



**THE UNIVERSITY OF THE ARTS**

**2017**

**Annual Security and  
Fire Safety Report**



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## INTRODUCTION

The University of the Arts is dedicated to providing a safe and secure environment for students, faculty, staff and visitors to our Center City, Philadelphia campus along the Avenue of the Arts. The Avenue of the Arts continues to evolve with significant residential development replacing office space, creating new sources for economic development and commercial growth. South Broad Street has been recognized by the American Planning Association as one of the “Great Places of America”. The Avenue’s renowned performance venues, luxury hotels and eateries, universities, and residences are just a few reasons why the Avenue was given this prestigious recognition.

Many individuals and departments are involved in campus safety and security. This information can help keep you and others safe at the University of the Arts. At the University of the Arts, we endeavor to provide accurate information to our community regarding the safety of our campus. In furtherance of these efforts, we make our policies, procedures, and statistics available electronically at <https://www.uarts.edu/about/campus-crime-fire-reports>.

## THE ANNUAL SECURITY REPORT

The University of the Arts, in compliance with The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), as Amended by the Higher Education Opportunity Act and the Violence Against Women Act, and The College and University Security Act of 1988, reports annually to its current and prospective students and employees. The annual security report (ASR) contains statistics for the previous three (3) years pertaining to reported crimes that have occurred on-campus, in certain non-campus buildings or property that is owned or controlled by the University of the Arts and on public property within, or immediately adjacent to and accessible from the campus. All institutions participating in Federal student financial aid programs are required to provide information to the public regarding campus safety and security policies and procedures. Statistics regarding crimes related to their campuses must also be reported. The definition set used for this format is according to the FBI Uniform Crime Reporting (UCR)/National Incident-Based Reporting System (NIBRS).

## DEPARTMENT OF PUBLIC SAFETY OVERVIEW

The Office of Public Safety at the University of the Arts is responsible for the safety and security of the University's students, staff and faculty. In addition to monitoring the campus, Public Safety also conducts training sessions for resident assistants and students.

The Public Safety Department presently consists of the Public Safety Director, the Assistant Public Safety Director, 3 full time Security Supervisors, 40 full time Security Officers and 35 part time Security Officers. All members of Public Safety are employed by Allied Universal Security and contracted by the University of the Arts to provide safety and security services for the Campus Community. All members are fully trained professionals who undergo continuous training in the latest life-saving/first aid techniques, the needs of higher education institutions and communities, Clery Act requirements and University of the Arts Policies. We pride ourselves on being an important resource for our students, faculty and staff on campus.

## ENFORCEMENT AUTHORITY

The University of the Arts Department of Public Safety officers have the authority to ask persons for identification and to determine whether individuals have lawful business at the University of the Arts. Public Safety officers have the authority to issue parking violation warnings and have vehicles in violation of University parking policy ticketed and towed. Tickets are issued by Philadelphia Police or Parking Authority Personnel and all towing fees are the responsibility of the vehicle's owner.

Public Safety Officers do not possess arrest power. Public Safety personnel are authorized to observe and report violations of University policies and/or Federal, State and City laws and ordinances to the responsible agency or department head. Criminal incidents are referred to the local police who have jurisdiction on the campus. The Public Safety Department at the University of the Arts maintains a highly professional working relationship with the Philadelphia Police Department, State Police and local law enforcement offices.

## REPORTING OF CRIMES AND OTHER EMERGENCIES

To report a crime, contact:

*By Phone:*

- Philadelphia Police dial 9-1-1 (all emergencies)
- University Public Safety at 215-717-6666 (all emergencies) or 215-717-6404 (non-emergencies)
- Office of Student Affairs at 215-717-6617
- Philadelphia Police 6<sup>th</sup> District (non-emergencies) 215-686-3060
- Philadelphia Police 9<sup>th</sup> District (non-emergencies) 215-686-3090

*In Person:*

- Furness Operations Center at 1499 Pine St., 24 hours per day/7 days per week
- Any security officer on campus
- Office of Student Affairs at Gershman Hall, Rm 311
- Philadelphia Police 6<sup>th</sup> District at 235 North 11<sup>th</sup> Street
- Philadelphia Police 9<sup>th</sup> District at 401 North 21<sup>st</sup> Street

## CAMPUS SECURITY AUTHORITY (CSA)

A Campus Security Authority (CSA) is an individual who is an official of the institution that has significant responsibility for student and campus activities, including but not limited to:

- Public Safety Officers (Allied Universal Security)
- Assistant VP for Student Services
- Student Life Staff
- Title IX Coordinator
- Faculty Advisors to Student Groups
- Academic Advisors
- Campus Conduct Staff
- Student Resident Assistants (RA) or Graduate Assistants (GA)
- Physicians and Health Educators
- Campus Medical Personnel
- Counselors including peer counselors

Employees have the option of reporting an incident to their supervisor. Faculty members may report an incident to their Dean.

Under the Clery Act, a crime is reported when a victim, witness, other third party or even the offender brings it to the attention of a CSA or local law enforcement personnel. It does not matter whether or not the individual/s involved in the crime or reporting the crime are associated with the institution. If a CSA receives the crime information and believes it was provided in good faith, he or she should document it as a crime report and provide this report to the Department of Public Safety. In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay. CSAs are not responsible for investigating crimes; their role is to report all incidents immediately, no matter how minor an incident may seem. All investigations and crime classifications are the responsibility of sworn law enforcement personnel, including, but not limited to the Philadelphia Police Department.

There are two classifications of individuals who, although they have significant responsibilities for student and campus activities, are not considered CSAs under the Clery Act. They are pastoral counselors and professional counselors. A pastoral counselor is defined as a person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor. A professional counselor is defined as a person whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or

certification. This definition also applies to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution.

Although pastoral counselors and professional counselors do not have to report crimes that are brought to their attention while serving in an official capacity, they are encouraged to inform their client/s of the procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

### PROMPT CRIME REPORTING

Under the *Clery Act*, a crime is “reported” when it is brought to the attention of a campus security authority, the Public Safety Office, or local law enforcement personnel by a victim, witness, other third party or even the offender. It does not matter whether or not the individuals involved in the crime, or reporting the crime, are associated with the institution. All crime victims and witnesses are strongly encouraged to immediately report the crime to campus Public Safety Office and the appropriate police agency in a timely manner. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

### VOLUNTARY CONFIDENTIAL CRIME REPORTING

The University of the Arts Public Safety Department along with the City of Philadelphia Police Department encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Except for communication made to pastoral counselors and licensed professional counselors, all CSAs have the obligation to report all offenses. CSAs are to report statistical information which may not include personal identifiers.

Confidential reports that provide sufficient detailed information for classification of the offense by using the FBI Uniform Crime Reporting Guidelines will be included in crime statistics.

### EMERGENCY RESPONSE AND TIMELY WARNING

The University of the Arts will immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

This notification will involve one or more of the following delivery methods:

- 1) Regroup TEXT Alert System** – UARTS has installed a cell phone text messaging system through Regroup, which allows brief emergency messages to be communicated at the rate of 6,000 messages per minute. While all students, faculty, and staff are automatically registered with the system through their e-mail accounts, cell phone text and voice messages can only be sent to those who sign up – or “opt-in” – for the service.

The University of the Arts encourages all students/faculty/staff to sign up for alert text messaging as a secondary means to receive University emergency notifications. You will only receive text messages in cases of emergency, school closing, weather alert or other high priority.

By default, all University members will receive emails related to emergency, school closing, weather alerts and high priority messaging. Email notification to @uarts.edu addresses is enforced and cannot be changed as it is University policy. Registering for text messaging is optional; you may opt-in or out at any time.

You may register additional email addresses and cell phone numbers to receive emergency alerts as well. Perhaps registering a parent cell phone number or significant other's email address is of value to you. You have the ability to register as many email/cell contacts as you'd like.

- Log into the portal, <https://mycampus.uarts.edu>. You must have an active University username and password to access the Portal and Emergency Alert System.
- Click on the link to access Emergency Alerts in the QuickLaunch left hand menu.

You will automatically be signed into the Emergency Alert system and directed to the site to register cell phone number(s) and additional email address.

- Be sure when adding cell phone numbers to check off "text" to receive text messaging. UArts is not using the "voice" feature as of yet. You may leave voice unchecked.
- Click SAVE after edits are complete.

- 2) **Web alerts** – The university website, [www.uarts.edu](http://www.uarts.edu), allows for quick posting of emergency alerts and updates on the home page. This is the most reliable place to check whether the campus is being closed for any emergency, including weather related closures.

University of the Arts will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate one or more of the listed notification systems, unless the notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.

Once a significant emergency is confirmed, the University Public Safety Department Shift Supervisor on duty and/or the Student Life Coordinator on Call (SLOC) will notify the Director of Public Safety and the Student Affairs Administrator on Call (AOC). The Director of Public Safety and AOC will assemble the Crisis Management Team and contact the Executive Leadership Group. These parties together will decide who will be notified of the incident, determine the content of the notification, and initiate any or all notification systems available.

The Associate Vice President, Communications will disseminate relevant information to the larger community through the most appropriate and expedient methods.

At times, the University of the Arts will not immediately issue an emergency notification for a confirmed emergency or dangerous situation if in doing so will compromise efforts to:

- assist the victim,
- contain the emergency,
- respond to the emergency or,
- otherwise mitigate the emergency.

The University of the Arts reviews its emergency notification systems, emergency response, and evacuation procedures at least once each year. These procedures are publicly available through the Office of Public Safety (215-717-6827), located in Spruce Hall (1228 Spruce Street).

## CAMPUS GEOGRAPHY

Crimes are reported as having occurred in one of four categories: (1) on-campus, (2) residence hall, (3) in certain non-campus buildings or property that is owned or controlled by the University of the Arts, (4) on public property within, or immediately adjacent to and accessible from the campus.

- 1) **On-Campus** is defined as any building or property owned or controlled by the University which is within the same reasonably contiguous geographic area of the institution and used by the institution in direct support of, or in a manner related to, the institution's educational purposes and property within the reasonably contiguous area that is owned by the institution but controlled by another person which is used by students and supports institutional purposes (such as food or other retail vendors).
- 2) **Residence Hall** is defined as any student housing facility that is owned or controlled by the University or is located on property that is owned or controlled by the University which is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility.
- 3) **Public Area** is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.
- 4) **Non-Campus Property** is defined as any building or property owned or controlled by a student organization recognized by the institution and any building or property (other than a branch campus) owned or controlled by an institution of higher education that is used in direct support of, or in relation to, the institution's educational purposes, is used by students and is not within the same reasonably contiguous geographic area of the institution.

## SECURITY OF AND ACCESS TO CAMPUS FACILITIES, INCLUDING CAMPUS RESIDENCES – PROCEDURE AND POLICY STATEMENT

University of the Arts is a private institution located in the heart of Center City Philadelphia. As such, we have an open campus with numerous city streets offering access onto the campus. Most University facilities are open to the public during the day and evening hours when classes are in session.

All University facilities and public campus areas are patrolled on a 24-hour per day basis by Public Safety personnel on foot. Facilities are also monitored by camera and emergency alarm systems that are connected to the Public Safety offices and an outside alarm company.

Security Officers are stationed at access points of all buildings on campus during operational hours and in residence halls 24 hours per day. Maintenance problems observed by or reported to Public Safety are forwarded to the Facilities Management Department for correction, including lighting and landscaping issues

University of the Arts Public Safety Officers conduct building checks as soon as possible after scheduled activities have been concluded for the day. Only authorized faculty, staff, and a limited number of students with verifiable identification or persons with keys issued by the appropriate University officials are allowed to enter locked buildings when the University is closed.

### MAINTENANCE OF CAMPUS FACILITIES

The University of the Arts Facilities and Operations department helps keep University buildings and grounds safe and secure. The Assistant Vice President of Facilities Management and Operations or a designated representative inspects campus facilities regularly, promptly notifies the appropriate authority for repairs affecting safety and security, and responds to reports of potential safety and security hazards. The University Department of Public Safety assists Facilities Operations personnel by reporting potential safety and security hazards discovered during the daily patrols or building security checks. Students, faculty, staff, and visitors may also report any safety or security hazards by calling 215-717-6825.

### MONITORING AND RECORDING CRIMINAL ACTIVITY OFF CAMPUS

University Public Safety members do not provide law enforcement service to off-campus residences of any student or recognized organization, nor are activities off-campus recognized by university authority. Criminal activity at off campus residences is monitored and addressed by the Philadelphia Police Department (PPD). Upon notification of a crime or crimes involving students at off-campus locations, the Director of Public Safety or a designee contacts the local agency and establishes protocol for exchange of information. Student Affairs and Public Safety members enjoy a close working relationship with PPD when violations of statutes surface. This cooperative team approach addresses situations as they arise as well as future concerns. The University of the Arts does not have recognized student organizations located off campus. The University Public Safety Department establishes case numbers for incidents in question. The crime or crimes will be reflected in the University's annual disclosure of crime statistics if the incident fits the requirements for reporting under the Clery Act.

## WORKING RELATIONSHIP WITH STATE, FEDERAL & LOCAL POLICE AGENCIES

The Department of Public Safety enjoys an excellent working relationship with the Philadelphia Police Department's 9<sup>th</sup> District (West side of Broad Street), 6<sup>th</sup> District (East side of Broad Street) and Center City District, The District Attorney's Office, and the Department of Homeland Security and FBI University Division.

The University Public Safety Department maintains liaison with these law enforcement agencies to ensure the monitoring and recording of criminal activity which may impact our campus community. Each year, the Director of Public Safety or a designee forwards letters to the Chief, Sheriff, or other Director of these agencies asking for statistical information regarding crimes or emergencies reported to them that occurred within the geographical area mandated by the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act for the University of the Arts.

All Local, State, and Federal Law Enforcement Agencies readily make themselves available to assist our Public Safety Department whenever called upon.

## CRIME PREVENTION EDUCATION AND AWARENESS

The University Department of Public Safety offers crime awareness, safety, and security presentations during orientation programs for parents, new students, and new employees. *Know the Code* presentation center on crime awareness and prevention, campus security policies and procedures, and how to contact the University Department of Public Safety Department for any assistance needed.

Information concerning crime prevention and awareness is also made available through crime alert and community awareness bulletins; the University Office of Public Information; crime prevention posters and brochures.

## SAFETY TIPS

Here are some tips on how to protect yourself and your property on and off campus:

- ✓ Do not travel alone at night when possible. Use the University's Escort Service or take a friend along. If you must travel alone, use well- lighted streets in populated areas.
- ✓ Always let a friend or roommate know where you are going and when you should return.
- ✓ Do not lend your residence key to anyone. Do not hide your keys under a mat or in other obvious places.
- ✓ Always keep residence doors shut and locked, even if you are just going down the hall. Close and lock windows whenever you leave the room.
- ✓ Keep valuables out of sight.
- ✓ If you return home to find you door or window forced open, DO NOT ENTER. Call the Office of Public Safety or the Police before entering.

- ✓ Do not leave laptops, smart phones, books, wallets, purses, or supplies unattended in classrooms, studios, or lounges.
- ✓ Park your car in a supervised lot when possible. Keep your car locked, even when you're in it. Secure bicycles on the racks located throughout the campus.
- ✓ Don't overload circuits in your room. Make sure wires and extension cords are in good condition. Don't hide them under rugs; keep them out in the open.
- ✓ Note where the fire extinguishers are in your apartment and on your apartment floor and in classrooms. Learn fire emergency routes.
- ✓ Keep emergency phone numbers handy.
- ✓ Report all thefts, accidents and incidents to the Office of Public Safety immediately.

### ALCOHOL AND DRUG POLICY AND PREVENTION

The University of the Arts strives to provide a safe, productive, healthy and supportive environment for students, faculty, staff, and guests. Recognizing that the abuse of alcohol and other drug use is a major societal concern and health problem, UArts sets forth policies and conducts counseling and educational programs to guide community members in making knowledgeable choices which foster ethical, healthy, and responsible lifestyle behaviors.

Each year, the Office of Student Life (OSL), under the direction of the Assistant Vice President for Student Services, conducts mandatory alcohol and drug education training for all incoming students. All new, first-year students were required to complete *Think About It*, an online educational program designed specifically for students to ensure they are informed about drugs, alcohol, and peer pressure. Additionally, in order to better educate the community about sexual assault and date rape, and to ensure compliance with the Violence Against Women Act (VAWA) and the Campus Sexual Violence Elimination Act (SaVE), the *Think About It* program includes mandatory modules on preventing and identifying sexual assault and date rape. The compliance rate was above 97%.

The University of the Arts also maintains policies regarding the possession, use, consumption, and sale of alcoholic beverages on campus. These policies include enforcement of State alcohol control laws, including underage drinking and open containers, by the Public Safety Department and outline sanctions which may be levied through the University's Assistant Director for Student Conduct for violations of these policies.

The University of the Arts maintains policies regarding the possession, use, consumption, and sale of controlled dangerous substances (drugs) on campus. These policies include enforcement of State and Federal controlled dangerous substance laws by the Public Safety Department and outline sanctions which may be levied through the University's conduct process for violations of these policies.

The University's alcohol and controlled substances is documented below, in available on the University Web site, <https://www.uarts.edu/students/drug-free-schools-and-communities-act> and included in the *Student Handbook*

<https://www.uarts.edu/students/student-handbook>. At the start of each academic year, the Assistant Vice President for Student Services informs all students of these policies and directs them to these resources via e-mail.

## **ALCOHOL & OTHER DRUGS POLICY**

All members of the University of the Arts community are hereby notified of the primary components of the Substance Abuse Prevention Policy in compliance with the Drug-Free Schools and Community Act of 1989 and subsequent amendments.

### **Local, State and Federal Laws**

A person in the Commonwealth of Pennsylvania who is under 21 years of age commits a summary offense if they attempt to purchase, consume, possess or transport alcohol. If convicted of this offense the minor's driver's license will be suspended for 90 days. There is a \$300 fine for a first offense and second offense will yield a fine up to \$500. The police must notify the parents of any individual under the age of 18 charged with violating this law. Any person who intentionally provides alcohol to a minor will be convicted of a misdemeanor of the third degree. There will be a \$1,000 fine for the first offense and a \$2,500 fine for subsequent offenses. Maximum penalties are \$2,500 in fines and one-year imprisonment.

Minors carrying or using false I.D. cards face a 90-day driver's license suspension and are subject to fines up to \$500. For subsequent offenses, a driver's license can be suspended for one year for the second offense and two years for additional offenses. Imprisonment is possible up to 90 days for the first offense and one year in prison is possible for subsequent offenses. Manufacturing or selling a false I.D. card has been made a criminal offense, punishable by minimum fines of \$1,000 for a first offense and \$2,500 for subsequent offenses. Maximum penalties are \$5,000 in fines and two years in prison.

Federal and state laws prohibit the possession, use and distribution of illegal drugs. The sanctions for violating drug laws consist of mandatory imprisonment and substantial fines. The penalties for particular offenses vary widely, depending on the nature of the offense and the type and quantity of the drug involved. For example, under federal law, simple possession of a controlled substance carries with it a penalty of imprisonment of no more than one year, plus a fine of an amount between \$1,000 and \$5,000. If the controlled substance contains a cocaine base and the amount exceeds five grams, the offender will be imprisoned for not less than five years and not more than twenty years, or fined, or both. Also under federal law, anyone who is at least eighteen years old and who distributes drugs to anyone under age 21 will be imprisoned and/or fined up to twice what is otherwise provided by law, with a minimum prison sentence of one year.

Pennsylvania law, which prohibits the use, possession and distribution of drug, are also strict. In addition to imposing fines and/or prison terms for violations of its drug laws, Pennsylvania has also enacted a forfeiture statute that allows the state to seize property used to accomplish the violation of Pennsylvania's anti-drug laws, including automobiles.

For more details, please refer to the Pennsylvania Liquor Control Board web page at: [lcb.state.pa.us/PLCB/index.htm](http://lcb.state.pa.us/PLCB/index.htm).

## STANDARDS OF CONDUCT

The following behaviors are specifically prohibited in the University of the Arts community, regardless of whether the infraction occurs on or off campus property. Students, whether residential or commuter, may not use, possess, manufacture, distribute, dispense or sell controlled substances of any kind, including illegal drugs or drug paraphernalia, on University premises or in University-owned vehicles. Additionally, students may not:

- Be under the influence of an unauthorized substance or illegal drug on University premises or in University- owned vehicles.
- Be in possession, including internal possession, of an unauthorized substance or illegal drug on University premises or in University-owned vehicles.
- Use alcohol or other controlled substances or drugs to the extent that the performance of the employee or student is adversely affected.
- Use alcohol or other controlled substances to the extent that the safety of one's self or of others on the campus is jeopardized.

## HEALTH RISKS OF ALCOHOL AND OTHER DRUGS

Alcohol depresses the central nervous system, slowing the thought process, reflexes and other physical skills. Under the influence of alcohol, a person may become confused, moody, angry, emotional and disoriented. Larger doses can result in unconsciousness, coma and/or death. Dangers associated with alcohol use include addiction, damage to key organs, automobile accidents, social problems, and birth defects, among other negative consequences.

Marijuana impairs physical coordination, sensory perception, judgment, reasoning skills and memory. Marijuana use has also been linked to chronic anxiety disorders and schizophrenia, among other mental health problems.

Ecstasy can cause severe depression, fatigue, internal hemorrhaging (bleeding), permanent brain damage and failure of body organs including the kidneys, heart and liver.

Cocaine, LSD (acid), and heroin, among other drugs, impact the mind and body in different ways, but each has dangerous or deadly consequences. Cocaine, for example, raises blood pressure, heart rate and body temperature; narrows arteries; restricts blood flow to the heart; causes tremors, convulsions, nausea and vomiting and can lead to failure of the respiratory system. Hallucinogenic drugs such as Acid cause severe psychological distress including panic and psychotic episodes that can last for weeks or months and return as flashbacks years later.

## ALCOHOL POLICY VIOLATIONS

The following acts are considered violations of the UArts alcohol policy:

1. Consumption, on or off campus, or possession of alcoholic beverages or containers intended to contain alcoholic beverages, whether empty of alcohol, used for purposes other than holding alcohol or not.
2. Being intoxicated as indicated by appearance or behavior, such as: slurred speech, unstable walk, unconsciousness, and destruction of property, use of abusive language, alcohol on breath, vomiting or disturbance to others.
3. Sale or trade of alcohol on the campus property or to members of The University of the Arts community.

The resident(s) in whose UArts housing alcohol is being consumed is (are) responsible for the behavior of guests and will be held accountable for policy violations. It is the responsibility of the “host” to ensure that alcohol is not consumed in their residence.

Students found to be in the presence of alcohol but not drinking will be considered responsible for condoning the violation of community standards and will be sanctioned with an educational sanction, probation and/or a written warning, among others.

Alcohol is prohibited at any University sponsored events for students with exceptions to this policy granted only by the Assistant Vice President for Student Services (or their designee). Exceptions will ONLY be considered for art exhibitions and/or receptions with the use of a faculty/staff sponsor and arrangements for food and beverage made through Parkhurst Catering. Approved events may be required to have UArts Public Safety staff present.

The sponsoring faculty/staff member must complete the Alcohol Permission Request for Reception form on the UArts portal no less than two (2) weeks before the event. The sponsor and/or the students are responsible for all costs for the event, with the exception of Public Safety staff members which will be provided by the University at no additional cost.

Any University official (including members of Public Safety, Student Life and the Student Affairs staff) who has a reasonable suspicion that the alcohol policy is being violated may access any University facility to determine an appropriate course of action.

University officials are authorized to intervene in any situation that warrants action including, but not limited to: removal of attendees; closing of the event; and/or dumping or confiscation of alcohol; and notification of University personnel. All confiscated alcohol is turned over to the Department of Public Safety for disposal.

## SANCTIONS FOR ALCOHOL VIOLATIONS

The disciplinary response to alcohol policy violations provides a balance between punitive action and an opportunity for education and personal growth. These sanctions are applicable to both residential and commuter students. Sanctions for alcohol violations accumulate over the duration of a student's matriculation at The University of the Arts.

A University conduct review body determines the sanctions imposed by the University for students (see Standard Sanctions section). Generally, the minimum sanctions for violations of the alcohol policy are:

- First Violation: Alcohol education, monetary fine and probation.
- Second Violation: Alcohol education to include a mandated alcohol assessment, monetary fine and continued probation.
- Third Violation: possible suspension from University housing or the University.
- The parents/guardians of dependent students are informed of alcohol violations by University personnel (see Student Records policy).
- A conduct review body may alter the above sanctions at their discretion in certain circumstances depending upon the quantity and type of alcohol involved in a case or by the number of people impacted by the violation, among other factors.
- All funds collected as a result of alcohol policy fines are credited to a Student Affairs account dedicated to alcohol education efforts, non-alcoholic events, and community-building programs on campus.

## DRUG POLICY VIOLATIONS

The following acts are considered violations of the UArts drug policy:

1. Consumption or possession of illegal drugs on or off campus.
2. Being under the influence of illegal drugs as indicated by appearance or behavior, such as: slurred speech, unstable walk, unconsciousness, destruction of property, use of abusive language, vomiting or disturbance to others.
3. Sale, distribution or trade of illegal drugs on the campus property or to members of The University of the Arts community.
4. Possession of drug paraphernalia.
5. Being in the presence of drugs.

The resident(s) in whose apartment illegal drugs are being consumed is (are) responsible for the behavior of guests and will be held accountable for policy violations. It is the responsibility of the host to ensure that guests do not consume illegal drugs.

Intent to sell is defined as possession of what is perceived by University staff to be beyond a level of personal use. Possession of paraphernalia such as a scale and multiple containers, as well as the growth and germination of marijuana and other illegal narcotics will be considered indicative of trafficking and may result in suspension or expulsion.

Any University official (including members of Public Safety, Student Life and the Student Affairs staff) who has a reasonable suspicion that the drug policy is being violated may access any University facility to determine an appropriate course of action. University officials are authorized to intervene in any situation that warrants action including, but not limited to: removal of attendees; closing of the event; and/or confiscation of illegal drugs and paraphernalia; and notification of University personnel. All confiscated drugs are turned over to the Office of Public Safety for disposal, in conjunction with the Philadelphia Police Department.

A student found by University staff to be in the presence of illegal drugs will be subject to a hearing in which a conduct officer will determine if the student committed any of the violations described above. Students found to be in the presence of illegal drugs but not using drugs will be considered responsible for condoning the violation of community standards and will be sanctioned through the University conduct process.

The presence of marijuana within a room may be determined by odor or odor-masking devices, paraphernalia and/or materials later determined through testing to be marijuana. If suspected drugs are confiscated and the student denies the substance(s) are drugs, the Office of Public Safety will provide for testing of the substance. If the substance is found to be an illegal drug, the student will be charged for the cost of the testing, in addition to the other sanctions that may be imposed through the student disciplinary process.

When University officials confiscate illegal drugs, such items will be turned over to the Philadelphia Police Department as required by law. Prosecution for violation of the law will be made at the discretion of the Philadelphia Police Department. In the case of alleged supplying of or selling of illegal drugs, students may be referred to the Campus Standards Board or an administrative hearing for conduct review action. Sanctions could include suspension or permanent expulsion from the University.

The University reserves the right to test a student for the presence of drugs in their system if necessary and may prevent a student's return to University housing (or withhold other privileges) until compliance and/or such tests show an absence of illegal drugs.

## **SANCTIONS FOR DRUG POLICY VIOLATIONS**

The disciplinary response to drug policy violations provides a balance between punitive action and an opportunity for education and personal growth. These sanctions are applicable to both residential and commuter students.

Sanctions for drug violations accumulate over the duration of a student's matriculation at The University of the Arts.

A University conduct review body determines the sanctions imposed by the University for students (see Standard Sanctions).

Generally, the minimum sanctions for violations of the drug policy are:

- First Violation: Drug education including a mandated Drug Assessment, monetary fine and possible suspension from University housing. Commuter students face drug education including a mandated Drug Assessment, monetary fine and possible suspension from all non-academic facilities and events, random drug testing throughout tenure.
- Second Violation: Possible minimum of one (1) semester suspension from the University for use; one (1) year suspension from the University for distribution.
- Third Violation: Possible expulsion from the University.
- The parents/guardians of dependent students are informed of drug violations by University personnel (see Student Records policy).
- A conduct review body may alter the above sanctions at their discretion in certain circumstances depending upon the quantity and type of drugs involved in a case or by the number of people impacted by the violation, among other factors.
- All funds collected as a result of drug policy fines are credited to a Student Affairs account dedicated to drug education efforts and community-building programs on campus.

## **SEXUAL VIOLENCE, SEXUAL AND GENDER-BASED HARASSMENT, DOMESTIC AND DATING VIOLENCE, STALKING, AND EXPLOITATION**

### **UNIVERSITY POLICY**

The University's "Sexual Misconduct, Sexual Harassment, and Other Forms of Harassment Policy outlines prohibited conduct, procedures for responding to reports of sexual violence, sexual harassment, domestic/relationship violence, stalking, and exploitation, and resources and options for those who may have experienced a form of prohibited conduct. The policy applies to all faculty, staff, students, and campus guests, and is located in the Student Handbook, Faculty Handbook, Staff Manual, and on the Title IX Resource Page ([www.uarts.edu/titleix](http://www.uarts.edu/titleix)). The full text of the policy can be found below. *Note: in 2016, the University hired a full-time Title IX Coordinator, who formed a Title IX Policy Drafting Committee charged with reviewing and revising this policy. The revised policy is expected to be implemented in January of 2018.*

### **SEXUAL MISCONDUCT, SEXUAL HARASSMENT, AND OTHER FORMS OF HARASSMENT**

The University of the Arts is committed to maintaining an environment in which students, faculty and staff can pursue academic, artistic and professional excellence. Inappropriate workplace behavior and harassment create conditions that are wholly inconsistent with this commitment. Such an environment can be secured only through mutual respect and unconstrained academic and professional interchange among faculty, staff and students.

Faculty, staff and students of the University are entitled to participate in and obtain the benefits of University programs, activities and employment without being discriminated against on the basis of: race, color, religion, sex, gender identity, national origin, age, mental or physical disability, veteran status, genetic information, the use

of a guide or support animal because of the blindness, deafness or physical handicap of any individual or independent contractor, possession of a GED instead of a high school diploma and military status as defined by Pennsylvania law, sexual orientation, marital status, familial status and domestic/sexual violence victim status or any other prohibited factor.

The rights defined by this policy apply to all faculty, staff and students of the University, and the obligations are binding on all faculty and staff as part of their employment, regardless of tenure or years of service, and all students, regardless of academic status.

### **ACADEMIC FREEDOM AND FREEDOM OF ARTISTIC EXPRESSION**

This policy shall not impair the lawful exercise of free speech (including written, graphic, verbal or artistic expression) that serves legitimate educational or artistic purposes; shall not infringe upon legitimate teaching methods; and shall not restrict the academic or artistic freedom of the members of University of the Arts community. However, expression that intimidates or creates an otherwise hostile environment for community members will not be tolerated.

### **SEXUAL MISCONDUCT AND SEXUAL HARASSMENT DEFINED**

The University regards any act of sexual misconduct, sexual harassment or other forms of harassment to be a violation of the standards of conduct required of all persons associated with the institution, including applicants for employment and third parties over whom the University has control. The prohibition against sexual harassment, sexual misconduct and other forms of harassment applies to all interactions occurring on campus, in

University facilities, or within the context of University-related activities and applies regardless of the gender, gender identity or sexual orientation of the individuals involved.

### **SEXUAL MISCONDUCT**

For the purposes of this policy, sexual misconduct refers to a range of behaviors that include sexual harassment and all forms of non-consensual sexual activity. For purposes of this policy, the University prohibits the following specific forms of sexual misconduct: sexual harassment, sexual assault, sexual exploitation, intimate partner violence, stalking, and retaliation. These various forms of sexual misconduct are defined below.

### **SEXUAL ASSAULT**

For purposes of this policy, sexual assault is defined as having or attempting to have sexual intercourse or sexual contact with another individual without consent.

### **SEXUAL HARASSMENT**

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal or physical conduct of a sexual nature when:

- submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment, education, academic success, living environment, or participation in a University-related activity; or
- submission to or rejection of such conduct by an individual is used as the basis for or a factor in decisions affecting that individual's employment, education, academic success, living environment, or participation in a University-related activity; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or educational performance or creating an intimidating, hostile or offensive environment for that individual's employment, education, academic success, living environment or participation in a University-related activity.

Some examples of what may constitute sexual harassment are: threatening to take or taking actions, such as discharge, demotion or reassignment, if sexual favors are not granted; demands for sexual favors in exchange for favorable or preferential treatment; unwelcome and repeated flirtations, propositions or advances; unwelcome physical contact; whistling; leering; improper gestures; tricks; horseplay; use of stereotypes; offensive, insulting, derogatory or degrading remarks; unwelcome comments about appearance; sexual jokes or use of sexually explicit or offensive language; gender- or sex-based pranks; and the display of sexually suggestive objects or pictures. The above list of examples is not intended to be all-inclusive. Care should be taken in informal situations, including University functions, performances, exhibitions, and business trips.

### **SEXUAL EXPLOITATION**

For purposes of this policy, sexual exploitation is defined as an act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage or any other non-legitimate purpose.

Examples include, but are not limited to: 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; non-consensual streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved; and inducing incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

### **DOMESTIC VIOLENCE/DATING VIOLENCE**

For the purposes of this policy, domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

Dating Violence is defined as a pattern of abusive behavior in any relationship that is used by one partner to gain or maintain power and control over another intimate partner. Dating violence is committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and the relationship shall be

determined based on the reporting party's statement with consideration of 1) length of the relationship, 2) type of relationship, 3) frequency of interaction between the persons involved in the relationship.

### **STALKING**

For purposes of this policy, stalking is defined as a course of conduct involving more than one instance of unwanted attention, harassment, physical or verbal contact, or any other course of conduct directed at an individual that could be reasonably regarded as likely to place that individual in fear of harm or injury, including physical, emotional, or physical harm. This includes cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cellular phones, texts, or other similar devices or forms of contact are used to pursue, harass, or make unwelcome contact with another person.

### **RETALIATION**

Retaliation or reprisals of any kind against anyone reporting allegations of sexual misconduct, sexual harassment or other forms of harassment, or against anyone cooperating in an investigation of such a report, are strictly prohibited. Such retaliation shall be considered a serious violation of this policy and shall be punishable by discipline up to and including dismissal, regardless of whether the charge of sexual misconduct, sexual harassment or other form of harassment is substantiated. Examples of prohibited retaliation include: threatening reprisals against an individual who complained or cooperated in the investigation; unfairly changing the evaluations, assignments or working, studying or living conditions of such an individual; or otherwise continuing any sexual harassment, sexual misconduct or other form of harassment against such person.

If a faculty member, employee or student is found to have intentionally lied about a claim of sexual harassment, sexual misconduct or other form of harassment, or brought the claim in bad faith, knowing that the allegation is false, then that faculty member, employee or student may be subject to discipline up to and including termination or dismissal from the University.

### **DEFINITIONS:**

For purposes of this policy, the following terms have the definitions provided below. Please note that some of these terms may be used in other contexts, as such in connection with concurrent legal proceedings, and that they may have different meanings in those contexts:

#### **REPORTING PARTY**

An individual who reportedly experienced sexual misconduct, regardless of whether that individual participates in the disclosure or review of that report by the University at any point.

#### **CONSENT**

For the purpose of this policy, consent is clear, voluntary and unambiguous communication indicating a willingness to engage in a particular activity. Consent may not be inferred from silence, passivity, lack of

resistance or lack of active response. In the absence of an outward demonstration, consent does not exist. Consent can be withdrawn by either party at any point. Consent is not effective if it results from the use of physical force, threat of physical force, intimidation, coercion, incapacitation or any other factor that would eliminate an individual's ability to exercise their own free will to choose whether or not to engage in a particular activity. Individuals are considered impaired and unable to give consent when intoxicated, of limited mental capability or other similar condition that interferes with reasonable judgment.

## **REPORTER**

An individual who reports to the University a concern regarding possible sexual misconduct.

## **RESPONDING PARTY**

A University member or participant in a University program who is reported to have engaged in alleged sexual misconduct. This term also includes individuals whose identities are unknown if (a) there is reason to believe that they may be a University member or participant in a University program or (b) the reporting party or reporter is a student.

## **SUPPORT PERSON**

An individual or individuals chosen by a reporting party, responding party, reporter, or witness to provide support during the review of a report of possible sexual misconduct under this policy. The person(s) chosen may not already be directly involved in the investigative process (for example, as a reporting party, responding party, witness, or reporter) and may not speak on behalf of the person they are supporting, but instead may be present only to provide assistance or advice to the individual they are supporting. An approved support person must be a member of the University of the Arts community and is not permitted to speak at the proceedings.

## **TITLE IX**

Title IX of the Education Amendments of 1972 (Title IX) (20 U.S.C. § 1681 et seq.; 34 C.F.R. Part 106) (as amended) is a federal law that prohibits sex-based discrimination, including sexual harassment and sexual assault, in education programs that receive federal financial assistance.

## **THE VIOLENCE AGAINST WOMEN REAUTHORIZATION ACT OF 2013**

The Violence Against Women Reauthorization Act requires colleges and universities "to strengthen institutional policies related to these crimes, provide greater support and accommodations for victims, and protect the rights of both parties (reporting party and responding party) during institutional disciplinary proceedings ("Violence Against Women Act; Notice of Proposed Rulemaking," 79 Federal Register 119 (20 June 2014), pp. 35422.

## **OTHER FORMS OF HARASSMENT DEFINED**

For purposes of this policy, other forms of harassment are defined as verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of their race, color, gender, age, religion, national origin, sexual orientation, disability, veteran status or any other characteristic protected by law, and that:

- creates an intimidating, hostile or offensive work or academic environment; or
- unreasonably interferes with an individual's work or academic performance.

Some examples of such harassment are: using epithets or slurs; mocking, ridiculing or mimicking another's culture, accent, appearance or customs; threatening, intimidating or engaging in hostile or offensive acts that focus on any characteristic protected by law, including jokes or pranks; displaying on walls, bulletin boards or elsewhere on University premises, or circulating in the University community, of written or graphic material that denigrates or shows hostility or aversion toward a person or group because of any characteristic protected by law. The above list of examples is not intended to be all-inclusive.

## **EMPLOYEE/STUDENT INTERACTION**

In addition to the general prohibitions against sexual misconduct, sexual harassment and other forms of harassment of any type, the University imposes an obligation on its staff and faculty members with regard to their interactions with students. No employee may ask for a date, make a sexual advance to a student, or in any other way become romantically or sexually involved with a student. This rule is for the protection of students, employees and the University. If a staff or faculty member has any doubt or question about whether their relationship with a student violates this policy, the employee should refrain from further interaction with the student and contact the appropriate Title IX Deputy Coordinator for advice. A staff or faculty member may not in any way use their status as an employee to intimidate a student or advance a personal or sexual relationship.

## **EMPLOYEE/EMPLOYEE INTERACTION**

Consensual romantic and/or sexual relationships between an employee with supervisory authority and any subordinate, including one not directly reporting to the supervisor, may compromise the University's ability to enforce its policy against sexual harassment. Consequently, if such relationships arise, they will be considered carefully by the University, and appropriate action will be taken as needed. Such action may include a change in the responsibilities of the individuals involved in such relationships or transfer of location within the University to diminish or eliminate the supervisory relationship and workplace contact that may exist. Any supervisory employee involved in such a relationship is required to report the relationship to their supervisor, and to Human Resources.

## **STUDENT/STUDENT INTERACTION**

Sexual activity and relationships between students of any gender, gender identity, or sexual orientation, must be based in mutual, voluntary, and unambiguous consent. The University's Code of Student Conduct prohibits "conduct which threatens the physical or psychological health and/or safety of any person (including the person

committing the act) or the sanctity of the campus, including, but not limited to physical or sexual assault” and includes rape, sexual assault, sexual harassment, dating violence, domestic violence, stalking, and hazing.

### COMMUNICATION, PRIVACY, AND CONFIDENTIALITY

This policy is part of the University’s overall commitment to open communication. The University encourages any employee or student with concerns about sexual harassment, sexual misconduct or other form of harassment, as well as campus community concerns of any nature (including, but not limited to, any alleged discrimination) to bring those concerns to the attention of a campus official.

Reports of sexual harassment, sexual misconduct or other forms of harassment will be kept as confidential as possible. Information about complaints and investigations will be shared only on a need-to-know basis. Campus representatives must balance requests for confidentiality by reporting parties who do not wish their names to be shared with responding parties, or who do not wish to pursue formal investigation, with the responsibility to provide a non-discriminatory environment for all members of the campus community. At times, information identifying the individuals involved in an incident must be shared with responsible parties on campus. All employees of the University are considered responsible parties with the exception of individuals who have been identified as a confidential resource. All responsible parties are required to share reports of sexual harassment, sexual misconduct or other forms of harassment with the appropriate identified Title IX Deputy Coordinator or Title IX Coordinator.

Certain campus professionals are confidential resources who are not required to share reports of sexual harassment, sexual misconduct or other forms of harassment, unless the circumstances involve an imminent risk to individuals. These confidential resources include the counselors of the Counseling Center, staff of the Health Center, and pastoral and religious advisers of student organizations.

### REPORTING SEXUAL MISCONDUCT

The University encourages all individuals to seek medical assistance immediately after an incident of sexual misconduct to address concerns about physical and emotional well-being.

The decision to report or not report an incident of sexual misconduct or assault is a personal one, and individuals are not expected or required to pursue a specific course of action or a specific timeline. An individual may choose to speak to a confidential resource, as outlined in the above section, make a report to the University, or report to the Philadelphia Police.

To report sexual assault to the police, contact the Philadelphia Police Department at 215-685-3251 or 3252. The investigating officer will explain the investigatory and legal processes that follow a report. The University encourages reporting parties to pursue criminal action for incidents of sexual harassment or misconduct that may also be crimes under Pennsylvania Law. The University will assist a reporting party in making a criminal report and will cooperate with law enforcement agencies if a reporting party decides to pursue the criminal process to the extent permitted by law.

If the responding party is a member of the University community or participant in a University program, reporting parties may report the incident to the University through the procedures detailed below.

## PROCEDURES FOR REPORTING A COMPLAINT OF SEXUAL MISCONDUCT, SEXUAL HARASSMENT, OR OTHER FORMS OF HARASSMENT TO THE UNIVERSITY:

### **Title IX Coordinator and Deputy Coordinators**

The University's Title IX Coordinator monitors compliance with regulations concerning charges of sexual harassment, sexual misconduct or other forms of harassment; Deputy Coordinators investigate and address such allegations. Any student, staff or faculty member who has been the victim of sexual harassment, sexual misconduct or other form of harassment should promptly report, orally or in writing, the sexual harassment, sexual misconduct or other form of harassment to the appropriate Title IX Deputy Coordinator. The appropriate Title IX Deputy Coordinators are as follows:

- For charges of sexual harassment, sexual misconduct or other forms of harassment in which the reporting party is a student, the Conduct Coordinator conducts the investigation. Reports should be submitted to the by calling (215) 717-6606.
- For charges in which the reporting party is a faculty member, the Associate Provost is the investigating Deputy Coordinator. Reports should be submitted to the Associate Provost by calling (215) 717-6393.
- For charges in which the reporting party is a staff member, the Associate Vice President for Human Resources is the investigating Deputy Coordinator. Reports should be submitted to the Associate Vice President for Human Resources by calling (215) 717-6366.

The Deputy Coordinators report complaints in aggregate to the University's Title IX Coordinator, and consult with the Title IX Coordinator for guidance as needed when investigating complaints.

As soon as a report is received, it will receive prompt and appropriate attention. If, for any reason, the individual is uncomfortable discussing such matters with the designated Deputy Coordinator, the student should promptly report the matter to the Title IX Coordinator, or to another Deputy Coordinator. Failure to report the incident to a Title IX Deputy Coordinator restricts the University's ability to investigate or resolve the issue.

### **Duty of Administrators, Faculty Members and Supervisors with Knowledge of Harassment**

In the event that a complaint of sexual harassment, sexual misconduct or other form of harassment -- formal or informal, written or oral, from an alleged victim or otherwise -- is made to an administrator, faculty member or staff member other than those specifically identified above, that administrator, faculty member or staff member must: (a) inform the person making the complaint that the matter will be referred to the appropriate Title IX Deputy Coordinator; and (b) promptly report, either orally or in writing, such complaint to the designated Title IX Deputy Coordinator. Every University administrator, faculty member and staff supervisor has a duty to

maintain a workplace/educational environment free of any form of sexual harassment, sexual misconduct or other form of harassment.

## **INVESTIGATION PROCESS**

In the event of any report, orally or in writing, of sexual harassment, sexual misconduct or other form of harassment, a prompt inquiry will be made to determine whether any sexual harassment, sexual misconduct or other form of harassment has occurred. If a preliminary inquiry into the matter by the Deputy Coordinator indicates there may be validity to the charges, then the University will promptly proceed with a formal, thorough and impartial investigation. If such a formal investigation proceeds, interviews and/or statements will be obtained by the Deputy Coordinator (or their Designee) from all available involved parties, including the reporting party, the responding party and witnesses, if any. At any time during the course of an investigation, the reporting party, responding party or any witnesses may provide a written statement, other supporting materials, or identify other potential witnesses, regarding the charge under review.

Throughout the process, any person participating in the process may have a support person present at any meeting related to the review of the reported sexual misconduct.

During the investigation, intermediate or remedial measures may be taken to ensure that further sexual harassment, sexual misconduct or other form of harassment does not occur. Such measures may include schedule changes, removal from specific courses or activities, removal from University housing, or suspension from the University.

Upon completion of the factual investigation, the appropriate Deputy Title IX Coordinator and the Title IX Coordinator will reach a conclusion as to whether sexual harassment, sexual misconduct or other form of harassment occurred. The findings will be made using the preponderance of the evidence standard. This standard requires that the information supporting a finding of responsibility be more convincing than the information in opposition to it. Under this standard, individuals are presumed not to have engaged in sexual misconduct unless a preponderance of the evidence supports a finding that sexual misconduct occurred.

For matters where a student is the responding or complaining party, the Conduct Review Process will be followed as outlined in the Investigation Model below. Based upon the factual investigation and conclusions, and any other information that becomes available, the Title IX Coordinator and the Deputy Title IX Coordinator will reach a conclusion as to whether sexual harassment, sexual misconduct or other form of harassment occurred.

Responsibility of policy violations will be determined by the Title IX Coordinator and the appropriate Deputy Title IX Coordinator. The decision for sanctions will be made by the Assistant Vice President for Student Services & based on the facts of the case and prior relevant sanctions, if any.

## **INVESTIGATION MODEL:**

The investigation model provides procedural protections to both complainant and respondent. The Investigation Model process begins by collecting information pertaining to a complaint or incident, interviewing relevant parties, and synthesizing the material so it can be used to determine whether or not a policy violation occurred.

The basic flow of the investigation model is as follows:

- Complaint is filed and assigned to an investigator.
- The Reporting Party is interviewed and interim action/remedies may be implemented.
- The Responding Party is informed of the nature of the complaint and the policies in question.
- The Reporting Party and the Responding Party have the opportunity to meet with the investigator and provide information regarding the complaint, including suggesting witnesses.
- Witnesses may be interviewed.
- The Reporting Party and the Responding Party review a summary of the incident information prepared by the investigator and can provide additional response or information.
- An investigation report (including policy analysis) is completed and forwarded to the Deputy Title IX Coordinator and the Title IX Coordinator to issue findings using the Preponderance of Evidence Standard.
- If a violation has occurred the Assistant Vice President for Student Services implements sanctions (i.e., outcome).
- The Reporting Party and the Responding Party are notified of the outcome.

## **REMEDIAL AND DISCIPLINARY MEASURES**

If the investigating Title IX Deputy Coordinator or Designee finds, following an investigation or conduct review process, that sexual harassment, sexual misconduct or other form of harassment did occur, the University will take immediate steps to stop the sexual harassment, sexual misconduct or other form of harassment, implement appropriate corrective and disciplinary action, and initiate any necessary preventive measures to ensure the sexual harassment, sexual misconduct or other form of harassment does not occur again. Even if the University concludes that sexual harassment, sexual misconduct or other form of harassment did not occur, or that it is unable to determine one way or the other what occurred due to the lack of verifiable or credible evidence, the University may take disciplinary or preventive measures, such as training and monitoring, to ensure sexual harassment, sexual misconduct or other form of harassment does not occur in the future.

A written record of the complaint, any investigation and the resolution of the complaint will be kept in a confidential file by the Associate Vice President of Human Resources, who is the custodian of these records for all matters involving employees, or by the Assistant Vice President for Student Services, who is the custodian of such records for all matters involving students. In matters involving both student(s) and employee(s), copies of such records will be maintained by both custodians. Any conclusion from the inquiry or investigation will be communicated to both the reporting party and the responding party, stressing the confidentiality and anti-retaliation provisions outlined in this policy.

### **FURTHER REVIEW**

If the complaining party or the responding party is not satisfied with the resolution of the matter, they may appeal to the Vice President for Enrollment, Retention, & Student Affairs for matters originating with a student; to the Vice President for Finance and Administration for matters originating with a staff member; or to the Provost for matters originating with a faculty member, within fourteen days of being informed of the proposed resolution.

The complaining party and the named responding party have the right to appear before the designated University official. At the conclusion of any further review, the designated official shall either affirm the prior conclusion or take alternative action. A written determination will be issued, and both the complaining party and the responding party will be informed of this decision.

If the complaining party or the responding party believes that the response by the University is insufficient or inappropriate, the student may file a complaint with the Title IX Coordinator, who will review whether these procedures have been properly followed and the University's policies have been properly enforced. At the conclusion of this review by the Title IX Coordinator, they will make recommendations to the President, who shall either affirm the prior conclusion or determine alternative actions or accommodations. The decision of the President will be final. No further University review is available.

The sole exception to the foregoing procedure occurs in a case in which a tenured faculty member is recommended for dismissal due to sexual harassment, sexual misconduct or other form of harassment, and the President is in agreement with the recommendation. In such event, the President will instruct the Provost to initiate the procedures set forth in Section 1.11.2 of the *Faculty Handbook* relating to the dismissal of tenured faculty.

If a recommendation for dismissal is not upheld after exhaustion of the tenured faculty appeal process, the President shall nonetheless take remedial action, including discipline short of dismissal, which is reasonably calculated to prevent any future harassment. Such actions are not subject to further review.

### **THIRD PARTY DISCLOSURE**

The institution will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student

who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

## EDUCATIONAL PROGRAMS TO PROMOTE AWARENESS OF SEXUAL ASSAULT, RELATIONSHIP AND DOMESTIC VIOLENCE, AND STALKING

### **TITLE IX WEBSITE**

The University's Title IX Resource page, [www.uarts.edu/titleix](http://www.uarts.edu/titleix), contains the Sexual Misconduct Policy, emergency resources for victims of sexual misconduct, information about on- and off-campus support services, contact information for the Title IX Coordinator and Deputy Title IX Coordinators, and information about programming and education about sexual misconduct at UArts.

### **TITLE IX TEAM TRAINING**

As required by the Campus SaVE Act, the UArts Title IX Coordinator and Deputy Title IX Coordinators receive annual training on conducting trauma-informed investigations and providing resources and support to those who may be involved in an investigation. Conduct Standards Board members receive annual training from the Title IX Coordinator regarding the adjudication of misconduct under the University's Sexual Misconduct Policy.

### **NEW STUDENT TRAINING**

All incoming students are required to complete an online course through outside provider Campus Clarity called "Think About It." Think About It provides students with a comprehensive foundation in four areas: sex in college, partying smart, sexual violence, and healthy relationships. Additionally, the course requires that the student acknowledge receipt of the University's Sexual Misconduct Policy. Students who do not complete the course in the allotted time are fined.

### **STUDENT LEADER TRAINING**

The Title IX Coordinator presents to all Student Leaders: Resident Assistants, Orientation Leaders, Student Clubs and Organization officers, and Community Assistants for the Pre-College Program. The presentations include information about Title IX, the Clery Act, and VAWA/the Campus SaVE Act, reporting obligations for student employees, the University's Sexual Misconduct policy, violence prevention, bystander intervention, and resources and options on- and off-campus for those who may have been impacted by sexual misconduct.

### **EMPLOYEE TRAINING**

All new UArts employees are required to participate in a Title IX/VAWA compliance training within 90 days of the start of employment. All UArts employees are required to participate in the same training on an annual basis, whether in-person by the Title IX Coordinator, or online through our United Educators portal. The Title IX Coordinator conducts additional training for employees by request.

### **OTHER EDUCATIONAL PROGRAMMING**

The University conducts educational programs throughout the year that include awareness of risks and myths regarding sexual assault and relationship violence, risk-reduction strategies for individuals, bystander intervention techniques and strategies, information regarding local resources and responses to reports, and self-defense programs. These educational programs include Sexual Assault Awareness Month (April) and Domestic Violence Awareness Month (October) programming, social media and poster campaigns, the One Love Exhibition (a visual and performance art exhibition with the themes of “sexual violence, healing, recovery, and empowerment”), guest lecturers, community art and activism projects, informational tables throughout campus, and more.

## **ONE LOVE STUDENT GROUP**

The One Love Foundation is a national organization committed to raising awareness about the warning signs of relationship abuse. The UArts One Love chapter hosts “escalation workshops” throughout the year that are open to the entire student body. Escalation workshops educate students about the signs of relationship abuse and empower them to work for change. One Love also hosts movie nights, sets up informational tables around campus, and well as participates in the UArts annual Health Fair, Student Activities Fair, and Extended Orientation.

## **CRIMINAL DEFINITIONS OF DATING VIOLENCE, DOMESTIC VIOLENCE, AND SEXUAL ASSAULT IN THIS JURISDICTION**

### **DOMESTIC VIOLENCE / DATING VIOLENCE**

"Abuse" The occurrence of one or more of the following acts between family or household members, sexual or intimate partners or persons who share biological parenthood:

- (1) Attempting to cause or intentionally, knowingly or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault or incest with or without a deadly weapon.
- (2) Placing another in reasonable fear of imminent serious bodily injury.
- (3) The infliction of false imprisonment pursuant to 18 Pa.C.S. § 2903 (relating to false imprisonment).
- (4) Physically or sexually abusing minor children, including such terms as defined in Chapter 63 (relating to child protective services).
- (5) Knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any criminal prosecutions commenced under Title 18 (relating to crimes and offenses).

(23 Pa.C.S. § 6102)

## **STALKING**

A person commits the crime of stalking when the person either:

- (1) engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person; or
- (2) engages in a course of conduct or repeatedly communicates to another person under circumstances which demonstrate or communicate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person.

(18 Pa.C.S. § 2709.1)

## **RAPE**

A person commits a felony of the first degree when the person engages in sexual intercourse with a complainant:

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

(18 Pa.C.S. § 3121)

A full list of sexual offenses as defined by Pennsylvania law can be found here:

<http://www.legis.state.pa.us/cfdocs/legis/LI/consCheck.cfm?txtType=HTM&ttl=18&div=0&chpt=31>.

## **CONSENT**

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

### **Consent to bodily injury**

When conduct is charged to constitute an offense because it causes or threatens bodily injury, consent to such conduct or to the infliction of such injury is a defense if:

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

### **Ineffective consent**

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

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

(18 Pa.C.S. § 311)

## **CAMPUS SEXUAL ASSAULT VICTIMS' BILL OF RIGHTS**

### **(Excerpt from Student Handbook)**

In accordance with section 485 of the Higher Education Act of 1965, the University of the Arts has implemented the following bill of rights that shall be afforded to all victims of reported campus-related sexual assaults. These rights have been adapted for UArts from the language used in the Higher Education Act.

1. The right to have any and all sexual assaults against them treated with seriousness; the right, as victims, to be treated with dignity; and the right for campus organizations which assist such victims to be accorded recognition.
2. The right to have any sexual assaults committed against them investigated and adjudicated by the duly constituted criminal and civil authorities of the governmental entity in which the crimes occurred, if the victim so chooses; and the right to the full and prompt cooperation and assistance of University staff in notifying the proper authorities. The foregoing shall be in addition to any campus disciplinary proceedings.
3. Victims have the right to be free from any kind of pressure from University staff that: a. not report crimes committed against them to civil and criminal authorities or to public safety and student life staff; or b. report crimes as lesser offenses than the victims perceive them to be.

The right to be free from any kind of suggestion that sexual assault victims not report, or under-report, crimes because: a. victims are somehow 'responsible' for the commission of crimes against them; b. victims were negligent or assumed the risk of being assaulted; or c. by reporting crimes they would incur unwanted personal publicity.

4. The same right to legal assistance, or ability to have others present, in any campus disciplinary proceeding that the institution permits to the accused; and the right to be notified of the outcome of such proceeding.

5. The right to counseling services from any mental health services previously established by the institution, or by other victim-service entities, or by victims themselves.

6. After campus sexual assaults have been reported, the victims of such crimes shall have the right to require that appropriate University staff take the necessary steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants, including immediate relocation of the victim to safe and secure alternative housing and transfer of classes if requested by the victims.

7. The right to report any inappropriate action, or lack thereof, in the handling of a reported sexual assault on the part of the University as a Title IX complaint.

Additionally, and in accordance with the SaVE Act, the University will work with the student to ensure that they are able to continue their studies safely while the matter is addressed. This includes applying, at the discretion of the Office of Student Affairs (or their designee) and as dictated by the situation and the needs of the victim, the use of administrative room changes, No Contact Directive, Persona Non Grata, and/or other steps deemed necessary.

## CAMPUS AND COMMUNITY RESOURCES

The reporting party of sexual assault, sexual misconduct, sexual harassment, or other forms of sexual misconduct has multiple resources within the University and Philadelphia community with whom they may feel comfortable reporting an incident:

- |  |              |
|--|--------------|
| • Counseling Center                            | 215-717-6614 |
| • Health Services                              | 215-717-6230 |
| • Student Life                                 | 215-717-6970 |
| • Public Safety                                | 215-717-6666 |
| • Student Affairs                              | 215-717-6617 |
| • Women Organized Against Rape 24-Hour Hotline | 215-985-3333 |

Public Safety assists the reporting party and works with the Philadelphia Police Department to ensure the safety and security of the University community. If the reporting party reports the crime, they are provided information to

assist in making a decision to file formal criminal charges. When a charge is filed, the Philadelphia Police Department is always the primary investigatory agency. The reporting party may be escorted by the Philadelphia Police Department to the Pennsylvania Sexual Assault Response Center (PSARC), a designated center for forensic exams following a sexual assault. UArts recommends that the reporting party be accompanied by a supportive partner or ally to PSARC, where the reporting party may receive a forensic medical examination to identify and treat injuries, and to have evidence collected which may be used later should they wish to press charges.

Members of the Philadelphia Police Special Victims Unit, who are specially trained in handling sensitive investigations of this nature, will conduct an investigation.

Student Life professional staff and residential assistants (RA's) are trained to assist a reporting party of acquaintance or stranger sexual assault, as well as provide resources available at the University and in the community. When a sexual assault is reported to residential life staff, they balance requests for confidentiality by reporting parties who do not wish their names to be shared, or who do not wish to pursue formal investigation, with the responsibility to provide a non-discriminatory environment for all members of the campus community. At times, information identifying the individuals involved in an incident must be shared with responsible parties on campus. All employees of the University are considered responsible parties with the exception of individuals who have been identified as a confidential resource. All responsible parties are required to share reports of sexual harassment, sexual misconduct or other forms of harassment with the appropriate identified Title IX Deputy Coordinator or Title IX Coordinator.

Student Life staff members can make referrals for medical treatment and/or counseling, provide information regarding the options to file a formal complaint and make recommendations regarding safety precautions.

Counseling Services staff confidentially assists reporting parties of sexual assault who are experiencing emotional distress and/or social adjustment issues with the recovery process. Any student who experiences sexual assault/sexual misconduct is encouraged to contact a counselor at the Counseling Center. Counselors are prepared to assist with processing the emotional impact of an incident and to aid with decision-making.

Counselors work with students to help restore their sense of control and personal empowerment. Counseling Center staff may not disclose any information, including that related to the sexual assault, to any person on or off campus without the student's permission. Confidential counseling services are also available to the responding party of a sexual assault who must focus on the attitudes, values, and behaviors involved in such a crime.

Counselors will receive referrals from campus personnel including those in Student Affairs, Student Life, Student Health Services, Public Safety and the faculty. Students are also strongly encouraged to call the counseling staff on their own. Any individual of sexual assault who is in crisis will be seen immediately during working hours.

Counselors can be contacted at other times through residential staff or Public Safety.

Health Services offers confidential medical treatment to reporting parties of sexual assault until they are able to be transported to the proper facility. Immediate medical support is strongly recommended in cases of sexual assault and rape. If Health Services is closed at the time treatment is needed, a member of the Public Safety or

Student Life staff may contact the Director of Health Services to assist. The reporting party should not shower, bathe, douche, brush their teeth, tidy up, or otherwise discard or conceal any evidence that might be used to apprehend the perpetrator. If there is any chance that the reporting party may choose to press criminal charges, time is critical and some options may be lost by a delay. Immediate medical steps do not interfere with the individual's decision whether or not to press charges. Health Services can also assist the student in contacting other resources available at the University or in the community.

### IF YOU OR SOMEONE YOU KNOW IS SEXUALLY ASSAULTED

As soon as possible following an incident, the victim is encouraged to call the University's Department of Public Safety at 215-717-6666 or the Philadelphia Sexual Assault Response Center (PSARC) at 215-425-1625. Anyone reporting a crime of this sort is welcome to request to speak to an officer of a specific gender or otherwise specify an individual officer to take the report.

### THE PHILADELPHIA SEXUAL ASSAULT RESPONSE CENTER

The PSARC center is staffed 24/7, by on-call, specially trained and experienced Sexual Assault Nurse Examiners (SANE) who provide forensic rape examinations and evidence collection to both females and males. Our SANE staff are all highly-trained, compassionate nurses with years of experience in the care of sexually assaulted patients.

PSARC works closely with the Philadelphia Police Department's Special Victims Unit, the Philadelphia District Attorney's Office, Women Organized Against Rape (WOAR), and the Philadelphia Sexual Assault Advisory Committee to provide a survivor-centered approach to sexual assault.

PSARC cares for victims regardless of their cooperation with law enforcement. Accompaniment services, if desired, are provided by Women Organized Against Rape, Philadelphia's rape crisis center.

Services provided at PSARC include:

- Forensic medical evaluation
- Injury documentation
- Forensic photography
- Pregnancy prevention
- Sexually transmitted infection prevention
- HIV prevention
- Follow-up care
- Court testimony
- Victim advocacy linkage

PSARC offers telephone consultation with an expert on sexual assault care to medical professionals.

### **Contact PSARC**

300 E. Hunting Park Avenue Philadelphia,  
PA 19124

Tel: 215.800.1589

Fax: 215.425.1419

**Emergencies:** Call 215.425.1625 to reach the on-call sexual assault nurse examiner

**TIPS:** It is important that the victim not shower, bathe, or change clothes. If this occurs, important physical evidence may be lost. If the victim must change clothes, the soiled clothing should be placed in a paper bag, NOT a plastic bag. The victim also should not brush teeth or use the restroom. Even if the victim is unsure of whether or not they will pursue the prosecution of the offender, a voluntary medical exam may be conducted. The hospital where the exam is performed may keep the results for up to 30 days and may also check for injuries, disease, and/or pregnancy.

Reporting to the Police helps:

1. Protect the victim and others from future victimization;
2. Apprehend the assailant; and/or
3. Maintain future options regarding criminal prosecution, University disciplinary action and/or civil action against the perpetrator.

Reporting an incident and choosing to prosecute are separate steps. When the victim files a police report, he or she is not obligated to continue with legal proceedings or University disciplinary action. The Public Safety Department, Student Affairs and other concerned University staff will also assist any victim in reporting any sexual assault to any external law enforcement agency.

### **DATABASE OF REGISTERED SEX OFFENDERS IN PENNSYLVANIA**

The Federal Campus Sex Crimes Prevention Act went into effect on October 28, 2002. The law requires institutions of higher education to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. It also requires the sex offender, already registered in a state, to provide notice to each institution of higher education in that state, as to where the person is employed, carries on a vocation, or is a student. Presently Pennsylvania State law does not require a sex offender to list the school of higher education of which he or she is a student.

The Commonwealth of Pennsylvania maintains a system for making certain Registry information on violent sex offenders available to the public. Presently the only individuals listed on the 'public disclosure' registry list, are those classified under Megan's Law, as sexual predators or those individuals having moved to Pennsylvania and are on parole/probation for a sexual offense in that state from which they moved.

The information published above is in compliance with the PA College and University Security Information Act (PA Act 73 of 1988) and the Federal Student Right to Know and Campus Security Act of 1990 (P.L. 101-542) as amended through Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (34CFR668.41 and 34CFR668.46). [www.pameganslaw.state.pa.us/](http://www.pameganslaw.state.pa.us/)

## **MISSING STUDENT NOTIFICATION FOR STUDENTS RESIDING IN ON-CAMPUS STUDENT HOUSING FACILITIES**

This policy is enacted pursuant to 20 U.S.C. § 1092(j) and 34 C.F.R. § 668.46(h) and is intended to establish the missing student notification policy and procedure for the University of the Arts students who reside in on-campus student housing facilities. On-campus student housing facilities shall include all residence halls including Pine Hall, Juniper Hall, Furness Hall, Spruce Hall and any campus-sponsored housing in the University area.

Any student who resides in an on-campus residence hall may designate an individual(s) to be contacted by the University if the student is determined to be missing by the Department of Public Safety or local law enforcement. The contact information will be registered confidentially, accessible only to authorized University officials, and may not be disclosed except to law enforcement personnel in furtherance of a missing person investigation or as otherwise provided by law. A student may designate and update the individual(s) to be contacted on the Emergency and Missing Student Contact Information form in their housing application records.

The following is a list of persons who can be contacted if someone is suspected missing:

Assistant VP for Student Services	215-717-6972
Director of Public Safety	215-717-6827 or 215-717-6666 (24/7 number)

Most missing person reports in the university environment result from a student changing his or her routine without informing roommates and/or friends of the change. The Department of Public Safety shall promptly investigate each report to determine whether the student is missing. A student shall be deemed missing when he or she is absent from the University for more than 24 hours without any known reason.

The University shall take the following steps when the Department of Public Safety or local law enforcement determines that a student is missing in accordance with this policy:

- The University will notify the contact person(s) designated by the student no later than 24 hours after the student is determined to be missing.
- If the student is under 18 years of age and not an emancipated individual, the University will notify the custodial parent or guardian of the student and the contact person(s) designated by the student (if different from the student's custodial parent or guardian) no later than 24 hours after the student is determined to be missing.
- If the Department of Public Safety has determined that a student is missing, the University will notify local law enforcement no later than 24 hours after a student is determined to be missing.

## **STUDENTS LIVING IN OFF-CAMPUS HOUSING:**

While this policy by law only applies to students residing in on-campus student housing facilities, anyone who believes that a student who resides in off-campus housing might be missing should immediately report his or her concern to the Department of Public Safety and/or law enforcement. If reported to the Department of Public Safety, the Department of Public Safety shall promptly notify law enforcement and provide any requested assistance to law enforcement in law enforcement's investigation. Students should maintain current emergency contact information on file with the University to assist in such an event. Students may designate and update their emergency contact information at any time through the UArts Portal and on the Emergency and Missing Student Contact Information form through the Office of Student Life.

## UNIVERSITY OF THE ARTS STUDENT RESPONSIBILITIES

The cooperation and involvement of students in a campus safety program is absolutely necessary. Students must assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common-sense precautions.

For example, although the streets surrounding the campus are well lit, any student- male or female- may feel more comfortable using the University's walking Escort Service. Residence hall rooms should be locked at all times. Valuable items such as laptops, smart phones, iPods, stereos, cameras, and televisions should be marked with engraving instruments. Bicycles should be secured with a sturdy lock. Students should report any suspicious- looking individuals who they feel do not belong in their residence hall or any unusual incidents in and around the residence halls to a Resident Assistant or to any University Public Safety Officer.

Further information about campus safety can be obtained through the Office of Public Safety (215) 717-6827. We are committed to resolve all criminal matters in a timely fashion. All members of the University of the Arts know that for this to happen they must cooperate and work hand-in-hand with students, faculty, staff and guest of the University of the Arts. By working together, the University of the Arts community can create a safe and secure environment.

## CRIME STATISTICS

Under the *Clery Act*, for the purposes of counting and disclosing Criminal Offense, Hate Crime, arrest and disciplinary referral statistics the University must do so based on definitions provided by the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Program. The definitions for *Murder, Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Weapons Carrying, Possessing, Etc. Law Violations, Drug Abuse Violations, and Liquor Law Violations* are from the *Summary Reporting System (SRS) User Manual* from the FBI's UCR Program. The definitions of *Fondling, Incest and Statutory Rape* are from the FBI's *National Incident-Based Reporting System (NIBRS) Data Collection Guidelines* edition of the UCR. Hate Crimes are classified according to the FBI's *Uniform Crime Reporting Hate Crime Data Collection Guidelines and Training Manual*.

For the categories of *Domestic Violence, Dating Violence and Stalking*, the *Clery Act* specifies that the University must use the definitions provided by the *Violence Against Women Act of 1994* and repeated in the Department's *Clery Act* regulations.

It is possible that institutions may be asked to code incidents using different definitions for purposes other than *Clery Act* reporting. However, for *Clery Act* purposes, it is essential that institutions classify and count reported incidents based on the definitions specified by the *Clery Act*. The University includes in the crime statistics the number of all reported offenses, without regard to the findings of a court, coroner or jury, or the decision of a prosecutor. Classifying and counting crimes from the records of calls for service, complaints and investigations.

In addition, The Pennsylvania Uniform Crime Reporting Act mandates the release of crime statistics and rates to registered students and employees, and, upon request, to new employees and applicants for admission. The index rate is calculated by multiplying the actual number of reported offenses by 100,000 (a theoretical population for comparison purposes) and dividing that product by the number of the university's Full Time Equivalent (FTE) students and employees. The FTE is calculated using a state required formula.

## CRIME LOG

The University of the Arts Department of Public Safety maintains a crime log of each recorded criminal offense and non-criminal incident reported to the Department. Additional information such as the case number, date and time the report was made to the University Public Safety Department, the date and time the incident occurred (if known), the general location where the incident occurred, and the disposition of the report is also included.

Dispositions of incidents recorded in the Log will be one of the following:

- Open – This disposition designates a case that is under investigation or has otherwise not been closed or has been referred to another agency or Department.
- Pending – This disposition designates a case that is pending court action or has been referred to another agency or court.
- Closed – This disposition designates a case that is no longer under active investigation, has been adjudicated in court, has been referred to another agency, or has reached a point where there is no further action to be taken by the Department. This status also including cases where no further leads are available or the victim has decided to not participate.
- Disciplinary Referral – This disposition designates a case that has been referred to another University Department for action under University of the Arts policies and procedures and the University Department of Public Safety is no longer the primary acting agency on the case.
- Unfounded – This disposition is only used by sworn or commissioned law enforcement authority. The University Public Safety Department are unsworn personnel.

The log is updated at least every two business days and is available for public viewing during regular business hours (9:00 a.m. through 4:00 p.m., Monday through Thursday, and 9:00 a.m. through 12:30 p.m. on Fridays, except holidays or during University closures).

## UNIVERSITY OF THE ARTS CRIME STATISTICS FOR FEDERAL REPORTING PURPOSES

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crimes (formed by the Federal Student Right-to-Know and Campus Security Act) requires the reporting of statistics for certain criminal incidents, arrests, and disciplinary referrals. The law requires that the crime statistics be broken down according to the following geographical locations on campus; A) On-Campus, which includes Residential Halls; B) Residential; C) Non Campus, which includes non-contiguous properties controlled by the University and used in direct support or in relation to the University's educational purposes; and D) Public property, defined as property immediately adjacent to the University that does not include private apartments or businesses. Further, the Clery Act mandates the reporting of "Hate Crimes" (motivated by bias or prejudice) and disciplinary referrals for alcohol, drugs and weapons that are a violation of law. In addition, VAWA amended the Clery Act to require institutions to compile statistics for incidents of dating violence, domestic violence, sexual assault, and stalking incidents in their annual security reports. This disclosure is made in the following tables:

<b>CAMPUS CRIME REPORT – University of the Arts (Federal Reporting)</b>												
	<b>On Campus Including Residential Halls</b>			<b>Residential Halls</b>			<b>Non Campus</b>			<b>Public Property</b>		
	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>	<b>2014</b>	<b>2015</b>	<b>2016</b>
<b>CLERY</b>												
Murder	0	0	0	0	0	0	0	0	0	0	0	0
Manslaughter	0	0	0	0	0	0	0	0	0	0	0	0
Rape	2	3	0	2	1	0	0	0	0	0	0	0
Fondling	0	0	1	0	0	0	0	0	0	0	1	3
Incest	0	0	0	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	5	0	2	0	0	0	1	0	0	2	0	1
Aggravated Assault	0	0	0	0	0	0	0	0	0	0	1	0
Burglary	6	19	1	1	15	1	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0	0	0	0

	On Campus Including Residential Halls			Residential Halls			Non Campus			Public Property		
	2014	2015	2016	2014	2015	2016	2014	2015	2016	2014	2015	2016
<b>VAWA</b>												
Dating Violence	0	0	1	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	0	0	1	0	0	1	0	0	0	0	0	0
<b>Alcohol, Drugs, Weapons</b>												
Weapons Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Disciplinary Referrals	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Drug Abuse Disciplinary Referrals	29	35	53	29	35	53	2	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	1	0	0	0	0	0
Liquor Law Disciplinary Referrals	57	60	36	57	60	36	1	0	0	0	0	0

<b>Hate Crimes</b>	
2014	One on-campus hate crime incident of vandalism characterized by ethnicity origin was reported.
2015	None
2016	One on-campus hate crime incident of racial slurs characterized by ethnicity origin was reported.

## THE PENNSYLVANIA UNIFORM CRIME REPORTING ACT

The Pennsylvania Uniform Crime Reporting Act requires the release of crime statistics and rates to students and employees, and it requires that those statistics be available to applicants and new employees upon request. This table summarizes the number of offenses for all reported campus crimes for the most recent three-year period. Please note that the state crime classifications for which the University is reporting these statistics vary from the crime classifications under Federal law, which are also published in this report. The crime rate index per 100,000 populations is determined by multiplying the number of offenses in the most recent years by 100,000 then dividing by the campus FTE (full time equivalent) population of 2,389 for 2014; 2,351 for 2015; and 2,345 for 2016. These statistics are reported in accordance with PA College and University Security Information Act (PA Act 73; 24 P.S. Sec. 2502-1, 2502-5)

<b>Pennsylvania Uniform Crime Reporting Statistics</b>						
<b>PART I Offenses</b>	<b>2014</b>	<b>Index per 100,000</b>	<b>2015</b>	<b>Index per 100,000</b>	<b>2016</b>	<b>Index per 100,000</b>
Criminal Homicide	0	0	0	0	0	0
Forcible Rape	2	83.7	3	127.6	0	0
Robbery	5	209.2	0	0	1	42.6
Aggravated Assault	0	0	1	42.5	0	0
Simple Assault	5	209.2	9	382.8	2	85.2
Burglary	6	251.1	19	808.1	1	42.6
Larceny (Theft)	16	669.7	39	1658.8	25	1066.1
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
<b>Total Part I Crimes</b>	<b>34</b>	<b>1423.1</b>	<b>71</b>	<b>3019.9</b>	<b>29</b>	<b>1236.6</b>
<b>PART II Offenses</b>						
Forgery & Counterfeiting	0	0	0	0	0	0
Fraud	0	0	0	0	0	0
Embezzlement	0	0	0	0	0	0

Stolen Property – buying, receiving, possessing	0	0	1	42.5	0	0
Vandalism	13	544.1	9	382.8	14	597.0
Weapons - carrying, possessing etc.	0	0	0	0	0	0
Commercialized Vice / Prostitution	0	0	0	0	0	0
Non-forcible sex offenses	0	0	1	42.5	4	170.5
Drug abuse violations	31	1297.6	35	1488.7	53	2260.1
Gambling	0	0	0	0	0	0
Offenses against family or children	0	0	0	0	0	0
Driving under the influence	0	0	0	0	0	0
Liquor Law	59	2469.6	60	2552.1	36	1535.1
Drunkenness	0	0	2	85.0	1	42.6
Disorderly Conduct	1	41.8	2	85.0	0	0
Vagrancy	0	0	0	0	0	0
Other Offenses *	3	125.5	12	510.4	10	426.4
<b>Total Part II Offenses</b>	<b>107</b>	<b>4478.8</b>	<b>122</b>	<b>5189.2</b>	<b>118</b>	<b>5031.9</b>
<b>GRAND TOTAL</b>	<b>141</b>	<b>5902.1</b>	<b>193</b>	<b>8209.2</b>	<b>147</b>	<b>6268.6</b>

\*All other offenses include harassment, harassment by communication, threats, unlawful restraint, loitering, and trespass.

# FIRE SAFETY REPORT

## FIRE SAFETY AND PREVENTION INFORMATION

Fire drills are conducted in every building four times a year per building by University staff and the Department of Public Safety. Additional drills may occur as required.

Smoke detectors have been installed in each student room for protection in case of fire. In addition to detectors all residence halls have sprinkler systems. It is unlawful to tamper with this equipment or any other fire safety equipment.

Flammable liquids such as propane and lighter fluids are prohibited. Candles, including decorative candles, incense, hookahs, space heaters, halogen lamps of ANY type (desk, floor, or otherwise) and lamps with plastic covers are not permitted in University housing.

Cooking appliances are allowed in residence halls. All appliances must have an automatic shut off and may not contain an external heating element. All appliances must be UL approved. Juniper residence hall is equipped with full kitchens. Pine and Furness residence halls are equipped with a microwave/mini-fridge combination unit in addition to a kitchenette with oven and range. Spruce residence hall is equipped with a microwave/mini-fridge combination unit.

Students are not permitted to bring their own appliances: a full list of prohibited kitchen items can be found online at: <https://www.uarts.edu/sites/default/files/2017-08/whattobring2016.pdf>.

## TESTING EMERGENCY AND EVACUATION OVERVIEW

Emergency situations may require evacuation of buildings. The purpose of evacuation drills is to prepare building occupants for an organized evacuation in the case of an emergency. Evacuation drills are used as a way to educate and train the University of the Arts community on issues specific to their buildings. In addition to educating the occupants of the buildings to the evacuation procedures during the drills, the process also provides the University of the Arts an opportunity to test the operation of fire alarm system components. In each building on campus, members of the University of the Arts community have volunteered to be part of an evacuation team. They have come together to help evacuate the building occupants in a quick and orderly manner to ensure everyone's safety. The University conducts four fire drills and two shelter-in-place drills per year outside of actual fire alarm incidents that are announced and unannounced.

## FUNCTIONAL EVACUATION PROCEDURES

1. If you discover a fire or smoke, sound the building fire alarm. Know the location of the manual alarm signal pull stations and how they operate if there is an actual emergency requiring a fire department response.
2. The person stationed at the lobby desk and the assigned central station will immediately notify the Fire Department when an alarm is transmitted by dialing 9-1-1.
3. WHEN THE FIRE ALARM SOUNDS, LEAVE AT ONCE. Close the doors behind you and proceed into the fire exit and LEAVE THE BUILDING.
4. ***DO NOT USE THE ELEVATORS.*** If the power fails, the elevators will stop, causing the occupants to become trapped. Since elevator shaft ways are like chimneys, smoke could enter the elevator shaft thereby asphyxiating the occupants who are trying to evacuate the building.
5. Feel the door that leads from your area to the corridor before opening it. If it is hot or smoke is seeping in, do not open. If you cannot reach the fire exit, keep the door closed and seal off any cracks. Use the telephone to call the Fire Department by dialing 9-1-1, and give the address of the building, the floor you are on, and the office number.
6. If the door feels cool, open cautiously. Be prepared to close it quickly if the corridor is filled with smoke or if you feel heat pressure against the door. If the corridor is clear, precede with the building evacuation instructions.
7. If caught in smoke or heat, stay low where the air is better. Take short breaths through your nose until you reach an area of refuge

## THE UNIVERSITY'S POLICIES ON PORTABLE ELECTRIC APPLIANCES, SMOKING AND OPEN FLAMES

Candles, incense, lanterns, potpourri and other flammable items including, but not limited to, hot plates, electric frying pans, halogen lamps, immersion coils, fireworks, flammable liquids, and flammable decorations are not permitted on campus unless officially sanctioned and supervised by University officials. Tampering with alarm-pull stations and/or fire extinguishers without just cause and failing to evacuate from a building during a fire alarm are strictly prohibited.

In the Student Residential Handbook, students are informed that guidelines have been established in the interest of individuals' safety and the preservation of University housing property. Within this, students are informed that that the following items are not permitted within the facility:

- halogen lamps of any type
- flammable liquids

- space heaters
- hookahs
- multiple-outlets without self-contained circuit breaker

Also, the following guidelines have been established regarding decorating personal space:

- no items that could create a fire hazard
- no hanging of sheets, blankets or any object obstructing emergency evacuation
- no hanging posters or other decorations that cover large portions of wall or other surfaces that could present a fire hazard
- no candles, incense or any other flame/heat producing items
- nothing can be hung from the sprinkler heads

***Smoking is prohibited*** in University housing. Specifically, smoking is prohibited inside University housing buildings, including but not limited to, student rooms, suites, lounges, bathrooms, common areas, stairwells, lobbies, and elevators.

Residents who smoke must do so outside of the building and must be far enough away from the building (minimum 20 feet) so that smoke will not filter into the building via exterior doors, windows, or the building ventilation systems. Full cooperation with this policy is expected. Any violation of this policy will result in disciplinary action.

## **FIRE SAFETY EVACUATION AND TRAINING**

Resident Assistants are trained and given specific information regarding:

- who to contact in emergency
- how to assess an emergency situation
- how to respond using general response steps
- how to respond to fire emergencies

In addition, Resident Assistants receive a Residential Life Handbook that contains information for future reference. Resident Assistants put this training into practice when drills are conducted along with follow-up discussion for purpose of improvement.

Additionally, Public Safety is trained to assist in safe and orderly emergency evacuation for all types of emergency situations. Public Safety will help direct all employees and students during emergency evacuation and serve as a resource of information about emergency procedures.

## REPORTED FIRES FOR 2016 BY BUILDING LOCATION FOR ALL UARTS RESIDENCE HALLS

Building	Total Fires in Each Building	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
<b>Chestnut St</b> (1204 Chestnut)*	0	N/A	N/A	N/A	N/A
<b>Furness Hall</b> (1499 Pine Street)	0	N/A	N/A	N/A	N/A
<b>Pine Hall</b> (1500 Pine Street)	0	N/A	N/A	N/A	N/A
<b>Juniper Hall</b> (311 S Juniper Street)	0	N/A	N/A	N/A	N/A
<b>Spruce Hall</b> (1228 Spruce Street)	0	N/A	N/A	N/A	N/A
<b>Total Fires</b>	<b>0</b>		<b>0</b>	<b>0</b>	<b>0.00</b>

\* Additional apartments required for the 2016/2017 academic year.

## REPORTED FIRES FOR 2015 BY BUILDING LOCATION FOR ALL UARTS RESIDENCE HALLS

Building	Total Fires in Each Building	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
<b>Furness Hall</b> (1499 Pine Street)	0	N/A	N/A	N/A	N/A
<b>Pine Hall</b> (1500 Pine Street)	0	N/A	N/A	N/A	N/A
<b>Juniper Hall</b> (311 S Juniper Street)	0	N/A	N/A	N/A	N/A
<b>Spruce Hall</b> (1228 Spruce Street)	1	open flame	0	0	100.00
<b>Total Fires</b>	<b>1</b>		<b>0</b>	<b>0</b>	<b>100.00</b>

## REPORTED FIRES FOR 2014 BY BUILDING LOCATION FOR ALL UARTS RESIDENCE HALLS

Building	Total Fires in Each Building	Cause of Fire	Number of Injuries That Required Treatment at a Medical Facility	Number of Deaths Related to Fire	Value of Property Damage Caused by Fire
<b>Furness Hall</b> (1499 Pine Street)	0	N/A	N/A	N/A	N/A
<b>Pine Hall</b> (1500 Pine Street)	0	N/A	N/A	N/A	N/A
<b>Juniper Hall</b> (311 S Juniper Street)	0	N/A	N/A	N/A	N/A
<b>Spruce Hall</b> (1228 Spruce Street)	1	appliance	0	0	15,000.00
<b>Total Fires</b>	<b>1</b>		<b>0</b>	<b>0</b>	<b>15,000.00</b>

## 2016 FIRE SAFETY SYSTEMS BY BUILDING LOCATION FOR ALL UARTS RESIDENCE HALLS

Building	Fire Alarms Monitored	Equipped with Sprinkler	Fire Alarms & Smoke Detectors	Emergency Plans Posted	Number of Annual Evacuation Drills
<b>Chestnut St</b> (1204 Chestnut)*	Yes	Yes	Yes	Yes	N/A
<b>Furness Hall</b> (1499 Pine Street)	Yes	Yes	Yes	Yes	4
<b>Pine Hall</b> (1500 Pine Street)	Yes	Yes	Yes	Yes	4
<b>Juniper Hall</b> (311 S Juniper Street)	Yes	Yes	Yes	Yes	4
<b>Spruce Hall</b> (1228 Spruce Street)	Yes	Yes	Yes	Yes	4

\* Additional apartments required for the 2016/2017 academic year.

## 2015 FIRE SAFETY SYSTEMS BY BUILDING LOCATION FOR ALL UARTS RESIDENCE HALLS

Building	Fire Alarms Monitored	Equipped with Sprinkler	Fire Alarms & Smoke Detectors	Emergency Plans Posted	Number of Annual Evacuation Drills
<b>Furness Hall</b> (1499 Pine Street)	Yes	Yes	Yes	Yes	4
<b>Pine Hall</b> (1500 Pine Street)	Yes	Yes	Yes	Yes	4
<b>Juniper Hall</b> (311 S Juniper Street)	Yes	Yes	Yes	Yes	4
<b>Spruce Hall</b> (1228 Spruce Street)	Yes	Yes	Yes	Yes	4

## 2014 FIRE SAFETY SYSTEMS BY BUILDING LOCATION FOR ALL UARTS RESIDENCE HALLS

Building	Fire Alarms Monitored	Equipped with Sprinkler	Fire Alarms & Smoke Detectors	Emergency Plans Posted	Number of Annual Evacuation Drills
<b>Furness Hall</b> (1499 Pine Street)	Yes	Yes	Yes	Yes	4
<b>Pine Hall</b> (1500 Pine Street)	Yes	Yes	Yes	Yes	4
<b>Juniper Hall</b> (311 S Juniper Street)	Yes	Yes	Yes	Yes	4
<b>Spruce Hall</b> (1228 Spruce Street)	Yes	Yes	Yes	Yes	4