

ANNUAL SECURITY AND FIRE SAFETY REPORTS SAINT VINCENT COLLEGE and SEMINARY, LATROBE, PA

INTRODUCTION

Saint Vincent College is a Catholic, Benedictine, liberal arts college that prides itself on the personal relationships among students, faculty, administration, staff, and Benedictines. This network of relationships provides the environment for the growth and safety of its individual members. The College has an enrollment near 1850 (We have a capacity for 1283 in on-campus housing, with a typical yearly occupancy rate ranging from 94% to 99%.) with approximately 175 full and part-time faculty members and 379 additional non-faculty employees. Sharing the campus with the College is Saint Vincent Seminary, a Catholic school of theology and house of formation that prepares approximately 50 candidates for ministry as Catholic priests of which approximately 30 are residents in the diocesan seminarians' residence halls, namely Leander Hall and Roderick Hall. Also on campus, Saint Vincent Monastery houses about 100 Benedictine Monks.

Saint Vincent College and Seminary are located in the Laurel Highlands recreational region on a suburban campus in Unity Township, near the City of Latrobe, 35 miles east of Pittsburgh on Route 30 East. The campus consists of 30 buildings with over 1,000,000 square feet of space on over 200 acres of improved grounds.

The Annual Security and Fire Safety Report is prepared in accordance with Pennsylvania Legislative Act 73 of 1988, College and University Security Information Act. It is also prepared in accordance with the Jeanne Clery Disclosure of Campus Security Police and Campus Crime Statistics Reporting Act (20 USC 1092(f) as codified by 34 CFR 668.46, Institutional security policies and crime statistics and 34 CFR 668.41(e), Annual Security Report.

These reports can also be found on the Internet. The address is:
www.stvincent.edu/cleryact

PUBLIC SAFETY

The Public Safety Director is the administrator directly responsible for the safety and security programs of Saint Vincent College, Seminary and Monastery. The Fire Chief, who reports to the Public Safety Director, is directly responsible for firefighting and fire safety programs of Saint Vincent College, Seminary and Monastery. The Public Safety Office reports to Bruce A. Antkowiak, Counsel to the College and Archabbey. Public Safety maintains a force to provide security services 24 hours a day, 7 days a week, in addition to College employees who staff the Emergency Communications Center (ECC). Public Safety Director, Stephanie J. Fago maintains membership in the International Association of Campus Law Enforcement Administrators.

The Public Safety Director and the Campus Security Survey Administrator for the Seminary prepare the annual security report in cooperation with the Human Resources Director and Assistant Counsel to the College. The information contained herein is derived from many existing sources and policies. The information is provided by offices within the College and Seminary. Specifically, Student Affairs in the college, the Rector's Office in the Seminary, Public Safety Department and Human Resources. The Annual Security and Fire Safety Report (ASR) is compiled by the Public Safety Director and reviewed by the Clery Act Committee prior to publication.

Crime statistics are reported annually to the State Police according to the Uniform Crime Reporting Procedure and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. The State Police, in turn, provide statistics regarding criminal activity on and in the vicinity of campus. These statistics are provided to all students, student applicants to the College (when requested), and employees and prospective employees (when requested).

REPORTING CRIMES AND EMERGENCIES

Anyone who is aware of criminal, suspicious activity or other emergencies is encouraged to notify Public Safety immediately. Individuals making reports should leave their name, a return telephone number or e-mail address, the date and time of the incident, the type of incident, the location of the incident, the names of the individuals involved and the names of any witnesses. Reports are made by dialing 724-805-2311 for non-emergencies and 724-805-2911 for life-threatening emergencies. The ECC answers the 2311 and 2911 telephone numbers 24 hours a day. The Emergency Telecommunications Operator (operator) has radio access to public safety officers (officer) and telephone and radio access to the Westmoreland County Department of Public Safety 911 dispatcher. The officer will be dispatched and will assess the situation. The officer will determine the need for further assistance such as ambulance, fire department and/or residence life staff, at times, along with other College officials. Individuals, who are victims of a crime, are told of their right to notify State Police. Crimes may also be reported directly to the Pennsylvania State Police at 724-832-3288.

There are emergency call boxes located in each of the student parking areas for summoning assistance by radio. The security supervisor or delegate checks all emergency call boxes monthly. Any problems are reported to the Public Safety Director and immediately to the appropriate repair entity.

The Wellness Center, during regular office hours, is available to handle medical emergencies for staff and students. After hours, referrals will be made to the nearby urgent care center (Med Express) or the Excelsior Hospital emergency room. Residence Hall Directors and Prefects are trained in CPR and First Aid to provide assistance in the residence halls if appropriate.

All medical emergency calls should be made to 2911 where contact will be made to the local 911 for assessment. An ambulance will be summoned for serious medical

emergencies at the discretion of Public Safety, Wellness Staff and/or Residence Life Staff.

Saint Vincent has a Fire Department staffed by a Fire Chief, Deputy Fire Chief, Benedictines, staff and student volunteers. The Fire Chief is a Benedictine Monk, charged with other duties in addition to his fire department duties. The Deputy Fire Chief is employed on a part-time basis to assist the Fire Chief. The department assures that proper emergency equipment is available, along with appropriate fire detection devices. Emergencies are reported using the 2911 emergency telephone number. When a fire alarm is activated, the Fire Department is dispatched and Westmoreland County 911 is notified, and local fire departments are dispatched. In the event fire department personnel are not present, the public safety officer will respond and communicate with local fire departments responding to the event of a fire related issue.

Individuals may report crimes in person at the Public Safety Office located in Alfred Hall on the Ground Floor. They may also report crimes in person to the operator at the ECC or to the Public Safety Director located in Alfred Hall on the Ground Floor. Crimes may be reported to the Public Safety Office by email at **publicsafety@stvincent.edu**.

Anyone aware of someone on campus whose behavior is causing concern, who has made a threatening remark or overt act of physical violence against self or another person(s) or property, may report that behavior to Public Safety or to Student Affairs. You may also complete the form at the following location:

http://www.stvincent.edu/campus_safety_form

TIMELY WARNINGS and CONFIDENTIAL REPORTING

The Public Safety Director mails and posts memoranda on security matters as needed. Annually, all students and employees are made aware of the Annual Security and Fire Reports (posted on the College's web site).

The Public Safety Director consults with the Counsel to the College and Archabbey regarding serious crimes and situations affecting the community to determine the need for a timely warning. The President or his designee is the approval authority for posting timely warnings. Timely warnings of serious crimes are conveyed to the community by way of special postings, email, e2Campus text messages and/or direct mailings. The Crime Alerts are prepared without delay and posted in the residence halls and other areas as directed by the Vice President for Student Affairs. These alerts contain the following information:

- Date and Time of Incident
- Location of the Incident
- Type of Incident
- Description of the Actor
- Summary of What Happened

- Crime Prevention Tips
- Contact Telephone Number

Victims may report crimes on a voluntary and confidential basis. Victims of a sexual assault can obtain a PS Form 22, Confidential Sexual Assault Report Form from the Public Safety Office, Student Affairs Office, or by downloading the form from the Public Safety portal page. Victims of all other reportable crimes can obtain a PS Form 23, Crime Statistic Report Form from the same locations.

Personal and Pastoral Counselors encourage the voluntary and confidential reporting of crimes, if and when they deem appropriate. These crimes are only included in the annual disclosure of crime statistics and no record is published. The victim of a sexual assault is provided with a PS Form 22, Confidential Sexual Assault Form. A PS Form 23, Crime Statistic Report Form is provided for all other reportable crimes. The completed forms are returned to the Public Safety Director. Once the statistic is determined not to have been previously reported, it is included in the annual security report.

Faculty and staff designated as Campus Security Authorities (“CSA”) and/or Responsible Employees (“RE”) are required to report any incidents of sexual misconduct to the Title IX Coordinator, who in turn provides aggregate information to the Public Safety Director. In addition, victims and third parties can make anonymous and confidential reports online of incidents of sexual assault or sexual misconduct. Further information regarding anonymous and confidential reporting of sexual assault can be found in the Sexual Misconduct and Harassment Policy section of this report.

The Daily Crime and Fire Logs are maintained in the Public Safety Office and are available for review during normal business hours.

IMMEDIATE EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Saint Vincent employs an outdoor emergency messaging system as well as a text messaging service contracted with e2Campus. The e2Campus is a voluntary, but highly encouraged program for the faculty and staff and mandatory for students. In addition, Saint Vincent employs email messaging.

The actual policy for activation of emergency notifications is contained in Public Safety’s Standard Operating Procedure 4-5, Mass Notification Systems Protocol.

When a potential significant emergency or dangerous situation is identified by the Saint Vincent staff, the Public Safety Director will be notified immediately. The Director will conduct an immediate investigation into the facts and circumstances of the event to confirm the existence and severity of the event.

Upon the confirmation of the event, the Public Safety Director will consult with the Counsel for the College and Archabbey to determine the need for notification.

Once the need for notification has been established, the content of the notification will be drafted with the assistance of the Vice President for Marketing and Communications and will be sent to the President for final approval prior to release. Saint Vincent does not segment its notification process. Everyone is on the same network.

The immediate notification will be made without delay unless in the professional judgment of responsible authorities, the notification will hamper victim assistance, interfere with the ability to contain or mitigate the emergency event. Saint Vincent uses pre-recorded messages for the outdoor notification system and templates for the e2campus text messaging system. The contents of the mass notification can be augmented by using the public address feature. The e2campus text messages can be modified to meet the need of the specific incident.

The President of Saint Vincent College is the approval authority for all activations on the Saint Vincent College Campus with the exception of the Pittsburgh Steelers Summer Training Camp. The President has designated the Vice President for Student Affairs, Counsel for the College and Vice President for Finance and Administration as personnel authorized to activate the systems.

The Emergency Telecommunications Operators must obtain permission from an individual on the list of those authorized to grant permission before activating the warning systems. If the Emergency Telecommunications Operator is not able to contact any of the administrators on the permissions list, the Emergency Telecommunications Operator (ETO) will secure permission from the Public Safety Director. If a threat is in progress and the Emergency Telecommunications Operator is not able to contact the Public Safety Director or other designated administrators, the on-duty Emergency Telecommunications Operator will immediately activate the systems without administrative approval. The on-duty Emergency Telecommunications Operator will also immediately activate the systems without administrative approval in situations where the delay will cause or have a high propensity to cause immediate casualties. This will be reserved for situations such as an active shooter.

The following is the list of all individuals responsible for determining the nature of the emergency and initiating the notification process as listed above.

President
Counsel for the College
Vice President for Finance and Administration
Vice President for Student Affairs
Public Safety Director
Human Resources Director /Assistant Counsel to the College
Emergency Telecommunications Operator

The Pittsburgh Steelers can authorize the use of the mass notification system for crowd management on the campus. An e2Campus alert will not be sent in these instances.

Disseminating Information to Community

Saint Vincent College allows for parents/families to sign up for e2Campus alerts. They receive notification on a real time basis. A follow-up email can be sent to parents/families that are on the Bearcat Family Program listserv.

Testing Emergency Response and Evacuation Procedures

Saint Vincent is participating in Westmoreland County's Campus Shield program. As a result, all participants will be trained in the National Incident Management System and the emergency response/evacuation plans will be exercised on an annual basis. Exercises that will affect the campus at large will be pre announced in order to give everyone adequate time to make appropriate arrangements. Saint Vincent emergency response and evacuation procedures are posted on MySV the Saint Vincent College Portal. A notice in MySV will be published at least annually to remind the community of the procedure's existence and will direct them to the web site. Public Safety will maintain all records for the exercise including a description of the exercise, the date, time and whether it was announced or unannounced.

Evacuation drills are conducted each semester for all residential facilities. Students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for a short-term building evacuation. Saint Vincent Fire Department (SVFD) does not tell residents in advance about the designated locations for long-term evacuations because those decisions are affected by time of day, location of the building being evacuated, the availability of the various designated emergency gathering locations on campus, and other factors such as the location and nature of the threat. In both cases, SVFD and Residence Life staff on the scene will communicate information to students regarding the developing situation or any evacuation status changes. Public Safety maintains written procedures on MySV. A reminder of the location of this information will be posted on MySV prior to the unannounced fall semester drill and will be included in the information announcing the winter drill.

Shelter-in-Place Procedures—What it Means to "Shelter-in-Place"

If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in, and with a few adjustments this location can be made even safer and more comfortable until it is safe to go outside.

Basic "Shelter-in-Place" Guidance

If an incident occurs and the building you are in is not damaged, stay inside-seeking an interior room-until you are told it is safe to come out. If your building is damaged, take your personal belongings (purse, wallet, ID card, etc.) and follow the evacuation

procedures for your building (close your door, proceed to the nearest exit, and use the stairs instead of the elevators). Once you have evacuated, seek shelter at the nearest building quickly. If police or fire department personnel are on the scene, follow their directions.

How You Will Know to “Shelter-in-Place”

A shelter-in-place notification may come from several sources, including the outdoor loud speaker, Saint Vincent Public Safety, Fire Department members, Residence Life Staff members, other College employees, e2Campus text, email message or other emergency communications tools.

How to “Shelter-in-Place”

No matter where you are, the basic steps of shelter-in-place will generally remain the same. Should the need ever arise, follow these steps, unless instructed otherwise by local emergency personnel:

1. If you are inside, stay where you are. Collect any emergency shelter-in-place supplies and a telephone to be used in case of emergency. If you are outdoors, proceed into the closest building quickly or follow instructions from emergency personnel on the scene.
2. Locate a room to shelter inside. It should be:
 - a. An interior room;
 - b. Above ground level; and
 - c. Without windows or with the least number of windows. If there is a large group of people inside a particular building, several rooms maybe necessary
3. Shut and lock all windows (tighter seal) and close exterior doors.
4. Turn off air conditioners, heaters, and fans.
5. Close vents to ventilation systems as you are able. (Facility Management staff will turn off ventilation as quickly as possible.)
6. Make a list of the people with you and ask someone (Residence Life Staff, faculty, or other staff) to call the list in to Public Safety so they know where you are sheltering. If only students are present, one of the students should call in the list.
7. Turn on a radio or TV and listen for further instructions.
8. Make yourself comfortable.

SECURITY POLICIES

Public safety officers provide 24-hour services, year round. In addition, Public Safety employs personnel to staff the ECC. These individuals monitor the vehicular and pedestrian access to the main part of the campus. The ECC is operated 24 hours per day. Officers complete a minimum of a 40-hour training period. Additional training includes first aid, CPR and Automatic External Defibrillator.

Prospective students or employees who have criminal records are screened on a case-by-case basis. If a person is judged to be a threat to the community, he or she is not admitted or hired. For all new employees, a check of criminal history is made and such a candidate is disqualified if there is a conviction of a felony or misdemeanor that would cause concern for the safety of the community. Staff who will have any significant contact with minors who may be on campus for summer camps, etc. will also be required to undergo an appropriate federal or state child abuse clearance check. If an employee is convicted of a crime, he or she is subject to suspension and/or dismissal depending upon the nature and severity of the crime and any concern for the safety and welfare of the community.

Regular vehicle and foot patrols cover the campus, including all entrances and exits of buildings, parking lots, and walkways. From time to time, public safety officers will conduct bicycle and/or golf cart patrols of campus. Exact routes are avoided in order not to set a pattern.

The Pennsylvania State Police provide law enforcement services for Saint Vincent since there is no township police force. The Public Safety Director maintains a working relationship with Troop A of the Pennsylvania State Police and with the City of Latrobe Police Department. There are no written agreements or memorandums of understanding with the State Police. The Public Safety Director is a sworn police officer and does have the power of arrest. The Public Safety Director is not armed. Authority to exercise the power of arrest or to issue state citations is retained by the President of the College. Public safety officers, who are not sworn, do not have the power of arrest or any other law enforcement authority; however, they have a close working relationship with the Pennsylvania State Police and the State Police are called whenever an arrest is necessary or there is danger of personal harm. Saint Vincent does not have any student organizations or housing off campus. Therefore, Public Safety does not have a formal agreement with the Pennsylvania State Police for reporting crimes to Saint Vincent involving students' off-campus.

SAFETY OF AND ACCESS TO FACILITIES

The Facility Management staff works in cooperation with the Public Safety Director to maintain a safe environment. The Public Safety Director makes recommendations for the maintenance of grounds to remove potential danger areas. The Public Safety Department is responsible for maintaining records of all keys. Locks are changed when room keys are lost. Public Safety and Housekeeping are responsible for locking and unlocking campus buildings according to scheduled usage.

Public Safety and Facility Management staff members report any needed repairs to the Facility Management Office. This includes burned out lights, broken locks, inoperable doors and other safety problems.

The Saint Vincent Fire Department reports to the Public Safety Director. The department assures that proper emergency equipment is available, along with appropriate fire

detection devices. It conducts the necessary fire drills in both residence and academic halls.

The facilities and programs of Saint Vincent College and Seminary are reserved for the Saint Vincent community. Visitors, however, are welcomed for public or special events such as religious ceremonies, lectures, athletic contests, conferences and cultural activities.

Student Housing

Housing is normally limited to full-time matriculated students, although the Dean of Students may make exceptions to this rule for students carrying fewer than 12 credits, for 5th year seniors, graduate students and for student teachers. Varieties of on-campus housing options are available and include singles, doubles, suites and apartments.

Housing, in most cases, is single-sex by floor, neighborhood or wing. All housing is smoke-free.

The six college residence halls are staffed by 1 Residence Life Coordinator, 4 Residence Hall Directors (RHD), 6 or 7 Assistant RHDs and a number of student Prefects to provide a 24-1 resident-prefect ratio in the freshman hall and a 35-1 resident-prefect ratio in the upper class residence halls. The Residence Life staff must participate in a formation program prior to the academic year. The program includes presentations on first aid, fire safety, drug and alcohol prevention, non-violent conflict resolution, crisis intervention, and security. All residents receive a copy of the Student Handbook, either in hardcopy or online. Regular floor meetings are held by the Residence Hall Director and/or Prefects to deal with security issues.

Security of the College residence halls begins at the outside entrances. The exterior doors are locked 24 hours a day and are equipped with state-of-the-art proximity locks. Each student resident's identification card contains a proximity device that activates the lock to the residence hall. Saint Benedict Hall also contains a proximity lock on each individual neighborhood. Wimmer Hall, due to its configuration, has proximity locks on some interior doors as well as exterior doors and elevator. The floors for students in Wimmer Hall have automatic door closures. Doors lock upon closing. Checks are made at midnight to ensure that all doors are properly secured. Each student room is secured with a deadbolt locking system. The bolt is key-operated, not spring activated. When the bolt is fully extended, it is secured within the doorframe. The windows within the student rooms are secured by either a single or double latch. These windows once secured cannot be opened from the outside.

All students have identification cards to control restricted usage of the dining hall, library, residence halls, and sports facilities.

Visitors are welcome in college student housing, but any visitor unaccompanied by a resident is asked to identify himself or herself to the Residence Hall Director or student Prefect. Overnight guests of Saint Vincent students are welcome but must be registered

with either the Residence Hall Director or student Prefect. Visitors of the opposite sex, however, are not permitted between the hours of midnight and 10:00 a.m. Sunday through Thursday nights (2:00 a.m. to 10:00 a.m. on Friday and Saturday nights). On Fall and Spring Term weekends when school is in session, personnel are stationed at the entrances of all residence halls on Friday and Saturday evenings between 8:00 p.m. and 2:30 a.m. to insure that only authorized Saint Vincent students or authorized guests are allowed in a residence hall.

All seminarians receive private rooms in Leander and Roderick Halls. The Vice-Rector makes room assignments for all new Seminary students. Returning Seminary students have the option of choosing a room according to their seniority within the Seminary community. Each seminarian's room is equipped with a lock and with hardware to secure windows. Keys to individual rooms also permit access to specified exterior doors in Leander Hall and to facilities reserved for exclusive use by the Seminary community. Thus seminarians can gain admission to their residence halls even after the main entrances have been locked at approximately midnight. Priests, who are members of the Seminary staff, serve as Residence Hall Directors for the Seminary residence halls. These priests reside on the second and fourth floors of Leander Hall, and the third floor of Roderick Hall.

Visitors to the Seminary are welcome, but they are to be accompanied by a seminary student at all times. Seminarians should notify the Seminary Vice-Rector when visitors will be present. Seminary recreation, laundry, and exercise facilities are reserved for the exclusive use of the Seminary community. Overnight accommodations are usually available, but arrangements need to be made with the Vice-Rector's Administrative Assistant and the Seminary/Monastery Guest Master.

MISSING STUDENT NOTIFICATION PROCEDURES

All reports of missing or suspected missing resident students who have been missing for more than 24 hours will be reported to the Public Safety Department at 724-805-2311 (off-campus phone) or 2311 (on-campus house phone). Resident students should register confidential information with the Office of Residence Life stating who should be contacted in the event the student is determined to be missing for a period of more than 24 hours. This information will be accessible only to authorized campus officials, and that it will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. If a missing student is under 18 years of age and not emancipated, the College will notify a custodial parent. In an effort to avoid jurisdictional conflicts when an off-campus, non-campus or commuter student is reported missing to Public Safety, immediate notification will be made to the appropriate jurisdiction. The Department of Public Safety will assist external authorities with these investigations as needed or become primary jurisdiction if requested

CRIME PREVENTION

Crime prevention is a shared responsibility of the entire community. The Public Safety

Director is responsible for development and implementation of crime prevention programs. The crime prevention message is delivered in several different ways. Incoming freshmen are briefed on safety and security matters as part of their orientation process. Prefects are encouraged to make presentations during their mandatory floor meetings. Several crime prevention and fire safety videos are available for their use. A variety of Crime Prevention Handouts and pamphlets are placed in the Public Safety Office, Student Affairs Office, and the Wellness Center. Several other programs have been instituted at Saint Vincent. The Operation Identification program provides individuals with a pamphlet on how to mark important belongings with an engraver to help prevent theft and to aid in the recovery of their items. A form is available to record the important data about the item, such as serial number, model number, and date of purchase and value. Another program is the Escort Service. An individual can request a walking escort by officer from anywhere on campus to anywhere on campus. Crime prevention reminders are often included in the weekly Bulletin, the official campus newsletter and when necessary, crime prevention bulletins are mailed directly to each individual or emailed.

POLICY ON ALCOHOL AND OTHER DRUGS (Drug Free Schools and Community Act)

Saint Vincent College and Seminary are committed to the responsible use of alcoholic beverages on campus. Illegal or irresponsible consumption of alcoholic beverages and other drugs will not be tolerated. The unlawful manufacture, distribution, dispensation, possession, or use of alcohol or a controlled substance is prohibited on College and Seminary property or as part of any activity sponsored by the College and Seminary. A controlled substance includes but is not limited to marijuana, cocaine, crack, heroin, and amphetamines.

Students, faculty and staff must abide by the terms of the above policy. Furthermore, the Drug-Free Workplace Act of 1988 requires any employee to notify the Director of Human Resources of any conviction under a criminal drug statute for violations occurring on or off College premises while conducting College business. A report of the conviction must be made within five days following the conviction.

Disciplinary action for violations will be taken according to the applicable Saint Vincent College or Seminary handbook up to and including termination of employment or expulsion from the College or Seminary and referral for prosecution. Saint Vincent College and Seminary will not shield individuals from the legal consequences of their actions should they violate the law.

Pennsylvania and Federal Laws

All members of the Saint Vincent College and Seminary community must adhere to all applicable local, state and federal laws related to the sale and use of alcoholic beverages and other drugs and controlled substances. Some examples of these laws and their corresponding penalties are listed here:

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PA CRIMES CODE, TITLE 18

| OFFENSE | PENALTY | 1ST OFFENSE | 2ND OFFENSE | SUBSEQUENT OFFENSE |
|--|--|--|---|---|
| Section 5505 – Public Drunkenness A person is guilty of a summary offense if he appears in any public place manifestly under the influence of alcohol... to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity. | Fine Jail | 0 - \$300 0 – 90 days | 0 - \$300 0 – 90 days | 0 - \$300 0 – 90 days |
| Section 6307 – Misrepresentation of Age to Secure Liquor or Malt or Brewed Beverages A person is guilty of a summary offense for a 1st violation and misdemeanor of the 3rd degree for any subsequent violations if he being under the age of 21 years, knowingly and falsely represents himself to be 21 years of age or older to any licensed dealer, distributor or other person, for the purpose of procuring or having furnished to him, any liquor or malt or brewed beverages. | Fine Jail License Susp. | 0 - \$300 0 – 90 days 90 days | 0 - \$500 0 – 1 year 1 year | 0 - \$500 0 – 1 year 2 years |
| Section 6308 – Purchase, Consumption, Possession or Transportation of Liquor or Malt or Brewed Beverages A person commits a summary offense if he, being less than 21 years of age, attempts to purchase, purchases, consumes, possesses, or knowingly and intentionally transports any liquor or malt or brewed beverage | Fine Jail License Susp. Notify Parent (of minor) | 0 - \$500 0 – 90 days 90 days Yes | 0 - \$1000 0 – 90 days 12 months Yes | 0 - \$1000 0 – 90 days 2 years Yes |
| Section 6309 – Representing That a Minor is "of Age" A person is guilty of misdemeanor of the third degree if he knowingly, willfully and falsely represents to any licensed dealer, or other person, any minor to be of full age, for the purpose of inducing (that) person to sell or furnish any liquor or malt or brewed beverages to the minor | Fine Jail | \$300 - \$2,500 0 – 1 year | \$300 - \$2,500 0 – 1 year | \$300 - \$2,500 0 – 1 year |
| Section 6310 – Inducement of Minors to Buy Liquor or Malt or Brewed Beverages A person is guilty of a misdemeanor of the third degree if he hires or requests or induces any minor to purchase or offer to purchase, liquor or malt or brewed beverages from a duly licensed dealer for any purpose | Fine Jail | \$300 - \$2,500 0 – 1 year | \$300 - \$2,500 0 – 1 year | \$300 - \$2,500 0 – 1 year |
| Section 6310.1 – Selling or Furnishing Liquor or Malt or Brewed Beverages to Minors A person commits a misdemeanor of the third degree if he intentionally and knowingly sells or furnishes, or purchases with the intent to sell or furnish, any liquor or malt or brewed beverages to a person who is less than 21 years of age. | Fine Jail | \$1,000 - \$2,500 0 – 1 year | \$2,500 0 – 1 year | \$2,500 0 – 1 year |
| This section does not apply to any religious service or ceremony which may be conducted in a private home or a place of worship where the amount of wine served does not exceed the amount reasonably, customarily and traditionally required as an integral part of the service or ceremony. | | | | |
| Section 6310.2 – Manufacture or Sale of False Identification Card A person commits a misdemeanor of the second degree if he intentionally, knowingly or recklessly manufactures, makes, alters, sells or attempts to sell an identification card falsely representing the identity, birth date, or age of another | Fine Jail | \$1,000 - \$5,000 0 – 2 years | \$2,500 - \$5,000 0 – 2 years | \$2,500 - \$5,000 0 – 2 years |
| Section 6310.3 – Carrying a False Identification Card A person commits a summary offense for a first violation and misdemeanor or the third degree for any subsequent violations if he, being under 21 years of age, possesses an identification card falsely identifying that person by name, age, date of birth or photograph as being 21 years of age or older and obtains or attempts to obtain liquor or malt or brewed beverages by using the identification card of another or by using an identification card that has not been lawfully issued to or in the same name of that person who possesses the card | Fine Jail License Susp. Notify Parent (of minor) | 0 - \$300 0 – 90 days 90 days Yes | 0 - \$500 0 – 90 days 1 year Yes | 0 - \$500 0 – 90 days 2 year Yes |
| Section 6310.7 – Selling or Furnishing Nonalcoholic Beverages to Persons Under 21 A person commits a summary offense if he intentionally and knowingly sells or furnished nonalcoholic beverages to any person under 21 years of age. | Fine Jail | 0 - \$300 0 – 90 days | 0 - \$300 0 – 90 days | 0 - \$300 0 – 90 days |

As used in this section, the term "nonalcoholic beverage" means any beverage intended to be marketed or sold as nonalcoholic beer, wine, or liquor having some alcohol content but does not contain more than 0.05% alcohol by volume.

PA VEHICLE CODE, TITLE 75

| OFFENSE | PENALTY | 1ST OFFENSE | 2ND OFFENSE | SANCTION SUBSEQUENT OFFENSE |
|---|--|---|--|--|
| Section 3718 – Minor Prohibited from Operating with any Alcohol in System Notwithstanding any other provision of this title, a minor shall not drive, operate or be in physical control of a motor vehicle while having any alcohol in his system. A person who violates this subsection commits a summary offense | Fine | \$100 | \$100 | \$100 |
| Section 3809 – Restriction on Alcoholic Beverages It is unlawful for any person who is operator or an occupant in a motor vehicle to be in possession of an open alcoholic beverage container or to consume any alcoholic beverage or controlled substance while the motor vehicle is located on any highway in the Commonwealth. Any person who violates this section commits a summary offense. | Fine | \$25 | \$25 | \$25 |
| Section 3802(e) – DUI-Minors A minor may not drive, operate or be in actual physical control of the movement of a vehicle after imbibing a sufficient amount of alcohol such that the alcohol concentration in the minor's blood or breath is .02% BAC or over within two hours after the minor has driven, operated or been in actual control of the movement of the vehicle. | Fine Jail License Susp. Notify Parent (of minor) | \$500 - \$5,000 48hrs – 6 mos. 12 months Yes | \$750 - \$5,000 30 days – 6 mos. 12 months Yes | \$1,500 - \$10,000 90 days – 5 yrs 18 months Yes |

In addition, a person convicted of a federal or Pennsylvania offense involving a controlled substance may be made ineligible to receive grants, licenses, contracts and other federal benefits. Federal penalties for possession of any substance containing illicit drugs are up to one year of imprisonment and/or a fine up to \$5,000 for the first offense and up to two years imprisonment and/or a fine of up to \$10,000 for the second offense. Federal penalties for the cultivation or manufacture, distribution, or possession of illicit drugs are determined by their classification. Factors leading to stiffer penalties include: Repeated offenses, larger amounts of the substance, purity of the substance, distribution to a person under the age of 18 or to a pregnant woman, distribution within 1,000 feet of a schoolyard, playground, youth center, swimming pool, or video arcade.

Saint Vincent Policy on Drugs and Alcohol

The College encourages students to abstain from alcohol and other drugs. If students choose to consume alcohol, they should do so responsibly and legally.

Reporting Alcohol and Drug Related\Other Emergencies:

Medical Amnesty Policy and PA Law

At Saint Vincent College, students' safety is paramount. If a student has been drinking but suspects that a friend is in danger or suffering from alcohol poisoning, a student can call for help without fear of legal consequences (immunity from prosecution) due to our Medical Amnesty policy and the PA Medical Amnesty Law.

Saint Vincent Medical Amnesty Policy

In order for a student to receive medical amnesty, the student seeking assistance for the sick **must**:

1. Place a 911 call, or a call to campus safety, police or emergency services, in good faith, based on a reasonable belief and reported that another person was in need of immediate medical attention to prevent death or serious injury.
2. Reasonably believe he or she was the first person to make a 911 call or a call to campus safety, police or emergency services, and report that a person needed immediate medical attention to prevent death or serious injury.
3. Provide his or her own name to the 911 operator or equivalent campus safety, police or emergency officer.
4. Remain with the person needing medical assistance until emergency health care providers arrived and the need for his presence had ended.
5. The only way law enforcement becomes aware of their own possession or consumption of alcohol is because of their conduct in 1 – 4 above.

The conduct of a student meeting the criteria of this statute will also be considered a mitigating factor in any disciplinary proceedings Saint Vincent conducts that arise out of the incident.

PA Medical Amnesty Law

The bill amends 18 Pa. C.S. (Crimes and Offenses) to add a subsection to Section 6308 creating **immunity from prosecution** for a person under the age of 21 for the possession or consumption of alcoholic beverages if law enforcement, including campus safety police, became aware of the possession or consumption solely because the individual was seeking medical assistance for someone else.

The person seeking the assistance must reasonably believe he or she is the first to call for assistance, must use his own name with authorities, and must stay with the individual needing medical assistance until help arrives.

Students and employees are required to become familiar with all aspects of the College's Alcohol and Other Drugs Policy which are found in the Student Handbook, available online at:

http://www.stvincent.edu/uploadedFiles/Student_Life/Content/Student%20Handbook.pdf

Health and Safety Concerns

The influence of alcohol and the medically unsupervised use of drugs and/or narcotics may pose serious safety and health risks to both the user and other members of the Saint Vincent community. Alcohol is a central nervous system depressant, which slows bodily functions. Small quantities induce feelings of wellbeing, relaxation, and loss of inhibitions. Larger doses progressively cause intoxication, sedation, unconsciousness, and possibly death. Alcohol is psychologically and physically addicting and long-term abuse can lead to severe emotional, psychological, and physical problems.

The use of illicit drugs can also lead to many severe physical, psychological and emotional problems. The specific effects depend on the dose, length of use, and the type of drug, which is being used. Some examples of these effects include – loss of appetite, memory loss, learning difficulties, paranoia, anxiety, depression, sleeplessness, increased blood pressure and heart rate, damage to internal organs, stroke, and possibly death. More information about the specific effects of various drugs can be obtained from the Wellness Center (ext. 2115) or the Prevention Projects (724-805-2050).

Services Available

The College and Seminary recognize drug and alcohol abuse and dependency as an illness and a major health problem. There are many services available for counseling, treatment or rehabilitation for students and employees. Students and employees

concerned about their own or another person’s alcohol or other drug use is encouraged to contact the Wellness Center, Counseling and Health Services, located in the Robert S. Carey Student Center or the Prevention Projects. Confidential advice and referral resource information is available. The College health insurance for employees provides coverage for both inpatient and outpatient treatment services.

Conscientious efforts to seek help for a drug or alcohol abuse problem will not jeopardize any employee’s job or any student’s record. Treatment service providers will design a specific aftercare plan to assist the employee or student with re-entry into their community environment. Any treatment options for Seminary students are governed by the specific policy of the student’s sponsoring diocese, which is consulted in such matters.

Local Resources:

| Outpatient Treatment/Rehabilitation Services | |
|---|--------------|
| Catholic Charities | 724-837-1840 |
| Excela Health Comprehensive Counseling Services, Greensburg | 724-832-4110 |
| Gateway Rehabilitation Center Greensburg Office | 724-853-7300 |
| Southwestern Pennsylvania Human Services (SPHS) Latrobe Office | 724-532-1700 |
| Greensburg Office | 724-834-0420 |

| Inpatient Treatment/Rehabilitation Services | |
|--|------------------------------|
| Addiction Recovery Center (ARC) Manor, Kittanning | 800-323-1333 |
| Greenbriar Rehabilitation Center, Washington, PA | 800-637-4673 |
| Pyramid Healthcare, several locations in nearby counties including Allegheny | 888-694-9996 |
| Twin Lakes Drug and Alcohol Rehabilitation Center, Somerset | 800-452-0218 |
| Support Services | |
| Westmoreland County Crisis Hotline | 800-836-6010 |
| Substance Abuse Helpline | 844-897-8927 |
| Alcoholics Anonymous | 724-836-1404 |
| Al-anon | 412-572-5141 or 800-628-8920 |
| Narcotics Anonymous | 412-391-5247 |
| Campus Counseling Resources | |
| Saint Vincent College Counseling Services, Wellness Center | Ext. 2115 or 724-805-2115 |

| | |
|--|---------------------------|
| Saint Vincent College Campus Ministry | Ext. 2350 or 724-805-2350 |
| Campus Information and Material Resource Services | |
| Saint Vincent College Prevention Projects | 724-805-2050 |

POLICY ON FIREARMS AND PYROTECHNICS

The Student Handbook contains specific prohibitions on the possession of weapons and explosives by students on campus. Policies regarding the possession of firearms by members of the Benedictine Community of Saint Vincent Archabbey are determined and enforced by the Prior. Otherwise, Saint Vincent policy prohibits the possession of firearms (a term that includes including pyrotechnics of any kind) by anyone on the grounds of the College or Seminary campus unless specific authorization is obtained from the Public Safety Department.

POLICY ON SEXUAL HARASSMENT, SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE AND STALKING (“Sexual Misconduct and Harassment Policy”)

Introduction

Saint Vincent College (the “College”) is deeply committed to its strong tradition of respecting, preserving, protecting, and enhancing the dignity of every member of its community and all whom we welcome as guests. This tradition embraces the notion that no member of the College community is, or should be, excluded from participation in, denied the benefits of, or subjected to discrimination in, any College program or activity on the basis of sex, sexual orientation, or gender identity. This also includes having an environment free from sexual and gender-based harassment, sexual assault, intimate partner violence, stalking, sexual exploitation and retaliation (“prohibited conduct”). The College will take prompt and equitable action to eliminate prohibited conduct, prevent its recurrence, and remedy its effects.

To foster a climate of respect and security on campus as it relates to preventing and responding to acts of prohibited conduct, this policy has been created and serves to demonstrate the College’s commitment to:

- Identifying the forms of prohibited conduct that violate this policy;
- Disseminating clear policies and procedures for responding to prohibited conduct reported to the College;
- Delivering prevention and awareness programs and ongoing training and education campaigns to students and employees so they may identify what behavior constitutes prohibited conduct; understand how to report such

misconduct; recognize warning signs of potentially abusive behavior and ways to reduce risks; and learn about safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of prohibited conduct against a person other than such individual;

- Engaging in investigative inquiry and resolution of reports that are adequate, reliable, impartial, prompt, fair, and equitable;
- Supporting complainants and respondents and holding persons accountable for established violations of this policy; and
- Providing a written explanation of the rights and options available to every student or employee that has been the victim of prohibited conduct, regardless of when or where the conduct occurred.

In addition, this policy:

1. Identifies the College's Title IX Coordinator and describes the Coordinator's role in compliance with Title IX, the Clery Act and VAWA.
2. Identifies how students and employees can report prohibited conduct to the College confidentially and what resources are available both on and off campus to aid them, including employees' and students' rights to notify local law enforcement and their right also to decline to notify such authorities.
3. Provides information about how reports are assessed, investigated, and resolved.
4. Provides the College with a means to take all reasonable steps to identify prohibited conduct, prevent recurrence, and to correct its discriminatory effects on the complainant and others, if appropriate

This policy supersedes any conflicting information contained in other College policy with respect to the definitions or procedures relating to conduct prohibited by this policy.

Beyond the requirements of this policy and others which may be mandated by Federal and State regulations, the College seeks to foster among all members of this community an attitude regarding human sexuality informed by Catholic and Benedictine traditions, and guided by the search for a deeper, spiritual understanding of life that each of us must undertake. The College expects that all who are part of this community will share in a spiritual journey that recognizes the sanctity of the person of others and themselves.

To expand each section, click on the arrow to the left of the heading.

Jurisdiction

This policy applies to enrolled students, College employees, contractors, vendors, visitors, guests or other third parties). This policy pertains to acts of prohibited conduct committed by or against students, employees and third parties when:

1. the conduct occurs on College property or other property owned or controlled by the College;
2. the conduct occurs in the context of a College employment or education program or activity, including, but not limited to, College-sponsored study abroad, research, on-line, or internship programs; or
3. the conduct occurs outside the context of a College employment or education program or activity, but has continuing adverse effects on or creates a hostile environment for students, employees or third parties while on College property or other property owned or controlled by the College or in any College employment or education program or activity.

Persons found in violation of this policy shall be subject to disciplinary action which may include, but is not limited to, counseling, educational training, written warning, demotion, transfer, suspension, expulsion or dismissal.

As a recipient of federal funds, the College complies with Title IX of the Higher Education Amendments of 1972 which prohibits discrimination on the basis of sex in education programs or activities. Saint Vincent College is committed to providing programs, activities, and an educational environment free from sex discrimination.

Saint Vincent College is an educational community rooted in the tradition of the Catholic faith, the heritage of Benedictine monasticism, and the love of values inherent in the liberal approach to life and learning. Nothing in this policy shall require Saint Vincent to act in a manner contrary to the beliefs and teachings of the Catholic Church nor shall it be construed as a waiver either of constitutional or statutory rights which Saint Vincent enjoys as a religiously-affiliated institution.

Notice of Non-Discrimination

The College is committed to maintaining an environment free from harassment and discrimination for everyone and does not discriminate on the basis of race, sex, national origin, religion, sexual orientation, gender identity or expression, or any other protected status. The College does not discriminate on the basis of sex or gender in any of its education or employment programs and activities. This policy prohibits specific forms of behavior that may violate Title IX of the Education Amendments of 1972 (“Title IX”); relevant provisions of the Violence Against Women Reauthorization Act of 2013 (“VAWA”); Title VII of the Civil Rights Act of 1964 (“Title VII”); the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”); and applicable laws of the Commonwealth of Pennsylvania.

The College recognizes that it is important to coordinate this policy with other existing policies related to harassment and discrimination knowing that harassment related to an individual’s sex, sexual orientation, gender identity or gender expression can occur in conjunction with misconduct and harassment related to a person’s race, ethnicity, national origin, religion, age, pregnancy or parenting status, disability, or other protected

status. Questions about which policy applies in a specific instance should be directed to the Title IX Coordinator.

Title IX Coordinator

The College has designated a Title IX Coordinator who is responsible for the oversight of this policy and any procedures related to it. Under the direction of the President, the Title IX Coordinator is responsible for overseeing and resolving all Title IX reports and identifying and addressing any patterns or systemic concerns that arise during the review of such reports. The Coordinator's responsibilities include oversight of a prompt, fair, equitable investigation and resolution process for reports of prohibited conduct at the College. The Title IX Coordinator also evaluates trends on campus by using information reported, and makes recommendations for campus wide training and education programs and other remedial actions designed to eliminate prohibited conduct, prevent its recurrence and address its effects.

The Title IX Coordinator for Saint Vincent College is:

Eileen K. Flinn, Esq.
2nd Floor Alfred Hall
eileen.flinn@stvincent.edu
724-805-2897 (office)
724-672-0033 (cell)

Except as provided by this policy, the Title IX Coordinator must be informed of all reports and complaints raising Title IX issues, even if the report or complaint was initially filed with another individual or office.

In the event that the individual designated as the Title IX Coordinator is unable (for any reason) to perform that function in any case, the President will appoint a senior administrator of the College to carry out that function.

Prohibited Conduct

Conduct under this policy is prohibited regardless of the sex, sexual orientation and/or gender identity/expression of the complainant or respondent. Prohibited conduct includes

the following specifically defined forms of behavior: sexual assault, sexual exploitation, intimate partner violence, stalking, sexual or gender-based harassment and retaliation.¹

A. SEXUAL ASSAULT

Sexual assault consists of (1) sexual contact and/or (2) sexual intercourse that occurs without (3) consent.

1. Sexual contact is:

- Any intentional sexual touching
- However slight
- With any object or body part (as described below)
- Performed by a person upon another person

As defined by federal² law, sexual contact includes (a) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts; and (b) making another touch you or themselves with or on any of these body parts.

2. Sexual intercourse is:

- (1) Any penetration
- (2) However slight
- (3) With any object or body part (as described below)
- (4) Performed by a person upon another person

Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

3. Consent is:

¹ NOTE: The definitions in this policy may differ from those used in the civil or criminal laws of the Commonwealth of Pennsylvania. In some cases, the definitions include behaviors that, while not torts or crimes under Pennsylvania law, still violate the College's standards of conduct for faculty, staff, and students. In addition, certain conduct may be punishable under Pennsylvania or federal criminal statutes, civil law, and College policy. These processes are separate and distinct from one another, however, but can run concurrently.

² 18 U.S. Code §2246

- Informed (knowing)
- Voluntary and willing (freely given)
- Active and on-going (not passive), meaning that, through the demonstration of clear and coherent words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity

Consent cannot be obtained by force. Force includes:

- the use of physical violence,
 - threats
 - intimidation, and/or
 - coercion
- Physical violence** means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, restraining, choking, and brandishing or using any weapon.
 - Threats** are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation, or to cause a person academic or economic harm.
 - Intimidation** is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
 - Coercion** is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of sexual contact or sexual intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the College will consider:
 - i. the frequency of the application of the pressure
 - ii. the intensity of the pressure
 - iii. the degree of isolation of the person being pressured, and

- iv. the duration of the pressure.

Consent **cannot** be gained by taking advantage of the incapacitation of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity.

Consent may be withdrawn at any time. An individual who seeks to withdraw consent must communicate, through clear words or actions, a decision to cease the sexual activity. Once consent is withdrawn, the sexual activity must cease immediately.

A person who is incapacitated is unable, temporarily or permanently, to give consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. A person may be incapacitated as a result of the consumption of alcohol or other drugs, or due to a temporary or permanent physical or mental health condition.

The College offers the following guidance on consent and assessing incapacitation:

- A person who wants to engage in a specific sexual activity is responsible for obtaining consent for that activity. Lack of protest does not constitute consent. Lack of resistance does not constitute consent. Silence and/or passivity also do not constitute consent. Relying solely on non-verbal communication before or during sexual activity can lead to misunderstanding and may result in a violation of this Policy. It is important not to make assumptions about whether a potential partner is consenting. In order to avoid confusion or ambiguity, participants are encouraged to talk with one another before engaging in sexual activity. If confusion or ambiguity arises during sexual activity, participants are encouraged to stop and clarify a mutual willingness to continue that activity.
- Consent to one form of sexual activity does not, by itself, constitute consent to another form of sexual activity. For example, one should not presume that consent to oral-genital contact constitutes consent to vaginal or anal penetration. Consent to sexual activity on a prior occasion does not, by itself, constitute consent to future sexual activity. In cases of prior relationships, the manner and nature of prior communications between the parties and the context of the relationship may have a bearing on the presence of consent.

In evaluating consent in cases of alleged incapacitation, the College asks two questions:

- (1) *Did the person initiating sexual activity know that the other party was incapacitated? and if not,*

(2) Should a sober, reasonable person in the same situation have known that the other party was incapacitated?

If the answer to either of these questions is “YES,” consent was absent and the conduct is likely a violation of this policy.

Incapacitation is a state beyond drunkenness or intoxication. A person is not necessarily incapacitated merely as a result of drinking or using drugs. The impact of alcohol and other drugs varies from person to person.

One is not expected to be a medical expert in assessing incapacitation. Look for common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. Although every individual may manifest signs of incapacitation differently, typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence. A person who is incapacitated may not be able to understand some or all of the following questions: “Do you know where you are?” “Do you know how you got here?” “Do you know what is happening?” “Do you know whom you are with?”

Be cautious before engaging in sexual contact or sexual intercourse when either party has been drinking alcohol or using other drugs. The introduction of alcohol or other drugs may create ambiguity for either party as to whether consent has been sought or given. If there is doubt about either party’s level of intoxication, the safe thing to do is to forego all sexual activity.

Being impaired by alcohol or other drugs is no defense to any violation of this policy.

Examples of behavior that may constitute sexual assault include the following:

- Engaging in sexual activity with an unconscious or semi-conscious person;
- Engaging in sexual activity with someone who is asleep or passed out;
- Engaging in sexual activity with someone who has said “no”;
- Engaging in sexual activity with someone who is vomiting, unable to stand without assistance, or has to be carried to bed;
- Allowing another person to engage in sexual activity with your partner without his or her consent;
- Requiring any person to perform any sexual activity as a condition of acceptance into a club, athletic program or any other organization affiliated with the College;
- Telling someone you will “out” them if they don’t engage in sexual activity (e.g., threatening to disclose the person’s sexual orientation without their consent);

- Telling someone you will fail them or give them a grade different from what they deserve if they don't agree to engage in sexual activity; or
- Facilitating or assisting in a sexual assault including purchasing or providing alcohol or drugs to further a sexual assault.

B. SEXUAL EXPLOITATION

Sexual exploitation is an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, person benefit or advantage, or any other non-legitimate purpose. Examples of sexual exploitation, include, but are not limited to, purposely or knowingly doing any of the following:

- Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give consent to sexual activity;
- Observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved
- Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or livestreaming of images);
- Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person's intimate parts (including genitalia, groin, breasts or buttocks) in a place where that person would have a reasonable expectation of privacy);
- Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Exposing, disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Prostituting another person; or
- Exposing another person to a sexually transmitted infection or virus without the other's knowledge.

C. INTIMATE PARTNER VIOLENCE³

Intimate Partner Violence (“IPV”) includes any act of violence or threatened act of violence that occurs between individuals who are involved or have been involved in a sexual, dating, spousal, domestic, or other intimate relationship. IPV may include any form of prohibited conduct under this policy, including sexual assault, stalking, and physical assault (as defined below).

Physical Assault is threatening or causing physical harm or engaging in other conduct that threatens or endangers the health or safety of any person. IPV includes the use or threat of physical force or restraint carried out with the intent of causing pain or injury to another. Physical assault will be addressed under this policy if it involves sexual or gender-based harassment, IPV, or is part of a course of conduct under the stalking definition.

Examples of behavior that may constitute IPV include the following:

- Taking away a person’s cell phone during an argument so the person cannot call a friend or the police for help.
- Threatening to commit self-harm if another does not do what is asked.
- Threatening to physically assault someone the individual is dating if the person does not do what is asked.
- Hitting, punching, pinching, slapping, or choking someone with whom the person is intimately involved.
- Violating a protective order.
- Harming a person’s animals or children while in an intimate relationship.

D. STALKING

Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear bodily injury or to experience substantial emotional distress.

³ Intimate Partner Violence includes “dating violence” and “domestic violence,” as defined by VAWA. Consistent with VAWA, the College will evaluate the existence of an intimate relationship based upon the Complainant’s statement and taking into consideration the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Course of conduct means two or more acts, including but not limited to acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about another person, or interferes with another person's property. Substantial emotional distress means significant mental suffering or anguish.

Stalking includes "cyber-stalking," a particular form of stalking in which a person uses electronic media, such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

E. SEXUAL OR GENDER-BASED HARASSMENT

- ***Sexual harassment*** is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when the conditions outlined in (1) and/or (2), below, are present.
- ***Gender-based harassment*** includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (1) and/or (2), below, are present.
 - (1) Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of a person's employment, academic standing, or participation in any College programs and/or activities or is used as the basis for College decisions affecting the individual (often referred to as "*quid pro quo*" harassment); or
 - (2) Such conduct creates a hostile environment. A "hostile environment" exists when the conduct is sufficiently severe, persistent, or pervasive that it unreasonably interferes with, limits, or deprives an individual from participating in or benefitting from the College's education or employment programs and/or activities. Conduct must be deemed severe, persistent, or pervasive from both a subjective and an objective perspective. In evaluating whether a hostile environment exists, the College will consider the totality of known circumstances, including, but not limited to:
 - The frequency, nature and severity of the conduct;
 - Whether the conduct was physically threatening;

- The effect of the conduct on the Complainant's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or College programs or activities; and
- Whether the conduct implicates concerns related to academic freedom or protected speech.

A hostile environment can be created by persistent or pervasive conduct or by a single or isolated incident, if sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the conduct is physical. A single incident of misconduct, however, may be sufficiently severe to constitute a hostile environment depending on the circumstances. In contrast, the perceived offensiveness of a single verbal or written expression, standing alone, is typically not sufficient to constitute a hostile environment.

Examples of behavior that may constitute sexual harassment, if sufficiently severe, persistent or pervasive, include the following:

- Calling someone by a sexually-oriented or demeaning name;
- Giving someone unwanted gifts of a sexual nature;
- Displaying sexually-suggestive materials or sending notes, email, or jokes to a person that are sexually explicit;
- Touching someone sexually without their consent;
- Massaging someone without permission;
- Brushing up against someone repeatedly;
- Continuing to ask out a person who already has said he or she is not interested; or
- Exposing your private parts to another person.

A note about Hostile Environment

The presence or creation of a hostile environment, while commonly related to claims or allegations of sexual or gender-based harassment, is not exclusive to those categories of prohibited conduct, and can be present within the context of a sexual assault, sexual exploitation, intimate partner/dating violence, stalking and other misconduct. The College will review and assess whether a hostile environment exists or is created by the prohibited conduct regardless of the specific allegation raised in a complaint or report.

F. RETALIATION

Retaliation means any adverse action taken against a person for making a good faith report of prohibited conduct or participating in any proceeding under this policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a finding of “no responsibility” on the allegations of prohibited conduct. Retaliation does not include good faith actions lawfully pursued in response to a report of prohibited conduct.

The College prohibits any form of retaliation. Saint Vincent will take steps to prevent it and will also take strong responsive actions if retaliation occurs. No faculty, administrator or staff, applicant for employment, student, or member of the public may be subject to restraint, interference, coercion or any other form of retaliation for, in good faith, seeking advice concerning a sexual misconduct matter, filing a sexual misconduct report or complaint, or participating as a witness in the investigation of a sexual misconduct complaint.

It is unlawful under Title IX and a violation of College policy to retaliate against any individual who has brought a good-faith report of prohibited conduct or who has assisted in the investigation of a report of prohibited conduct. The same applies to those involved in the process as witnesses, advisors and support persons. Retaliation, whether actual or threatened, destroys the sense of community and trust that is critical to a learning and work environment. The College considers acts or threats of retaliation in response to such disclosures or participation to constitute a serious violation of College policy, which may result in disciplinary action, up to and including dismissal, against the individual responsible for retaliation.

For purposes of this policy and procedures, retaliation means any adverse action taken against a person for making a good faith report of prohibited conduct or participating in any proceeding under this policy. Retaliation includes threatening, intimidating, harassing, coercing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Retaliation may be present even where there is a finding of “no violation” on the allegations of prohibited conduct. Retaliation does not include good faith actions lawfully pursued in response to a report of prohibited conduct.

Retaliation may include the following forms of behavior:

- employment actions such as termination, refusal to hire, or denial of promotion;
- other actions affecting a person’s employment or academic or school-related activities such as threats, unjustified negative evaluations, unjustified negative references, or increased surveillance; and
- any other action such as an assault or unfounded civil or criminal charges that are likely to deter reasonable people from pursuing their rights.

NOTE: Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a colleague, not talking to a student, or negative comments that are justified by a student or employee's poor academic or work performance or history.

If you believe that you are being retaliated against because of making a report or assisting in an investigation in violation of this policy, you should promptly report your concerns to the Title IX Coordinator.

Any other allegation of retaliation **not related to this policy** should be reported immediately to the Office of Human Resources.

Privacy and Confidentiality

The College is committed to protecting the privacy of all individuals involved in the investigation and resolution of a report under this policy. The College also is committed to providing assistance to help students, employees and third parties make informed choices. With respect to any report under this policy, the College will make reasonable efforts to protect the privacy of participants, in accordance with applicable state and federal law, while balancing the need to gather information to assess the report and to take steps to eliminate prohibited conduct, prevent its recurrence, and remedy its effects.

Privacy and confidentiality have distinct meanings under this policy.

Privacy: Privacy means that information related to a report of prohibited conduct will be shared with a limited circle of College employees who “need to know” in order to assist in the assessment, investigation, and resolution of the report. All employees who are involved in the College’s response to reports of prohibited conduct receive specific training and guidance about sharing and safeguarding private information in accordance with state and federal law.

Further, the College will maintain as private, any accommodations or protective measures provided to the complainant to the extent that maintaining such confidentiality would not impair the College’s ability to provide the accommodations or protective measures.

The privacy of student education records will be protected in accordance with the Family Educational Rights and Privacy Act (“FERPA”). All documentation related to a student’s report, investigation, and resolution are protected by FERPA and will not be released, except as required by law. Non-identifying information about a report may be shared with the Office of Public Safety or a designee to comply with the Clery Act. A complainant’s name will never be published in connection with the College’s obligations under the Clery Act. In addition, the College does not publish identifiable information regarding victims in the College’s Daily Crime Log or online.

Confidentiality: Confidentiality exists in the context of laws that protect certain relationships, including with medical and clinical care providers (and those who provide administrative services related to the provision of medical and clinical care), mental health providers, counselors, and ordained clergy, all of whom may engage in confidential communications under Pennsylvania law.

A note about confidentiality and privacy

The College strongly encourages all parties involved in a Title IX matter, whether as a reporter, complainant, respondent or witness to respect the confidential nature of any information provided, obtained and/or learned during throughout the matter.

This does not mean that the complaining or responding parties in an investigation are prohibited from discussing or sharing information or documentation with those they deem necessary, such as an advisor, support person, legal representative or someone serving in a similar capacity for purposes of an investigation. However, the parties should not be discussing the investigation or sharing information about meetings or interviews as part of an investigation with those who may be called as witnesses, and witnesses should not be sharing information about meetings or interviews during the course of an investigation.

If, during the course of this investigation it is determined that anyone involved in the investigation, either as a complainant, respondent or witness, colluded or shared information with another consequences may be imposed by Saint Vincent. Such consequences may include suspension or dismissal from Saint Vincent, being barred from residing on campus, or being prohibited from participating in extracurricular activities, including varsity athletics.

Maintaining confidentiality and respecting the privacy of individuals involved in a Title IX matter helps to ensure a fair, thorough and impartial investigation and resolution.

Requests for Anonymity

Where the complainant requests that their identity not be shared with the respondent or that the College not pursue an investigation, the College must balance this request with the College's responsibility to provide a safe and non-discriminatory environment for all College community members. The College, through the Title IX Coordinator, will take all reasonable steps to investigate and respond to the report consistent with the request not to share identifying information or pursue an investigation, but its ability to do so may be limited by the request.

Under these circumstances, the complainant's request will be balanced against the following factors:

- The seriousness of the conduct;
- The respective ages and roles of the complainant and respondent;
- Whether there have been other reports of prohibited conduct under this policy involving the respondent;
- Whether the circumstances suggest there is a risk of the respondent committing additional acts of prohibited conduct;
- Whether the respondent has a history of arrests or records indicating a history of violence;
- Whether the report indicates the respondent threatened further sexual violence or other violence against the complainant and other individuals involved;
- Whether the reported conduct was committed by multiple individuals;
- Whether the circumstances suggest there is an risk of future acts of prohibited conduct under similar circumstances;
- Whether the reported conduct was perpetrated with a weapon;
- Whether the College possesses other means to obtain relevant evidence (e.g., security cameras or personnel, physical evidence); and,
- The respondent's right to receive information if such information is maintained in an "education record" under FERPA.

The College will take all reasonable steps to investigate and respond to the report consistent with the request not to share identifying information or pursue an investigation, but its ability to do so may be limited based on the nature of the request by the complainant. Where the College is unable to take action consistent with the request of the complainant, the Title IX Coordinator will inform the complainant about the chosen course of action, which may include the College seeking disciplinary action against a respondent. Alternatively, the course of action may also include steps to eliminate the effects of the prohibited conduct and prevent its recurrence that do not involve formal disciplinary action against a respondent or revealing the identity of the complainant.

Where the College determines that it must move forward with an investigation despite a complainant's request for anonymity, the College will notify the complainant and will

make reasonable efforts to protect the privacy of the complainant to the extent possible. However, certain actions that may be required as part of the College's response, including an investigation and disciplinary resolution, will involve speaking with the respondent and others who may have relevant information, in which case the complainant's identity may have to be disclosed. In such cases, the College will notify the complainant that it intends to move forward with an investigation, but in no event will the complainant be required to participate in any such actions undertaken by the College.

Faculty & Staff Responsibilities

All Saint Vincent faculty and staff, including varsity coaches, assistant coaches and graduate assistant coaches, as well as students serving as prefects or residence hall staff are designated as either Confidential Employees, Responsible Employees or Confidential Support persons for purposes of Title IX. Saint Vincent faculty and staff receive annual training, both in person and through on-line modules, on Title IX and the federal Violence Against Women Act (VAWA) and their obligations under these laws. In addition, many Saint Vincent employees, including all coaches, assistant coaches, graduate assistant coaches, faculty and staff serving as advisors or sponsors to student clubs, organizations and academic societies, and trip leaders for academic conferences, study abroad, service learning and campus ministry trips are designated as Campus Security Authorities under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery) participate in annual training on reporting requirements under the Clery Act.

Confidential employees: At Saint Vincent, pastoral counselors and professional licensed counselors are considered confidential employees. Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (and including those who act in that role under the supervision of a licensed counselor) **are not** permitted to report any information about an incident to the Title IX Coordinator without a victim's permission.

These individuals are, however, in a position to provide considerable support for those who have been subjected to prohibited conduct and are urged to seek such support in dealing with trauma often associated with such incidents.

- To contact a pastoral counselor, contact Campus Ministry (724-805-2350). To contact a professional licensed counselor on campus, contact the Wellness Center (724-805-2115).

If you are reluctant to seek such help on campus, you can seek professional assistance from an off-campus trauma professional. These individuals are trained trauma therapists able to provide considerable support for individuals who believe they have been subjected to prohibited conduct. In the event that an individual's personal health insurance will not cover the assessment or counseling sessions with this off campus resource, arrangements have been made for the College to pay for those sessions without

the disclosure by the professional counselor of any information regarding the patient or the nature of the incident involved.

For off campus support, contact:

- Dr. Elizabeth Ventura: Dr. Ventura is a licensed, professional counselor with over ten years' of experience in the field. You -- 412-559-9152.
- The Blackburn Center: This is a Sexual Assault Crisis Center located in Greensburg -- 724-836-1122 or 1-888-832-2272.

It is critical to understand that the above listed persons are not permitted to disclose anything revealed to them in a professional setting to the College or anyone else without the explicit consent of the victim.

When information is shared by an individual with a confidential employee or a community professional with the same legal protections, the confidential employee (and/or such community professional) cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information.

For example, information may be disclosed when:

1. the individual gives written consent for its disclosure;
2. there is a concern that the individual will likely cause serious physical harm to self or others; or
3. the information concerns conduct involving suspected abuse or neglect of a minor under the age of 18.

Responsible employees: Title IX uses the concept of notice, and imposes obligations for a “prompt and effective remedy” on colleges and universities when notice of a sex/gender discrimination or harassment is given to a “**responsible employee**.” A school has notice if a reasonable employee knew, or in the exercise of reasonable care should have known, about the harassment.

Every faculty member, staff, and volunteer on campus who works with students or minors, and every person identified as a Campus Security Authority (CSA) under the Clery Act must immediately report to the Title IX Coordinator any prohibited conduct reported to them or observed by them, including the name of the complainant and respondent, if known, and all known details as a “Responsible Employee”. All prefects, residence hall advisors and directors are also responsible employees under the law.

Before a person reveals any information to a responsible employee, the responsible employee should ensure that the individual understands the reporting obligations of the responsible employee. If the person wants the information to remain confidential and not reported to the Title IX Coordinator, the responsible employee must direct him or her to those members of the community who can maintain confidentiality.

Confidential Support Persons: The College has designated certain employees and volunteers as confidential support persons. These individuals can talk to a victim without revealing any personally identifying information about an incident to the College. A person can seek assistance and support from these individuals without triggering a College investigation that could reveal the individual's identity or that the individual has disclosed the incident, thus providing some level of anonymity. A list of current confidential support persons can be found in the appendix to this policy.

Confidential Support Persons are, however, as Campus Security Authorities under the Clery Act, obligated to report the nature, date, time, and general location of an incident to the Title IX Coordinator while keeping confidential any information that would directly or indirectly identify the victim. This limited report helps keep the Title IX Coordinator informed of the general extent and nature of prohibited conduct on and off campus so the Title IX Coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before confidential support persons report any information to the Title IX Coordinator, they will consult with the individual to ensure that no personally identifying details are shared with the Title IX Coordinator.

Everyone, regardless of their designation under this policy, MUST report the any incidents of prohibited conduct of which they become aware or any suspected abuse of children (those under the age of 18), without exception.

Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs," or other forums in which students, staff, or faculty members disclose incidents of prohibited conduct, are not considered a report of Prohibited Conduct or notice to the College of prohibited conduct for purposes of triggering the College's obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts, and the College will provide information about Title IX and Clery rights at these events.

Reporting

Any person who experiences prohibited conduct or who is aware of a member of the College community who has been subject to Prohibited Conduct is strongly encouraged to contact the Title IX Coordinator. All those designated as responsible employees **MUST** report **ALL** information pertaining to instances of prohibited conduct, including information described as rumor or gossip that the responsible employee knows about, to the Title IX Coordinator.

The Title IX Coordinator for Saint Vincent College is:

Eileen K. Flinn, Esq.
Second Floor, Alfred Hall
eileen.flinn@stvincent.edu
724-805-2897 (office)
724-672-0033 (cell)

In addition, an individual does not have to be a member of the College community to file a report under this policy. The College will also take action to respond to allegations of prohibited conduct *when the College knows or reasonably should know* based on any available information that prohibited has occurred.

Complainants may simultaneously pursue criminal and College disciplinary action. The College will support complainants in understanding and assessing their reporting options. Upon receipt of a report, the College will inform individuals of their right to file (or decline to file) criminal charges as well as the availability of medical, counseling and support services, and additional interim measures to prevent contact between a complainant and a respondent, such as housing, academic, transportation and working accommodations, if reasonably available (see Interim Measures). Making a report to the College does not require the filing of a formal complaint, nor is the filing of a formal complaint, which involves an investigation, required in order for a complainant to receive support or remedial measures.

Although the College strongly encourages all members of its community to report violations of this policy to law enforcement, it is the complainant's choice whether to make such a report and victims have the right to decline involvement with the police.⁴ The College's Office of Public Safety will assist any victim with notifying local police if they so desire. The Pennsylvania State Police may be reached directly by calling the Pennsylvania Police's Greensburg Barracks at 724-832-3288.

Again, all incidents of prohibited conduct involving a minor (those under the age of 18 or any suspected abuse of children (those under the age of 18), MUST immediately be reported to the Title IX Coordinator or Office of Public Safety, without exception.

The filing of a report with law enforcement will not prevent the College from simultaneously investigating a report or formal complaint. The College will cooperate in any law enforcement investigation to the extent permitted by law, noting that federal law, specifically FERPA and Title IX, limit what the College can share with law enforcement.

Anonymous reports also are accepted and should be directed to the Title IX Coordinator. The College will respond promptly and equitably to anonymous reports, but the response may be limited if the report does not include identifying information and/or a description of the facts and circumstances. Anonymous reports that provide enough information to constitute a criminal offense will be reported to the Office of Public Safety for purposes of inclusion in the College's Annual Security Report. Saint Vincent faculty and staff designated as Responsible Employees cannot make anonymous reports.

⁴ The Title IX Coordinator is a "Responsible Employee" under Title IX and also a "Campus Security Authority" under the Clery Act. Statistical information not including the individual's identifying information will be provided to the College official responsible for compiling the College's crime statistics for the annual security report, even if the victim chooses not to report the incident to campus public safety.

One common misconception about the reporting process is that making a report will automatically lead to disciplinary action. While a report can become a formal complaint - initiated either by the complainant or the College -- **not every report becomes a complaint**. See below for differences between making a report and filing a complaint.

Making a Report: Making a report is the act of notifying the Title IX Coordinator of an incident of prohibited conduct. A report may be accompanied by a request for resources, no further action, informal resolution, and/or to initiate a formal complaint process by filing a complaint. The Title IX Coordinator will make an assessment of every report made, and determine, in conjunction with the complainant, how best to proceed.

Filing a Complaint: Filing a complaint is making a request to initiate the College's formal disciplinary process. A report may become a formal complaint, either initiated by the complainant or the College, depending on the outcome of the initial inquiry and assessment of the report, coupled with the complainant's wishes.

At the time a report is made, a complainant does not have to decide whether to file a complaint. The College recognizes that not every individual will be prepared to file a complaint with the College or to law enforcement, and individuals are not expected or required to pursue a specific course of action.

How do I make a report?

- Contact the Title IX Coordinator, Eileen K. Flinn, Esq. Her office is located on the Second Floor, Alfred Hall. Office hours are 8:30 a.m. to 4:30 p.m. (Monday through Friday) and by appointment. The Title IX Coordinator is also available by phone at (724) 805-2897 during office hours, or (724) 672-0033 outside of office hours.
- Email the Title IX Coordinator at titleix@stvincent.edu
- Submit a report online at <http://www.stvincent.edu/student-life/title-ix>

Reporting Timeframes

The College encourages prompt reporting of prohibited conduct so that the College can respond promptly and equitably; however, the College does not limit the timeframe for reporting or the completion of an investigation. In a typical case, the investigation, resolution and any appeal general takes between 60 and 90 business days. However, some cases may take longer and there is no required timeframe for which an investigation must be completed. In addition, the scheduling of breaks and the availability of the parties and witness may impact the time needed for an investigation. The College strives to conduct a fair, thorough and impartial investigation of all complaints.

If the respondent is no longer affiliated with the College at the time the report is made, the College will provide reasonably appropriate remedial measures, assist the complainant in identifying external reporting options, and take other reasonable steps to respond under Title IX. The College may continue to conduct an investigation for purposes of complying with Title IX and take steps to prevent the recurrence of such conduct and remedy the effects. Such steps may include banning the respondent either temporarily or permanently from being permitted on campus or to attend any Saint Vincent sponsored events such as athletic competitions, theatre events or alumni events such as Homecoming.

Amnesty for Alcohol and Drug Use

There are many reasons why people do not make a report. However, a primary reason students do not report an incident rests with the fear of being punished for violating the school's policies on drug and alcohol use. Saint Vincent provides amnesty in such cases.

- Alcohol and other drugs amnesty is intended to encourage students to seek assistance for themselves or someone else by reducing fear of facing disciplinary action for violating the College's policy on alcohol and other drugs. It is an attempt to remove barriers that prevent students from seeking the medical attention or other assistance that they need when prohibited conduct has occurred.
- The College does not have the authority to grant amnesty for criminal, civil or legal consequences for violations of federal, state or local laws. However, the health and safety of the College community is a primary concern and Saint Vincent may provide amnesty for students from violations of the College's policy on alcohol and other drug use.

The Title IX Coordinator may grant immunity (or substantial mitigation of sanctions) to any person subjected to prohibited conduct, respondents to a complaint of prohibited conduct, third-party reporter of prohibited conduct, or any necessary witness regarding any matter of prohibited conduct from College sanctions arising out of violations of the policy on alcohol and other drugs use to the extent that such individual provides information in good faith regarding an investigation of prohibited conduct under this policy.”

Interim Measures

The College may take interim measures at any point during an investigation. Interim measures are available for both the complainant and respondent. These measures may be both remedial (designed to address a complainant's safety and well-being and continued access to educational opportunities) or protective (involving action against a respondent). Interim measures are designed to eliminate the prohibited conduct, prevent its recurrence and remedy its effects. These measures may include, but are not limited to:

- no contact orders
- changes in housing assignment for the respondent and/or complainant
- academic accommodations
- changes in supervisor or work location
- removal from campus housing or grounds
- social restrictions
- changes in parking locations
- increased security
- emotional and other support
- counseling for the complainant or respondent

An interim suspension, i.e. suspension from classes, work and other privileges (e.g., participation in varsity athletics) or activities, or from the College, may also be instituted until resolution of a case.

Interim measures are available regardless of whether a complainant pursues a complaint or investigation under this policy. The College will maintain the privacy of any interim and protective measures provided under this policy to the extent practicable and will promptly address any violation of the protective measures. The Title IX Coordinator has the discretion to impose and/or modify any interim measure based on all available information, and is available to meet with a complainant or respondent to address any concerns about the provision of interim measures.

The College expects student to comply with directives related to interim restrictions, especially No Contact orders, under this policy. Allegations of failure to comply with interim restrictions may result in disciplinary action, including but not limited to suspension, expulsion, being prohibited from campus residence halls, other buildings and campus itself, as well as being unable to participate in varsity athletics, extracurricular activities, and other college sponsored events.

A note about No Contact Orders

No Contact orders are not an indication of responsibility for a violation of College policy; rather, they are intended to forestall interactions that could be perceived by either party as retaliatory, intimidating, or harassing. No Contact Orders do not, in and of themselves, become part of the recipient's permanent College record. However, it is very important that you understand and abide by the provisions of such an order, since an infringement of this order may result in disciplinary consequences. In addition, No Contact orders can be very limiting on the ability of both parties as it relates to their social lives, including attendance at College sponsored events such as Cotillion and other extracurricular activities that are not part of the College's educational programming. Questions regarding attendance at such events and activities should be brought to the Title IX Coordinator. In some instances, this may result in one or both parties being unable to attend, or both

parties being permitted to attend with some additional restrictions in place to limit the possibility of interaction.

A No Contact order from Saint Vincent is different from a Protection from Abuse (PFA) or Protection from Sexual Violence (PFSV) order issued by a judge. These protective orders can be in addition to a No Contact order, and can be obtained by going to the Westmoreland County Protection from Abuse Office in the county courthouse, located in Greensburg, Pennsylvania. In addition, the Blackburn Center can assist with the filing of these orders. You can reach the Center by calling their 24-hour hotline at 1-888-832-2272.

What happens once a report is made?

College students, faculty, staff, and other third parties who believe they have been a victim of sexual misconduct are strongly encouraged to report incidents of prohibited conduct to the College. The options and procedures for redressing incidents of prohibited conduct are described in this section.

Intake Meeting: Upon receipt of a report of prohibited conduct, the Title IX Coordinator will arrange to meet with the complainant as soon as possible. The decision to meet with the Title IX Coordinator is up to the individual who is the subject of the report. The Title IX Coordinator will provide resources and options to the individual in an initial email requesting a meeting. At this meeting, the Title IX Coordinator will discuss and explain:

- Title IX processes and procedures
- Counseling and medical support services available.
- How to report to law enforcement if that is what the complainant decides to do.
- Interim measures available and how to access them
- Confidentiality versus privacy considerations

Determining How to Proceed: At the initial intake meeting, the Title IX Coordinator will seek to determine how the complainant wishes to proceed, i.e., whether the complainant wishes to pursue an informal resolution, mediation, a formal complaint or does not wish to pursue further action.

Even in instances where the complainant does not wish any action to be taken, the Title IX must make an assessment in order to ensure the safety and wellbeing of the complainant and the Saint Vincent community. In addition, the Title IX Coordinator will have discretion to determine whether or not informal resolution or mediation is appropriate to the circumstances.

Informal Resolution: Recognizing that a wide spectrum of behaviors can constitute violations of the College's Sexual Misconduct and Harassment Policy, the Title IX Office may resolve reports informally and appropriately, based on the circumstances. Informal resolutions generally are pursued when the complainant,

having been fully informed of all available options, has explicitly made that choice. An informal resolution process is voluntary, and a complainant can ask to end the informal resolution process at any time before its completion. If an informal resolution process is ended by request, any information obtained may be used in a subsequent formal resolution process. Once a report has been resolved through an informal resolution process, the matter will be closed.

Mediation: If the complainant and respondent desire to pursue mediation to resolve his/her report, the Title IX Coordinator must agree that mediation is appropriate for resolution of the report at issue. **Saint Vincent will not use mediation for resolution of cases involving alleged Sexual Assault.** To determine whether informal mediation is appropriate, the Title IX Coordinator shall take the totality of circumstances into account, including but not limited to:

- (1) The nature and severity of the conduct;
- (2) The possibility of mediation resolving the matter;
- (3) Whether informal mediation would satisfy the College's Title IX obligations in the case at hand.

If the Title IX Coordinator determines that mediation is appropriate, the Title IX Coordinator will promptly assign an appropriately trained mediator, notify the accused, and implement informal procedures within five working days, absent any unusual circumstances. Mediation should encourage each person to be honest, direct, and respectful, and to accept personal responsibility where appropriate. Both parties must agree to mediation. The Title IX Coordinator or any other appropriately trained employee may serve as the mediator. A matter will be deemed satisfactorily resolved when both parties expressly agree in writing to an outcome that is also acceptable to the Title IX Coordinator.

At any stage during the mediation process, the complainant or respondent may terminate the mediation. The complainant may then elect to begin formal complaint procedures. Further, at any point during the mediation, if the mediator suspects that mediation is no longer appropriate, the mediator will confer with the Title IX Coordinator on this matter. The Title IX Coordinator will then determine whether mediation is still appropriate and instruct the parties accordingly.

Because entry into mediation and into a mediation agreement is voluntary, neither party shall have the right to appeal the terms of a Mediation Agreement absent a showing of duress or undue influence caused by any person, even a person not involved in the mediation. The Title IX Coordinator shall have sole discretion to determine whether a proper showing of duress or undue influence has been made. If the Title IX Coordinator makes a finding of duress or undue influence, then formal procedures will be initiated.

Formal Complaint: A victim or a third-party may file a formal complaint alleging a violation of this policy. A complaint of prohibited conduct should be filed directly with the Title IX Coordinator. The College, when the Title IX Coordinator determines that it is necessary to protect the safety and well-being of

the community, reserves the right to bring reports forward against a student or employee and to act as the complainant for purposes of this policy.

Process for a formal complaint:

- A formal complaint does not have to be in writing, but is strongly recommended that it be in writing. In order to institute a formal complaint, the following information is essential:
 - the name of the accused (if known)
 - a description with reasonable specificity the incident(s) of alleged misconduct, including the date and place of such incident(s)
 - a list of any sources of potential information (e.g., witnesses, correspondence, records, etc.) that the victim or third-party believes may be relevant to the investigation

However, a complaint should not be delayed if such sources of potential information are unknown or unavailable, because such sources can be discovered in the formal investigation.

- The Title IX Coordinator will review the complaint and determine whether the allegations, if true, would constitute a violation of this Policy. If necessary, the Title IX Coordinator will meet with the complainant or the third-party reporter to gather further information prior to making a determination. This initial review should occur as soon as possible after receiving the report.
- If, after conducting the initial review of a formal complaint, the Title IX Coordinator determines that the allegation, if true, **would not** constitute a violation of this Policy, then the Title IX Coordinator will administratively close the case and notify the complainant (and the reporter, if there is one). If new information subsequently arises, the complainant or reporter of the incident may request reconsideration of the determination that no violation occurred.
- In cases where the Title IX Coordinator concludes that the alleged conduct, while not a violation of this Policy, might implicate other College policies, the Title IX Coordinator may refer the matter to the appropriate College officials.
- If, after conducting the initial review of a formal complaint, the Title IX Coordinator determines that the allegation, if true, **would** constitute a violation of this Policy, then a formal investigation will be initiated. The

investigation will take the form of the single-investigator model recommended.

Once an investigation is initiated:

- Title IX Coordinator may enter an interim order, where warranted and/or requested by the complainant or respondent, directing that no contact shall occur between the complainant and the respondent, and may also institute any other interim measures necessary.
- The Title IX Coordinator will assign an investigator to the complaint. The investigator will make findings of fact, applying a preponderance of the evidence standard (i.e., more likely than not), and determine based on those findings of fact whether a violation of this policy occurred.
- The Title IX Coordinator will meet with the respondent in order to provide written notification of the allegations, provide the respondent with a copy of the policy and its procedures, inform the respondent of his/her rights under this policy and answer any questions regarding the Policy, process and procedures that the respondent may have.
- The Respondent will have five (5) days to submit a written response to the allegations to the Title IX Coordinator. Where the fifth day falls on a Saturday or Sunday, the response shall be due by 8:30 a.m. on the next business day. The Respondent is not required to submit a written statement. The investigation will continue regardless of whether the respondent chooses to participate in the process.
- The investigator will request individual interviews with the complainant, the respondent, and other witnesses as appropriate. The initial interviews with the complainant and the respondent should be in person.
- The purpose of the interviews is to gather and assess information about the incident(s) at issue in the complaint, not to solicit general information about a party's character.
- The investigator's initial interview with the complainant should take place in person and within 3-5 business days after being assigned the case by the Title IX Coordinator. The investigator may wait to hold the initial interview with the respondent until after first meeting with the complainant.

- The investigator will interview witnesses provided by both the complainant and respondent. Witnesses may also include those identified by officers of the College, those identified by other witnesses, and any other persons the investigator considers it proper to interview.
- After the collection of additional information is complete but prior to the conclusion of the investigation, the investigator will request individual follow-up interviews with the complainant and respondent to give each the opportunity to respond to the additional information.
- At the completion of the initial investigation, the investigator will meet with the complainant and the respondent to review the investigator's preliminary factual findings. The complainant and the respondent may take notes of the preliminary findings, but shall not be permitted to make copies or take photographs of the preliminary findings.
- Within five (5) days after each party reviews the preliminary factual findings, the complainant and respondent may submit a written response to the investigator who will consider that response before finalizing the factual findings. Where the fifth day falls on a Saturday or Sunday, the response shall be due by 8:30 a.m. on the next business day.
- To the extent that the final report of the investigator concludes that a violation has occurred, the report will not contain any specific recommendation as to sanctions. The report may recommend general remedial steps the College may take to eliminate any harassment, prevent its recurrence, and address its effects.
- The investigator will return the final investigation report with the final factual findings to the Title IX Coordinator. The Title IX Coordinator will notify the complainant and respondent simultaneously in writing via email of the final factual findings of the investigator's decision. The notification will include instructions for the complainant and respondent to obtain a hard copy of the final factual findings of the investigator.
- Such notification shall also include the process, reasons for and deadline for appealing the investigator's finding.
 - An appeal may be based **only** on the following:
 - A violation of the procedures set forth above has occurred which, in the context of the case, may have the effect of changing the outcome; or

- The appellant has substantive and relevant new information that was not available at the time of investigation that may change the outcome.
 - An appeal must be made to the Title IX Coordinator **in writing** within five (5) days of receiving written notification of the investigator's final report from the Title IX Coordinator. Where the fifth day falls on a Saturday or Sunday, the response shall be due by 8:30 a.m. on the next business day.
 - The Title IX Coordinator will forward the appeal to the General Counsel, along with a full copy of the investigator's final report and final factual findings.
 - The General Counsel will determine whether the party requesting the appeal has satisfied the requirements for an appeal, and make a determination whether to uphold or reject the investigator's finding, and then direct the Title IX Coordinator to proceed accordingly.
- NOTE: In extremely complex cases, including those where the alleged conduct is severe, the Title IX Coordinator may request the General Counsel to review the final findings of the investigator to insure a thorough and impartial process has taken place.
- If the final report determines that a violation has occurred and there is no appeal, or a finding that the investigator's decision is upheld, the Title IX Coordinator will appoint a 3- person Administrative Panel, who will determine the appropriate sanctions. The Title IX Coordinator shall choose the Administrative Panel from among the members of the President's Cabinet, the President's Council and the president and vice-president of Faculty Council. The Panel's function is to determine the appropriate sanctions/remediation. The Panel does not have the authority to overrule the factual determinations of the investigator.
- Upon a finding of a violation, the Title IX Coordinator shall request a written confidential report from the Vice President of Student Affairs regarding the background of the respondent, any prior incidents of misconduct in which the respondent has been involved, and an assessment of the type of sanctions/remediation that has previously been dispensed for offenses of the nature found in the current case. This written report shall also disclose the full range of possible penalties, sanctions, and remedial measures which the Panel might consider in its determination. Such report

shall be completed and returned to the Title IX Coordinator as soon as possible.

- The Title IX Coordinator shall request a written confidential impact statement from the complainant and respondent, which the Panel may use in its deliberations. Neither party is required to provide such a statement.
- The Title IX Coordinator shall provide the Administrative Panel with a full copy of the investigator's final report, including all exhibits, the written confidential report from the Vice President of Student Affairs, and any confidential impact statements received from the complainant and/or respondent.
- In determining sanctions, the Panel must carefully review and consider the entirety of the investigative report and case file, and ensure that any sanctions are a proportionate response to the violation. Disciplinary sanction decisions must be made for the purpose of deciding how best to enforce the school's code of student conduct while considering the impact of separating a student from her or his education.
- The Administrative Panel will issue a written report detailing the sanctions to be imposed within seven (7) calendar days after receiving the materials from the Title IX Coordinator. If circumstances warrant, the Title IX Coordinator may request an expedited review and determination from the Panel. The report must include the Panel's rationale and justification for the sanctions imposed. That report will be sent to the Title IX Coordinator who will then provide the complainant and respondent with the decision of the Panel, along with the procedures to appeal the result of the disciplinary hearing.
- An appeal of the sanctions imposed by the Administrative Panel may be appealed to the Title IX Coordinator who shall make the final determination of the appropriateness of the sanctions. This appeal must be made in writing, within five (5) days of receiving notification from the Title IX Coordinator. Where the fifth day falls on a Saturday or Sunday, the response shall be due by 8:30 a.m. on the next business day. The Title IX Coordinator shall only review the sanctions imposed by the Administrative Panel and not the findings of the investigator. Where the Title IX Coordinator finds that sanctions to not be appropriate, the case shall be referred back to the Administrative Panel for reconsideration.

- In the event there is a subsequent change in the result or when the result becomes final, both parties will be sent written notification of such change.
- In an investigation conducted against a student who is the alleged perpetrator of any crime of violence or non-forcible sex offense (statutory rape, incest), the results of the proceeding will be provided to the victim and in the case of a deceased victim, to the next of kin.

Request to Withdraw Complaint: While every effort will be made to respect the complainant's wishes to withdraw a formal complaint, the College must be mindful of its overarching commitment to provide a non-discriminatory environment. Therefore, the Title IX Coordinator may determine that investigation is appropriate despite a complainant's request to withdraw the complaint.

Request for Informal Resolution After a Complaint has Been Filed: Once a complaint has been opened for investigation and before the final report has been provided to the parties, the complainant or respondent may request informal resolution or mediation as an alternative to formal resolution of the complaint, but such informal resolution requires the agreement of the complainant and respondent and the approval of the Title IX Coordinator. If such a request is approved, the timeframes will be stayed, and the investigators or a designee will take such steps as he or she deems appropriate to assist in reaching a resolution. If an informal resolution cannot be reached in two weeks, then formal procedures will resume.

Advisors

The complainant and the respondent each have the opportunity to be advised by an advisor of their choice at their expense, including legal counsel, at any stage of the process and to be accompanied by that advisor at any meeting or hearing in which the complainant or the respondent is required to be present. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting nor may the advisor direct questions to any administrator, party or witness in the process. The advisor shall be able to review any report or document while present with his/her advisee. Should the advisor become disruptive during any meeting, the Title IX Coordinator or investigator may ask them to leave. The complainant or respondent is responsible for sharing information, documentation or other materials with their advisor. *No advisor (or party) will be given the opportunity to cross-examine or to directly question a complainant/respondent.*

In addition, the Title IX Coordinator is prohibited from answering any questions about the investigation or providing any information to the parent(s) of the complainant, respondent or any witnesses, except in the case of minor. This applies even where the

student has a signed FERPA waiver on file with the College. The Title IX Coordinator may provide information relating to the investigation process. A parent may serve as an advisor to the complainant or respondent, and in such case, shall be treated as set forth above.

Timeline

The College seeks to conduct the investigation, resolution, and any appeal under this policy in a prompt, thorough and impartial manner. In some cases, this may mean less than sixty (60) days, and in other it may be longer. The length of time from investigation to resolution depends on many factors, including but not limited to academic calendar; availability of parties or witnesses due to physical absence from campus related to study abroad or service trips, illness, whether there is a simultaneous criminal proceeding; or the complexity of the case.

The College works to ensure the integrity and completeness of the investigation, to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation, to accommodate the availability of witnesses, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons.

Any delays in the process will be clearly communicated to both parties.

The investigator will notify the Coordinator who will then notify the parties of any extension of this timeframe and the reason for such extension. The complainant and respondent will be notified, in writing, throughout the process by the Title IX Coordinator in regards to; the start of an investigation, any delay in the investigation, the conclusion of the investigation, and determination of the outcome resolution and any related appeals. *(Note: The College will take all reasonable steps to respect the request for confidentiality which may impact what will be disclosed throughout the process).*

Obligation to Provide Truthful Information

All Saint Vincent students are held to the requirements of the Student Code of Conduct, and pledge to cooperate in acting honestly and honorably. Submitting or providing false or misleading information in bad faith or with a view to personal gain or intentional harm to another in connection with an incident of prohibited conduct is prohibited and subject to disciplinary sanctions under the College's Student Code of Conduct and disciplinary action under the appropriate Employee disciplinary policy. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not later substantiated. This provision does apply where it is determined that the complainant or respondent colluded or collaborated with any witnesses or other

parties involved in a report or complaint under this policy. Such violations will be handled in accordance with the appropriate disciplinary structure.

In addition, all Saint Vincent students agree to abide by the provisions of the Saint Vincent College Student Handbook, including Section 7 (Compliance and Mutual Respect), which reads:

“7. Compliance and Mutual Respect

- Saint Vincent College strives to live out the Benedictine Hallmark of community, emphasizing the call for service to the common good and respect for the individual.
- Students are expected to comply with the directives of College personnel, including Faculty, Staff, Administrators, Residence Hall Directors and Prefects, in the performance of their duties.
- In a spirit of mutual respect, abusive/defiant language or behavior toward members and guests of the College community will not be tolerated.”

When a student receives a request from either the Title IX Coordinator or an investigator assigned to a case, Section 7 of the Student Handbook comes into play. Students who may be witnesses to the prohibited conduct or may have information pertaining to an incident are required to respond appropriately to a request by the Title IX Coordinator or an investigator. Failure to do so may result in referable to the Office of Student Affairs for disciplinary action.

Additional Confidentiality Provisions

All College officials involved in the investigation process will take reasonable steps to protect the privacy of all involved. Once a complaint is filed, the complainant, third-party reporter, the respondent, personal advisors, and any witnesses will be notified of the potential for compromising the integrity of the investigation by disclosing information about the case and the importance of keeping confidential any information or documents that they receive or review. They also will be notified that sharing such information could be construed as retaliatory. Retaliation of any kind is a separate violation of this Policy and may have strong punitive consequences.

The parties remain free to share their own experiences, but in order to avoid the possibility of compromising the investigation; it is **generally advisable** to limit the number of people in whom they confide. If it is determined that anyone involved in a report or complaint either as a complainant, respondent or witness, colluded or shared information with another, consequences may be imposed by Saint Vincent. Such consequences may include suspension or dismissal from Saint Vincent, being barred from residing on campus, or being prohibited from participating in extracurricular activities, including varsity athletics.

Annual Review

This policy is maintained by the Title IX Office, and it will be reviewed and updated, as appropriate, by July 1 of each year. The College will evaluate, among other things, any changes in legal requirements, existing College resources, and the resolution of cases from the preceding year (including, but not limited to, timeframes for completion and sanctions and remedies imposed).

Training and Education

In addition to the Title IX Coordinator's core responsibilities, additional services to the College community will include, working with campus resources to provide ongoing training to new/current students, faculty, and staff on Title IX issues and procedures. The College will ensure that responsible employees with the authority to address sexual violence, including sexual harassment, know how to respond appropriately to reports of prohibited conduct, that they are obligated to report prohibited conduct to the Title IX Coordinator, and that all employees understand how to respond to such reports.

The College engages in comprehensive, intentional, and integrated programming, initiatives, strategies, and campaigns intended to reduce and eliminate prohibited conduct which:

- 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
- Consider environmental risk and protective factors as they occur on the individual, relationship, institutional, community and societal levels.

Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and employees that:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines using definitions provided both by the United States Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Defines what behavior and actions constitute consent to sexual activity in Pennsylvania and/or using the definition of consent found in this policy;
- Provides 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;

- Delivers information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence; and
- Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

Appendix A

Resources

If you are subjected to prohibited conduct and are in need of immediate and/or ongoing assistance following an incident, the following resources, both off-campus and on-campus, are available:

A. Blackburn Center Against Domestic and Sexual Violence (Off-Campus, Confidential)

The Blackburn Center, located in Greensburg, PA, advocates for the rights of all individuals to live free from domestic and sexual violence in their homes and communities by eliminating the root causes of this violence and providing for the well-being and safety of survivors/victims.

Blackburn Center has numerous and wide-ranging resources available for victims of sexual violence. All services are available to children, women and men.

Assistance from the Blackburn Center can be received by calling 1-888-832-2272. This is a 24-hour, 7 day a week number answered by trained staff and volunteers, ready to provide free and confidential support as needed.

All of the resources available through the Blackburn Center are FREE and CONFIDENTIAL; they can even be ANONYMOUS.

B. Independent Psychological Counselor

Dr. Elizabeth Ventura
Professional Licensed Counselor
Associates in Counselling and Wellness
412-559-9152

C. Wellness Center Counselors (On-Campus)

The Counselors in the Wellness Center are available for ongoing counseling support. The Wellness Center is located in the Carey Center and may be reached at 724-805-2115.

D. Campus Ministry (On-Campus)

Pastoral counselors are available through Campus Ministry, which is located in the Carey Center and may be reached at 724-805-2350.

E. Residence Life Staff (On-Campus)

Members of the Residence Life Staff are available 24/7 for emergency help in any situation. Victims can ask Residence Life Staff to help them report incidents of sexual misconduct and secure any required assistance. Residence Life Staff members are required to report the incident to the Title IX Coordinator.

F. Public Safety (On-Campus)

Public Safety Officers are on duty 24/7 for emergency help in any situation. Victims can ask the Public Safety Office to help them report incidents of sexual misconduct and secure any required assistance. Public Safety Officers have the obligation to report incidents to the Director of Public Safety and the Title IX Coordinator. Public Safety may be reached in an emergency situation by calling 724-805-2911.

G. Title IX Coordinator (On-Campus)

Eileen K. Flinn, the Title IX Coordinator, can be reached at her office on the Second Floor, Alfred Hall in the suite marked “Title IX Coordinator” Monday through Friday from 8:30 AM until 4:30 PM either in person or by phone at 724-805-2897. In addition, she may be reached by email at eileen.flinn@stvincent.edu or after hours at 724-672-0033 (cell).

H. Pennsylvania State Police (Off-Campus)

The Pennsylvania State Police can generally be on the scene responding to an emergency situation at the College within 15 minutes. Victims of sexual violence are encouraged to file a report with the State Police. The Greensburg, PA barracks can be reached at 724-832-3288.

I. Excelsa Hospital Latrobe (Off-Campus)

Victims of sexual violence are encouraged to seek medical treatment immediately in order to address any physical injuries that may have occurred, preserve any evidence for a criminal complaint, even when a report is not made to law enforcement. If you are on campus and need immediate medical assistance, please contact Public Safety at x2911.

Appendix B

Confidential Support Persons

The following Saint Vincent employees have been designated as Confidential Support Persons:

- John Bell
Director, Carey Fitness Center
Strength & Conditioning Coach
Alcuin Hall, Basement
724-805-2666
John.bell@stvincent.edu
- Barbara A. Joyce
Administrator, Human Resources Benefits
Office of Human Resources, 1st Floor Alfred Hall
724-805-2267
Barb.joyce@stvincent.edu
- Connie Krznaric
Nurse
Wellness Center, Carey Center
724-805-2115
Concetta.krznaric@stvincent.edu
- Jody Marsh
Coordinator of Office and Service
Campus Ministry, Carey Center
724-805-2350 Jody.marsh@email.stvincent.edu
- Kim Woodley
Assistant Director/Career Consultant
Career Center, Carey Center
724-805-2070
Kimberly.woodley@stvincent.edu

Seminary Reporting Procedures

Seminary students should contact Public Safety, the Rector and the Vice-Rector as soon

as possible.

Seminary Services Available

In addition to the service mentioned above, the Seminary will see that any Seminarian who is the victim of sexual assault receives appropriate care in keeping with the recommendations of his sponsoring diocese. If necessary, living arrangements will be modified.

Preservation of Evidence

As with any crime, it is extremely important to preserve any evidence that may be necessary to the proof of a crime. While this might not be at the top of the list, it allows you the option of taking other actions at a later date. Much of this evidence will be physical in nature and can be lost rapidly, so it is advisable to seek medical attention immediately. Do not shower/bathe, douche, brush your teeth, change your clothes or remove your bedding. You must proceed to an emergency room where the staff is trained to assist you. They will know what to do when you arrive.

Protection from Abuse

The College has prepared several handouts that are given to victims of sexual offenses, domestic violence, dating violence, sexual assaults, or stalking. The pamphlets cover the importance of preserving evidence for documenting the incident and for potential prosecution. A number of reporting options are outlined which include to whom to report the incident, the victim's option of not reporting or obtaining assistance in notifying local law enforcement. Each victim is provided a pamphlet in accordance with the Crime Victims Act which contains guidance for obtaining a Protection from Abuse order. In addition, Westmoreland County has a PFA office located in the Courthouse in Greensburg where the process is initiated and the contact/appointment is provided for a victim to receive free legal representation through Laurel Legal Services. Below is the address and phone number for the PFA Office.

Protection from Abuse Office
Courthouse
1 N. Main Street
Greensburg, PA 15601
(724) 830-3000 (Main Number)

Written Notification of Assistance Available to Victims

Students and employees will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services to victims both within the institution and in the community. They will also receive written notification to victims about available options and assistance, including how to request these changes and who to contact at Saint

Vincent regarding academic situations, living situations, transportation situation, working situations and protective measures.

Remedies include but are not limited to:

- Filing a formal complaint with Student Affairs and/or Public Safety
- Filing a complaint with the State Police
 - School employees may assist in the notification of law enforcement authorities
- Counseling services
- Medical services
- Academic support services, including but not limited to
 - Ensuring the complainant and alleged perpetrator do not attend the same classes
- Public Safety services, including but not limited to
 - The provision of an escort to safely move about campus
 - 24 hour on call services
- Provision of alternative housing
- No-Contact Order
- Review of disciplinary actions taken

Sexual Assault Crimes Further Defined

The sexual assault statutes cover a broad range of violations, including everything from offensive sexual touching to rape. Violations of these laws can carry hefty prison sentences and many result in serious Megan's Law consequences.

Rape: A person commits the crime of rape when the person engages in sexual intercourse with a complainant:

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

Statutory Sexual Assault: person engages in sexual intercourse with a complainant to whom the person is not married who is under the age of 16 years and that person is either:

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

Involuntary Deviate Sexual Intercourse: A person engages in deviate sexual intercourse with a complainant:

- (1) by forcible compulsion;
- (2) by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
- (3) who is unconscious or where the person knows that the complainant is unaware that the sexual intercourse is occurring;
- (4) where the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;
- (5) who suffers from a mental disability which renders him or her incapable of consent; or
- (6) who is less than 16 years of age and the person is four or more years older than the complainant and the complainant and person are not married to each other.

Sexual Assault: a person engages in sexual intercourse or deviate sexual intercourse with a complainant without the complainant's consent.

Indecent Assault: person has indecent contact with the complainant, causes the complainant to have indecent contact with the person or intentionally causes the complainant to come into contact with seminal fluid, urine or feces for the purpose of arousing sexual desire in the person or the complainant and:

- (1) the person does so without the complainant's consent;
- (2) the person does so by forcible compulsion;
- (3) the person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
- (4) the complainant is unconscious or the person knows that the complainant is unaware that the indecent contact is occurring;
- (5) the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;
- (6) the complainant suffers from a mental disability which renders the complainant incapable of consent;
- (7) the complainant is less than 13 years of age; or
- (8) the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.

Aggravated Indecent Assault: a person who engages in penetration, however slight, of the genitals or anus of a complainant with a part of the person's body for any purpose other than good faith medical, hygienic or law enforcement procedures commits aggravated indecent assault if:

- (1) the person does so without the complainant's consent;
- (2) the person does so by forcible compulsion;

- (3) the person does so by threat of forcible compulsion that would prevent resistance by a person of reasonable resolution;
- (4) the complainant is unconscious or the person knows that the complainant is unaware that the penetration is occurring;
- (5) the person has substantially impaired the complainant's power to appraise or control his or her conduct by administering or employing, without the knowledge of the complainant, drugs, intoxicants or other means for the purpose of preventing resistance;
- (6) the complainant suffers from a mental disability which renders him or her incapable of consent;
- (7) the complainant is less than 13 years of age; or
- (8) the complainant is less than 16 years of age and the person is four or more years older than the complainant and the complainant and the person are not married to each other.

Educational Programs

Educational programs, to promote awareness of sexual assault, domestic violence, dating violence and stalking are provided as part of a Residence Life formation program prior to the academic year and also as part of the freshman orientation program at the beginning of the academic year. Additional programs are held throughout the year, which include the entire campus community. A summary of the programs offered during the year is provided below.

Sexual Violence Education at Saint Vincent College 2017 (VAWA Compliance)

*key

| | |
|----------------|---|
| a | A statement that the institution prohibits those offenses |
| b | The definition of those offenses in the applicable jurisdiction |
| c | The definition of consent with reference to sexual offenses |
| d | Safe and positive options for bystander intervention to prevent harm |
| e | Recognition of signs of abusive behavior and how to avoid potential attacks |
| f | Ongoing prevention and awareness campaigns for students. |
| <i>italics</i> | <i>Primary Prevention (freshman)</i> |
| Non-italics | Ongoing prevention and awareness |

| PROGRAMS: Sexual violence education | Date completed | 6 aspects of training * |
|---|----------------|-------------------------|
| Bulletin board re: Title IX/ sexual violence prevention | All year 2017 | a, b, c, d, e |
| Campus Climate Survey Provided to every student (once every 3 years) | 2/ 2016 | Last year |
| Wellness Information Event: Information on sexual assault prevention, stalking prevention, emotional abuse and bystander intervention | 1/26 /2017 | c, d, e |
| Wellness Center educational event- individual interaction with a | 2/9/2017 | c, d, e ,f |

| | | |
|--|---------------------------------|--------------------------------------|
| counselor to answer questions or refer for sessions. Helping a survivor of sexual assault, relationship violence, bystander training. Meet with Mae Palicos from the Blackburn Center, and Healthy Relationships Program | | |
| Wellness Information Event. Information on sexual violence prevention, dating dangers, and a relationship test | 2/13/2017 | c, d, e |
| Fighting Porn in our Culture Lecture with Dr. Peter Kleponis | 2/21/2017 | f |
| Healthy Relationship Program | On going | f |
| Theology of the Body with Brother Cassian and Dr. Jenny Diemunsch, Dating in College (several sessions each semester) Everyone is welcome to join us for this first of many discussions on dating, relationships, and intimacy | On going | f |
| Wellness Information Event: Information on emotional abuse, and bystander intervention | 3/20/17 | d, e, f |
| Wellness Information Event: Information on prevention of sexual violence on campus, acquaintance rape, dating dangers, and emotional abuse. | 4/20/17 | d, e, f |
| Peace and Justice Student Event Referral information from the Blackburn Center, sexual assault awareness, and promoting the "Walk A Mile in Her Shoes" event | 4/6/17 | f |
| Study Abroad Educational session with Mae Palicos from Blackburn on prevention, treatment, and bystander intervention while studying abroad | 4/ 27 /17 4/28 /17 | c,d,e,f |
| Walk a Mile in Her Shoes with the Blackburn Center (our participation is being organized by Alumni Office- Shawn Gouch), attended by Rugby team also | 4/22/17 | f |
| Academic Orientation (3 presentations in June/July with registered students and their parent/guardian) Content: Review consequences of alcohol and drug use and sexual violence awareness including: sexual assault, bystander training, STIs, unplanned pregnancy. Title IX information provided | 6/16 /17 6/23/17 7/14 /17 | d, e d, e d, e d, e d, e |
| Coaching Boys into Men Seminar Bystander training for coaches to impart on student athletes | 8/2/17 | d, e |
| Prefect training and Prefect Formation (mid-August all prefects/RHDs) Content: A discussion of sexual violence, definitions, how to help someone who has been assaulted (procedure), confidentiality, bystander training and referral sources. Sexual violence preventions training by with Mae Palicos (Blackburn Center) | 8/18 /17 8/ 18/17 | a, b, c ,d ,e |
| Prefect Training Reference Handbook | 8/ 18 /17 | a, b ,c, d, e ,f |
| Title IX Training with athletes, football, Fall, and Spring athletics by Eileen Flinn, Coordinator | Throughout year | A ,b ,c ,d ,e |
| Freshman online education All must complete "My Student Body" education course regarding alcohol education and Title IX education | Completed prior to 8/28 | |
| Freshman Orientation (late August for all freshman) | | |

| | | |
|---|----------------------|---------------|
| <i>Content: Discussion of sexual violence definitions, reporting, counseling availability, bystander intervention, dating violence and confidentiality</i> | 8/26 /17 | a ,b, c, d ,e |
| Freshman orientation - Public Safety provides a pamphlet "Staying Safe on Campus". | 8/26 /17 | d, e |
| SVC Student Handbook – sent to entire student body with sexual assault prevention information | 8/31/17 | a ,b, c |
| VAWA, Clery and Title IX info given to all freshman | 8/ 31/17 | a, b, c, d ,e |
| Sexual Assault presentation to the Seminary Staff and Students. A discussion of sexual violence, definitions, how to help someone who has been assaulted (procedure), confidentiality, and referral sources. | 8/30/17 | a, b, c, d, e |
| Title IX Presentation/Bystander training Lecture to individual freshman pods with question and answer session | Throughout September | a, b, c, d, e |
| Title IX Presentation re: faculty and staff reporting obligations Review examples mandatory reporting | Throughout September | a, b, e, f |
| Wellness Information Event. Information on sexual violence prevention, dating dangers, and Blackburn Center information | 9/7/17 | c, d, e |
| Healthy Living Day program in Carey Center for all students: Individual interaction with a counselor to answer questions or refer for sessions. Title IX Coordinator provided handouts and information | 9/ 21/17 | b, d, e |
| Annual training for faculty, administrators and employees, including coaches, assistant coaches and graduate assistant coaches as part of its federal Title IX, Clery Act and Violence Against Women Act efforts. On-line training for Title IX, Clery Act and VAWA | Fall Semester | a, b, c, d |
| Wellness Program in Carey center: Stalking and How to stay safe on campus | 10/5 /17 | d, e |
| Wellness Program in Carey center: Bystander intervention, and apps to prevent sexual violence | 10/26/17 | e |
| Peace and Justice Program in St. Benedict residence hall (freshman)- Bystander info, sexual violence prevention, Blackburn counseling, and social media/ APPS | 10/26/17 | d, e |
| Wellness Program in Carey center: Sexual violence prevention, social media guidelines and privacy | 11/16/17 | e |
| Concerned about sexual assault, relationship violence, stalking, or harassment .Information provided every month for advocacy, assistance or reporting in every residence hall (WAHL news) | Every month | f |
| Prefect program entitled Sexual Assault (available for residence life staff and students) Content: Discussion of sexual violence, sexual assault, date rape, and definitions. How to help a person that has been assaulted. Counseling and referral sources available for confidential help and treatment. | Per prefect request | f |

| | | |
|--|---------------------------|----------|
| <p>Handouts and Pamphlets</p> <p>Title IX booklets and handouts</p> <p>Acquaintance Rape Pamphlet (available outside Wellness Center and in waiting room)</p> <p>Sexual Violence Pamphlet (available outside Wellness Center and in waiting room)</p> <p>Student Handbook-ALL</p> <p>Recovering from Rape- given to students who have been sexually assaulted</p> <p>Free APPS to Prevent Sexual Assaults</p> <p>Blackburn Center, against domestic violence & sexual assault-referral/ informational pamphlet-as requested</p> <p>Helping a Survivor of Sexual Assault- given to all prefects, and used for Residence Hall programs</p> <p>Various Sexual Violence Pamphlets- given to all students at each Wellness Event</p> | <p>Available all year</p> | <p>f</p> |
| <p>Individual counseling and/or referral</p> | <p>Available all year</p> | <p>f</p> |

Safe and Positive Options for Bystander Intervention

Saint Vincent College places great importance on providing our students options for bystander interventions. These techniques are communicated to our students through many presentations, events, emails, speakers, and individual interactions.

The following is an excerpt from a bystander training handout:

Too often we observe a situation in which an acquaintance, a friend, a loved one, or even a total stranger is being harmed or treated poorly by others and we simply choose to standby and do nothing. Avoid being a bystander! When we are witness to acts that compromise the dignity of those in our community it is our responsibility to offer assistance. You have the skills to act. Many times we do not intervene because we simply do not know what to do. Here are three different strategies you can use to be the one to act:

Direct: If you are comfortable you can directly approach either or both parties involved. Let them know your concerns and why you are intervening. Not sure if a friend is in trouble? Just ask! Send a text or step in and say, “Are you OK right now?”

Delegate: Sometimes you may not feel that you are the best person to directly intervene in a situation. Maybe you do not know the person, do not feel safe, or just feel someone else would be more effective. That is fine. Find friends of either party and encourage them to intervene. Call the Department of Public Safety, find a professional staff member, or call an RA if you feel the situation is too serious for you to get involved (or if you are simply unsure).

Distract: use a distraction to divert attention and redirect the focus somewhere else. You can diffuse the situation without directly confronting anyone. Step in and change the subject, tell your friend you need to talk to him or her, or call attention to yourself in some way.

Tips for Intervening: when intervening always remember: if you feel the situation is dangerous, call for help. Approach everyone as a friend. Do not be antagonistic. Avoid using violence. Be honest and direct whenever possible. Recruit help if necessary.

The following is another example of appropriate bystander training:

Bystanders are the largest group of people involved in violence – they greatly outnumber both the perpetrators and the victims. Bystanders have a range of involvement in assaults. Some know that a specific assault is happening or will happen, some see an assault or potential assault in progress, and some know that assaults do happen. Regardless of how close to the assault they are, bystanders have the power stop assaults from occurring and to get help for people who have been victimized.

We have all been bystanders in our lives, and we will all be in situations where we are bystanders in the future. The choice, then, becomes whether we are going to be active bystanders who speak up and say something, or whether we will be passive bystanders who stand by and say nothing.

- **STOP** a friend from going home with someone when they are drunk or high? Leave as a group, or suggest that everyone, “Let’s get something to eat!”

- **STOP** a friend/teammate/peer from taking advantage of someone or doing something else inappropriate? Use distraction to spill your drink on the person or interrupt and start a conversation with the person.

- **SPEAK UP** if someone says something offensive, derogatory, or abusive, let them know that behavior is wrong and you don’t want to be around it. Don’t laugh at racist, sexist, homophobic jokes. Challenge your peers to be respectful.

Risk Reduction Help

Are You in an Unhealthy Relationship? Take this quiz to find out.

1. Do you feel afraid to speak your mind, express how you feel or ask for something you need?
2. Does your partner tell you are "stupid", "crazy", or "inadequate" when you disagree?
3. Does your partner make fun of your ideas or opinions?
4. Is your partner bossy and/or try to control every detail in your relationship?
5. Is your partner extremely demanding and jealous?
6. Do you often feel guilty and second-guess your choices in friends, social activities, jobs, etc. because of your partner's negative comments about these choices?
7. Are you afraid of your partner's temper, feel like you walk on eggshells, and/or are constantly monitoring what you say and do as an attempt to avoid making him/her angry?
8. Do you find yourself making excuses for your partner and justifying his/her actions to others?
9. Do you feel more "free" to be yourself when he/she isn't around?
10. Does your partner throw or break things when angry?
11. Does your partner try to control where you go and what you do?
12. Does your partner pressure you to engage in sexual activities that you are uncomfortable with and put you down if you refuse?
13. Does your partner threaten to kill or hurt him/herself if you have a differing opinion, try to end the relationship, or do something they disapprove of?
14. Does your partner try to make you feel guilty for having a "life" (i.e. friends, interests) apart from the relationship?
15. Does your partner criticize your family and friends and ask you to stop seeing them?
16. Do you feel that you have changed, lost touch with who you are, or become someone else in order to be with your partner?
17. Have your friends or family expressed concern about your relationship and/or your well-being?
18. Does your partner know how to make you feel bad (i.e., what buttons to push) and use it often to hurt you?
19. Have you lost touch with your friends, and only hang out with your partner's friends?
20. Does your partner try to control you with anger and guilt, or lash out when you don't do exactly what he or she wants?
21. Has your partner ever hit, slapped, punched, shoved, grabbed or shook you?
22. Has your partner ever threatened to hurt you, take important things away, or leave you?
23. Has your partner ever called you names, put you down, insulted you, and/or embarrassed you in front of others?

****If you answered, "yes" to 3 or more questions, you may be experiencing signs of an unhealthy relationship. Help is available at the Wellness Center.**

Notification of Hearing Results

In accordance with the College's *Sexual Misconduct and Harassment policy*, both the Complainant and Respondent are notified simultaneously of the results of the disciplinary process that arises from an allegation of dating violence, domestic violence, sexual assault and/or stalking. They are also provided, at the same time, the procedures to appeal the result of the disciplinary hearing in writing and may be informed in person as well. In the event there is a change in the result or when the result becomes final, both parties will be notified simultaneously.

DISCIPLINE

College Disciplinary Sanctions:

The following sanctions are considered for violations of alleged dating violence, domestic violence, and sexual assault or stalking. College sanctions imposed include, but are not limited to the following:

Disciplinary Warning - The student is given written warning that further misconduct will result in more severe disciplinary action.

Educational/Developmental - The student is required to attend a program or counseling sessions; complete an online course; write an apology, paper or report; meet with a College official; and/or design a poster or bulletin board or other related activities.

Service Hours - The student is required to participate in a prescribed number of service hours with the Saint Vincent College or general community. The type of work, service location and number of hours depend on the violation. The student conduct officer has the discretion to assign service hours in lieu of fines.

Restitution - The student is required to make payment to the College, or to persons or groups, for damages incurred. The amount of the damages will be billed directly to the student's account.

Fines - Fines are assessed for various infractions and will be placed directly on the student's business account. The student conduct officer has the discretion to assign fines in lieu of service hours.

Relocation - The student may be required to move to another room, floor or residence hall.

Loss/Limitation of Privileges - The student will lose residence hall and/or College privileges for a temporary or permanent period of time (e.g., loss of visitation privileges, loss of privilege to attend campus student activities, loss of privilege to participate on an athletic team, loss of lottery status for residence hall placement for the following year,

being barred from residing in or entering a particular residence hall for a period of time, etc.).

No Contact - The student will be prevented from addressing or communicating with particular parties and/or individuals.

Residence Hall Probation - The student will be placed on Residence Hall Probation; if found responsible for another residential or College violation, then the student may be removed from the Residence Halls either for a period of time (suspension) or permanently (expulsion).

College Probation - The student will be placed on College Probation; if found responsible for another residential or College violation, then the student may be removed from the College either for a period of time (suspension) or permanently (expulsion). While on College Probation a student may not represent the College in any public way without written consent from the Office of Student Affairs. A student may also be banned from the residence halls while on College Probation.

Class Only Probation - The student will be placed on Class Only Probation, if found responsible for another College violation, the student may then be removed from the College either for a period of time (suspension) or permanently (expulsion). While on Class Only Probation a student may not represent the College in any public way without approval from the Dean of Students and/or the Vice President for Student Affairs. A student on Class Only Probation may be present on campus only to attend class. Other campus presence and involvement must be approved by the Dean of Students and/or the Vice President for Student Affairs.

Dismissal from the Residence Halls - The student is dismissed from the residence halls and must leave the residence halls within the period of time designated. The student may apply to the Dean of Students to re-enter the residence halls after the period of dismissal has expired. Dismissal from the residence halls automatically bans the student from entering the residence halls. Any entrance to or attempt to enter the residence halls after dismissal will be viewed as trespassing and charges may be pressed against the individual. Students dismissed from the residence halls are not entitled to any refund for room and board.

Dismissal from the College - The student is dismissed from the College either for a period of time (suspension) or permanently (expulsion). Suspension requires that if the student wishes to return to the College after the period of suspension then s/he must articulate in writing to the Vice President for Student Affairs the student's intent to return and why the request should be granted. Dismissal from the College will also result in being banned from campus either for the period of suspension or permanently in the case of expulsion. Cases of expulsion result in permanent separation from the College. Suspended or expelled students are not entitled to any refunds from the College.

Revocation of Admission or Degree - Admission to or a degree awarded from the College may be revoked for fraud, misrepresentation, or other violation of College standards in obtaining the admission or degree, or for other serious violations committed by a student prior to graduation. **Withholding Degree** – The College may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any. Cases involving the imposition of sanctions other than residence hall expulsion, College suspension, College expulsion, or revocation or withholding of a degree may be expunged from the student’s confidential record seven (7) years after final disposition of the case unless the matter regarding the sanction is the subject of ongoing or anticipated civil or criminal litigation.

Students who fail to comply with hearing outcomes may face additional sanctions.

Seminary Disciplinary Sanctions

In the case of Seminarians, the Rector, in appropriate consultation with the Vice-Rector, Seminary Academic Dean and other Seminary faculty members, as well as with the Seminarian’s sponsoring diocese, will conduct an investigation to determine a course of action. This action will be consistent with the Seminary’s Diocesan Student Community Life Handbook, with the policy of the sponsoring diocese, and with the code of conduct expected of those aspiring to the priestly ministry.

Employee Disciplinary Sanctions

Infractions will be acted upon promptly and according to the severity of the offense. In situations where immediate termination is not indicated and where the College deems that a progressive disciplinary process must be invoked, the following procedure will be used:

First Offense: At the discretion of the College, discipline will be imposed that may include a penalty ranging from a warning and specific advice on the infraction up to a suspension without pay for three days.

Second Offense: At the discretion of the College, discipline will be imposed that will include a suspension without pay for not less than five days and a specific warning that a further offense will result in discharge.

Third Offense: Discharge.

A written report of each offense and disciplinary action taken will be signed by the employee and become part of the employee’s record. A copy of the report will be given to the employee upon request. The employee will also have the option to add a written statement or response, which will become part of the record. Such documentation will remain part of an individual’s personnel file.

In addition, Saint Vincent reserves the right to impose any penalty that is appropriate for a given violation, from warning to discharge. An employee may dispute the imposition of any penalty according to the grievance procedure.

CAMPUS SEX CRIMES PREVENTION ACT

Information concerning registered sex offenders can be obtained by contacting the Pennsylvania State Police at 724-832-3288 or the Westmoreland County Detective Bureau at 724-830-3287. Additional information may also be obtained from the Pennsylvania State Police Megan's Law website at:
<http://www.pameganslaw.state.pa.us/>.

ANNUAL FIRE SAFETY REPORT

Residence Life Fire Policies and Procedures

Fire Safety and equipment are designed and placed for protection against fire. Students are encouraged to use fire equipment if they believe such use is necessary. Obstruction of doors and windows is not permitted. Setting a false fire alarm, or tampering with fire protection equipment, notification systems, or detection devices is prohibited

All occupants must exit a building when the alarm has sounded and remain outside of a building until given the all clear by College personnel. A member of the fire department will determine when it is safe for the residents to reenter the building. In the event of inclement weather, Public Safety Officers will open a building with adequate space close to the residence hall for residents to seek refuge until the all clear is given.

The Saint Vincent Fire Department conducts annual training for all residence life staff. The training consists of fire extinguisher use and general fire safety. They are briefed on the procedures for evacuation and to notify Public Safety on the emergency telephone number 724-805-2911. Residence life staff, in turn, briefs students on their responsibility for evacuation of the residence hall and evacuation is practiced once each semester.

In the event a fire has occurred and Saint Vincent Public Safety was not notified, a report should be made to Public Safety using the non-emergency telephone number 724-805-2311.

Electrical Appliances

Bonaventure, Gerard and Wimmer Hall residents may use A/C units that meet College guidelines. Air conditioner units must be provided by the student and cannot exceed 5200 BTU, 115 volts, 12" high x 18 ½" wide and 14" deep. All air conditioner units must be installed and removed by Facility Management. Wallflowers and other electric plug-in air fresheners, fog machines, space heaters, hot plates, grilling machines, toasters, or any other small cooking-related appliance are not permitted in individual rooms. Coffeepots, hot pots, and microwaves are only permitted in kitchens and lounges. Refrigerators 36" high or less are permitted in individual rooms. Extension cords are not allowed because of electrical fire hazard.

Smoking in Residence Halls

Smoking, including- e-cigarettes is not permitted in any residence hall. Smoking is limited to eight designated areas on campus. Smokers should be sensitive to the request of non-smokers in these buildings.

Open Flame

Candles using a flame, incense and candle warmers are not permitted in individual rooms or lounge.

Description of On Campus Student Housing

Building Name: Aurelius Hall

Year Built: 1923

Occupancy: Mixed (Residence Hall / Business)

Capacity: 55 Residents

FIRE ALARM AND SYSTEM DESCRIPTION

Fire Alarm Panel: Simplex

General Description: The fire alarm system consists of manual pull-stations, visual/audible alarm devices, smoke detectors, and heat detectors. All sleeping rooms have stand-alone smoke detectors

Fire Alarm Testing and Inspection: All fire alarm system devices and components are tested and inspected annually in accordance with NFPA 72. The stand-alone smoke detectors in the sleeping rooms are tested semi-annually.

Automatic Sprinkler System Description

Type of System: Automatic wet sprinkler system that is connected to the fire alarm panel. There are standpipes located in each stairwell.

Coverage: Entire Building

Automatic Sprinkler System Inspection: The automatic sprinkler system is tested and inspected semi-annually in accordance with NFPA 13.

Fire Suppression Equipment

Portable Fire Extinguishers: ABC Fire Extinguishers are located throughout the building

Portable Fire Extinguisher Inspections: All fire extinguishers are inspected in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

Fire and Evacuation Drills

Drills: Residence Halls have two fire drills each year. The drills are at the beginning of each semester with one drill being announced and one drill being unannounced.

Building Name: Bonaventure Hall
Year Built: 1963
Occupancy: Residence Hall
Capacity: 210 Residents

FIRE ALARM AND SYSTEM DESCRIPTION

Fire Alarm Panel: Simplex

General Description: The fire alarm system consists of manual pull-stations, visual/audible alarm devices, smoke detectors, carbon monoxide detectors and heat detectors. All sleeping rooms have stand-alone, 10-year battery operated smoke detectors.

Fire Alarm Testing and Inspection: All fire alarm system devices and components are tested and inspected annually in accordance with NFPA 72. The stand-alone smoke detectors in the sleeping rooms are tested semi-annually.

Fire Suppression Equipment

Portable Fire Extinguishers: ABC Fire Extinguishers are located throughout the building

Portable Fire Extinguisher Inspections: All fire extinguishers are inspected in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

Fire and Evacuation Drills

Drills: Residence Halls have two fire drills each year. The drills are at the beginning of each semester with one drill being announced and one drill being unannounced.

Building Name: Gerard Hall
Year Built: 1963
Occupancy: Residence Hall
Capacity: 210 Residents

FIRE ALARM AND SYSTEM DESCRIPTION

Fire Alarm Panel: Simplex

General Description: The fire alarm system consists of manual pull-stations, visual/audible alarm devices, smoke detectors, carbon monoxide detectors and heat detectors. All sleeping rooms have stand-alone, 10-year battery operated smoke detectors

Fire Alarm Testing and Inspection: All fire alarm system devices and components are tested and inspected annually in accordance with NFPA 72. The stand-alone smoke detectors in the sleeping rooms are tested semi-annually.

Fire Suppression Equipment

Portable Fire Extinguishers: ABC Fire Extinguishers are located throughout the building

Portable Fire Extinguisher Inspections: All fire extinguishers are inspected in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

Fire and Evacuation Drills

Drills: Residence Halls have two fire drills each year. The drills are at the beginning of each semester with one drill being announced and one drill being unannounced.

Building Name: Rooney Hall

Year Built: 1995

Occupancy: Residence Hall

Capacity: 179 Residents

FIRE ALARM AND SYSTEM DESCRIPTION

Fire Alarm Panel: Simplex

General Description: The fire alarm system consists of manual pull-stations, audible alarm devices, smoke detectors, and heat detectors. All sleeping rooms have stand-alone smoke detectors with the exception of three apartments that have addressable smoke detector/sounder bases that are connected to the buildings fire alarm system.

Fire Alarm Testing and Inspection: All fire alarm system devices and components are tested and inspected annually in accordance with NFPA 72. The stand-alone smoke detectors in the sleeping rooms are tested semi-annually.

Automatic Sprinkler System Description

Type of System: Automatic wet sprinkler system that is connected to the fire alarm panel.

Coverage: Entire Building

Automatic Sprinkler System Inspection: The automatic sprinkler system is tested and inspected semi-annually in accordance with NFPA 13.

Fire Suppression Equipment

Portable Fire Extinguishers: ABC Fire Extinguishers are located throughout the building

Portable Fire Extinguisher Inspections: All fire extinguishers are inspected in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

Fire and Evacuation Drills

Drills: Residence Halls have two fire drills each year. The drills are at the beginning of each semester with one drill being announced and one drill being unannounced.

Building Name: Saint Benedict Hall

Year Built: 2002

Occupancy: Residence Hall

Capacity: 424 Residents

FIRE ALARM AND SYSTEM DESCRIPTION

Fire Alarm Panel: Simplex

General Description: The fire alarm system consists of manual pull-stations, visual/audible alarm devices, smoke detectors, and heat detectors. All sleeping rooms have stand-alone smoke detectors.

Fire Alarm Testing and Inspection: All fire alarm system devices and components are tested and inspected annually in accordance with NFPA 72. The stand-alone smoke detectors in the sleeping rooms are tested semi-annually.

Automatic Sprinkler System Description

Type of System: Automatic wet sprinkler system that is connected to the fire alarm panel. There are standpipes located in each stairwell.

Coverage: Entire Building

Automatic Sprinkler System Inspection: The automatic sprinkler system is tested and inspected semi-annually in accordance with NFPA 13.

Fire Suppression Equipment

Portable Fire Extinguishers: ABC Fire Extinguishers are located throughout the building

Portable Fire Extinguisher Inspections: All fire extinguishers are inspected in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

Fire and Evacuation Drills

Drills: Residence Halls have two fire drills each year. The drills are at the beginning of each semester with one drill being announced and one drill being unannounced.

Building Name: Wimmer Hall

Year Built: 1952

Occupancy: Residence Hall

Capacity: 155 Residents

FIRE ALARM AND SYSTEM DESCRIPTION

Fire Alarm Panel: Simplex

General Description: The fire alarm system consists of manual pull-stations, visual/audible alarm devices, smoke detectors, and heat detectors. All sleeping rooms have stand-alone smoke detectors with the exception of rooms on the Ground floor that have addressable smoke detector/sounder bases that are connected to the buildings fire alarm system.

Fire Alarm Testing and Inspection: All fire alarm system devices and components are tested and inspected annually in accordance with NFPA 72. The stand-alone smoke detectors in the sleeping rooms are tested semi-annually.

Automatic Sprinkler System Description

Type of System: Automatic wet sprinkler system (with a fire pump) that is connected to the fire alarm panel. There are standpipes in each stairwell.

Coverage: Entire Building with the exception of the attic. The attic is covered by a dry system that is connected to the fire alarm panel.

Automatic Sprinkler System Inspection: The automatic sprinkler system is tested and inspected semi-annually in accordance with NFPA 13. The fire pump run monthly and is flow-tested annually.

Fire Suppression Equipment

Portable Fire Extinguishers: ABC Fire Extinguishers are located throughout the building

Portable Fire Extinguisher Inspections: All fire extinguishers are inspected in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

Fire and Evacuation Drills

Drills: Residence Halls have two fire drills each year. The drills are at the beginning of each semester with one drill being announced and one drill being unannounced.

Building Name: Leander Hall

Year Built: 1913

Occupancy: Residence Hall

Capacity: 43 Residents

FIRE ALARM AND SYSTEM DESCRIPTION

Fire Alarm Panel: Fire-Lite

General Description: The fire alarm system consists of manual pull-stations, audible alarm devices, smoke detectors, and heat detectors. All sleeping rooms have stand-alone 10-year battery operated smoke detectors.

Fire Alarm Testing and Inspection: All fire alarm system devices and components are tested and inspected annually in accordance with NFPA 72. The stand-alone smoke detectors in the sleeping rooms are tested semi-annually.

Automatic Sprinkler System Description

Type of System: Automatic wet sprinkler system that is tied into the fire alarm panel.

Coverage: Partial Coverage

Automatic Sprinkler System Inspection: The automatic sprinkler system is tested and inspected semi-annually in accordance with NFPA 13.

Fire Suppression Equipment

Portable Fire Extinguishers: ABC Fire Extinguishers are located throughout the building

Portable Fire Extinguisher Inspections: All fire extinguishers are inspected in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

Fire and Evacuation Drills

Drills: Residence Halls have two fire drills each year. The drills are at the beginning of each semester with one drill being announced and one drill being unannounced.

Building Name: Roderick Hall

Year Built: 1892

Occupancy: Mixed

Capacity: 21 Residents

FIRE ALARM AND SYSTEM DESCRIPTION

Fire Alarm Panel: Simplex

General Description: The fire alarm system consists of manual pull-stations, audible alarm devices, smoke detectors, and heat detectors. All sleeping rooms have stand-alone smoke detectors.

Fire Alarm Testing and Inspection: All fire alarm system devices and components are tested and inspected annually in accordance with NFPA 72. The stand-alone smoke detectors in the sleeping rooms are tested semi-annually.

Automatic Sprinkler System Description

Type of System: Automatic wet sprinkler system that is tied into the fire alarm panel.

Coverage: Entire Building with the exception of the attic. The attic is covered by a dry system.

Automatic Sprinkler System Inspection: The automatic sprinkler system is tested and inspected semi-annually in accordance with NFPA 13.

Fire Suppression Equipment

Portable Fire Extinguishers: ABC Fire Extinguishers are located throughout the building

Portable Fire Extinguisher Inspections: All fire extinguishers are inspected in accordance with NFPA 10, Standard for Portable Fire Extinguishers.

Fire and Evacuation Drills

Drills: Residence Halls have two fire drills each year. The drills are at the beginning of each semester with one drill being announced and one drill being unannounced.

CONCLUSION

These rules and regulations are intended to support the Benedictine values of community and care for the individual so that the members of the community might grow physically, intellectually, socially and spiritually. This brochure can also be found on the Internet. The address is www.stvincent.edu/cleryact

Saint Vincent College subscribes to a policy of equal opportunity in the classroom, workplace, and programs. Saint Vincent does not discriminate on the basis of race, color, sex, religion, age, veteran status, national origin, marital status, genetic history, or disability in its programs and activities as required by Title IX of the Educational Amendments of 1972, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VII of the Civil Rights Act of 1964, and other applicable statutes and College policies. Saint Vincent prohibits sexual harassment, including sexual violence.

As Saint Vincent College is an educational community rooted in the tradition of the Catholic faith, the heritage of Benedictine monasticism, and the love of values inherent in the liberal approach to life and learning, nothing in this equal opportunity policy shall require Saint Vincent to act in a manner contrary to the beliefs and teachings of the Catholic Church. Nor shall it be construed as a waiver either of Constitutional or statutory rights which Saint Vincent enjoys as a religiously-affiliated institution. Nor does this abrogate the right of the College to specify as a qualification for employment an individual's willingness to fully embrace Saint Vincent's mission as a Catholic, Benedictine institution.

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