area agencies, collaborates on special event security and response planning and participates in training and exercises with area first responders on a routine basis.

IUP PD shares access to a law enforcement network system controlled at the state level and utilized by area departments to track criminal histories, arrest information, crime trend or bulletin information and the like. Additionally, IUP PD actively participates in the state fusion center and Region 13 Joint Terrorism Task Force to ensure current information related to threats, hazards, and trending crime and/or social issues can be appropriately monitored and shared. Several members of the IUP PD have security clearances through a sponsoring federal agency to ensure appropriate levels of information sharing may take place, as needed. Finally, IUP PD is a participating agency of an interoperable public safety radio system housed at the Indiana County Emergency Management Agency (ICEMA) so direct radio access to area agencies as well as current crime and public safety information is always readily available.

## REPORTING AND RESPONSE TO CRIMES AND OTHER EMERGENCIES

### STATEMENTS ADDRESSING CRIME REPORTING PROCEDURES

#### Procedures for Reporting Crimes or Emergencies on Campus

All IUP students, faculty, staff, and visitors to campus are strongly encouraged to immediately report all crimes or emergencies to the IUP PD or a local 911 agency, depending on your location. The Department of Public Safety (DPS) and IUP PD has been designated by IUP as the official office for campus crime reporting. DPS urges the campus community and visitors to report crimes accurately and promptly. Accurate and prompt reporting ensures IUP PD can evaluate, consider, and send timely warning reports as needed and to accurately document reportable crimes in its annual statistical disclosure.

Contact information for police and other emergency services at each campus is detailed below. In addition, there are 75 blue light emergency phones strategically located around the Indiana and Punxsutawney campuses. The blue light phone system provides direct voice communications with IUP PD dispatchers. For more information, please visit: [www.iup.edu/police/services](http://www.iup.edu/police/services).

In case of an emergency involving a crime, a medical situation, a fire or to summon an ambulance or rescue services in **Indiana**, call 911 to reach the Indiana County Emergency Management Agency (ICEMA) dispatchers. IUP PD officers will be dispatched through ICEMA for emergency calls on the Indiana campus. ICEMA operates a county-wide dispatch center on a 24-hour basis and has TTY/TDD capabilities for persons that are hard of hearing or deaf. Direct contact with IUP PD dispatchers is available at (724) 357-2141 for non-emergency reporting of a crime or a service request. Reports may be made in person at: 850 Maple St., Indiana, PA 15705.

In case of an emergency involving a crime, a medical condition, a fire or to summon an ambulance or rescue services in **Punxsutawney**, call 911 to reach the Jefferson County Department of Emergency Services (JCDES). JCDES operates a county-wide dispatch center on a 24-hour basis and has TTY/TDD capabilities for persons that are hard of hearing or deaf. JCDES can contact IUP PD officers for emergency requests for service on the Punxsutawney campus if they are in service at the time of the request. A Punxsutawney Borough Police Officer will be dispatched if IUP PD officers are not on duty. Direct contact with the IUP PD Punxsutawney office is available at (724) 464-3825 for non-emergency reporting of a crime or service request. Callers may also contact the Indiana campus at: (724) 357-2141. Reports may be made in person at: 1012 Winslow St., Punxsutawney, PA 15767 during shift hours.

In case of an emergency involving a crime, a medical condition, a fire or to summon an ambulance or rescue services at the **IUP Pittsburgh East** campus, call 911 or the Wilkins Township Police Department at (412) 473-3056.

In case of an emergency involving a crime, a medical condition, a fire or to summon an ambulance or rescue services at the **Northpointe** campus, call 911 to reach the Armstrong County Emergency Management Agency (ACEMA). Non-emergency contact may be made at (724) 548-3225.

## **Response to Reports of Crime and Other Emergencies**

Dispatchers are available at all the listed contact numbers 24 hours a day to answer calls reporting crimes or other emergencies. IUP PD works closely with neighboring public safety agencies and first responders (police, fire, medical, emergency management) to coordinate effective responses to emergency requests for service. Priority response is provided to crimes against persons and emergencies involving personal injury or threat of injury. For non-emergency calls for service, IUP PD may either handle the call as an information request, dispatch an officer, ask the caller to meet with an officer at the IUP PD or refer the caller to the appropriate University department or outside agency or entity for assistance.

IUP PD functionally operates as most full-service law enforcement agencies by providing police patrol, investigations (detectives), records management, police communications, property and evidence collection, preservation and processing and special event security planning and deployments. Calls for service to IUP PD may involve some, or all, of the functional aspects of the department operations listed above.

In response to calls for service or activity directly observed by IUP PD officers, persons arrested for criminal activity or cited for traffic violations may be referred to local courts for prosecution. In response to calls for service, IUP PD incident reports involving students may also be forwarded to the Office of Student Support and Community Standards (SSCS) for review. The SSCS is vested with authority to sanction students for violation of IUP policy and criminal or inappropriate behaviors on and off the various campuses. SSCS sanction options include developmental and educational interventions, warnings, probation, suspensions, and expulsion.

## **Anonymous and Confidential Crime Reporting**

Persons interested in reporting a crime to IUP PD may do so anonymously by calling the Crime Tip Hotline at (724) 357-2255. If you are not comfortable using the anonymous phone service, IUP PD also offers anonymous reporting online at: <https://www.iup.edu/police/forms/anonymous-reporting-form.html>. Tips to either anonymous service are reviewed by IUP PD staff and, if appropriate, are investigated by detectives or referred to an appropriate agency or service.

Pennsylvania Crime Stoppers is a non-profit organization and service where persons with a crime tip can leave information and potentially be eligible for a cash reward. Persons interested in providing information in this manner may visit: [www.crimewatchpa.com/crimestoppers/316](http://www.crimewatchpa.com/crimestoppers/316) or call (800) 472-8477.

IUP recognizes that Campus Security Authorities (CSA) are not required to provide the names of the victim(s) involved in a reported crime; and, as such, they may report crime for inclusion in the annual disclosure of crime statistics and timely warnings without including personal identifying information. IUP does not otherwise allow for voluntary confidential reporting.

## **IUP Encourages Accurate and Prompt Crime Reporting**

If crimes are never reported, little can be done to help other members of the University community from also being victims. The University will be much safer when all members of the community participate in

health, safety and security programs and initiatives, including the prompt reporting of crime for purposes of investigation and accurate reporting. IUP PD encourages accurate and prompt reporting to DPS and/or the local police when the victim of a crime elects to, or is unable to, make such a report.

Crimes should be reported to IUP PD for inclusion within the daily crime log and annual crime statistics (provided they occurred within IUP's defined Clery geography) and may be used to aid in the provision of timely warnings or safety advisories to the IUP community. Sex offenses and other incidents of sexual or relationship violence may also be reported to the University's Title IX Office via the online incident reporting form (<https://www.iup.edu/incidentreport/>), by calling (724) 357-3402, or in person at Delaney Hall, Suite B17 (920 Grant Street).

Crimes reported to the IUP PD that fall outside the department's jurisdiction will be promptly referred to the appropriate law enforcement agency. IUP PD will either refer the information directly to the agency or ensure the caller or reporter of the information is provided direct contact information for that agency.

### **Use of Pastoral and Professional Counselors for Voluntary Confidential Crime Reporting**

Occasionally, victims of crime may want to report a crime, but are not interested in pursuing action through the criminal justice system or the University's Community Standards process. Pastoral and professional counselors who receive confidential reports of a crime are not required to report these crimes to the IUP PD for inclusion in the annual disclosure of crime statistics or for the purpose of a timely warning. These positions are defined as follows:

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

*Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.*

Pastoral and professional counselors, when they deem it appropriate, are encouraged to inform the persons they are counseling of the procedures to report crime events to the IUP PD for inclusion in the annual disclosure of crime statistics and timely warning notifications to campus, as needed. **NOTE:** Confidentiality privileges afforded to pastoral and professional counselors do not apply when an alleged victim of sexual violence is a minor.

Certain other IUP departments whose members include Campus Security Authorities (CSAs) may also accept anonymous reports of a crime from a victim. The provisions of the Clery Act, however, requires these departments and CSAs to report the crime to IUP PD. This reporting allows IUP PD to maintain accurate records on the number of incidents that take place, to determine if a pattern of crime about a particular location, method or assailant exists and to alert the campus community of an ongoing threat via a timely warning, if needed.

## **Criminal Activity Off-Campus**

IUP currently does not own or control any off-campus housing for purposes of “non-campus” reporting. However, IUP is also required to report crimes that occur at buildings or property that are owned or controlled by student organizations *within the same contiguous geographic area* and officially recognized by the University. For purposes of Clery crime reporting, student organizations own or control property adjacent to the Indiana campus; and Greek organizations that are officially recognized by IUP currently own or control two off-campus housing buildings within one mile of the Indiana campus. As such, IUP endeavors to obtain crime reports from Indiana Borough for these commercial and residential addresses.

IUP PD maintains strong working relationships with all area law enforcement agencies including the Pennsylvania State Police, Indiana Borough, Indiana County Sheriff’s Office, Punxsutawney Borough, Wilkins Township, Northpointe/Harrisburg, Region 13 Fusion Center, and the Pittsburgh field office of the Federal Bureau of Investigation (FBI). These working relationships are maintained through periodic communication among agency administrators and by frequent contact between line officers and investigators cooperating on specific cases.

IUP PD handles all criminal matters on IUP property at the Indiana and Punxsutawney campuses, subject to agreements for specialty investigative assistance from the Pennsylvania State Police. IUP PD has concurrent jurisdiction with the Pennsylvania State Police at all IUP campus locations. In addition, if one of the local law enforcement agencies responds or is contacted about criminal activity occurring off-campus but involving IUP students, that law enforcement agency may notify or request assistance from IUP PD; however, other agency policies do not require such notification. Students involved in these cases may be subject to arrest by the local agencies and subject to IUP disciplinary action through the SSCS.

## CRIME ALERTS STATEMENTS ADDRESSING TIMELY WARNING PROCEDURES

### Crime Alerts - Issuance of Timely Warnings

IUP PD is responsible for developing and disseminating timely crime warning notices to members of the IUP community. The notices are required when crimes defined by the Clery Act occur and must be delivered in a manner that is timely, that maintains the confidentiality of the involved victim(s) and will aid in the prevention of similar crimes. The IUP Director of Public Safety or designee will determine if a timely warning should be issued. The decision will be made on a case-by-case basis in consideration of a variety of factors including, but not limited to the following:

- Does the incident pose a serious or continuing threat to the IUP community, as determined at IUP's sole discretion;
- Has the suspect(s) been apprehended;
- Timeliness of the reported crime to IUP PD; and
- Whether a pattern of such crimes exists that places IUP community members at risk of becoming victims of a similar crime.

In general, timely warnings will be issued when the following three conditions are met:

1. One of the following statutorily mandated crimes is reported to IUP PD:
  - **Homicide** – including murder and non-negligent manslaughter
  - **Sex Offenses** – rape, fondling, incest, statutory rape
  - **Robbery** – use or threatened use of force or violence
  - **Aggravated Assault** – attack by one person on another to inflict severe / aggravated bodily injury
  - **Burglary / Motor Vehicle Theft** – generally speaking, timely warnings will not issue for single incidents. A timely warning may arise if a series of incidents poses a continuing threat to the IUP community
  - **Arson** – fires that have been willfully or maliciously set, particularly when occupied residences are involved
  - **Hate Crimes** – involving bodily injury
  - **Domestic Violence, Dating Violence or Stalking** – only when a serious or continuing threat to the IUP community at large is determined
2. The reported crime occurred at a Clery-reportable location, which is defined as:
  - On campus, including property within a contiguous area owned or controlled by student organizations and officially recognized by the University
  - On public property within or immediately adjacent to the campus boundaries; or
  - In buildings or on property in a contiguous area but designated as a non-campus location. Non-campus locations are owned or controlled by IUP, used for educational purposes, and frequently used by students

3. The reported crime presents a serious or continuing threat to IUP students, faculty, staff, or visitors

IUP PD staff will work directly with the IUP Division of Marketing and Communication in the development and dissemination of the timely warning messages. Timely warning messages will be disseminated by use of text messaging, emails, web page postings or local media, if appropriate. For a list of past timely warning messages, visit the IUP PD website at: [www.iup.edu/police/](http://www.iup.edu/police/).

**NOTE:** Crimes that occur outside any IUP campus Clery geography, as stipulated, or other non-Clery specific crimes, will be evaluated on a case-by-case basis.



## STATEMENTS ADDRESSING EMERGENCY RESPONSE AND EVACUATION PROCEDURES

### **Policy Statement**

The Emergency Operations Plan (EOP) establishes the emergency response and evacuation procedures for IUP. This plan has been established to ensure the safety and welfare of IUP students, faculty, staff, and visitors to the greatest extent practical. The objective of the EOP is to provide the University with guidelines to ensure a timely, effective, efficient, coordinated, and safe response to emergencies or disasters that affect IUP campuses, their operations, or population. The plan is aligned and in compliance with the Higher Education Opportunity Act, which requires all Title IV institutions, without exception, to have and disclose emergency response procedures in response to significant emergency or dangerous situations involving an immediate threat to the health or safety of students or employees occurring on a university campus. A public version of the plan is available here: <https://www.iup.edu/emergency-management/emergencyplan/index.html>

### **Scope**

The requirements set forth in the EOP are only applicable to emergency or dangerous situations occurring on or impacting an IUP campus. The University may issue notifications about emergency or dangerous situations that occur in the broader community if University officials determine that such notifications provide helpful or relevant information to the campus population.

### **Situation**

IUP will, upon confirmation of an ongoing emergency or dangerous situation that poses an imminent threat to the safety of the campus community members, immediately issue emergency notifications to the campus community. While it is impossible to predict every emergency or dangerous situation that may occur on campus, the following situations are examples that may warrant an emergency notification after confirmation:

- Armed, hostile intruder
- Bomb or explosives threat
- Communicable disease outbreak
- Severe weather
- Terrorist incident
- Civil unrest
- Natural disaster
- Structure Fires or Hazardous material incident

Situations that may create business, academic or research interruptions, but do not pose a health or safety risk, may not necessitate an emergency notification. The Division of Marketing and Communications will facilitate notifications about such situations with coordination of involved departments, as warranted. Examples of these situations include:

- Snow closures or delays
- Temporary building closures
- Power or other service outages (phone, Information Technology)

IUP will, upon confirmation of an ongoing emergency or dangerous situation that poses an imminent threat to the safety of campus community members, immediately issue emergency notifications to the campus community, unless the notification will, or is likely to:

- Compromise the efforts of public safety-first responders
- Compromise efforts to assist the victim(s)
- Compromise efforts to contain the emergency

### **Assumptions**

The IUP EOP was established with the following assumptions:

- Utilization of multiple IUP community notification methods is needed, as no single notification method will reach everyone, everywhere, every time
- 100 percent delivery of notification to each member of the IUP community cannot be guaranteed
- Other information sources (such as social media) outside of the University's control may generate erroneous or conflicting information
- Regular testing of emergency notification systems is required to ensure proper functionality and operator skill
- Notification systems must account for communication impairments
- There is no mechanism to ensure community members who have registered for the IUP alert system have updated their contact information
- Several notification methods rely on the functionality of third-party vendors that are outside of the University's control (i.e., cellular phone service providers, electrical utility providers)

### **Situational Confirmation**

Reports of an ongoing emergency or dangerous situation can originate from a variety of sources, including:

- Reports from public safety-first responders
- Reports from established warning points (i.e., National Weather Service, Public Health Departments, Commonwealth Fusion Centers)
- Reports from other University Departments (Pennsylvania's State System of Higher Education, system alerts, Cyber-security alerts, Medical Clinic)
- Reports from University community members or citizens via 911 or other contact

For each of the processes listed below, IUP PD, the Department of Public Safety, area public safety agencies and / or the Division of Marketing and Communications will confirm if there is a significant emergency or dangerous situation on an IUP campus.

Confirmation of these situations will occur through several different processes:

**1. Criminal in Nature**

Emergency or dangerous situations that are criminal in nature will be considered confirmed if a law enforcement officer observes the situation as it is occurring. For situations that are not apparent or not directly observed by law enforcement, the IUP Director of Public Safety or designee will make confirmation utilizing reliable sources. The IUP Director of Public Safety or designee will review the readily available information and determine if there is enough information to conclude an emergency or dangerous situation is occurring on campus. The IUP Director of Public Safety or designee may consult with additional departments and/or policy-level personnel as deemed practical without jeopardizing life, health, or safety.

**2. Other Emergency or Dangerous Situations**

Confirmation of non-criminal emergency or dangerous situations will be determined by the IUP Director of Public Safety or designee, IUP PD shift supervisor or University policy-level personnel review readily available information.

**3. Established Warning Points**

Established warning points are considered entities with subject matter expertise on hazards that may affect campus. When a warning is issued by one of these entities, it is considered confirmed; however, additional consultation with campus officials may occur as needed or practical without jeopardizing life, health, or safety. An established warning point may include National Weather Service; Public Health Agency; Flood Control District; a Fire Department or a Hazardous Material Team.

**Population to be Notified or Segmented Notification**

For purposes of community-wide situational awareness, if an emergency or dangerous situation exists on campus, IUP PD will partner with the Division of Marketing and Communications to utilize text messaging, emails, web page postings and local media along with any other available technologies to notify the broadest possible segment of the nature of the situation.

In situations where a single facility or area of a campus is involved, facility alarms, public address systems, phone trees, email listservs, and other available technologies may be utilized to provide segmented notifications. IUP PD and other campus staff may also provide warning if needed and feasible.

In either situation described above, on-going assessments of the situation will be undertaken and campus-wide or segmented updates or “all clear” notifications will be sent, as necessary. IUP PD is responsible for determination of the appropriate segment or segments of the campus community or the community at-large to receive a notification.

**Emergency Notification Content**

The content of any notification related to an emergency or dangerous situation will depend on the nature of the event and the notification method. However, the following information will be included in all initial emergency notifications regardless of the situation or method:

- A description of the situation (fire, severe weather, hostile intruder)
- Relevant safety instructions (evacuate, shelter in place)
- If feasible, a third element of where to get additional information may be included with the initial notification. Text character limitations or the immediacy of need to disseminate a message may preclude inclusion of this type of information in the initial message

IUP PD, the Division of Marketing and Communications, and appropriate policy-level personnel may collaboratively develop and utilize pre-scripted emergency notification messages to the extent practical when sending information to the campus community. During situations for which a pre-scripted notification has not been developed, or when the official responsible determines different content is needed, the guidelines listed above will be followed to construct these notifications. The following departments or positions have the authority to develop the content for an Emergency Notification message for dissemination at any IUP campus:

- Department of Public Safety (Director or designee)
- Division of Marketing and Communications (VP or designee)
- VP for Student Affairs or designee
- VP for Administration and Finance or designee

If needed or feasible, after the situation description, relevant instructions and additional information sources are provided, the following content may be considered for inclusion:

- Campus operating status (open, closed, delayed, etc.)
- Frequency of further information updates
- Additional instructions that are not specific to life, health, or safety matters

As deemed appropriate by the responsible institution official, follow-up messages during an emergency may be distributed to the campus community and an “all clear” notification may be distributed at the conclusion of a significant emergency or dangerous situation. Any follow-up notifications and the “all clear” message will be sent using some or all the same communication process and methods used to send the original emergency notification. These follow-up notifications should include campus operating status, if relevant.

### **Concept of Operations - Notifications**

The primary method of issuing an emergency notification is a Short Message Service (SMS) text-messaging system. The SMS system can send text messages, voice messages and emails to registered users. All IUP students are initially registered into the SMS system and are responsible for maintaining correct contact information and for regularly checking registered devices and accounts. The University recognizes the need for public safety partners in the broader community to have situational awareness of emergencies that occur on campus and, as such, select members of the broader public safety community are registered to receive alerts. Likewise, family members of IUP students may register for the alerts as well.

IUP SMS text or voice alerts may be used in conjunction with other campus warning systems such as the IUP home web page, an outdoor campus mass notification system, desktop pop-up notification alert, University social media sites and mass email notifications. Other systems that may be used in the University or broader community include public warning sirens, vehicle public address systems, building public address systems and local radio and television stations. Campuses in Punxsutawney, IUP Pittsburgh East, and Northpointe will receive alerts via a local SMS system, the local emergency management organization for the county or Borough in which the campus resides and local media stations.

The IUP website is designed to accommodate increased traffic during emergency situations so that community members may receive emergency notifications, information, and instructions. The IUP website will be the primary source of information dissemination for the broader community, including parents, neighbors of the campus and other regional interests.

Upon confirmation of a significant emergency or dangerous situation, the following process to initiate an emergency notification to the impacted community(s) will be used:

- Life Safety Considerations
  - What is the potential for injury or death?
  - What is the potential for damage?
  - What is the potential for interruptions to critical services?
- Situation
  - What is the impact to the campus?
  - Is the situation stable, what is the potential for the situation to worsen?
  - What is the urgency of the situation?
- Audience
  - Who needs to receive the notification?
- Limitations
  - Are there any known limitations to the notification systems?

### **Initial Emergency Notification Responsibilities**

- IUP Department of Public Safety (DPS)
  - IUP DPS is responsible for initiating emergency notifications regarding criminal incidents that warrant an emergency notification rather than a timely warning notice because there is an immediate threat to the health and safety of the community, such as an active harmer on or near campus
  - The Director of DPS or designee(s) is responsible for sending emergency alerts

- The Director of DPS or designee(s) is responsible for contacting IUP Division of Marketing and Communications to initiate additional notification methods
- IUP DPS may utilize the Division of Marketing and Communications for initial and on-going emergency notifications, as needed
- Local Emergency Management Agencies (EMA)
  - Emergency Management Agencies in each of the counties where IUP has campuses may also initiate emergency notifications, as well
  - IUP DPS and the Division of Marketing and Communications will typically pick-up the messaging from the local EMA and reinforce or post notifications and information as needed
- IUP Division of Marketing and Communications
  - IUP Division of Marketing and Communications is responsible for maintaining and disseminating emergency notifications using:
    - IUP website
    - Campus social media
    - Internal campus email systems
    - Local media contacts
    - IUP DPS is responsible for providing necessary updates and content to the Division of Marketing and Communications

After initial notifications, the IUP Division of Marketing and Communications will assume responsibility for additional messaging, as required.

### **Emergency Response Organization**

IUP maintains an Emergency Operations Plan (EOP) that outlines the responsibilities of campus departments during emergencies. This plan outlines incident priorities, campus organization, and specific responsibilities of departments or positions. IUP departments are responsible for developing emergency response and continuity of operations plans for their areas and staff.

For information related to IUP's EOP, please visit:

<https://www.iup.edu/emergency-management/emergencyplan/index.html>

EOP will provide visitors to the site with information and guidance as to the University's anticipated response to emergencies; and individuals associated with IUP will find guidance as to how best to prepare for, and respond, to emergencies of various types on campus.

### **Emergency Response Education**

Information about emergency response procedures is provided at the beginning of each semester at student orientation, and it is re-emphasized throughout the year on a campus-wide basis as other drills or advisories are issued. Information on the emergency response plan and evacuation procedures is

provided to students, faculty, and staff on an annual basis via campus-wide email messages and system testing. Every campus building is equipped with an emergency evacuation sign that illustrates the emergency evacuation routes. The DPS webpage on emergency plans also details information and instructions about hazards that are likely to affect IUP campuses based on hazard analysis.

### **Testing Emergency Response**

In compliance with federal law, the IUP SMS alert system, webpage, outdoor mass notification system and email systems are tested at least once a year. During these scheduled (announced) test periods, campus community members are encouraged to ensure they are receiving text alerts, to reregister if they opted out of the system and to become familiar with the location of emergency information and plans via provided web links that meets all the requirements of the Higher Education Opportunity Act. Testing of the emergency response system(s) is typically announced through internal campus email. In addition to the emergency notification systems tests, IUP conducts tabletop exercises, participates in community exercises when possible and facilitates fire drills in residence halls, academic and administrative buildings.

### **Evacuation Procedures**

IUP residence halls conduct emergency evacuation drills scheduled by the Office of Housing, Residential Life and Dining (OHRLD) at the beginning of each semester. Other campus facilities are tested via drills organized by the Office of Environmental Health and Safety (EHS). The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of a fire or other emergency. Evacuation drills are used to educate and train occupants on fire safety issues specific to their building. During the drill, occupants familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating building occupants about evacuation procedures, the University is also provided an opportunity to functionally test the operational status of fire alarm system components. For more online information related to IUP Evacuation procedures, please visit: <https://www.iup.edu/facilities/offices/environmental-health-and-safety/evacuation-instructions/>. Each drill will include a report by IUP PD that documents a description of the exercise, the date / time of the exercise and whether it was an announced or unannounced test of the system.

At the sound of a fire alarm or verbal instruction from a public safety official to evacuate, leave your living, work, or study area immediately, proceed to the nearest exit and leave the building. If you are the first to recognize a fire or other emergency, activate the alarm, evacuate to a safe location using the nearest exit and notify 911 or the IUP Police Department at (724) 357-2141. Other tips for response in a fire or hazardous situation include:

- Remain calm
- Do not use elevators; use the stairs
- If you are unable to self-evacuate without the use of elevators, proceed to the “area of rescue” as identified on the building emergency evacuation plans posted in all buildings. **NOTE:** this is often near or in a stairwell. If you are a part of a personal support network or responsible for someone who is unable to self-evacuate, evacuate the building, and immediately inform IUP PD or other public safety officials on-scene of the individual’s location

- Proceed to a clear area at least 150 feet from the building. Do not remain near building entrances and keep all walkways clear for emergency vehicle use
- Make sure all personnel are out of the building. Assist building managers and other staff to ensure all persons are accounted for
- Do not re-enter the building unless authorized to do so by a public safety or University official



## STATEMENTS ADDRESSING SECURITY AND ACCESS TO CAMPUS FACILITIES

### Residence Halls

Residents of on-campus housing are instructed to maintain high security in the residence halls by not admitting unescorted guests. Residents should never allow strangers to follow them through locked security doors in their residence halls or rooms.

At check-in, residents are provided with an I-Card that has access to the residence hall and the resident's specific room. Outside doors to the residence hall living areas should never be propped open and malfunctioning doors should be reported to the residence hall office immediately. Residents are advised to keep their room door locked and closed whenever they leave and to carry their I-Card with them, always. Security cameras are in operation in all residence halls.

### Other Campus Buildings

IUP PD Officers regularly patrol the exterior and interior of University buildings on the Indiana and Punxsutawney campuses, including nights, weekends, and holidays. The Northpointe and IUP Pittsburgh East campuses are patrolled by local law enforcement entities operating in each jurisdiction. All faculty, staff and students are encouraged to report malfunctioning doors, windows, or other security features immediately to Facilities Management at (724) 357-2710, through a work order request or to IUP PD at (724) 357.2141.

Exterior lighting is essential in creating a safe campus environment. Motor vehicle parking lots and structures, main pedestrian walkways, bike paths and most campus building exteriors are lit throughout the night. University maintenance, custodians, police, parking, and residence hall personnel advise the Facilities Management Department on an ongoing basis of any lighting outages that occur. University faculty, staff or students are encouraged to report exterior lighting concerns to Facilities Management or to the University Police.

The University groundskeepers' trim trees, shrubs, and other vegetation on a regular basis to enhance security while maintaining an esthetically pleasing campus. Pedestrian walkways, building entrances, windows and lighting fixtures are kept free from obstructing vegetation. Building managers are encouraged to report any specific concerns regarding vegetation or other security matters to the Facilities Management Service Desk at (724) 357-2710.

### Access to Facilities - Residence Halls

All residence hall doors that lead to living areas are locked 24 hours a day. The Office of Housing, Residential Living and Dining may grant exceptions to this lock-up status, e.g., for check-in or check-out moving operations. Residents may enter living areas by using I-Card electronic access at the Indiana campus. The Punxsutawney campus requires both an I-Card to access the residence hall wings as well as a key for each room door. All students, staff and faculty have access to the study and meeting rooms within the suite-style facilities from 8am-8pm during the academic year.

All residence halls use an electronic key access system. Access to a resident's room will be placed on the resident's I-Card. Only the residents of each respective room are given access to that room. When temporary key cards are made for a lost or damaged I-Card, the new card overrides access to that student's I-Card for security purposes. The temporary key has a short expiration date, and the resident is instructed to get a new I-Card for permanent access. When the new I-Card is issued, the temporary access card is superseded, and the new card provides the only access to the room. It is the responsibility of the resident to notify the residence hall office if their I-Card is lost or damaged.

Access to residence halls is restricted to residents and their guests. All visitors and guests must be escorted by the resident while in the residence hall. Overnight guests can visit a resident's room for up to three consecutive days, but no more than nine days in any given month. Prior advance written consent of all residents in the room must be obtained and residents must complete guest permission forms available in each building office.

Residential students are encouraged to report unescorted persons to Residence Life staff or the University Police. Additionally, residential students are asked to deny entry to students or visitors who are not residents of the building. Residential facilities are staffed each day and University Police personnel conduct regular checks of on-campus residential housing.

#### **Access to Facilities – Other Campus Buildings**

On the IUP Indiana campus, administrative buildings are open from 7:00 a.m. until 10:00 p.m., Monday through Friday. Clark Hall is open from 7:00 a.m. until 5:00 p.m. Academic buildings during breaks and weekends are only open for authorized scheduled events and activities. During weekends and breaks, access to individual classrooms and laboratories is limited to those enrolled in the courses assigned to that facility. Likewise, access to most programs is limited to those enrolled in the program or otherwise authorized to have access.

Many cultural and athletic events held in University facilities are open to the public. Other facilities such as the bookstore, library and performance center are also open to the public. Only those who have recognized institutional authority and responsibilities are issued keys to buildings. If you need assistance in gaining authorized entry outside of business hours to a university building or room and no other help is available, you may call IUP PD at (724) 357-2141.

The IUP Punxsutawney and Northpointe campus building is open from 8:00 a.m. to 4:30 p.m., Monday through Friday. IUP Pittsburgh East is open Monday through Thursday from 1:00 p.m. to 10:00 p.m. and Friday from 8:00 a.m. to 11:30 a.m.

## STATEMENT RELATED TO MAINTENANCE OF CAMPUS FACILITIES

IUP facilities and landscaping are maintained in a manner that minimizes hazardous conditions. IUP PD regularly patrols the campus and reports malfunctioning lights and other unsafe physical conditions to Facilities Management for correction. Additionally, IUP PD, Facilities Maintenance and Student Government representatives collaborate to schedule safety walks in areas of concern each academic year. Other members of the University community are helpful when they report equipment problems or hazardous conditions to IUP PD or Facilities Management. IUP Facilities Management hosts a monthly Safety Committee meeting of university delegates from representative departments to discuss safety concerns at campus facilities and grounds and to provide updates related to remediation of previously identified safety concerns across campus.

## STATEMENTS ADDRESSING SECURITY AWARENESS PROGRAMS AND PERSONAL SAFETY

### Security Awareness Programs

IUP PD provides several services and programs to the campus community to ensure the safety and security of our students, faculty, staff, and visitors. University Police Department services strive to emphasize proactive measures to minimize the need for reactive responses. IUP PD encourages everyone to take responsibility for their own safety and the safety of others. Additionally, by promptly and accurately reporting all criminal acts, dangerous situations and suspicious behaviors, the University community assists in the provision of a safe campus community.

The following are descriptions of IUP PD security awareness programs provided to the campus community on at least an annual basis:

- **Student, Parent and Faculty Orientation:** Tips on personal safety while on campus and in the surrounding community; information on registering personal possessions, equipment, and electronic devices; storing weapons while on campus; and information regarding local laws, ordinances, and regulations
- **Active Harmer Response Training:** In-person training offered to the campus community on actions you should take if you encounter an active harmful situation
- **Clery Act Campus Security Authority Training:** training for all newly appointed or currently employed Campus Security Authorities regarding responsibilities under the Clery Act and the University mechanisms in place to report Clery-related criminal offenses. This training is provided in compliance with the mandatory training provisions of the Clery Act
- **Fire Safety:** The Office of Housing, Residential Life and Dining (OHRLD), Environmental Health and Safety (EHS) and IUP Department of Public Safety (DPS) collaborate to educate residential life staff, academic and administrative staff and building managers on fire safety at the beginning of each academic year
- **Housing Liaison Program:** IUP PD Officers relate to OHRLD staff and advisors to serve as liaisons and to provide safety tips and engage in collaborative problem-solving efforts in the residence halls each academic year

In addition, the IUP PD routinely presents information or facilitates programs for student organizations, campus departments and residence halls on a variety of educational strategies and tips on crime prevention, self-protection, bystander awareness and security audits, upon request. Please also visit the IUP PD website for current information on items of interest, security concerns or awareness, bulletins, and personal safety tips. The IUP PD website may be viewed at: <http://www.iup.edu/police/>.

## Personal Safety Responsibility

In general, prospective students, employees, and visitors to any IUP campus should know that, as with any community, criminal activity occasionally occurs both on- and off-campus and it is important to always take reasonable precautions to avoid being a victim. Members of the University community must assume responsibility for their own personal safety and the security of their personal property. The following precautions provide guidance:

- Report all suspicious activity to IUP PD immediately
- Never take personal safety for granted
- Try to avoid walking alone at night. IUP PD escort service is available as allowed by call load
- Limit your alcohol consumption, and leave social functions that get too loud, too crowded, or that have too many people drinking excessively. Remember to call IUP PD or local law enforcement for help at the first sign of trouble
- Carry only small amounts of cash
- Never leave valuables (wallets, purses, books, phones, etc.) unattended
- Always carry your keys and do not lend them to anyone
- Lock up bicycles and motorcycles. Lock car doors and close windows when leaving your car
- Always lock the door to your residence hall room, whether you are there. Be certain that your door is locked when you go to sleep, and keep windows closed and locked when you are not at home. DO NOT PROP INTERIOR OR EXTERIOR DOORS
- Do not leave valuables in your car, especially if they can be easily noticed
- Engrave serial numbers or owner's recognized numbers, such as a driver's license number, on items of value
- Inventory your personal property and insure it appropriately with personal insurance coverage

IUP PD can assist any member of the University community in determining an appropriate point-of-contact for police matters falling outside of the University police department's jurisdiction. Please contact IUP PD at (724) 357-2141 for assistance. For any additional local, off-campus law enforcement contact information, please consult directory assistance.

## Crime Prevention Programs

- **Police Escort:** IUP PD encourages individuals to practice personal safety precautions and, when practical, not to walk alone especially during the hours of darkness. Students, faculty and staff of the Indiana and Punxsutawney campuses may make a request to IUP PD for an escort. The University Police will make every effort to accommodate a request for an escort, dependent on call load. The IUP PD escort program is intended for campus use only; however, specific requests for an escort within a reasonable proximity of campus are considered on an individual basis. To request an IUP PD escort, call University Police at (724) 357-2141. If you choose not to use a police escort or IUP PD is unavailable to assist, please consider the following safety guidance:

- Familiarize yourself with the layout of the campus. At night, stick to well-lighted areas and avoid shortcuts through isolated areas.
- Plan the safest route to your destination; choose well-lit, busy pathways and streets.
- Share your class schedule with your parents and trusted friends and give them your telephone numbers.
- Travel in groups and avoid going out alone at night.
- Know where the emergency blue light call boxes are located on campus and learn how to use them.
- If you believe you are being followed, change direction, and go to an emergency blue light phone, dial 911 or go into the nearest building and call the University Police. Note the description of the person following you.
- Walk near the curb and avoid shrubbery or other places of potential concealment.
- Tell a friend or roommate where you are going and what time you expect to return.
- Stay alert to your surroundings and the people around you.
- Carry your purse close to your body and keep a firm grip on it; carry your wallet in an inside coat pocket or your front pants pocket.
- Keep your keys separate from your purse or backpack.
- Do not overload yourself with bags or packages and avoid wearing shoes that restrict your movements.
- Walk with a confident stride; keep your head up and look around.

- **Personal ID**

- Students may request to have a personal identifier engraved on their valuables by contacting either a Residential Life staff member in their assigned residence hall or the University Police at (724) 357-2141.

- **Active Harmer Training**

Active harming incidents have occurred at a few locations in recent years, and University settings are not immune from these types of criminal actions. While the odds of this type of incident occurring at IUP are small, the consequences are so potentially catastrophic it makes sense that all IUP students, staff, faculty, and visitors should consider the possibility of such an incident happening here.

IUP PD provides active harmer training utilizing the Federal Emergency Management Agency (FEMA) course: IS-907 “Active Shooter: What can you do?” for guidance and points of discussion. IUP PD encourages all students, faculty, staff, and visitors to our campuses to visit the Federal Emergency Management Agency (FEMA) Independent Study webpage at: <https://training.fema.gov/is/courseoverview.aspx?code=is-907&lang=en>

Requests for a course presentation of this material may be made to the IUP PD Crime Prevention Office at (724) 357-2141.

- **Presentations, Panels, Educational Materials**

Crime prevention programs on personal safety and security are sponsored by various campus organizations throughout the year. These programs include general crime prevention and

security awareness programs including safety education forums, programs, and discussions about topics such as alcohol abuse, sexual assault awareness and prevention, relationship violence awareness and prevention, bystander intervention, fire safety, emergency response and evacuation procedures, and theft prevention. IUP PD, Residence Life, Student Affairs, Title IX, and others participate in forums, presentations, meetings, and programs in residence halls and fraternities to explain security, personal protection and well-being, campus security and fire safety measures and procedures at IUP with all incoming students during the fall orientation program.

## STATEMENTS ADDRESSING ALCOHOL AND DRUG POLICIES, SUBSTANCE ABUSE EDUCATION AND ASSISTANCE PROGRAMS

### IUP Policies Governing Alcohol and Other Drugs

In accordance with the federal Drug-Free Workplace Act of 1988, the federal Drug-Free Schools and Communities Act (DFSCA) of 1989, and State policies on Alcohol and Other Drugs, IUP prohibits the unlawful or unauthorized possession, use, sale, manufacture, distribution, or dispensation of alcohol and other drugs, including medical marijuana, by employees and students in the workplace, on university property, or as part of any campus activity. Employees or student violators are subject to disciplinary action, up to and including termination of employment and expulsion. Possession of alcoholic beverages on university premises or facilities is prohibited, except as provided in the [University Alcohol Policy](#).

Commonwealth law states that a person who is under 21 years of age and who attempts to purchase, purchases, consumes, possesses, or who knowingly and intentionally transports any alcohol, liquor, or malt beverages commits a summary offense. Misrepresentation of age to a licensed dealer or other persons who sell or furnish intoxicating liquors constitutes a summary offense for a first violation and a misdemeanor of the third degree for any subsequent violation. A person also commits a third-degree misdemeanor for selling or providing alcoholic beverages to a known minor.

There are also serious legal repercussions for driving under the influence of alcohol. Drivers under the age of 21 with a BAC of .02 or higher will be charged with Driving Under the Influence. Drivers 21 and over with a BAC of .08 or higher will be charged with Driving Under the Influence. Locally, there are Borough open container ordinances that are rigorously enforced.

The use of narcotics and controlled substances without a prescription on IUP property, as elsewhere, is illegal. Illegal possession, use, and/or sale of drugs or narcotics by students, employees, or guests constitutes unacceptable and illegal conduct. IUP PD reports violations of law to the Office of Student Support and Community Standards; and IUP PD works in collaboration with state, federal and local law enforcement who are responsible for enforcing the laws of the Commonwealth of Pennsylvania, including laws relative to the possession, use, and sale of narcotics and controlled substances. When students are awarded PELL or other federally funded grants, they agree to abide by the conditions of the drug-free workplace certifications. It is their responsibility to inform the Financial Aid Office within five days of any criminal drug statute conviction.

The Office of Student Support and Community Standards, and the Center for Health and Well-Being, are available to provide additional information on drug and alcohol policies. It is the basic expectation that all students of the IUP community conform to those minimum standards and regulations that have been established. These standards and regulations can be found in IUP Community Standards Policy located on-line at: <https://www.iup.edu/studentsupportandstandards/index.html>.



The most recent version of IUP's Drug and Alcohol Abuse Prevention Program (DAAPP) can be located online at: <https://www.iup.edu/student-wellness/>. Additional alcohol and drug policies, standards of conduct, applicable disciplinary sanctions, health risks, counseling, and treatment services and the IUP Alcohol, Tobacco, and Other Drugs (ATOD) Program processes, goals, and objectives can be found on this website. The biennial report, developed in accordance with the Drug Free Schools and Communities Act (DFSCA) of 1989 can be obtained from the Center for Health and Well-Being, Suites on Maple East, Suite G59, or by calling: (724) 357-1265. The IUP ATOD Program informs students whereas the Office of Human Resources informs staff and faculty each year about the DAAPP and DFSCA and how to obtain copies.

## **ALCOHOL, TOBACCO AND OTHER DRUGS (ATOD) PROGRAM EDUCATION, OUTREACH AND SERVICES**

### **Alcohol, Tobacco, and Other Drug Programs (ATOD):**

The ATOD in the Center for Health and Well-Being provides the following services:

- **Educational programs** offering current information on the health risks and symptoms of alcohol and other drug use for students, faculty, and staff members.
- **Peer education programs** provided by trained graduate student educators offering informational and interest programs to the University community.
- **Alcohol and marijuana BASICS education sessions** for students who have violated the University alcohol and/or drug policy.

Students, faculty, and staff members may contact the program director, Alcohol, Tobacco, and Other Drugs, for more information by calling **724-357-1265**.

### **Resources**

Members of the University community who experience substance-related problems or who are concerned about another who may be having such difficulties are encouraged to seek assistance from any of the following agencies:

#### **On campus:**

The Center for Health and Well-Being:

Alcohol, Tobacco, and Other Drugs	724-357-1265
The Counseling Center	724-357-2621

#### **Off campus:**

The Open Door	724-465-2605
Armstrong Indiana Drug & Alcohol Commission, Inc.	724-354-2746

**For Employee Concerns:**

Office of Human Resources

724-357-2431

**Consultation, Information, and Referral:**

IUP employees may consult the State Employee Assistance Program (SEAP) for information about counseling, treatment, rehabilitation, or reentry programs. For more information about SEAP, call the Office of Human Resources at 724-357-2431 or call State Employee Assistance Program (SEAP) at 1-800-692-7459.

**Area Drug and Alcohol Rehabilitation and Treatment Resources:**

AA (Alcoholics Anonymous)  
Al-Anon and/or Alateen  
724-801-8788

The Gateway Center  
Moffett Run Road  
Aliquippa, PA 15001  
412-766-8700

ARC Manor  
200 Oak Avenue  
Kittanning, PA 16201  
724-548-7607

Greenbriar  
800 Manor Drive  
Washington, PA 15301  
724-225-9700

Armstrong/Indiana Drug and Alcohol Commission  
10829 U.S. Route 422  
Shelocta, PA 15774  
724-354-2746

The Open Door  
334 Philadelphia Street  
Indiana, PA 15701  
724-465-2605

Bureau of Drug and Alcohol Programs  
02 Kline Plaza  
Harrisburg, PA 17104  
717-783-8200

Twin Lakes Center  
P.O. Box 909  
Somerset, PA 15501  
1-800-452-0218

**Other Sources of Information:**

Toll-free information is listed below:

Drug and Alcohol Information and Treatment  
Helpline:

1-800-453-2124

National Council on Alcoholism and Drug  
Dependency:

1-800-NCA-CALL (622-  
2255)

National Institute on Drug Abuse:

1-800-662-HELP (4357)

State Employee Assistance Program (SEAP):

1-800-692-7459

## **Medical Amnesty**

Under Pennsylvania [ACT 66](#), a person under the age of 21 will be protected from prosecution for the possession or consumption of alcoholic beverages if law enforcement, including University police, became aware of the possession or consumption solely because the individual was seeking medical assistance for someone else.

### **IUP's Bystander Involvement (Medical Amnesty) Policy states:**

The safety and general welfare of the members of the IUP and Indiana communities are of paramount importance. When individuals need help, the University encourages students to help regardless of location on- or off-campus property. Sometimes students may hesitate to offer help to others for fear that they may risk disciplinary consequences for their own behavior in a situation (for example, drinking alcohol while under the age of 21). The community's best interests are served when individuals report crimes, call 911, and seek help for those in need of assistance. It is the intent of this policy that a student, who makes the contact in compliance with Pennsylvania Act 66, not be referred to the Office of Student Support and Community Standards for alleged behavior violations related to the alcohol policy of the IUP Community Standards Policy.

## STATEMENTS ADDRESSING PREPARATION OF THE ANNUAL SECURITY REPORT AND CRIMES REPORTED TO IUP

### Preparation and Disclosure of Annual Crime Statistics

Campus crime, arrest and referral statistics include those reported to IUP PD, the Office of Student Support and Community Standards, other Campus Security Authorities as defined by the Clery Act and local law enforcement agencies. Crime statistics are gathered for buildings and property within campus boundaries that are owned or controlled by IUP; or properties that are leased, rented, or controlled by IUP and used for educational and institutional purposes. Other geography included for crime statistics purposes includes areas on public property within or immediately adjacent to the campus boundaries; non-campus student owned or controlled properties within a contiguous area that are officially recognized by the University; and, in other buildings outside the campus boundaries designated as non-campus locations that are owned or controlled by IUP, used for educational purposes, and frequently used by students.

By October 1<sup>st</sup> of each year, an email notification is made to all enrolled students, faculty and staff that provides the website address for accessing crime statistics and information regarding how interested persons can request a printed copy of the Annual Security and Fire Safety Report (ASFSR). IUP's most current ASFSR is posted online at: <http://www.iup.edu/police/about/security/>.

Additionally, information about the ASFSR is made available to all prospective students and applicants who apply for employment with IUP.

This information is readily located for prospective students at:

<https://www.iup.edu/admissions/undergraduate/apply-next-steps/>

This information is readily located for prospective employees at:

<http://www.iup.edu/humanresources/employment>

### Daily Crime Log

As required under federal law, IUP PD maintains a daily crime log (police blotter). The daily crime log is normally updated each business day and contains all crimes reported to IUP PD. The daily crime log is a secondary means of distributing information to the IUP community about crimes and crime trends on the Indiana and Punxsutawney campuses. The Crime Log entry includes all crimes reported to the University Police that occur within IUP PD jurisdiction. The log records the nature of the crime, the date and time the crime was reported, the date and time the crime occurred and the general location and disposition of each offense. The disposition of any crime event may indicate "pending" if an investigation is delayed for receipt of laboratory analysis, district attorney review or similar process.

Interested persons may view the daily crime log in person at the IUP PD main office located at 850 Maple Street, Indiana, PA 15705.

## Crime Statistic Tables

The Clery Act requires the University to include four general categories of crime statistics for incidents that occurred within Clery-designated geographic categories (defined below):

- **Criminal Offenses:** Criminal Homicide, including Murder and Non-Negligent Manslaughter, and Manslaughter by Negligence; Sexual Assault, including Rape, Fondling, Incest and Statutory Rape; Robbery; Aggravated Assault; Burglary; Motor Vehicle Theft and Arson
- **Hate Crimes:** Any of the above-mentioned offenses, and any incidents of Larceny-Theft, Simple Assault, Intimidation, or Destruction/Damage/Vandalism of Property that were motivated by bias
- **Violence Against Women Act (VAWA) Offenses:** Any incidents of Domestic Violence, Dating Violence and Stalking.
- **Arrests and Referrals for Disciplinary Action** for Weapons-Carrying, Possessing, etc. Law Violations, Drug Abuse Violations and Liquor Law Violations.

**NOTE:** see Appendix A for specific Clery-designated Crime Definitions

### Geography Designations from the Clery Act:

- **On-Campus:** (1) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of or in a manner related to the institution's educational purposes, including residence halls; and (2) Any building or property that is within or reasonably contiguous to the area identified in paragraph (1), that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (such as a food or retail vendor).
- **Non-Campus Building or Property:** (1) Any building or property owned or controlled by a student organization that is officially recognized by the institution (i.e., privately owned fraternity); or (2) Any building or property owned or controlled by an institution that is used in direct support of or in relation to the institution's educational purposes, is frequently used by students, and is not within the same contiguous geographic area of the institution.
- **Public Property:** All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.
- **On-campus Student Housing Facility:** Any student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within the contiguous geographic area that makes up the campus is considered an on-campus student housing facility. This category is considered a subset of the On-Campus category.

# INDIANA CAMPUS (MAIN) 2019-2020-2021 CRIME STATISTICS REPORT

Reported Crimes	On Campus Property			On-Campus Student Housing Facilities			Public Property			NonCampus Property			Unfounded		
	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021
<b>Crime</b>															
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	1	0	0	0	0	0	0	0
Aggravated Assault	3	2	1	3	2	1	0	1	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Burglary</b>															
Forcible Burglary	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0
Non-Forcible Burglary	0	0	1	0	0	1	0	2	0	0	0	0	0	0	0
<b>Sex Offenses</b>															
Rape	5**	3	2	5**	3	2	0	0	0	0	0	0	0	0	0
Fondling	2	0	2	2	0	1	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arrests</b>															
Liquor Law Violations	33	29	22	56	13	11	0	2	4	0	2	0	0	0	0
Drug Abuse Violations	51	9	14	36	6	12	0	5	0	0	0	0	0	0	0
Weapons: Carrying, Possessing, ETC.	0	1	0	0	1	0	0	0	1	0	0	0	0	0	0
<b>Referrals</b>															
Liquor Law Violations	101	73	43	90	69	40	30	15	1	0	0	0	0	0	0
Drug Abuse Violations	74	45	53	61	42	53	5	8	1	0	0	0	0	0	0
Weapons: Carrying, Possessing, ETC.	1	3	0	1	3	0	0	0	0	0	0	0	0	0	0
<b>Violence Against Women's Act Offenses (VAWA)</b>															
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	1	1	0	1	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	7***	3	4	7***	3	3	0	0	0	0	0	0	0	0	0

\*\*In 2019, 3 of 5 rapes were reported with request for no investigation  
 \*\*\*In 2019, 6 of 7 dating violence incidents were reported with request for no investigation  
 \*\*\*\*In 2021, 2 rape cases were reported with request for no investigation  
 \*\*\*\*\*In, 2021, 1 of 4 dating violence incidents were reported with request for no investigation

### Notes on Clery Act Hate Crime Statistics

**HATE CRIMES:** Offenses motivated by a type of bias or prejudice will have a superscript notation for the type of bias.

**Key to Hate Crime Notations:** Race = ra Sexual Orientation = s Gender = g Ethnicity = e Religion = re Disability = d  
 National Origin = no Gender Identity = gi

A hate crime is defined as a crime committed that is intentionally directed at a person or persons selected based on actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, or disability. For crimes listed above, and all locations (off-campus, non-campus, or private property), there were zero hate crimes reported for 2019, 2020, and 2021.

**PUNXSUTAWNEY CAMPUS 2019-2020-2021 CRIME STATISTICS REPORT**

Reported Crimes	On Campus Property			On-Campus Student Housing Facilities			Noncampus Property			Public Property			Unfounded		
	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021
<b>Crime</b>															
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Burglary</b>															
Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>															
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arrests</b>															
Liquor Law Violations	1	0	1	1	0	1	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons: Carrying, Possessing, ETC.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Referrals</b>															
Liquor Law Violations	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons: Carrying, Possessing, ETC.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Violence Against Women's Act Offenses (VAWA)</b>															
Stalking	0	0	1	0	0	1	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Notes on Clery Act Hate Crime Statistics

**HATE CRIMES:** Offenses motivated by a type of bias or prejudice will have a superscript notation for the type of bias.

**Key to Hate Crime Notations:** Race = ra Sexual Orientation = s Gender = g Ethnicity = e Religion = re Disability = d  
National Origin = no Gender Identity = gi

A hate crime is defined as a crime committed that is intentionally directed at a person or persons selected based on actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, or disability. For crimes listed above, and all locations (off-campus, non-campus, or private property), there were no hate crimes, in 2019, 2020, or 2021, reported for the Punxsutawney Campus.

**NORTHPOINTE CAMPUS 2019-2020-2021 CRIME STATISTICS REPORT**

Reported Crimes	On Campus Property			On-Campus Student Housing Facilities			Noncampus Property			Public Property			Unfounded		
	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021
<b>Crime</b>															
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Burglary</b>															
Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>															
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arrests</b>															
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons: Carrying, Possessing, ETC.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Referrals</b>															
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons: Carrying, Possessing, ETC.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Violence Against Women's Act Offenses (VAWA)</b>															
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Notes on Clery Act Hate Crime Statistics

**HATE CRIMES:** Offenses motivated by a type of bias or prejudice will have a superscript notation for the type of bias.

**Key to Hate Crime Notations:** Race = ra Sexual Orientation = s Gender = g Ethnicity = e Religion = re Disability = d  
National Origin = no Gender Identity = gi

A hate crime is defined as a crime committed that is intentionally directed at a person or persons selected based on actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, or disability. For crimes listed above, and all locations (off-campus, non-campus, or private property), there were no hate crimes, in 2019, 2020, or 2021, reported for the Northpointe Campus.



**PITTSBURGH EAST 2019-2020-2021 CRIME STATISTICS REPORT**

Reported Crimes	On Campus Property			On-Campus Student Housing Facilities			Noncampus Property			Public Property			Unfounded		
	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021
Murder / Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hate Crimes	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Burglary</b>															
Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Non-Forcible Burglary	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Sex Offenses</b>															
Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Arrests</b>															
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons: Carrying, Possessing, ETC.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Referrals</b>															
Liquor Law Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Weapons: Carrying, Possessing, ETC.	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Violence Against Women's Act Offenses (VAWA)</b>															
Stalking	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Notes on Clery Act Hate Crime Statistics

**HATE CRIMES:** Offenses motivated by a type of bias or prejudice will have a superscript notation for the type of bias.

**Key to Hate Crime Notations:** Race = ra Sexual Orientation = s Gender = g Ethnicity = e Religion = re Disability = d  
National Origin = no Gender Identity = gi

A hate crime is defined as a crime committed that is intentionally directed at a person or persons selected based on actual or perceived race, gender, gender identity, religion, sexual orientation, ethnicity, or disability. For crimes listed above, and all locations (off-campus, non-campus, or private property), there were no hate crimes, in 2019, 2020, or 2021, reported for the IUP Pittsburgh East Campus.

## STATEMENTS ADDRESSING MISSING RESIDENTIAL STUDENT POLICY

### Missing Residential Student Policy

The Clery Act requires institutions that maintain on-campus housing facilities to establish a missing-student notification policy and related procedures (20 USC 1092 (j) Section 488 of the Higher Education Opportunity Act of 2008).

When it is determined that a residential student is missing from the University, staff at IUP, in collaboration with local law enforcement, will be guided by this Missing Residential Student Notification Policy and related procedures.

#### 1. PURPOSE:

The purpose of this policy is to define University notification and procedural response to a report of a presumed missing residential student.

#### 2. SCOPE:

While the scope of policy and procedures is directed primarily to the Student Affairs division and IUP Police Department, all members of the University community, students, faculty, staff, and administrators, are required to report to University Police when they believe that a residential student is missing.

#### 3. OBJECTIVE:

The objectives of the Missing Residential Student Notification Policy include the following:

- Define notification protocols upon receipt of a presumed missing residential student report; and,
- Define procedural response to a report of a presumed missing residential student.

#### 4. POLICY:

As required by the Higher Education Opportunity Act, and consistent with IUP's commitment to student safety, IUP directs residential students to provide emergency notification contacts if a residential student is presumed missing. The missing residential student contact information is confidential and will only be accessed by authorized University officials when a residential student is presumed missing.

#### 5. DEFINITIONS:

- A. Residential student: a person who resides in on-campus housing, has a signed housing contract, and is currently enrolled at the University.
- B. Missing: a residential student is presumed missing if s/he is unaccounted for more than 24 hours.
- C. University members: all IUP faculty, staff, clerical personnel, administrators, students, and volunteers.

#### 6. RESPONSIBILITIES:

A. The IUP Police Department will:

- Investigate when a residential student is reported missing, including coordinating with Student Affairs division personnel; and,
- Initiate emergency contact procedures, including notifying missing residential student emergency notification contacts, custodial parents, legal guardians, University officials, and appropriate local law enforcement agencies.

B. The Student Affairs division will:

- Inform residential students at the start of every academic semester through e-mail, mobile app and MyIUP announcements of the option of registering, through the MyIUP portal, a confidential contact person, to be notified if a residential student is presumed missing.
- C. The Office of Housing, Residential Living, and Dining will:
- Assist in the communication about and investigation of a residential student presumed missing by notifying University Police of a presumed missing residential student and taking action to locate the student.
- D. Residential students are responsible for ensuring that their confidential contact information if presumed missing is current and accurate.

## 7. PROCEDURES:

A. A student living in on-campus housing may register confidential contact information for missing residential student purposes at any time by using the “Personal Information” tab at the MyIUP portal: <https://www.iup.edu/myiup/>

By federal law, the missing residential student emergency notification contact information is distinct from the general emergency contact provided by all students and is held to a higher standard of confidentiality than the general emergency contact information.

B. Confidential contact information for missing residential student purposes will only be accessed by authorized University officials and disclosed to local law enforcement agencies in furtherance of an investigation.

### C. Reporting a Missing Residential Student

- All University members are required to immediately report presumed missing residential student information to the IUP Police Department at (724) 357-2141. University Members may also contact the Office of Housing, Residential Living, and Dining at (724) 357-7879 or the Office of the Vice President for Student Affairs at (724) 357-2220 to initially report a missing residential student. Both offices are required, in turn, to notify the IUP Police Department.
- If a university member has reason to believe that a residential student is missing, all efforts will be made to locate the student to determine their state of health and well-being through a collaborative effort of the IUP Police Department, the Student Affairs division and the Office of Housing, Residential Living, and Dining and local law enforcement agencies, as needed.

D. University Police: Upon notification of a missing residential student, the IUP Police Department will initiate a formal investigation according to Department Policy or contact the appropriate local law enforcement agency. In all cases, IUP Police Department personnel will:

- Notify the student’s missing residential student emergency notification contact, if registered, within 24 hours.
- Notify the local law enforcement agency with jurisdiction, if other than IUP PD, within 24 hours
- If the residential student is under the age of 18 and is not an emancipated individual, IUP PD will notify the student’s custodial parent or guardian within 24 hours.

- Utilize University resources, specifically the Office of Housing, Residential Living and Dining, to support the information-gathering and investigative process to the extent practical.
- Utilize local, regional, or federal law enforcement resources to assist or facilitate the information-gathering or investigative process to the extent practical, especially if the circumstances are high-risk.

#### E. Office of Housing, Residential Living, and Dining

Upon notification of a missing residential student, the Office of Housing, Residential Living, and Dining will notify the IUP Police Department for investigative purposes and will:

- Assist the IUP Police Department in gathering relevant personal or technical information (facility video, system access logs, participation in academic or University organizations, social media etc.) in support of the missing residential student investigation; and,
- Conduct a health and safety check of the missing residential student's room if no person answers at the student's on-campus address.

#### **8. RESCISSION:**

This policy shall not be rescinded or modified except by action of the IUP President, following consultation with the University Senate, and in accordance with University Senate By-Laws and Constitution.

#### **9. PUBLICATIONS STATEMENT:**

The Student Affairs division will provide e-mail notification to all members of the University community. The IUP Clery Committee will publish this policy through the Annual Security and Fire Safety Report.

#### **10. DISTRIBUTION:** Code Description: A All Employees (Effective May 2017)

**JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME  
STATISTICS ACT, AS AMENDED BY THE VIOLENCE AGAINST WOMEN  
REAUTHORIZATION ACT OF 2013**

**STATEMENT OF POLICIES AND PROCEDURES RELATED TO DATING VIOLENCE, DOMESTIC VIOLENCE,  
SEXUAL ASSAULT AND STALKING**

IUP prohibits the offenses of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act) and reaffirms its commitment to ending interpersonal violence of any form. Toward that end, IUP issues this statement of policy to inform the University community of our programs to address domestic and dating violence, sexual assault and stalking as well as all relevant policies and procedures. As previously noted, all policy cites contained in this report apply to each IUP campus.

The [IUP Sexual Discrimination and Sexual Misconduct Policy](#) prohibits sexual harassment or sexual violence, including sexual assault, sexual exploitation, domestic violence, dating violence, and stalking, and provides reporting procedures. The University's Community Standards Policy also prohibits sexual harassment or sexual violence, including sexual assault, domestic violence, dating violence, and stalking, and provides reporting procedures for allegations in which the alleged perpetrator is a student. IUP's Haven Project offers support to victims of interpersonal violence, including assisting victims in accessing resources on and off campus.

**Title IX of the Educational Amendments of 1972 prohibits discrimination based on sex. Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by this federal law.** If you have questions about Title IX or have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the IUP Title IX Coordinator, Elise Glenn, Social Equity and Title IX Office, [eglenn@iup.edu](mailto:eglenn@iup.edu), 724-357-3402, Indiana Campus.

**Title IX Coordinator**

IUP's Title IX Coordinator has responsibility for overseeing the implementation of the University's Sexual Discrimination and Sexual Misconduct Policy, as well as compliance with PASSHE, Commonwealth, and federal laws and regulations addressing sexual violence, including sexual assault, dating violence, domestic violence, and stalking.

## FEDERAL CLERY ACT DEFINITIONS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING AND DEFINITIONS OF OTHER REPORTABLE OFFENSES

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault stalking, and definitions of other reportable offenses as follows:

- **Domestic Violence:**
  - i. A felony or misdemeanor crime of violence committed—
    - A) By a current or former spouse or intimate partner of the victim;
    - B) By a person with whom the victim shares a child in common;
    - C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
    - D) By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or
    - E) By any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
  - ii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Definition of a Crime of Violence:** According to Section 16 of Title 18 of the United States Code, the term “crime of violence” means:
  - i. An offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another; or
  - ii. Any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used while committing the offense.
- **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.
  - i. The existence of such a relationship shall be based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
  - ii. For the purposes of this definition—
    - A) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
    - B) Dating violence does not include acts covered under the definition of domestic violence.

- iii. For the purposes of complying with the requirements of this section and §668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.
- **Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”
- **Rape** is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** is defined as the touching of the private parts of another person for the purposes 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** is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is defined as sexual intercourse with a person who is under the statutory age of consent.
- **Stalking:**
  - i. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
    - A) Fear for the person’s safety or the safety of others; or
    - B) Suffer substantial emotional distress.
  - ii. For the purposes of this definition—
    - A) *Course of conduct* means two or more acts, including, but not limited to, acts 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.
    - B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
    - C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
  - iii. For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

## JURISDICTIONAL DEFINITIONS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

- **Sexual Assault:** The state of Pennsylvania defines sexual assault as follows:
  - **Rape** — Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Statutory offenses (no force used —victim under age of consent) are excluded.
  - **Sex offenses** (except rape, prostitution, and commercialized vice) —Statutory rape, offenses against chastity, common decency, morals, and the like. Attempts are included.
- **Domestic Abuse:** Pennsylvania law defines domestic abuse as knowingly, intentionally, or recklessly causing bodily injury of any kind, causing fear of bodily injury of any kind, assault (sexual or not sexual), rape, sexually abusing minor children, or knowingly engaging in a repetitive conduct toward a certain person that puts them in fear of bodily injury. These acts can take place between family or household members, sexual partners or those who share biological parenthood to qualify as domestic abuse.
- **Dating Violence:** The state of Pennsylvania does not have a definition of dating violence.
- **Stalking: Pennsylvania law defines stalking** when a person either:
  - (1) engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or
  - (2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.
- **Consent:** The state of Pennsylvania defines ineffective consent as:

**Ineffective consent** — Unless otherwise provided by this title or by the law defining the offense, assent does not constitute consent if:

  - (1) it is given by a person who is legally incapacitated to authorize the conduct charged to constitute the offense;
  - (2) it is given by a person who by reason of youth, mental disease or defect or intoxication is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense;
  - (3) it is given by a person whose improvident consent is sought to be prevented by the law defining the offense; or
  - (4) it is induced by force, duress or deception of a kind sought to be prevented by the law defining the offense.



The state additionally provides descriptors commonly associated with consent as part of its full definition when describing the offense of Rape.

- **Rape Offense defined** — A person commits a felony of the first degree when the person engages in sexual intercourse with a complainant:
  - (1) By forcible compulsion;
  - (2) By threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
  - (3) Who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring;
  - (4) Where the person has impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants, or other means for the purpose of preventing resistance;
  - (5) Who suffers from a mental disability which renders the complainant incapable of consent.

Further, under Clery and UCR (Uniform Crime Reporting) definitions, the Pennsylvania Crimes Code sections relating to sexual assault (PA CS Title 18, Subsection 3124.1), involuntary deviate sexual intercourse (PA CS Title 18, Subsection 3123) and aggravated indecent assault (PA CS Title 18, Subsection 3125) are considered rape for the purposes of Clery and PA UCR reporting.

- **Other Sex Offenses** (except rape, prostitution, and commercialized vice) — Statutory rape, offenses against chastity, common decency, morals, and the like. Attempts are included.

## DEFINITION OF CONSENT FROM THE IUP SEXUAL DISCRIMINATION AND SEXUAL MISCONDUCT POLICY AS IT RELATES TO SEXUAL ACTIVITY

Consent is a knowing and voluntary agreement to engage in specific sexual activity at the time of the activity communicated through clear actions and/or words that are mutually understood. In order to be valid, Consent must be active, present, and ongoing. Consent is not present when it is the result of coercion, intimidation, force, or threat of harm. Coercion is unreasonable pressure for sexual activity. Coercive conduct differs from seductive conduct based on factors such as the type and/or extent of the pressure used to obtain consent. When someone makes clear that they do not want to engage in certain sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Consent is not present when an individual is incapacitated due to alcohol, drugs, sleep, or otherwise without capacity to provide Consent due to intellectual or other disability or other condition. Consent can be withdrawn at any time and consent to one form of sexual activity is not necessarily Consent to other forms of sexual activity.

When alcohol is involved, incapacitation is a state distinct from drunkenness or intoxication. When drug use is involved, incapacitation is a state distinct from being under the influence of or impaired by the use of the drug. Alcohol and other drugs impact each individual differently. Determining whether an individual is incapacitated requires an individualized determination. When determining whether a person has the capacity to provide Consent, the University will consider whether a sober, reasonable person in the same position knew or should have known that the other party could or could not consent to the sexual activity.

When determining whether Consent has been provided, all the circumstances of the relationship between the parties will be considered.

**How to Be an Active Bystander:**IUP is a grant recipient for the “It’s On Us PA” Green Dot Bystander Intervention course which is being used to train faculty, staff, administrators, and students in the evidence-based bystander education program.

Green Dot instructs that to be a bystander, faculty, staff, administrators, and students (the whole IUP community) need to recognize potentially harmful situations, identify their own barriers to intervening and learn to practice several safe and effective approaches to intervening which can work despite their personal barriers.

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”<sup>1</sup> We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm.

We may not always know what to do even if we want to help. Below is a list<sup>2</sup> of some ways to be an active bystander. Further information regarding bystander intervention may be found through the Haven Project and the IUP Center for Health and Well-Being. If you or someone else is in immediate

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<sup>1</sup> Burn, S.M. (2009). A situational model of sexual assault prevention through bystander intervention. *Sex Roles, 60*, 779-792.

<sup>2</sup> Bystander intervention strategies adapted from Stanford University’s Office of Sexual Assault & Relationship Abuse

danger, call IUP PD at (724) 357-2141 or the local police by dialing 911. Examples could include when a person is yelling at or being physically abusive towards another and it is not safe for you to intervene.

1. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
2. Confront people who seclude, hit on, attempt to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
5. Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

### **Personal Risk Reduction:**

With no intent to victim blame and recognizing that only abusers are responsible for their abuse, the following are some strategies to reduce one's risk of sexual assault or harassment (taken from Rape, Abuse, & Incest National Network, [www.rainn.org](http://www.rainn.org)):

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you do not know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it is not the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you do not trust or someone you do not know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you have left your drink alone, just get a new one.
- Don't accept drinks from people you do not know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, do not drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated by the amount of alcohol they have had, or is acting out of character, get him or her to a safe place immediately.

- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and others).
- If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
  - Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - Be true to yourself. Do not feel obligated to do anything you do not want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - Have a code word with your friends or family so that if you do not feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - Lie. If you do not want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
  - Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
  - If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

### **Programs to Prevent Domestic Violence, Dating Violence, Sexual Assault and Stalking:**

IUP engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to end dating violence, domestic violence, sexual assault and stalking that:

- A. Are culturally relevant, inclusive of diverse communities and identities, sustainable, responsive to community needs, and informed by research, or assessed for value, effectiveness, or outcome; and
- B. Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

IUP's educational programming consists of offered prevention and awareness programs for students and employees that:

- A. Clearly communicate that the institution prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking (as defined by the Clery Act).

- B. Provide the definitions of domestic violence, dating violence, sexual assault and stalking according to any applicable jurisdictional definitions of these terms;
- C. Define consent and describe what behaviors and actions constitute consent, in reference to sexual activity as defined by the student and employee codes of conduct;
- D. Provide a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- E. Provide information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims to promote safety and to help individuals and communities address conditions that facilitate violence.
- F. Provide an overview of information contained in the Annual Security and Fire Safety Report in compliance with the Clery Act.
- G. Provide information regarding:
  - procedures victims should follow if a crime of domestic violence, dating violence, sexual assault and stalking occurs (as described in “Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs” elsewhere in this Annual Report);
  - how the institution will protect the confidentiality of victims and other necessary parties (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report);
  - existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both in the institution and in the community (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report); and
  - options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures (as described in “Assistance for Victims: Rights and Options” elsewhere in this Annual Report);
  - procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking (as described in “Adjudication of Violations” elsewhere in this Annual Report).

### **Primary Prevention and Awareness Programs:**

IUP provides primary prevention and awareness programs to all incoming students and employees that involves the distribution of educational materials to new students, participating in and presenting information and materials during new student and employee orientations, providing programs by invitation at staff meetings or academic programs.

The primary prevention and awareness programming includes Clery definitions of dating violence, domestic violence sexual assault, stalking and consent; and it also includes the local definitions of these

terms according to statute and / or policy and the purpose and process for applying these terms. The primary prevention and awareness programming specifically advises all incoming students and employees that IUP prohibits dating or domestic violence, sexual assault, and stalking.

Additionally, IUP's primary prevention and awareness programming provides an understanding of safe and positive options for bystander intervention as well as risk reduction information. Finally, the primary prevention and awareness programming provides an awareness of the procedures IUP will undertake when one of these crimes is reported, inclusive of the University's disciplinary process in response to an allegation of related policy violation(s).

### **Ongoing Prevention and Awareness Campaigns:**

IUP provides an annual educational campaign for all students and employees designed to provide ongoing education and programming around issues of sexual violence – including sexual assault, domestic violence, dating violence, and stalking. Campaign strategies employed include campus-wide educational presentations, online training programs, social media outreach, passive-education printed materials, awareness activities, use of video marquees and related lectures.

Ongoing prevention and awareness campaigns includes mandatory training of professional staff and student leaders through a coordinated effort of Title IX Coordinator and Human Resources staff; Welcome Weekend programming; RAINN (Rape, Abuse, Incest, National Network) Day activities; Domestic Violence Awareness Month events and activities; numerous Haven Project tabling, parade, presentation, giveaways and panel discussions; Sexual Assault and Awareness Month, which includes presentations and several annual "Take Back the Night" events; Green Dot Bystander Intervention programming; programming specific to developing healthy relationships; and, Office of Student Support and Community Standards training specific to the adjudication of student cases addressing allegations related to sexual misconduct.

The following are some specific examples of annual programs currently offered by IUP. This list is not all inclusive:

#### **Online Education**

All university and university-related personnel must complete annual training on the university's Sexual Discrimination and Sexual Misconduct Policy (Title IX) *and* the Protection of Minors Policy. Additional training on diversity, equity, and inclusion have been assigned by PASSHE.

#### **IUP PD Liaison Programming**

IUP PD officers are assigned specific Residence Hall liaison activities with students and staff for the purpose of concentrated crime prevention and security awareness programming. In addition to general crime prevention programming, IUP PD officers provide sexual assault, domestic violence, dating violence, and stalking awareness programs for these students, upon request. IUP PD provides similar crime prevention and awareness programming for faculty and staff members, as well.

#### **Green Dot Bystander Intervention Training**

IUP received a grant to fund training for faculty, staff, and student members to facilitate Green Dot Bystander Intervention Training and become Certified Green Dot Trainers. The initial participants in this training will become part of a multi-year launch, training IUP's faculty, staff, administrators, and students.

Through the adoption of the Green Dot Bystander curriculum, we will address the goals of improving awareness of sexual violence and prevention training, increase mechanisms and capacities for reporting and improve IUP's institutional response to sexual violence training.

The Green Dot strategy is predicated on the belief that individual safety is a community responsibility and shifts the lens away from victims and perpetrators and onto bystanders. The curriculum takes a multi-faceted approach to violence prevention that goes beyond reactively addressing imminently high-risk situations by creating a culture that is intolerant of violence.

Through a change in the culture, we will reduce barriers that currently prevent survivors of sexual violence from reporting and / or accessing services. The content of the education meets the criteria outlined in the Pennsylvania Public School Code "Sexual Violence Education at Institutions of Higher Education." The IUP community will support the core values that 1) power-based personal violence will not be tolerated at IUP, and 2) it is everyone's responsibility to do something about it.

## **Haven Project**

The Haven Project at IUP provides education and awareness programming about sexual assault, domestic/dating violence, consent, stalking, healthy and unhealthy relationships, bystander intervention and available resources. The content of the education and training provided meets the criteria outlined in the Pennsylvania Public School Code "Sexual Violence Education at Institutions of Higher Education."

## **Title IX Team**

To ensure the best possible process and support, the IUP Title IX Team members have completed the following training and certifications:

### 1. Association of Title IX Administrators (ATIXA):

- Title IX Coordinator and Administrator - Level One: January 2018; June 2019; July 2020; September 2021
- 504 Coordinator: November 2018
- Title IX Compliance and Athletics: November 2018
- Title IX and Civil Rights Investigator - Level One: November 2018; September 2021
- Title IX Hearing Officer and Decision Maker: July 2020
- 2020 Regulations Implementation: July 2020

- Supplemental ATIXA training resources: Webinars, “20 Minutes to Trained” training videos, and “The ATIXA Playbook” reference manual

## 2. The State University of New York (SUNY) Student Conduct Institute:

- Accountability: September 2020; May 2021; December 2021
- Basic Compliance Training: July 2021; March 2022
- CAS Standards - Sexual Violence Related Programs and Services: September 2020
- Collecting and Understanding Specialized Evidence: May 2021; December 2021; January 2022
- Cross-Examination in a Title IX Hearing: September 2020; June 2021; December 2021; February 2022
- Cultural Relevance and Inclusiveness, and Responding to Sexual and Interpersonal Violence on Campus: September 2020; December 2021; February 2022
- Decision Writing Basics for Conduct Hearings: December 2021
- Determining Relevance in Title IX Hearings: December 2021; February 2022
- Disability Law in Student Conduct Proceedings: September 2020
- Due Process - Theory and History, Practical Application: September 2020; November 2021; December 2021; February 2022
- Effective Interviewing of Parties and Witnesses: October 2020; December 2021; January 2022
- Employment Lawsuits - Title VII and Title IX: August 2021
- Evidence in the Student Conduct Process: September 2020
- Labor Law Implications of the Title IX Regulations: December 2021
- Law and the Hearing Panel: September 2020
- Legal Framework for Understanding Conflicts of Interest and Bias: May 2021; December 2021; February 2022
- Mock Hearing - Introductory Remarks, Charges and Claims, and Opening Statements; Investigation by Panel and Witness Appearance; Closing Statements and Deliberations: September 2020
- Neurobiology of Sexual Assault Trauma - Introduction; When Attack is Detected or Stress Kicks In; Reflexes and Habits: November 2021; December 2021; February 2022; March 2022
- No Contact Orders, Emergency Removals, and Interim Suspensions: September 2020; December 2021; February 2022
- Pennsylvania State Law Basics: September 2020; May 2021; December 2021
- Pre-Hearing Preparations: September 2020
- Privacy, Confidentiality, and Privilege in Disclosures of Sexual and Interpersonal Violence: May 2021; December 2021; January 2022
- Relevance and Decorum in a Title IX Hearing: September 2020; May 2021



- Sexual Harassment Legal Definitions: May 2021
- Student Conduct, Disciplinary Process, and the Pennsylvania State System of Higher Ed: May 2021; December 2021
- Supportive Measures in Response to Reports of Sexual and Interpersonal Violence: May 2021
- Title IX Final Rule Basics: September 2020; May 2021; October 2021; November 2021; December 2021
- Title IX for HR Professionals: July 2021; April 2022
- Title IX Investigator: July 2021; January 2022
- Trauma-Informed Practice - Legal Compliance Basics: September 2020
- Understanding the Investigative Report Template for Investigations of Title IX Sexual Harassment: May 2021; December 2021; January 2022
- Virtual Hearing Technology: September 2020; May 2021; December 2021; February 2022
- What Does Title VII Require?: December 2021
- What is Affirmative Consent?: November 2021; December 2021; February 2022
- What is Severe, Persistent, and Objectively Offensive Title IX Sexual Harassment?: November 2021; December 2021; February 2022

### 3. National Association of Clery Compliance Officers and Professionals (NACCOP):

- Foundations of the Clery Act: September 2021
- Title IX and Sexual Misconduct: November 2015; July 2017
- Title IX Investigator Basics: November 2015; July 2017
- Advanced Sexual Misconduct Investigation: February 2016
- Supplemental NACCOP Webinars: 2015-2017

## **PROCEDURES VICTIMS SHOULD FOLLOW IF A CRIME OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, OR STALKING OCCURS**

After an incident of alleged sexual assault, dating or domestic violence, or stalking the victim should:

- Get to a safe place as soon as practical.
- Try to preserve all physical evidence. The victim should not shower, bathe, or wash any part of your body. Do not use the toilet or douche. Do not change clothing or clean the bed / linen / area where they were assaulted if the offense occurred within the past 96 hours (about 4 days). Do not brush your teeth, gargle, or comb your hair. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs, or other copies of documents, if they exist.

If a sexual assault victim does not currently wish to involve police, there is still an option to have the forensic evidence collected in a timely manner. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. By providing victims with the opportunity to gather information, solidify their support system, and establish rapport with first responders, IUP and our partners in the various District Attorney's Offices hope to create an environment that encourages reporting, even for those victims who initially feel unable, unwilling, or unsure about doing so.

- Seek medical attention. If you were assaulted, you should receive treatment for any injuries sustained; and, if you were sexually assaulted, you should receive information about disease and pregnancy prevention, as well. You also can have evidence collected at a hospital emergency department. Evidence collection should occur as soon as possible.
- The victim can request an advocate to assist them. An advocate will provide information about resources and options for reporting the crime, seeking medical care, counseling, and other services. Advocacy Services are free and confidential and are available 24 hours a day, 7 days a week. Advocates are available at the Alice Paul House in Indiana at 724-349-4444; HAVIN in Kittanning serving Northpointe at 724-548-8888; Passages, serving Punxsutawney, at 800-793-3620; PAAR, serving the IUP Pittsburgh East Center, at 866-363-7273.
- Contact the police – sexual assault, domestic violence, dating violence, and stalking are crimes. It is important to remember that reporting a crime is different from prosecuting the crime. The decision to prosecute may be made at another time. The final decision to prosecute is determined by the District Attorney.

### **Involvement of Law Enforcement:**

Although IUP strongly encourages all members of its community to report crimes (or violations of this policy) to IUP PD or the appropriate agency where the alleged assault occurred, it is the victim's choice whether to make such a report. Furthermore, victims have the right to decline notification to law

enforcement. IUP PD is available to assist victims with notification to outside agencies if they so desire. Law enforcement assistance is always available by dialing 911, regardless of your current location.

**NOTE:** IUP Employees and volunteers who suspect incidents of child abuse (including incidents of suspected child sex abuse) must report such incidents to the Department of Public Welfare's Child Line (800-932-0313), the police having jurisdiction, and then to their supervisor. Mandated reporters may also report incidents electronically through the Child Welfare Portal at: <https://www.compass.state.pa.us/cwis/public/home>. Pennsylvania recognizes matriculated students under the age of 18 as "children" for purposes of this law and, as such, IUP is mandated to report a criminal complaint of abuse or sexual abuse involving any student victim under the age of 18 immediately to ChildLine and the police having jurisdiction. Law Enforcement authorities with jurisdiction may then notify the victim's parents or guardians as stipulated by law.

### **Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking:**

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator, Elise Glenn (office: Delaney Hall, Room B17; email: [eglenn@iup.edu](mailto:eglenn@iup.edu); phone: (724) 357-3402) by calling, writing, emailing, or coming into the office to report in person. Reports may also be made online at: <https://www.iup.edu/incidentreport/>. Reports of all domestic violence, dating violence, sexual assault, and stalking made to IUP PD will automatically be referred to the Title IX Coordinator for review. The Title IX Coordinator is not a confidential reporting entity and is required to report criminal incidents to IUP PD.

### **Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported:**

IUP has procedures in place that serve and assist victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges; the availability of counseling, health, mental health, legal assistance, visa and immigration assistance, and other services on and/or off campus; and, additional remedies to prevent contact between a complainant and an respondent party, such as housing, academic, transportation and working accommodations, if reasonably available.

IUP will make such accommodations, if the victim requests them and if they are available, regardless of whether the victim chooses to report the crime to IUP PD or local law enforcement. Students and employees should contact the Title IX Coordinator, Elise Glenn (office: Delaney Hall, Room B17; email: [eglenn@iup.edu](mailto:eglenn@iup.edu); phone: (724) 357-3402) by calling, writing, emailing, or coming into the office to report in person. The Title IX office will collaborate and coordinate with the Office of Student Support and Community Standards for student cases and Human Resources for employee cases.

If a report of domestic violence, dating violence, sexual assault, or stalking is reported to IUP, the procedures listed below, dependent on variables and circumstances, will follow. **NOTE:** Victims are not required to file a report with IUP PD or local law enforcement for any of the listed incidents below. Law enforcement reporting, evidence collection, etc. assumes the victim may wish to pursue a criminal investigation of the incident.

## **Sexual Assault Reported**

- Depending on timeliness of report (immediate vs delayed report), IUP will provide victim with access to medical care
- IUP will assess immediate safety needs of victim
- IUP will assist victim with preserving and collecting evidence, filing a report (if victim so desires) and initiating a criminal investigation with IUP PD, as required
- IUP will assist victim with contacting local police if complainant requests AND provide the victim with contact information for local police department
- IUP will provide victim with referrals to on- and off-campus counseling services
- IUP will assess need and assist to implement interim or long-term protective measures, if needed
- IUP will provide the victim with a written explanation of the victim's rights and options
- IUP will provide a "No Contact" directive to respondent party, if deemed appropriate
- IUP will provide written instructions on how to apply for a Protective Order
- IUP will provide a copy of the policy applicable to Sexual Assault to the victim and inform the victim regarding timeframes for inquiry, investigation, and resolution
- IUP will inform the victim of the outcome of the investigation, whether the respondent will be administratively referred, and what the outcome of the hearing is
- IUP will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation

## **Domestic Violence Reported**

- IUP will assess immediate safety needs of victim
- IUP will assist victim with preserving and collecting evidence, filing a report (if victim so desires) and initiating a criminal investigation with IUP PD, as required
- IUP will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department
- IUP will provide instructions on how to apply for Protective Order
- IUP will provide information to victim on how to preserve evidence
- IUP will assess need and assist to implement interim or long-term protective measures, if needed
- IUP will provide the victim with a written explanation of the victim's rights and options
- IUP will provide a "No Contact" directive to respondent party, if deemed appropriate
- IUP will inform the victim of the outcome of the investigation, whether the respondent will be administratively referred, and what the outcome of the hearing is
- IUP will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation

## **Dating Violence Reported**

- IUP will assess immediate safety needs of victim

- IUP will assist victim with preserving and collecting evidence, filing a report (if victim so desires) and initiating a criminal investigation with IUP PD, as required
- IUP will assist victim with contacting local police if victim requests AND provide the victim with contact information for local police department
- IUP will provide instructions on how to apply for Protective Order
- IUP will provide information to victims on how to preserve evidence
- IUP will assess need and assist to implement interim or long-term protective measures, if needed
- IUP will provide the victim with a written explanation of the victim's rights and options
- IUP will provide a "No Contact" directive to respondent party, if deemed appropriate
- IUP will inform the victim of the outcome of the investigation, whether the respondent will be administratively referred, and what the outcome of the hearing is
- IUP will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation

### **Stalking Reported**

- IUP will assess immediate safety needs of victims
- IUP will assist the victim with preserving and collecting evidence, filing a report (if victim so desires) and initiating a criminal investigation with IUP PD, as required
- IUP will assist victims with contacting local police if complainant requests AND provide the victim with contact information for local police department
- IUP will provide instructions on how to apply for Protective Order
- IUP will provide information to victims on how to preserve evidence
- IUP will assess need and assist to implement interim or long-term protective measures, if needed
- IUP will provide the victim with a written explanation of the victim's rights and options
- IUP will provide a "No Contact" directive to respondent party, if deemed appropriate
- IUP will inform the victim of the outcome of the investigation, whether the respondent will be administratively referred, and what the outcome of the hearing is
- IUP will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for reporting sex-based discrimination or for assisting in the investigation

### **Facilitated Anonymous Reporting through the Counseling Center / Pastoral Counselors:**

IUP recognizes and honors privileges granted by applicable statutes. IUP licensed psychologists, mental health counselors and graduate students in the Counseling Center, licensed psychologists and graduate students in the Center for Applied Psychology and physicians and nurse practitioners working in the Health Service are not required to disclose any information concerning an alleged victim of sexual violence, including sexual assault, dating violence, domestic violence and stalking to the IUP Title IX Coordinator without an alleged victim's consent. This privilege does not apply when the alleged victim is a minor.

Other IUP individuals who support alleged victims of sexual violence may provide confidential services, at the request of the alleged victim. Pastoral counselors available at IUP are volunteers and are not

employees of the University, for example. Although a legally recognized privilege may not attach to these roles, the University respects the alleged victim's expectations of privacy to the extent permissible by law while still ensuring compliance with other reporting requirements. In their capacity and function, they do not make identifiable reports of incidents to official on-campus resources unless the student specifically requests them to do so; however, IUP encourages counselors to inform students that they can report [incidents of crime](#) to IUP PD, which can be done directly or anonymously to capture general details about the incident (date, time, location, and brief description of the incident type) for inclusion in the University's Annual Security and Fire Safety Report and for timely warnings, if appropriate.

**State Employee Assistance Program (SEAP): Call Human Resources at (724) 357-2431**

IUP also provides the State Employee Assistance Program (SEAP) for use by employees. SEAP is available to provide full-time employees assistance with such problems as sexual or physical abuse, depression, marital and relationship conflict, stress, grief, critical incident stress, anxiety, and other personal matters. All full-time employees, regardless of performance, are eligible. The contact number of the SEAP is listed in the Resources section of this annual report. All information relating to an employee's SEAP participation is strictly confidential. Only the SEAP provider maintains employee records. The SEAP provider does not release specific information about an employee's use of services unless the employee gives his or her advance written consent. The SEAP does not report incidents to any Official On-Campus Resources unless the employee specifically gives them permission to do so.

**Assistance for Victims:**

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, IUP will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- the procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred;
- information about how the University will protect the confidentiality of victims and other necessary parties;
- a statement that the University will provide written notification to students and employees about victim services in the institution and in the community;
- a statement regarding the University's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- an explanation of the procedures for university disciplinary action

## **RIGHTS OF VICTIMS AND THE UNIVERSITY’S RESPONSIBILITIES FOR ORDERS OF PROTECTION, “NO CONTACT” ORDERS, RESTRAINING ORDERS, SIMILAR LAWFUL ORDERS ISSUED BY A CRIMINAL, CIVIL, OR TRIBAL COURT OR BY THE INSTITUTION**

IUP complies with Pennsylvania State law in recognizing orders of protection.

Any person who obtains an order of protection from Pennsylvania or any reciprocal state should provide a copy to IUP PD and the Office of the Title IX Coordinator. A complainant may then meet with IUP PD, Human Resources and / or the Title IX Coordinator (or, all three departments) to develop a safety plan, which is intended to reduce the risk of harm to the victim while on campus or coming and going from campus. This plan may include, but is not limited to, escorts, special parking arrangements, changing classroom/work site location, or working with academic advisors on alternative class schedules, allowing a student to complete assignments from home, allowing an employee to develop a flexible work schedule, etc. IUP cannot apply for a legal order of protection, no contact order, or restraining order for a victim from the applicable jurisdiction(s).

In Pennsylvania, a victim of domestic violence, dating violence, sexual assault, or stalking has the right to file a petition with the courts requesting protection through PFAs (Protection from Abuse), SVPOs (Sexual Violence Protection Order), and/or PSVIs, which could include the following:

- An order restraining the abuser from further acts of abuse;
- An order directing the abuser to leave the victim's household/place of residence;
- An order directing the abuser to refrain from stalking or harassing the victim or other designated persons;
- Other protections based on issues related to cohabitation, residency, employment, and child custody.

When an abuser is not a present or past member of the victim’s household or family, adults and minors can petition for a Sexual Violence Protection Order (SVPO). For example, a SVPO could be granted for a victim who is sexually assaulted by a coworker and who has no other relationship with the coworker – is not now or never was a family relation, spouse, dating partner, or member of the same household.

### **Protection from Abuse (PFA):**

A protection from abuse order is a paper that is signed by a judge that tells or informs the abuser to stop the abuse or face serious legal consequences. It offers civil legal protection from sexual or relationship violence to both female and male victims. In Pennsylvania, there are different types of protection from abuse (PFA) orders. These include:

- Emergency Order – Immediate protection when the courts are closed. A victim can contact the local police by dialing 911, and the police will connect the victim with the on-call magisterial district judge. The judge may grant an emergency order through this emergency process based on the facts of the case.

- Ex Parte Temporary Order – “Ex parte” means the judge will decide regarding a PFA, based only on the information provided by the victim, without the abuser being in court.
- Final PFA – A judge can grant a final protection from abuse order after a hearing involving the victim, abuser, witnesses, testimony, and evidence.

### **Protection of Victims of Sexual Violence or Intimidation (PSVI) Act:**

The Protection of Victims of Sexual Violence or Intimidation (PSVI) Act provides victims of sexual violence or intimidation a civil remedy that requires the offender to stay away from the victim, regardless of whether the victim seeks criminal prosecution. 42 Pa. C.S. §§ 62A01(5)-(6). Victims of sexual violence and intimidation are eligible for relief who do not have a family or household member relationship with the defendant, i.e., who ARE NOT spouses, ex-spouses, living or lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners or persons who share biological parenthood. Victims of sexual violence and intimidation who have a family or household relationship with a defendant would instead be eligible for civil relief under the Protection from Abuse Act.

Information retrieved from <https://www.pcadv.org/policy-center/pennsylvania-laws/protection-from-sexual-violence-intimidation/>; for more information, please contact IUP PD or the Title IX Coordinator’s Office.

IUP PD or the Title IX Coordinator’s office will help put victims who are interested in pursuing a PFA, PSVI, or SVPO in contact with local courts or the local advocacy center. Any student who obtains a protection order from Pennsylvania or any reciprocal State should provide a copy to IUP PD and the Title IX Coordinator. IUP PD will also help facilitate the reporting of PFA violations to the local police.

While different from a State mandated protection order, the University can issue a No Contact Order. This includes, but is not limited to, communication that is written, verbal, or physical. Written communication is understood to include all electronic means of communication, including, but not limited to email, instant messaging, and text messaging. Verbal communication is understood to include phone calls and voice mail messages. A "no contact" order may include additional restrictions and terms.

If the University receives a report that an institutional no contact-order has been violated, IUP will initiate disciplinary proceedings appropriate to the status of the respondent (student, employee, etc.) and will impose sanctions if the respondent is found responsible for violating the no contact order.

### **Accommodations and Protective Measures Available for Victims:**

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, IUP will provide written notification to students and employees about accommodations available to them, including academic, living, transportation, and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the



name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, IUP departments and offices will work cooperatively to assist the victim in obtaining accommodation. If available, a victim may be offered changes to academic, living, working or transportation situations regardless of whether the victim chooses to report the crime to law enforcement.

Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, withdraw and take a class at another time if there is no option for moving to a different section, etc. Potential changes to living situations may include moving to a different room or residence hall. Changes to work situations may include changing working hours. Changes in transportation may include having the student or employee park in a different location, assisting the student or employee with a safety escort, etc. Issuance of a full, partial, or modified persona non-grata (PNG) to the respondent may also be appropriate.

To request changes to academic, living, transportation and/or working situations, or protective measures, a victim can request guidance from IUP PD or:

**Students:** Contact the Title IX Coordinator

**Employees/Faculty:** Contact the Office of Human Resources and/or the Office of the Provost for assistance (NOTE: Title IX Coordinator still needs to know if accommodations are made)

### **Confidentiality:**

Victims may request that directory information on file with IUP be withheld by request. This request can be made to the Office of the Registrar in person by visiting the Clark Hall Building or by calling (724) 357-2217. Employees can contact the Office of Human Resources to make a similar request regarding directory information at the Sutton Hall Building or by calling (724) 357-2431.

Regardless of whether a victim has opted-out of allowing IUP to share "directory information," personally identifiable information about the victim and other necessary parties will be treated as confidential and only shared with persons who have a specific need-to-know, i.e., those who are investigating / adjudicating the report or those involved in providing support services to the victim, including accommodations and protective measures. By only sharing personally identifiable information with individuals on a need-to-know basis, IUP will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

IUP does not publish the name of crime victims or other identifiable information regarding victims in the Daily Crime and Fire Log or in the annual crime statistics that are disclosed in compliance with the *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act*. Furthermore, if a timely warning notice or emergency notification alert is issued based on a report of domestic violence, dating violence, sexual assault, or stalking, the name of the victim and other personally identifiable information

about the victim will be withheld; accordingly, this could include the specific location where an incident is reported to have occurred when disclosing the location could inadvertently identify the victim.

### **On- and Off-campus Services for Victims:**

Upon receipt of a report of domestic violence, dating violence, sexual assault, or stalking, IUP will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services, including counseling, health, mental health, legal assistance, visa and immigration assistance, student financial aid, and assistance in notifying appropriate local law enforcement. If a sexual assault or rape should occur on campus, staff on-scene, including IUP PD, will offer the victim a wide variety of services. These resources may include the following:

- **Counseling / Mental Health: **\*\*Confidential Resource\*\***:** The Counseling Center, Suites on Maple East, G31 (901 Maple Street), phone: (724) 357-2621. The Counseling Center can also make referrals for local area confidential counseling and psychiatric services at other IUP campuses.
- **Health Services:** The Center for Health and Well-Being, Suites on Maple East, 901 Maple Street, phone: (724) 357-2550
- **Title IX Coordinator:** Elise Glenn, Delaney Hall B17 (920 Grant Street), phone: (724) 357-3402.
- **VISA/Immigration Services:** Office of International Education, Delaney Hall, B25 (920 Grant Street), phone: (724) 357-2295
- **Student Financial Aid:** Office of Financial Aid, 200 Clark Hall (1090 South Drive), phone: (724) 357-2218
- **LGBTQIA Support:** Elkin Hall, 128 (945 Oakland Ave), phone: (724) 357-2598
- **Advocacy, Counseling, Shelter:** Alice Paul House, P.O. Box 417, Indiana, PA 15701, phone: (724) 349-4444
- **Pastoral Counseling:** [spiritual-life@iup.edu](mailto:spiritual-life@iup.edu) (Religious and Spiritual Organizations)
- **Department of Public Safety, University Police:** University Towers, 850 Maple Street, phone: (724) 357-2141
- **VP for Student Affairs:** Sutton Hall, Room 213 (1011 South Drive), phone: (724) 357-4040
- **Multicultural resources and services:** Center for Multicultural Student Leadership and Engagement, Elkin Hall, Room 128(945 Oakland Ave), phone: (724) 357-2598
- **Employee Assistance:** State Employee Assistance Program, Human Resources, Sutton Hall, Room G8 (1011 South Drive), phone: (724) 357-2431
- **Emergency Medical Treatment: Indiana:** Indiana Regional Medical Center, 835 Hospital Road, Indiana, PA, phone: (724) 357-7000; **IUP Pittsburgh East:** Forbes Regional Hospital, 2570 Haymaker Rd, IUP Pittsburgh East, PA, phone: (412) 858-2530; **Northpointe:** Armstrong County Memorial Hospital, 1 Nolte Drive, Kittanning, PA, phone: (724) 543-8458; **Punxsutawney:** Punxsutawney Area Hospital, 81 Hillcrest Drive, Punxsutawney, PA, phone: (814) 938-1800;
- **Alcohol, Tobacco & Other Drugs:** ATOD Program, Suites on Maple East, Room G59 (901 Maple Street), phone: (724) 357-1265
- **Open Door Crisis & Counseling Services: **\*\*Confidential Resource\*\***:** The Open Door, 665 Philadelphia Street, Indiana, PA, phone: (724) 465-2605

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.rainn.org> – Rape, Abuse, and Incest National Network

<https://www.justice.gov/ovw/sexual-assault> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> - Department of Education, Office of Civil Rights

### **Adjudication of Violations and HEOA Victim Notification Disclosures:**

IUP's disciplinary process includes a prompt, fair, and impartial investigation, and resolution process. In all instances, the process will be conducted in a manner that is consistent with the University's policy and that is transparent to the complainant and the respondent. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days (about 2 months) of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the complainant and the respondent of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking, as well as how to investigate and hearing process that protects the safety and confidentiality of the victim and promotes accountability. Furthermore, IUP policy provides that:

- The complainant and the respondent will have timely notice for meetings at which the complainant or respondent, or both, may be present.
- The complainant, the respondent, and appropriate University officials will have timely and equal access to any information that will be used during formal and informal disciplinary meetings and hearings.
- The IUP disciplinary procedures will not be conducted by university officials who have a conflict of interest or bias for or against the complainant or the respondent.
- The complainant and the respondent will have the same opportunities to have others present information during any University disciplinary proceeding. The complainant and the respondent each can be counseled by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. IUP will not limit the choice of advisor or presence for either the complainant or the respondent in any meeting or University disciplinary proceeding. An advisor is someone who acts as an advisor to the complainant or respondent involved in an investigation or disciplinary proceeding under IUP policies. The advisor is permitted to be a part of any meetings their student may have. A student or employee should select as an advisor a person whose schedule allows attendance at the scheduled date and time of any meeting(s), because delays will not normally be allowed due to the scheduling conflicts of an advisor.

The advisor may not speak aloud during meetings involving the student or employee as an investigator/adjudicator but may confer quietly or by means of written notes with their advisee. The complainant and respondent are not obligated to accept the counsel of an advisor.

- The complainant and the respondent will be notified simultaneously, in writing, of any initial, interim, and final decision of any disciplinary proceeding<sup>1</sup>; and
- Where an appeal is permitted under the applicable policy, the complainant and the respondent will be notified simultaneously in writing the procedures for the respondent and the complainant to appeal the result of the University disciplinary proceeding. When an appeal is filed, the complainant and the respondent will be notified simultaneously in writing of any change to the result prior to the time that it becomes final, as well as of the result once the appeal is resolved.

#### If the Alleged Victim Does Not Wish to Pursue Resolution:

In all reported cases of sexual misconduct, IUP will conduct a fact-finding investigation to the best of its ability. In cases where the alleged victim wishes to become a complainant, this investigative report is provided to the Title IX Coordinator for a threshold analysis.

In cases where the victim does not wish to become a complainant, the University has 2 (two) options:

- IUP may attempt to resolve the complaint in a manner consistent with the victim's request. This may include holding the report for action later.
- IUP may pursue a Community Standards hearing against the respondent named in the investigation. Under these circumstances, IUP would take into consideration the nature of the assault, the safety of the victim and the campus community, as well as the previous disciplinary history and previous allegations of sexual misconduct.

Whether or not criminal charges are filed, IUP or a person may file a complaint under existing University policies, depending upon the status of the accused (student or employee).

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<sup>1</sup> **NOTE:** Per HEOA, if the alleged victim of a crime of violence or non-forcible sex offense is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of notification.

## **Student Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault, and Stalking**

The procedures for processing a sexual harassment and sexual violence complaint against a student (student to student or allegations in which the alleged offender is a student) are addressed through a formal Community Standards proceeding, which is described in and governed by the IUP Community Standards Policy. <https://www.iup.edu/studentsupportandstandards>

To report a complaint of sexual harassment or sexual violence, including sexual assault, dating violence, domestic violence, and stalking, against a student and discuss options, contact a Campus Security Authority; the Office of Student Support and Community Standards, Ruddock G37 at 724-357-1254; or the Title IX Coordinator. If the student does not want to proceed with a Community Standards complaint or police report, the Title IX Coordinator (or designee) will still investigate, as warranted, to determine what occurred and take appropriate steps to resolve the situation, mindful of the University's obligation to provide a safe and nondiscriminatory environment for all students.

### **Statement on Privacy:**

IUP will protect the identity of persons who report being victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law. Additionally, IUP will take all reasonable steps to investigate and respond to the complaint consistent with any request for privacy or request not to pursue an investigation. However, IUP's ability to do so may be limited based on the nature of the request by the complainant.

If the alleged victim requests anonymity or that IUP not pursue an investigation, the University must balance this request in the context of its responsibility to provide a safe environment for all community members. In cases where IUP cannot respect the wishes of the alleged victim, the University will provide consultation and keep them informed about the institution's course of action.

If the report of misconduct discloses an immediate threat to the IUP campus community, where timely notice must be given to protect the health or safety of the community, the University will maintain the privacy of the victim or respondent's identities, understanding that in a small community an alert may make members of the community feel known or singled out.

IUP will assess any barriers to resolution, including retaliation, in cases where formal resolution will take place. IUP will inform the respondent that Title IX prohibits retaliation, and the University will take strong responsive action to protect the complainant and/or any witnesses to the incident.

IUP has designated the following position(s) to evaluate requests for privacy once the University is aware of alleged sexual violence: Title IX Coordinator.

## **Investigation of Reports:**

**Criminal:** IUP will take prompt action to investigate and adjudicate a complaint. However, if the student wishes to participate in a police investigation, IUP may wait a reasonable amount of time (usually 7 to 10 business days) to allow the police to conduct initial fact finding and the gathering of evidence in the criminal investigation. The Department of Public Safety Director or designee and the Police Chief or equivalent in any local agency, may regularly confer on the status of an active investigation to ensure compliance with federal requirements, including the need for timely warnings or similar alerts, while maintaining the integrity of any active criminal process.

**Policy Violation:** IUP's goal is to complete the investigation within 60 days. However, there may be times where the process may take longer, and the University will communicate on an ongoing basis with the parties a realistic timeline, and the circumstances regarding the same.

Investigations will be conducted by one or more of the following: IUP PD, Title IX Coordinator (or designee) or Human Resources personnel. The designee may be an employee of the University, an external investigator, or both. All reasonable efforts will be made to keep information private during the University's investigation and adjudication of a complaint.

The investigation is designed to provide a fair and reliable gathering of the facts. The investigation will be thorough, impartial, and fair. IUP PD, Title IX and Human Resources staff members who are responsible for these investigations have been trained on trauma informed investigations, Title IX, and LGBTQIA concerns. As described in the Sexual Discrimination and Sexual Misconduct Policy, the investigation will be conducted in a manner that is respectful of individual privacy concerns.

The investigation is a process that involves obtaining and evaluating information given by persons having personal knowledge of events or circumstances concerning the reported incident. This may include the collection of all statements (both oral and written), pertinent facts, and / or evidence. This process will be exhaustive and is likely to include the interviewing and re-interviewing of involved parties to ensure as much clarity around conflicting or differing statements as may be possible.

At the conclusion of the investigation, the assigned investigator will prepare a report setting forth the facts gathered. The report will provide an assessment of reliability of the information, as well as a recommendation and / or referral regarding potential policy violations.

## **Interim Measures**

**Overview:** During the investigation and prior to the final determination, the University may take appropriate interim measures to protect the parties involved. A complainant or respondent may request an interim measure or other protection; or the University may impose interim measures at its discretion to ensure the safety of all parties, the campus community, and / or the integrity of the process. These actions are not a presumption of responsibility for violation of the Sexual Discrimination and Sexual Misconduct Policy. Interim measures may be imposed whether formal disciplinary action is sought by the complainant or the University.

Interim measures may prevent a student from attending class and other University activities. IUP will try to provide academic support where necessary. IUP can make no guarantees that a student will receive the support they may desire.

### **Types of Interim Protective Measures:**

**Interim Suspension:** In certain circumstances the Vice President for Student Affairs, or designee, may impose an interim suspension from the University after a complaint has been filed. Interim suspension may be imposed to ensure the safety and well-being of members of the University community or preservation of campus property or to ensure the student's own physical or emotional safety and well-being.

The interim suspension does not replace the regular investigation and adjudication process, which will proceed on the normal schedule, up to and including a hearing, if required. However, the student should be notified in writing of this action and the reasons for the suspension. The student will also be notified of the time, date, and place of a subsequent Community Standards Board or Sexual Misconduct hearing, if applicable.

**Interim residential suspension or residential relocation:** A student may be suspended temporarily from university housing or temporarily reassigned to another residential location on campus.

**Class schedule changes:** Changes to a student's class schedule may be made on a temporary basis in the event it is deemed appropriate by the Title IX Coordinator. Students may be sanctioned to a permanent change(s) through the normal adjudication process.

**Work or job assignment changes:** Changes to a student's work or job assignment (including internships) may be made on a temporary basis in the event it is deemed appropriate by the Title IX Coordinator.

**No-Contact order:** A student is prohibited from any form of communication/contact with one or more persons in any manner, including, but not limited to, contact via electronic media, personal contact, contact via a third party, etc.

Complete policy information may be reviewed at: <https://www.iup.edu/social-equity/policies/sexual-discrimination-and-sexual-misconduct/>

### **General Guidelines for Community Standards Hearings**

A Community Standards hearing may be an Administrative Hearing or a Board Hearing.

Guidelines used by hearing officers include:

1. If a hearing is scheduled, the respondent and complainant shall be provided with specific advance written notice of the alleged violations, the dates, times, and locations of the alleged violations, and a summary of the actions which led to the charges. Notification of charges against the respondent shall also include, but not be limited to, the following information:

- a. The date, time, and location of the hearing
  - b. Whether the case will be adjudicated by a hearing officer or a board
  - c. Information regarding due process rights afforded the respondent prior to and during the hearing.
2. The respondent shall have their case heard by an impartial adjudicator/board. Once an adjudicator has been named, they may not publicly or privately discuss the merits of the complaint with anyone not involved in the proceedings, with the complainant/respondent themselves, or with anyone acting on the behalf of the complainant/respondent.
  3. In situations where the original complainant is no longer available or cannot attend the hearing for unavoidable reasons, a proxy may be sent to the hearing by the originating agency to represent the case against the respondent throughout the proceedings. Additionally, the University may step into the place of the complainant. A finding of responsibility cannot be made based solely upon hearsay evidence.
  4. In the event a respondent, complainant, and/or witness is not able to be physically present at the hearing, they may participate via acceptable technological means including, but not limited to, telephone or video call.
  5. The complainant will present the charges and relevant information and may ask the questions of all hearing participants.
  6. The respondent shall have a fair and reasonable opportunity to answer, explain, and defend themselves against charges presented at the hearing, to question the complainant and witnesses against them, to present information related to specific charges, and to call relevant witnesses to appear on their behalf. If the respondent intends to have witnesses present at the hearing, they must notify the Office of Student Support and Community Standards at least one business day prior to the hearing.
  7. If the respondent chooses not to appear before the assigned adjudicator, their case will be adjudicated in their absence based upon the information related to specific charges presented at the scheduled hearing.
  8. Witnesses will be asked to provide relevant information related to specific charges and to respond to questions from the complainant, the respondent, the hearing officer, and board members. Witnesses are not permitted to ask questions of hearing participants except to clarify a question asked of them.
  9. All hearings are closed except to designated and approved participants.
  10. The students and witnesses may select an advisor to advise them throughout the Community Standards process. The advisor may consult and interact privately with the student or the witness during proceedings. However, the advisor is not permitted to have a verbal role in the



proceedings.

11. At the hearing, if a respondent chooses not to testify, no inference may be drawn from the failure to testify. A respondent who chooses not to testify does not waive the right to ask questions of witnesses or call witnesses.
12. The respondent may waive in writing the right to a hearing and accept one or more sanctions as determined by the adjudicator. The sanctions will reflect the severity of the current charges against the student as well as any previous disciplinary record.
13. A hearing officer or board facilitator shall have the authority during the proceedings to hold an individual in contempt. Contempt is defined as disorderly or disrespectful conduct by hearing participants and/or the intentional misrepresentation of facts. Individuals found to be in contempt may be removed from the hearing and students may be charged with additional violations of applicable University policies.

The respondent shall receive a written account of the decision of the adjudicator setting forth with reasonable specificity the facts and reasons for the decision within 7 calendar days unless circumstances warrant an extension which must be granted by the Vice President for Student Affairs.

### **Retaliation**

IUP prohibits retaliatory action against persons filing complaints of sexual harassment and sexual violence or any person cooperating in the investigation of such a charge, as a complainant, respondent, witness, or other participant. The University will not tolerate knowingly making false charges. Acts of retaliation or knowingly making false charges shall constitute misconduct subject to disciplinary action up to and including expulsion for students and termination for employees.

### **Grounds for Appeal:**

The individual submitting the appeal must present a written request that specifically articulates one or more reasons for appeal from the grounds listed above to the Office of Student Support and Community Standards within five (5) calendar days of notification of the hearing decision. The five (5) day requirement may be waived where extenuating circumstances prevail and only if the grounds for appeal are met. The individual submitting the appeal must include in the written appeal the reason for the appeal and all the supporting facts. Appeals cannot be submitted by a third party on behalf of the respondent or the complainant. The appeal must include the signature of the person submitting the appeal. An appeal is not a rehearing of the matter and will not have merit simply because the person submitting the appeal disagrees with the outcome.

Once the appeal has been received, it will be referred to the Vice President for Student Affairs or designee for review.

In cases that do not involve interim measures, once an appeal is filed all sanctions are placed on hold with the exception of any sanction prohibiting contact with another individual.

The Vice President for Student Affairs or their designee may assign an Appeal Review Board to hear the appeal.

Appeals of expulsion must be submitted to the President or designee through the Vice President for Student Affairs. The President will respond to a respondent in writing regarding the appeal of an expulsion decision.

The Director of Student Support and Community Standards will also draft a response memorandum to the appeal request based on the Appeal Review Officer's determination that the request will be granted or denied and why.

The Appeal Review Officer will conduct an initial review to determine if the appeal request meets the limited grounds and is timely.

If the appeal is not timely or substantively eligible, the original finding and sanction will stand, and the decision is final.

If the appeal is granted, the Appeal Review Officer determines whether to revise the sanctions or reverse the finding of the Board, refer the appeal to the Appeal Review Board, or to remand it for a new hearing, either to the original decision-maker or a new board. Where the original decision-maker may be unduly biased by a procedural or substantive error, a new board will be constituted to reconsider the matter, which can in turn be appealed once. Full re-hearings by the Appeal Review Board are not permitted. The Appeal Review Board must limit its review to the challenges presented.

On reconsideration, the Appeal Review Board, the new board, or original decision-maker may affirm or change the findings and/or sanctions of the original hearing body according to the permissible grounds. Procedural errors should be corrected, new evidence should be considered, and sanctions should be proportionate to the severity of the violation and the student's cumulative conduct record.

All decisions of the Appeal Review Board should be made within ten (10) calendar days of submission to the Board. If this timeline is not possible it may be further delayed with the approval of the Vice President for Student Affairs. Decisions of the Appeal Review Board are final, as are any upheld decisions made by the original hearing body, Director of Student Support and Community Standards, or designee as the result of reconsideration consistent with instructions from the Appeal Review Officer.

All parties will be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision. This usually occurs within 10 calendar days of the appeal being filed.

## **Records**

The Office of Student Support and Community Standards will maintain disciplinary files, which contain all necessary and appropriate correspondence, hearing officer and board decisions, and other documentation pertinent to any disciplinary cases involving the accused student. Material deemed

unnecessary may be discarded at any time. Disciplinary records will be maintained for a minimum of seven (7) years.

The University will not release a student's disciplinary records without the written consent of the student. The only exceptions to this guideline are those outlined in the Family Educational Rights and Privacy Act of 1974 (See IUP Student Records Policy).

## Sanctions

Sanctions are assigned to meet specific learning and developmental outcomes to assist students understand the impact of their actions and to hold them accountable for their conduct. Sanctions are also assigned with the intent of improving upon a student's success at the University by acquiring new skills and promoting growth in various dimensions of moral and ethical development.

Any assigned sanction may be stayed from implementation for a specified period as determined by the hearing officer or board. Any subsequent proven violation of the University Code, policy, or law may cause the stay to be lifted and the assigned sanction implemented with immediate effect. The sanction will not be lifted until the date indicated by the hearing officer or board or the date upon which the student successfully completes all assigned sanctions, whichever comes last. A hearing officer or board may impose one or more sanctions from the sanctions listed below.

1. **Disciplinary Warning:** A written warning may be given to the student indicating they have been found to be in violation of a university policy or regulation and that failure to comply with a university policy or regulation in the future may result in referral to the Office of Student Support and Community Standards to be handled as a second offense.
2. **Disciplinary Probation:** Disciplinary Probation is an indication that a student's status at the University is seriously jeopardized. During the probationary period, if the student is found to be in violation of university policy or regulation, a more serious sanction may be levied, including possible suspension or expulsion from the University. Disciplinary Probation is in effect for a specific period.
3. **Extended Disciplinary Probation:** Disciplinary Probation may be extended for a specific period.
4. **Community Reparations:** A task which benefits the individual, campus, or community.
5. **Educational Task:** Examples of educational tasks include, but are not limited to, essays, educational workshops provided by the University or outside entities, participating with staff in community development initiatives, apology notes, etc. The student will be required to submit proof of completion of the educational task from a source deemed appropriate by the University.
6. **Disciplinary Removal from University Owned/Operated Housing:** This condition removes a student from university owned/operated housing facilities on either a temporary or a permanent

basis.

7. **Loss of Eligibility for University Owned/Operated Housing:** The student, whether currently living in university owned/operated housing facilities or not, is denied future eligibility for university owned/operated housing on a temporary or permanent basis.
8. **No Visitation in University Owned/Operated Housing/Facilities:** This condition prohibits a student from being present within university owned/operated housing or other designated facilities for any purpose for a specific time period.
9. **Restitution:** A student may be required to pay for damage to property, including but not limited to, personal and University/Co-op property, and/or for personal injury. Payment will be made under guidelines determined by the Office of Student Support and Community Standards.
10. **Fine:** A student may be billed an amount of money as determined by the hearing officer or Board.
11. **Other:** Recommendations may also be made for participation in mediated no contact agreements, assignment to a trained mediator, mentoring in lieu of suspension, and other appropriate remedial and education interactions.
12. **Suspension:** A student may be suspended from the University for a specific period. Suspension requires that the student remove themselves from the University and any University owned-or operated entities, buildings, or properties. They are not permitted to attend classes, social activities, or to be present on university property during the period of suspension.

**Expulsion:** The board may recommend to the President or designee through the Vice President for Student Affairs that a student be expelled from the institution. Expulsion from the University is permanent dismissal. The President or designee shall endeavor to respond to the respondent in writing regarding the recommendation of expulsion within five calendar days of receiving it.

## Procedures for Allegations Involving Employees, Students, Vendors and Designated Volunteers

Indiana University of Pennsylvania is committed to providing a safe and positive living, learning, and work environment that is free from sexual discrimination and other prohibited sexual misconduct.

Discrimination on the basis of sex or gender may constitute a violation of Title VII of the US Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and/or the Pennsylvania Human Relations Act.

The Sexual Discrimination and Sexual Misconduct Policy is applicable to all students and employees of the university, as well as designated volunteers, contractors, and vendors. Students, employees, and university affiliates are expected to conduct themselves in a manner that does not infringe upon the rights of others.

### Sexual Misconduct Definitions

**1. Dating Violence** – This includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved in the relationship. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of Domestic Violence.

Dating Violence is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity, and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Dating Violence will be categorized as Non-Regulatory.

**2. Domestic Violence** – This includes any violence committed by a current or former spouse or intimate partner of the Complainant, by a person with whom the Complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the Complainant under Pennsylvania's domestic or family violence laws, or by any other person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of Pennsylvania.

Domestic Violence is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity, and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Dating Violence will be categorized as Non-Regulatory.

**3. Retaliation** – Any action, directly or through others, which is aimed to deter a reasonable person from reporting sexual misconduct or participating in an investigation or hearing or action that is done in response to such activities. This includes but is not limited to intimidation, threats, coercion, or discrimination against any individual (A) for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations; or (B) because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy. A finding of retaliation under this Policy is not dependent on a finding that the underlying sexual misconduct occurred.

**4. Sexual Assault** – This includes any sexual act directed against another person, without the Consent of the Complainant, including instances where the Complainant is incapable of giving Consent. Sexual Assault may be one of the following categories:

**A. Sexual Penetration Without Consent** – Any penetration of the mouth, sex organs, or anus of another person, however slight by an object or any part of the body, when Consent is not present. This includes performing oral sex on another person when Consent is not present.

**B. Sexual Contact Without Consent** – Knowingly touching or fondling a person’s genitals, breasts, buttocks, or anus, or knowingly touching a person with one’s own genitals or breasts when Consent is not present. This includes contact done directly or indirectly through clothing, bodily fluids, or with an object. It also includes causing or inducing a person, when Consent is not present, to similarly touch or fondle oneself or someone else.

**C. Statutory Sexual Assault** – The age of consent for sexual activity in Pennsylvania is 16. Minors under the age of 13 cannot consent to sexual activity. Minors aged 13-15 years old cannot consent to sexual activity with anyone who is 4 or more years older than they are at the time of the activity. Minors aged 16 years of age or older can legally consent to sexual activity as long as the other person does not have authority over them as defined in Pennsylvania’s institutional sexual assault statute.

Sexual Assault is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Sexual Assault will be categorized as Non-Regulatory.

**5. Sexual Exploitation** – Engaging in sexual behaviors directed toward or involving another person or use of another person’s sexuality for purposes of sexual gratification, financial gain, personal gain, or personal advantage when Consent is not present. This includes, but is not limited to, the following actions, including when they are done via electronic means, methods, or devices:

**A.** Sexual voyeurism or permitting others to witness or observe the sexual or intimate activity of another person without that person’s Consent;

**B.** Indecent exposure or inducing others to expose private or intimate parts of the body when Consent is not present;

**C.** Recording or distributing information, images, or recordings of any person engaged in sexual or intimate activity in a private space without that person’s Consent;

**D. Prostituting another individual;**

**E.** Knowingly exposing another individual to a sexually transmitted disease or virus without that individual’s knowledge; or

**F.** Inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

**6. Regulatory Quid Pro Quo Sexual Harassment** – An Employee conditioning the provision of aid, benefit, or service of the University on an individual’s participation in unwelcome sexual conduct.

**7. Non-Regulatory Quid Pro Quo Sexual Harassment** – A University Official, Volunteer, or Student conditioning the provision of aid, benefit, or service of the University on the individual’s participation in unwelcome sexual conduct.

**8. Regulatory Hostile Environment Sexual Harassment** – Unwelcome conduct, on the basis of sex, that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University’s Education Program or Activity.

**9. Non-Regulatory Hostile Environment Sexual Harassment** – Unwelcome conduct, on the basis of sex, that a reasonable person would determine is sufficiently severe, pervasive, and objectively offensive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from any educational, employment, social, or residential program in offered connection with the University.

**10. Regulatory and/or Non-Regulatory Stalking** – This means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

**A. fear for their safety or the safety of others; or**

**B. suffer substantial emotional distress.**

A course of conduct is when a person engages in two or more acts that include, but are not limited to, acts in which the person directly, indirectly, or through third parties by any action, method, device, or means follows, monitors, observes, surveys, threatens, or communicates to or about a person in a prohibited way or interferes with a person’s property.

Stalking includes the concept of cyberstalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts, email, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion.

Stalking is categorized as Regulatory when it occurs in the United States, within an Education Program or Activity, and when the Complainant is participating or seeking to participate in an Education Program or Activity at the time of the filing of the complaint. Otherwise, Stalking will be categorized as Non-Regulatory.

## **Informal Complaint Resolution Procedures**

- Informal complaint resolution may be available for the complaint to be resolved by mutual agreement between the complainant and the respondent with the approval of the Title IX Coordinator. This option can be requested by any complainant or respondent.
- To ensure compliance with the University's legal obligations or as otherwise determined to be appropriate by the complainant or the Title IX Coordinator, the complaint may be moved from the informal complaint resolution process to the formal complaint resolution process at any time prior to the agreement being executed.
- The Title IX Coordinator is expected to review the complaint expeditiously and explore avenues for informal resolution with the complainant and respondent, if appropriate. The written complaint or a summary of the complaint will be provided by the Title IX Coordinator, or designee, to the respondent. The Title IX Coordinator has the discretion to determine whether the situation warrants meeting(s), either jointly with the complainant and the respondent or separately. The complainant will not be compelled to meet with the respondent. The Title IX Coordinator has the discretion to determine whether the complaint requires an investigation, which may include interviewing other persons who may have witnessed the alleged behavior or might have information that would be relevant to the case.

- The Title IX Coordinator should attempt to resolve complaints expeditiously and in a timely manner, but in a manner that is consistent with the severity or complexity of the matter. If informal resolution fails to resolve the matter to the complainant's satisfaction, the complainant may move the complaint to the formal complaint resolution process.
- At the conclusion of the informal complaint resolution process, all procedural records will be maintained by the Title IX Coordinator in accordance with the University's records retention policy.

### Formal Complaint Resolution Procedures

- The formal complaint resolution process is initiated by a complaint being transferred from the informal complaint resolution process or by filing a complaint with the Title IX Coordinator. The complaint should describe the incident(s) as completely as possible. The complainant may seek assistance and guidance regarding submission of the complaint from the Title IX Coordinator, Deputy Title IX Coordinator, or University Investigator.
- At the direction of the Title IX Coordinator, a University Investigator will investigate. This may include:
  - Notifying the respondent in writing, providing a copy of the written complaint or a summary of the complaint to the respondent which includes the alleged violations, the dates, times, and locations of the alleged violations, and a summary of the actions which led to the allegation(s) of sexual misconduct.
  - Interviews with the complainant and the respondent and with anyone who might have witnessed the behavior or who might have information that would be relevant, as determined by the investigation;
  - Proceeding in a timely manner consistent with the complexity and severity of the matter;
  - Preparation of an investigation report;
  - Submission of the investigation report to the Title IX Coordinator, who will transmit the report to the President or designee:
    - **In cases alleging sexual misconduct against a student**, the referral is made to the Office of Student Support and Community Standards and proceeds according to the IUP Community Standards Policy. The University Investigator will present the investigating report, which includes a summary of the charges. The complainant and respondent and all board members may ask questions of all witnesses. Parties may not directly question each other and will be advised to write their questions, which will be posed by a neutral party questioner.
    - **In cases alleging sexual misconduct by an employee, vendor or volunteer**, the referral is made to the President or his designee and proceeds according to university disciplinary process and collective bargaining agreements, if applicable.

The entire IUP Sexual Discrimination and Sexual Misconduct Policy may be reviewed at:

<https://www.iup.edu/social-equity/policies/sexual-discrimination-and-sexual-misconduct/>



## STATEMENT ADDRESSING SEX OFFENDER REGISTRATION

### Sex Offender Registration Policy

The federal Campus Sex Crime Prevention Act of 2000 (CSCPA) requires institutions of higher education to issue a statement advising the University community where law enforcement agency information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice, as required under State law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteers service or is a student. Information currently required under law is maintained by the Pennsylvania State Police and is accessible at: <https://www.pameganslaw.state.pa.us/>

## Campus Counseling, Mental Health and Other Resources

### **The Counseling Center: (724) 357-2621**

Located in the Suites on Maple East, G31 (901 Maple Street), the IUP Counseling Center assists students in recognizing and completing life tasks essential to their development as individuals and growth as IUP students. For more information, please visit: <http://www.iup.edu/counselingcenter/>

### **Student Support Services**

The Haven Project at IUP's Counseling Center, on the Indiana Campus, is available to students from all campuses to provide confidential counseling services at 724-357-2621. 24-hour services are available at the Alice Paul House in Indiana at 724-349-4444; HAVIN (the Survivor Abuse Center) in Kittanning at 724-548-8888; Passages, serving Punxsutawney, at 800-793-3620; and PAAR, serving the IUP Pittsburgh East Center, at 866-363-7273.

### **State Employee Assistance Program (SEAP): Call Human Resources at (724) 357-2431**

The State Employee Assistance Program is a free assessment and referral service for Commonwealth employees and family members. SEAP provides help for a wide range of personal and work-related issues as well as financial and legal services. For more information, please visit: <https://www.iup.edu/humanresources/benefits/seap---state-employee-assistance-program/>

### **Other Resources**

Drug and Alcohol treatment resources from various organizations are available for review at: <https://www.iup.edu/humanresources/policies/drug-free-schools-and-communities-act/>

The Alcohol, Tobacco, and Other Drugs Program website may be reviewed at: <https://www.iup.edu/atod/>.

The University has a Concern and Response Team (CART) that works with members of the IUP community to help assist students whose concerns deserve intervention and support. CART collaborates with campus experts to address student concerns when a student's behavior may pose risk to the individuals and / or the University community. If an observed behavior is an immediate concern, contact the University Police at (724) 357-2141 or call 911.

# ANNUAL FIRE SAFETY REPORT

## STATEMENTS ADDRESSING FIRE SAFETY AND REPORTING

### Fire Safety Report

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus residential facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The Department of Public Safety maintains a daily Crime and Fire Log of all crime and fire incidents reported to the Office. The log is available 24 hours per day to members of the public at University Towers, 850 Maple Street, Indiana, PA, 15705. The following report details all information required by this act for IUP.

#### 2021 Indiana University of Pennsylvania Fire Report

Residence Facility Name / Address	Total Number of Fires			Fire Number			Date of Fire			Cause of Fire			Number of Injuries that Required Treatment at a Medical Facility			Number of Deaths Related to a Fire			Value of Property Damage Caused by a Fire (\$)		
	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021	2019	2020	2021
<b>Indiana Campus Residence Halls</b>																					
Andrew W. Stephenson Hall 950 Maple St.	0	0	0	0	0	0															
Donna D. Putt Hall 1000 Grant St.	0	0	1	0	0	1			4/24			Discarded drug paraphernalia			0			0			0
Elkin Hall 945 Oakland Ave.	0	0	0	0	0	0															
Gealy W. Wallwork Hall 455 Pratt Dr.	1	0	0	1	0	0	9/13			Stove Fire			0		0					\$100-\$999	
Northern Suites 955 Oakland Ave.	0	0	0	0	0	0															
McCarthy Hall 1030 Wayne Ave.	0	0	0	0	0	0															
Rodney D. Ruddock Hall 1099 Maple St.	0	0	0	0	0	0															
Suites on Maple East 901 Maple St.	0	0	0	0	0	0															
Suites on Pratt 601 Pratt Dr.	0	0	0	0	0	0															
Susan Snell Delaney Hall 920 Grant St.	0	0	0	0	0	0															
University Towers 850 Maple St.	0	0	0	0	0	0															
Whitmyre Hall 290 Pratt Dr.	0	0	0	0	0	0															
<b>Punxsutawney Campus Residence Halls</b>																					
Punxsutawney Living Center 264 Center St.	0	0	0	0	0	0															
Fairman Centre 131 South Findley St.	0	0	0	0	0	0															
<b>Off Campus Student Housing – Affiliated with IUP</b>																					
Phi Kappa Psi Fraternity 220 S. 7th St. Indiana, Pa. 15701	0	0	0	0	0	0															
Sigma Chi Fraternity 246 S. 7th St. Indiana, Pa. 15701	0	0	0	0	0	0															

## FIRE SYSTEMS

### Fire Safety Policies for On-Campus Housing

- **Electrical Appliances.** Due to the potential for accidents that may occur when using certain electrical appliances, the following devices are restricted or prohibited in all University residences:
  - Potpourri burners
  - Space heaters (except during extreme conditions approved by the University)
  - Fog machines
  - Halogen lamps
  - Hot plates, hot pots, and similar devices
  - Popcorn poppers
  - Toasters and toaster ovens
  - Iron (except in approved areas designated by the University)

These devices are examples of heat-producing appliances that are prohibited. Residents are encouraged to contact their residence director if they have questions regarding approved appliances.

- **Smoking.** Smoking of any kind, including electronic cigarettes, is not permitted anywhere in residential buildings. Occupants and their guests are required to always observe the policy.
- **Open Flames.** Candles and open flames of any kind are strictly prohibited in the residential facilities, as are incense burners and like heat producing devices or sources. These items will be confiscated and may not be returned. Violations may result in disciplinary action as indicated in the Policies and Regulations regarding Student Behavior.

### Procedures for Evacuation

When the fire-detection system in any facility is activated and sounds an alarm throughout the building, all occupants are required to promptly exit the building using the safest possible route. When outside, occupants must proceed to a predetermined holding area located at least 200 feet from the building and remain in that location until they receive further instructions from a staff member, a police officer or fire department representative. Other evacuation procedures may include:

- Shut all doors and windows in the vicinity of the fire, if activity can be safely accomplished
- If the fire is small, use fire extinguishers to put it out
- Exit by nearest safe stairway
- Do not use the elevators
- Do not run
- If there is smoke in the room, keep low to the floor
- Try to exit the room, feel the doorknob
  - If it is hot, do not open the door

- If the doorknob is not hot, brace yourself against the door and crack it open
- If there is heat or heavy smoke, close the door and stay in your room
- Do not panic
- Seal up the cracks under the door with sheets, or towels.
- If there is smoke in the room, crack the windows at the bottom and at the top, if possible, to allow for ventilation
- Hang a sheet or towel from the window to announce that you are in your room.
- Call 911 or IUP PD at: (724) 357-2141. Be sure to give your room number and your location.
- If you can exit the room, put on shoes (and if necessary, a coat). If smoke is evident, get a wet towel to cover your face.
- Close all doors.
- If in exiting the building you are blocked by fire, go to the safest fire-free area, or stairwell. If a phone is available call 911; or find a window, and signal that you are still in the building.

All residential life staff members receive training on the established evacuation procedures to follow for the specific building in which they reside. Staff members also receive training conducted by a member of the local fire department on the proper procedures for using a fire extinguisher.

At the opening of each semester, staff members on all residential facility floors conduct a mandatory meeting to include all their floor residents, at which time they review the procedures that must be followed to safely evacuate the building if the fire-detection system sounds and activates an alarm throughout the building.

To ensure that building occupants understand exactly what they need to do immediately after the building fire alarm system is activated, a fire drill is conducted in all residential facilities shortly after the beginning of the Fall semester, Spring semester and summer sessions and, as scheduled for academic and administrative buildings through Environmental Health and Safety. If staff members observe any building occupants who do not follow the established evacuation procedures, they are instructed to counsel those occupants on the correct procedures to follow if the alarm sounds at any time in the future.

### **Fire Safety and Education**

IUP is committed to fire safety in its residential facilities as well as other locations on campus. All residential facilities are equipped with smoke detectors and fire alarm systems that ring into the University Police Department, which is staffed 24 hours a day, seven days a week. University residential facilities have sprinkler systems, smoke detectors, fire extinguishers, emergency exit doors, audible alarms, and emergency lighting systems. Every effort has been made to ensure that the systems are inspected, within each residential facility, twice a year. Residential facilities also have designated Areas of Rescue, which are located on the suite floors, and an alarm can be sounded by pulling a notification panel that rings into the University Police Department. Officers are then immediately dispatched to the Area of Rescue.

The University maintains and tests all fire alarms and automatic fire suppression systems in accordance with the appropriate National Fire Protection Association Standards to ensure system readiness and proper operation in the event of a fire emergency.

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

- Dining Service Staff members are trained annually on hands-on use of fire extinguishers and emergency procedures in the event of a fire
- University Police Officers are trained for initial response to fire incidents and provide assistance in building evacuation and extinguishment / confinement of small fires
- Fire extinguisher training is provided to Residence Life staff, along with evacuation and gathering points training
- Safety inspections are made in each residential room twice a semester
- Fire drills are conducted once a semester in all residential buildings
- Fire extinguisher training is made available each year to all staff / employees
- Fire extinguishers are inspected monthly
- A fire log is maintained at the Department of Public Safety and is available to the public for review upon request

## **Fire Reporting**

For Clery fire safety reporting, a **“fire”** is defined as: *“any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.”*

There are no restrictions concerning who reports fires in residential facilities on IUP campuses. Residents, faculty, staff members and visitors are encouraged to report in-progress fires as quickly as safely practical to facilitate fire emergency procedures and to improve the gathering of reportable statistics. Individuals are encouraged to call 911 or the University Police Department at (724) 357-2141 to immediately report a fire. Residents in a living facility on the University campus can immediately report a fire to any Residential Life staff member, as well.

Residents, faculty, staff members and visitors are encouraged to report after-the-fact fires to improve the gathering of reportable statistics, as well. After-the-fact fires are obvious areas of burning from a fire that was extinguished and is no longer active. Police dispatchers will send officers to the scene of any reportable fire and the officers will initiate emergency action, if required, and complete necessary reporting to ensure statistical data is available for the annual fire safety report.

Fire alarms ring into the University Police Department and are received at a panel that connects each residential facility and administrative building with fire codes such as active fire, trouble codes, pull station activation and smoke detectors. This state-of-the-art system gives responding officers much

needed information regarding locations and types of alarms and saves critical time in responding to the appropriate areas. Students may not disregard fire alarms or refuse to evacuate a building when a fire alarm is sounding, regardless of the nature of the alarm. All building occupants are expected to exit a building in a fire alarm situation in any building on IUP campuses. Students who refuse to exit buildings during fire alarms are subject to disciplinary action as indicated in the Policies and Regulations regarding student behavior.

### **Plans for Future Improvement**

IUP continues to assess and upgrade fire safety equipment as an ongoing process, to ensure that all equipment meets National Fire Safety standards. Future improvements will be made as needed as part of the ongoing assessment and budget process. Facilities Management and the Office of Environmental Health and Safety will be leading this effort. For additional information regarding health and safety issues, please visit: <https://www.iup.edu/facilities/offices/environmental-health-and-safety/index.html>

## Fire Systems and Drills Conducted

Facility	Address	Fire Alarm Monitoring Done on Site	Partial Sprinkler System	Full Sprinkler System	Smoke Detection	Fire Extinguisher Devices	Evacuation Plans & Placards	Number of fire drills each calendar year
Delaney Hall (East)	920 Grant Street	X		X	X	X	X	1/semester
Delaney Hall (West)	950 Grant Street	X		X	X	X	X	1/semester
Elkin	945 Oakland Ave	X		X	X	X	X	1/semester
Northern Suites	955 Oakland Ave	X		X	X	X	X	1/semester
Putt Hall	1000 Grant Street	X		X	X	X	X	1/semester
Ruddock Hall	1099 Maple Street	X		X	X	X	X	1/semester
Stephenson Hall	950 Maple Street	X		X	X	X	X	1/semester
Suites on Maple East	901 Maple Street	X		X	X	X	X	1/semester
Suites on Pratt	601 Pratt Drive	X		X	X	X	X	1/semester
University Towers	850 Maple Street	X		X	X	X	X	1/semester
Wallwork Hall	455 Pratt Drive	X		X	X	X	X	1/semester
Whitmyre	290 Pratt Drive	X		X	X	X	X	1/semester
Punxsutawney	Punxsutawney	X		X	X	X	X	1/semester
Fairman Center	Punxsutawney	X		x	X	X	X	1/semester
Phi Kappa Psi Fraternity	220 S. 7th Street	Yes		x	x	x	x	2/year
Sigma Chi Fraternity	246 S. 7th Street	By 24/7 off-site telephone system		x	x	x	x	1/semester



# IUP Annual Security Report

## IMPORTANT PHONE NUMBERS

### **Indiana Main Campus**

Alice Paul House, Indiana [www.alicepaulhouse.org](http://www.alicepaulhouse.org)  
724-349-4444 / 800-435-7249

Indiana Borough Police Department [www.indianaboro.com](http://www.indianaboro.com)  
724-349-2121

Indiana Regional Medical Center  
[www.indianarmc.org](http://www.indianarmc.org)  
724-357-7000

IUP Counseling Center  
[www.iup.edu/counselingcenter](http://www.iup.edu/counselingcenter)  
724-357-2621

Haven Project  
[www.iup.edu/havenproject](http://www.iup.edu/havenproject)  
724-357-3947

IUP Alcohol, Tobacco, and Other Drugs Program  
[www.iup.edu/student-wellness](http://www.iup.edu/student-wellness)  
724-357-1265

IUP Department of Disability Access and Advising  
<https://www.iup.edu/disabilitysupport/index.html>  
724-357-4067

IUP Office of Housing, Residential Living, and Dining  
[www.iup.edu/housing](http://www.iup.edu/housing)  
724-357-7879

IUP Office of Human Resources [www.iup.edu/humanresources](http://www.iup.edu/humanresources)  
724-357-2431

IUP Office of Intercollegiate Athletics [www.iupathletics.com](http://www.iupathletics.com)  
724-357-4295

Open Door Hot Line [www.theopendoor.org](http://www.theopendoor.org)  
724-465-2605 AND 877-333-2470

University Police Department  
[www.iup.edu/police](http://www.iup.edu/police)  
724-357-2141

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University Police Department Crime Tip Hot Line

[www.iup.edu/police](http://www.iup.edu/police)

724-357-2255

Center for Multi-Cultural Student Leadership and Engagement [www.iup.edu/mcsle](http://www.iup.edu/mcsle)

724-357-2598

IUP Center for Health and Well-Being

[www.iup.edu/chwb](http://www.iup.edu/chwb)

724-357-9355

IUP Health Service

[www.iup.edu/healthservice](http://www.iup.edu/healthservice)

724-357-2550

IUP Title IX

<https://www.iup.edu/socialequity/>

724-357-3402

### **IUP Pittsburgh East Center**

IUP Pittsburgh East Center (Administrative Office) [www.iup.edu/monreovillee](http://www.iup.edu/monreovillee)

412-824-1999

Forbes Regional Hospital [www.ahn.org](http://www.ahn.org)

412-858-2000

### **Northpointe Regional Campus**

Northpointe Campus (Administrative Office) [www.iup.edu/northpointe](http://www.iup.edu/northpointe)

724-294-3300

Armstrong County Memorial Hospital [www.acmh.org](http://www.acmh.org)

724-543-8500

ACMH Psychiatric Services <http://acmh.org/services/behavior-health>

724-543-8493

HAVIN (Kittanning Survivor Abuse Center) [www.havinpa.org](http://www.havinpa.org)

724-548-8888 AND 800-841-8881

IUP Office of Student Support and Community Standards

[www.iup.edu/studentsupportandstandards](http://www.iup.edu/studentsupportandstandards)

724-357-1254

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### **Punxsutawney Regional Campus**

Punxsutawney Campus (Administrative Office) [www.iup.edu/punxsutawney](http://www.iup.edu/punxsutawney)  
814-938-6711

Punxsutawney Campus Dean [www.iup.edu/punxsutawney](http://www.iup.edu/punxsutawney)  
814-938-6711

Punxsutawney Area Hospital [www.pah.org](http://www.pah.org)  
814-938-1800

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## APPENDIX A – CLERY CRIME DEFINITIONS

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

**Unfounded Crime Reports:** According to Uniform Crime Report (UCR) guidelines, a reported offense can be cleared as unfounded by a sworn law enforcement authority “if the investigation shows that no offense occurred nor was attempted.” These cases then remain as official crime reports and are included in the departmental statistics; however, they are explicitly labeled as “unfounded” cases within UCR reports on the various index crimes. According to UCR guidelines, the statistics on unfounded cases should include crime reports that are either False or Baseless.

**Murder/Non-Negligent Manslaughter:** The killing of one human being by another.

**Manslaughter by Negligence:** The killing of another person through gross negligence.

**The federal definition (from VAWA) of Sexual Assault:** An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is “any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.”

- Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This definition includes any gender of victim or perpetrator.
- Fondling: The touching of the private 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: Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

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

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm

**Burglary:** The unlawful entry of a structure to commit a felony or a theft

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

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

### **Domestic Violence, Dating Violence, and Stalking additions from the 2014 VAWA Negotiated Rulemaking Final Consensus Language:**

The federal definition (from VAWA) of **Domestic Violence:** a felony or misdemeanor crime of violence committed:

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

The Federal definition (from VAWA) of **Dating Violence:** the term "dating violence" means violence committed by a person:

- who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- The existence of such a relationship shall be determined based on the reporting party's statement with consideration of:
  - the length of the relationship;
  - the type of relationship;
  - the frequency of interaction between the persons involved in the relationship
  - Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse
  - Dating violence does not include acts covered under the definition of domestic violence

The federal definition (from VAWA) of **Stalking:** engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- fear for the person's safety or the safety of others; or
- suffer substantial emotional distress

For the purposes of this definition:

- Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows,

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monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property

- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling

**Hate Crimes:** any of the above offenses, and any other crime involving bodily injury, reported to local police agencies or campus security authority that manifest evidence that the victim was intentionally selected because of the perpetrator's bias, or the perpetrator perceived the person to be in one of the protected group categories. Additionally, on August 14, 2008, the Clery Act was amended to include larceny, simple assault, intimidation, and destruction, damage, vandalism (except arson) of property as reportable categories of hate crimes. These new reporting categories are only reported if motivated by bias as determined by one of the designated bias categories. The types of bias categories include race, gender, religion, sexual orientation, ethnicity, national origin, gender identity, and disability.

### **Hate Crime Definitions:**

To ensure uniformity in reporting nationwide, the following definitions have been adopted for use in hate crime reporting:

**Bias** – a preformed negative opinion or attitude toward a group of persons based on their race, religion, disability, sexual orientation, or ethnicity/national origin.

**Bias Crime** – a criminal offense committed against a person or property that is motivated, in whole or in part, by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as Hate Crime.

**Note:** Even if the offender was mistaken in their perception that the victim was a member of the group the offender was acting against, the offense is still a bias crime because the offender was motivated by bias against the group.

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## APPENDIX B – UNIFORM CRIME REPORTING DEFINITIONS

*Under the Pennsylvania Uniform Crime Reporting Act*, Indiana University of Pennsylvania is required to report crime statistics as defined by the Uniform Crime Reporting Program for the following crimes if the crimes are reported and occur on the property owned by the University.

The Uniform Crime Reporting (UCR) program divides offenses into two groups, Part I and Part II crimes. Each month, the Indiana University of Pennsylvania Department of Public Safety (DPS) submits information on the number of Part I and Part II offenses known to DPS, and those offenses cleared by arrest or exceptional means, to the Pennsylvania State Police.

### **Part I Offenses:**

#### **Criminal Homicide:**

A) Murder and non-negligent manslaughter: the willful (non-negligent) killing of one human being by another. Deaths caused by negligence, attempts to kill, assaults to kill, suicides, and accidental deaths are excluded. The program classifies justifiable homicides separately and limits the definition to:

- (1) the killing of a felon by a law enforcement officer in the line of duty; or
- (2) the killing of a felon, during the commission of a felony, by a private citizen.

B) Manslaughter by negligence: the killing of another person through gross negligence. Traffic fatalities are excluded.

**Rape:** Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Statutory offenses (no force used —victim under age of consent) are excluded.

**Robbery:** The taking or attempted taking of anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. Simple assaults are excluded.

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included.

**Larceny - Theft (except Motor Vehicle Theft):** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Examples are thefts of bicycles or automobile accessories, shoplifting, pocket-picking, or the stealing of any property or article that is not taken by force and violence or by fraud. Attempted larcenies are included.

Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on land surface and not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category.

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

### Part II Offenses:

**Other Assaults (Simple):** Assaults and attempted assaults which are not of an aggravated nature and do not result in serious injury to the victim. Includes subjecting a person to unlawful physical attack or in fear of bodily harm by word or action.

**Forgery and Counterfeiting:** The altering, copying, or imitating of something, without authority or right, with the intent to deceive or defraud by passing the copy or thing altered or imitated as that which is original or genuine; or the selling, buying, or possession of an altered, copied, or imitated thing with the intent to deceive or defraud. Attempts are included.

**Fraud:** The intentional perversion of the truth for the purpose of inducing another person or other entity in reliance upon it to part with something of value or to surrender a legal right. Fraudulent conversion and obtaining of money or property by false pretenses, confidence games and bad checks, except forgeries and counterfeiting, are included.

**Embezzlement:** The unlawful misappropriation or misapplication by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control.

**Stolen Property - Buying, Receiving, Possessing:** – Buying, receiving, possessing, selling, concealing, or transporting any property with the knowledge that it has been unlawfully taken, as by burglary, embezzlement, fraud, larceny, robbery, etc. Attempts are included.

**Vandalism:** To willfully or maliciously destroy, injure, disfigure, or deface any public or private property, real or personal, without the consent of the owner or person having custody or control by cutting, tearing, breaking, marking, painting, drawing, covering with filth, or any other such means as may be specified by local law. Attempts are included.

**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. Attempts are included.

**Prostitution and Commercialized Vice:** The unlawful promotion of or participation in sexual activities for profit, including attempts.

**Sex offenses (except forcible rape, prostitution, and commercialized vice):** Statutory rape, offenses against chastity, common decency, morals, and the like. Includes the offense of Fondling. Attempts are included.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state



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and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The following drug categories are specified: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics —manufactured narcotics that can cause true addiction (Demerol, Methadone); and dangerous non-narcotic drugs (Barbiturates, Benzedrine).

**Gambling:** To unlawfully bet or wager money or something else of value; assist, promote, or operate a game of chance for money or some other stake; possess or transmit wagering information; manufacture, sell, purchase, possess, or transport gambling equipment, devices, or goods; or tamper with the outcome of a sporting event or contest to gain a gambling advantage.

**Offenses Against the Family and Children:** Unlawful nonviolent acts by a family member (or legal guardian) that threaten the physical, mental, or economic well-being or morals of another family member and that are not classifiable as other offenses, such as Assault or Sex Offenses. Attempts are included.

**Driving Under the Influence:** Driving or operating a motor vehicle or common carrier while mentally or physically impaired as the result of consuming an alcoholic beverage or using a drug or narcotic.

**Liquor Laws:** 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. Federal violations are excluded.

**Drunkenness:** To drink alcoholic beverages to the extent that one's mental faculties and physical coordination are substantially impaired. Excludes driving under the influence.

**Disorderly Conduct:** Any behavior that tends to disturb the public peace or decorum, scandalizes the community, or shocks the public sense of morality.

**Vagrancy:** The violation of a court order, regulation, ordinance, or law requiring the withdrawal of persons from the streets or other specified areas; prohibiting persons from remaining in an area or place in an idle or aimless manner; or prohibiting persons from going from place to place without visible means of support.

**All Other Offenses:** All violations of state or local laws not specifically identified as Part I or Part II offenses, except traffic violations.

Indiana University of Pennsylvania provides this information as a part of the University's commitment to safety and security on campus in compliance with the Pennsylvania Uniform Crime Reporting Act and the Jeanne Clery Act. Concerns, questions, or complaints related to this document, or the applicable statutes should be directed to the Interim Director of Public Safety either by mail at: Indiana University of Pennsylvania, Department of Public Safety, Attn: Douglas Campbell, Interim Director, 850 Maple Street, Indiana, PA 15705; or email at: [dcamp@iup.edu](mailto:dcamp@iup.edu); or by telephone at (724) 357-3201.

**Pennsylvania Uniform Crime Reporting Act:** Please note that the Pennsylvania State crime classifications for which the University is reporting in the table below may vary statistically from the crime classifications under Federal law, as reported in accordance with the Clery Act. Because of these differing crime classifications and definitions, with only a few exceptions, the Pennsylvania State crime statistics will rarely match the Federal crime statistics.