

2020

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).

OFFICE OF PUBLIC SAFETY OVERVIEW

The University of the Arts Office of Public Safety 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 Office of Public Safety 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 Office of Public Safety officers have the authority to ask persons for identification determining whether individuals have lawful business at all owned and managed University facilities. 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 6th District (non-emergencies) 215-686-3060
- Philadelphia Police 9th 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 6th District at 235 North 11th Street
- Philadelphia Police 9th District at 401 North 21st 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)
- Associate VP for Student Affairs
- Resident or Campus 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 Office 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 the campus Public Safety Office and the appropriate police agency in a timely manner. Prompt reporting will ensure 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.

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.

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. The warning will keep victim identities confidential to the fullest extent possible.

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 email 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, 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.

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.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

The University of the Arts recognizes its responsibility to provide accurate and timely information to the campus community during emergencies. The policy established by the Crisis Management Team establishes the approval process, criteria, and method for communicating with the students, faculty, and staff in the event of an emergency at any of its locations.

Once a significant emergency is confirmed, the On-Site Response Team, consisting of the University Public Safety Department Shift Supervisor on duty and the Professional on Duty (POD), 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 AOC and Assistant Vice President for Enrollment and Marketing, will disseminate relevant information to the larger community through the most appropriate and expedient methods.

General Evacuation Procedure

An evacuation is implemented under conditions when it is no longer safe for students, faculty, and staff to remain in a building or a specific area in a building. This requires occupants to move out and away from a building to a designated rally point and away from a specific area within a building. It is most commonly used when there is a suspected fire or hazardous material spill in a building.

In the event that you must evacuate, you should:

1. **WHEN THE FIRE ALARM SOUNDS, LEAVE AT ONCE.** Close the doors behind you and proceed into the fire exit and LEAVE THE BUILDING.
2. **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.
3. **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.
4. **Stay low** if caught in smoke or heat. **Take short breaths** through your nose until you reach an area of refuge.

5. **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.
6. **Keep moving** for at least 200 feet and proceed to the designated rally point after leaving the building.
7. **People with needs** should plan to evacuate to an area of refuge (fire tower). Once there, call Public Safety at 215-717-6666 or the Fire Department – 911. Identify your location and floor, being sure to indicate if you require special equipment to descend the stairs. Plan in advance to have a responsible person to assist during an emergency.

Area of Refuge: If your floor has to be evacuated, relocate to a protected area, such as oversized landings in fire-safe stairwells on the floor. Next, call Public Safety (215-717-6666) or the Fire Department (911) and provide your location. Wait in the protected space until fire department personnel can remove you. Personal Preparedness: Plan in advance to have a responsible person assist you in the event of fire. Use a “buddy” system to help you get to a protected area. Anticipate situations where the “buddy” may not be available in an emergency.

Fire towers are enclosed stairways that have fire-rated doors and walls that provide a refuge from smoke and heat in a fire emergency. Doors leading into fire towers are inspected periodically to ensure that they open and close properly and should never be tied or propped open. Fire towers cannot be used for storage or as smoking areas. Fire towers are to be clean, well-lit, and free of obstructions at all times. Fire towers are an Area of Refuge.

Shelter-in-Place Procedure

A shelter in place warning may be issued when conditions outside the building are unsafe due to severe weather, an airborne hazard, civil disturbance or other emergency. Notification to shelter in place may be made using all means of communication available. Once issued, individuals should immediately seek shelter inside the nearest campus building until the “All Clear” is given.

The basic steps of Shelter in Place are as follows:

1. **Stay inside** your building.
2. **Move to interior rooms** or hallways.
3. **Close all exterior windows and doors** to prevent inadvertent opening.
4. **Turn off all heating, ventilation, and air conditioning (HVAC) systems** (if manual controls are present) if the hazard is identified as a chemical, biological or radiological release.
5. **Cover or seal** the windows if possible.
6. **Await** further instructions.
7. **Do not evacuate** the building until the “All Clear” is given by emergency personnel.

CAMPUS GEOGRAPHY

Crimes are reported as having occurred in one of four categories

- 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 Office 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 Office of Public Safety enjoys an excellent working relationship with the Philadelphia Police Department's 9th District (West side of Broad Street), 6th 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 Office of Public Safety offers crime awareness, safety, and security presentations during orientation programs for parents, new students, and new employees. *Know the Code and Campus Safety* presentations center on crime awareness and prevention, campus security policies and procedures, and how to contact the University Office 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-lit 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 your 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 Residence Life and Community Standards, under the direction of the Associate Vice President for Student Affairs, conducts mandatory Title XI, alcohol and drug, and diversity education training for all students. All students were required to complete *Alcohol Edu*, an online educational program designed specifically for students to ensure they are informed about drugs, alcohol, and peer pressure.

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 Director for Residence Life and Community Standards 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 policy is documented in the Student Handbook <https://www.uarts.edu/students/student-handbook>. At the start of each academic year, the Associate Vice President for Student Affairs informs all students of these policies and directs them to these resources via email.

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.

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 are considered violations of the UArts alcohol policy:

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

All student conduct policies, including those related to alcohol, are applicable while a student is studying abroad. Students are expected to abide by the legal drinking age in the country or countries in which they are studying. If students choose to consume alcoholic beverages while participating in a study abroad program, the University expects responsible behavior and moderation. Students are responsible for their behavior and any misconduct that is related to the consumption of alcohol.

Resident(s) in whose UArts housing alcohol is being consumed are responsible for the behavior of non-UArts guests.

Students found to be in the presence of alcohol but not drinking will be considered responsible for condoning the violation.

Alcohol is prohibited at any University sponsored events for students with exceptions to this policy granted only by the Associate Vice President of Student Affairs (or their designee). Exceptions will ONLY be considered with a faculty/staff sponsor and arrangements for food and beverage made through Parkhurst Catering. 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. Approved events may be required to have UArts Public Safety present. 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 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 confiscation of illegal drugs and paraphernalia; and notification of University personnel. All confiscated alcohol and drugs are turned over to the Office of Public Safety for disposal, in conjunction with the Philadelphia Police Department.

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: Alcohol education to include a mandated alcohol assessment, parent/guardian notification (if under age of 21), monetary fine, continued probation and loss of privileges (guest or building access)..
- 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 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.
- 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 AND GENDER-BASED VIOLENCE, DISCRIMINATION, EXPLOITATION, STALKING AND HARASSMENT POLICY

[Note: This policy is located in the Student Handbook, the Faculty Handbook, and the Staff Manual, as well as on the UArts Title IX Resource website, www.uarts.edu/titleix. A full text of the policy can be found below.]

STATEMENT OF NON-DISCRIMINATION

The University of the Arts does not discriminate on the basis of race, color, ethnicity, national origin, age, gender, sex, sexual orientation, gender identity or expression, physical or mental disability, religion, status as a veteran or special disabled veteran, or any other protected class.

PURPOSE OF POLICY

The University of the Arts is committed to creating and maintaining a safe, healthy, and respectful environment for its students, faculty, staff and guests. It is the responsibility of each member of the university community to respect the privacy and dignity of one another. The University recognizes that discrimination based on sex or gender, including sexual harassment, sexual violence, and other forms of sexual misconduct, is harmful to the well-being of our community and serves as a barrier to academic and professional success. To foster and maintain a safe learning, living and working environment, the University sets forth the below policy prohibiting any form of sexual or gender-based violence, exploitation, stalking and harassment. This policy outlines the University's coordinated response to reports of sexual and gender-based violence, exploitation, stalking and harassment in compliance with Title IX of the Education Amendments of 1972 ("Title IX"), the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Act (the "Clery Act"), and the Violence Against Women Reauthorization Act of 2013 ("VAWA"), and other applicable federal and Pennsylvania state laws.

APPLICATION OF POLICY

This policy applies to all members of the University community, including students, faculty, visiting faculty, affiliates, staff, contractors, vendors, visitors and guests without restriction. The University will consider the application of this policy on a case-by-case basis.

This policy applies to conduct that occurs:

- (1) On University premises or property; and/or
- (2) In the context of University employment, education, research, recreational, social or artistic activity, irrespective of the location of the occurrence, if the conduct has or can be reasonably predicted to have a continuing negative effect on the University and its students, faculty, visiting faculty, affiliates, staff, contractors, vendors, visitors or guests.

TITLE IX COORDINATOR

The University's Title IX Coordinator is responsible for monitoring compliance with Title IX; tracking and reporting annually on all incidents in violation of this policy; and coordinating the University's investigation, response and resolution of reports made under this policy. To contact the University's Title IX Coordinator, please e-mail titleix@uarts.edu or visit www.uarts.edu/titleix.

REPORTING RESPONSIBILITIES OF UNIVERSITY EMPLOYEES

With the exception of the confidential resources listed in this policy, all University employees, full and part-time, regardless of tenure or contractual status, are considered "Responsible Employees" and are mandated to report any incidents of misconduct under this Policy to the University's Title IX Coordinator. Responsible Employees are required to share with the Title IX Coordinator all known information, including the identities of any alleged Respondent (if known), the identities of any Complainants, the names of other witnesses involved in the alleged misconduct, as well as all other relevant facts of which the Responsible Employee is aware, including the date, time, and location of the incident and any statements made by parties or witnesses.

STATEMENT ON PRIVACY AND CONFIDENTIALITY

The University is committed to protecting the privacy interests of all individuals involved in a report of sexual or gender-based harassment or misconduct. In any report, investigation or resolution of an allegation of sexual and gender-based harassment or misconduct, every effort will be made to protect the privacy interests of the individuals involved in a manner consistent with the need for a thorough review of the allegation and the protection of any individual or the broader campus community. Information related to a report of harassment or misconduct will be shared only with those University employees who "need to know" in order to assist in the investigation and/or resolution of the complaint. At all times, the privacy of the parties will be respected and safeguarded. All University employees who are involved in the review, investigation or resolution of a report, including conduct board members, have received specific training regarding the safeguarding of private information.

Students or employees wishing to obtain confidential assistance on or access to campus resources without making a report to the University may do so by speaking with professionals who are obligated by law to maintain confidentiality. These professionals, who are identified in the Resources and Reporting section of this policy, include individuals in the Student Health Services and the Student Counseling Center, and the Employee Assistance Program.

If a Complainant requests that their name or other identifiable information remain confidential, the University will at all times seek to respect the request of the Complainant, and where it cannot do so, the University will

communicate with the Complainant about the reasons why the request for confidentiality cannot be honored. In all cases where confidentiality is requested, the University will balance this request with its obligation to provide a safe and nondiscriminatory environment for all University community members. The University will weigh the request for confidentiality against the following factors: the seriousness of the alleged conduct, any potential threats to community safety, the respective ages and positions of the Complainant and the Respondent, whether there have been other harassment complaints against the Respondent, and the Respondent's right to receive information under applicable law. In all cases the University will take reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation, but its ability to investigate may be limited by the request for confidentiality.

When the University honors a Complainant's request for confidentiality after weighing all relevant factors, it will never-the-less continue to take appropriate steps to limit the effects of the alleged misconduct and to aid in the prevention of its recurrence.

If a report of misconduct discloses an immediate threat to the health or safety of the University campus community, the University will issue a timely notice of the conduct to the community to protect the health or safety of the broader campus community, pursuant to the Clery Act.

Immediately threatening circumstances include, but are not limited to, recently reported incidents of sexual misconduct that include the use of force, a weapon, or other circumstances that represent a serious and ongoing threat to the University students, faculty, administrators, professional staff, or visitors.

All resolution proceedings are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, and University policy. No information shall be released from such proceedings except as required or permitted by law or University policy.

CONDUCT PROHIBITED BY POLICY

The following conduct is strictly prohibited under the terms of this policy. The below-defined conduct is not to be construed as an exhaustive or all-inclusive list of prohibited conduct. Conduct not specifically described below but which nonetheless implicates the purposes and application of this policy described above should be considered prohibited conduct for reporting purposes.

The University will evaluate reports of conduct prohibited by this policy on a case-by-case basis.

Sexual Misconduct:

Sexual misconduct refers to a range of behaviors that includes, but is not limited to, sexual or gender-based harassment, sexual violence, sexual exploitation, relationship and interpersonal violence, stalking, and retaliation. These various forms of sexual misconduct are defined in more detail below. Some of these prohibited forms of conduct may also be crimes under Pennsylvania and/or federal law.

The University considers a variety of factors in determining whether particular reported behaviors meet the criteria of prohibited conduct, including: the type, frequency, and duration of the conduct; the identity and relationship of

the persons involved; the number of individuals involved; the location of the conduct and the context within which it occurred; and the degree to which the conduct affected the Complainant(s).

The University evaluates whether particular reported behavior(s) may meet the definition of Sexual Misconduct from both a subjective and objective perspective. Additional factors to consider include whether the conduct was unwelcome and whether a reasonable person in that individual's position would have perceived the conduct as intimidating, hostile, offensive, or otherwise prohibited by this policy.

Sexual Harassment:

Sexual harassment is defined as any unwelcome verbal or non-verbal contact, sexual advance, request for sexual contact or sexual favors, or other unwanted conduct of a sexual nature where:

1. Submission to or rejection of such behavior is made implicitly or explicitly a term or condition of instruction, employment, advancement, evaluation or participation in any University activity, program or benefit (commonly referred to as quid pro quo harassment); or
2. Such behaviors are sufficiently severe, persistent, or pervasive to have the purpose or effect of unreasonably interfering with an individual's academic or educational experience, working environment, or living conditions by creating an intimidating, hostile, or offensive environment (commonly referred to as hostile environment harassment). The purpose or effect will be evaluated based on the perspective of a reasonable person under similar circumstances.

Examples of conduct that could constitute sexual harassment include but are not limited to the following: unwelcome jokes or comments; the use of sexually explicit or offensive language; unwelcome and repeated flirtations, propositions, or advances; displaying sexually suggestive or offensive objects, posters or other depictions about sex, gender, or gender expression; unwelcome comments about appearance; offensive, insulting, derogatory or degrading remarks; threatening to take or taking actions if sexual favors are not granted or complied with, or said advances are otherwise rebuffed; demands for sexual favors in exchange for favorable or preferential treatment.

Gender-Based Harassment:

Gender-based harassment is defined as any unwelcome verbal or non-verbal contact or conduct based upon sex or gender, sexual orientation, gender identity or gender expression. Gender-based harassment need not be specifically sexual in nature to be prohibited by this policy.

Gender-based harassment includes, but is not limited to, the following: physical assault or physical interference intended to harass on the basis of gender; inappropriate graphics or other displays of gender-degrading materials; sexist jokes, anecdotes, or slurs; and insulting, demeaning or derogatory conduct direct toward a person on the basis of their gender.

Discrimination:

Gender or sex-based discrimination is defined as the prejudicial treatment of another person because of that person's sex, gender, sexual orientation, gender-identity, or gender expression. Discrimination may include, but is

not limited to, unfavorable treatment, hiring, firing, and distribution of assignments, grades, accolades, benefits or other terms associated with an individual's status, employment, relationship or placement within the University on the basis of their sex, gender, sexual orientation, gender identity, or gender expression.

Sexual Exploitation:

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 other non-legitimate purpose.

Examples of conduct that could constitute sexual exploitation include, but are not limited to, the following: use of another person's nudity or sexuality for personal gain; receipt of financial or other personal benefit from the sexuality or sexual acts of another; recording images, video, audio or any other depiction of another person's sexual activity, intimate body parts, or nakedness without that person's consent; distributing images, video, audio or any other depiction of another person's sexual activity, intimate body parts, or nakedness, if the individual distributing the images or audio knows or should have known that the person depicted in the material did not consent to such disclosure and the objects of such disclosure; voyeurism, including but not limited to viewing another person's sexual activity, intimate body parts, nakedness or otherwise viewing an individual in a place where that person would have a reasonable expectation of privacy without that person's consent.

Sexual Violence:

Sexual violence is defined as having or attempting to have sexual contact with another person without that person's consent. This may include sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where an individual does not consent to the sexual act, or where an individual is incapacitated.

Relating to non-consensual sexual intercourse; having or attempting to have sexual intercourse with another individual without consent. Sexual intercourse includes vaginal or anal penetration, however slight, with a body part or object, or oral penetration involving genital-to-mouth contact.

Relating to non-consensual sexual contact; having or attempting to have sexual contact with another individual without consent. Sexual contact includes kissing, touching the intimate parts of another, causing the other to touch one's intimate parts, or disrobing or exposure of another for the purposes of sexual gratification, and without permission. Intimate parts may include the breasts, buttocks, genitals, mouth or any other part of the body that is touched in a sexual manner for the purpose of sexual gratification.

Relationship and Interpersonal Violence:

Relationship and interpersonal violence is defined as any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, domestic, or other intimate relationship with that person. It may involve one act or an ongoing pattern of behavior. The existence of such a relationship may be determined based on the reporting party's statement, the length and type of relationship at issue, and the frequency of interaction between the persons involved in the relationship.

Relationship and interpersonal violence can encompass a broad range of behavior, including, but not limited to, physical violence and sexual violence or the threat of such violence, emotional violence, and economic violence. Relationship and interpersonal violence may take the form of threats, assault, property damage, or violence, or threat of violence to oneself, one's sexual or romantic partner, or to the family members or friends of the sexual or romantic partner.

Stalking:

Stalking is defined as a course of conduct involving more than one instance of unwelcome conduct that causes a person to fear for their personal safety or to experience substantial emotional distress. Acts that together constitute stalking may include direct actions or actions communicated to or by a third party, or other means of communication. Substantial emotional distress is defined as significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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

Examples of stalking may include, but are not limited to:

- unwelcome and repeated visual or physical proximity to a person;
- repeated oral or written threats;
- extortion of money or valuables;
- unwelcome/unsolicited written communication, including letters, cards, emails, instant messages, and messages on online bulletin boards;
- unwelcome/unsolicited communications to or about a person, their family, friends, or co-workers; or
- sending/posting unwelcome/unsolicited messages with an assumed identity; or
- explicitly or implicitly threatening physical contact; or
- any combination of these behaviors directed toward an individual person.

Retaliation:

Retaliation is defined as any adverse action taken or threat made against an individual or group of individuals for filing a complaint or report under this policy; filing an external complaint or report, including but not limited to reports to law enforcement; or participating in the University's investigative or disciplinary process related to a complaint or report under this policy.

Examples of retaliation include, but are not limited to: threatening reprisals or retribution against an individual who complained or cooperated with an investigation arising under the terms of this policy; unfairly changing the evaluations, assignments or working, studying, or living conditions of such an individual; acts of abuse or violence; and any other conduct that has or is intended to have a materially adverse effect on the working, academic, social or living environment of an individual.

RELATED DEFINITIONS

Complainant:

A Complainant is an individual who may have experienced conduct that violates this Policy. A Complainant may file a formal complaint under this Policy.

Respondent:

A Respondent is an individual who is alleged to have violated this Policy. A Respondent may be the subject of a formal complaint under this Policy.

Consent:

Consent is an affirmative, voluntary, and unambiguous communication indicating a willingness to engage in a mutually agreed upon sexual activity. Consent may not be inferred from silence, passivity, lack of resistance or lack of active response. Consent cannot be obtained through the use of coercion or force or by taking advantage of the incapacitation of another person.

Consent to engage in sexual activity may be withdrawn by any party at any time. Withdrawal of consent must also be outwardly demonstrated by words and/or actions that indicate a desire to end sexual activity. Withdrawal of consent may in some cases be demonstrated through nonverbal conduct alone. Once withdrawal of consent has been clearly expressed, sexual activity must cease. A previous sexual relationship and/or current relationship with a partner, do not, by themselves, imply consent.

Incapacitation:

Incapacitation is a state in which an individual is unable to make an informed and rational decision to engage in sexual activity because the person lacks conscious awareness of the nature of the act or is physically helpless. Engaging in sexual activity with an individual who one knows, or based on the circumstances should reasonably know, to be mentally or physically incapacitated constitutes a violation of this Policy.

A note on the use of alcohol and drugs:

Incapacitation may result from the use of alcohol or drugs, whether voluntary or involuntary, if an individual's level of impairment is such that they are unable to make conscious decisions or are physically helpless. Alcohol and drugs impair a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. It is especially important that anyone engaging in sexual activity be aware of the other person's level of intoxication. Consumption of drugs or alcohol may diminish one's ability to give consent to engage in sexual activity, but being intoxicated or impaired due to consumption of drugs or alcohol is never an excuse for sexual misconduct, and does not diminish one's responsibility to obtain consent.

Coercion:

Coercion is verbal and/or physical conduct used to compel another individual to engage in sexual activity against their will. Coercion may include a wide range of behaviors, including manipulation, abuse of trust or power, intimidation, or express or implied threats of physical or emotional harm.

Force:

Force is the use or threat of physical violence or intimidation to overcome an individual's free will to choose whether or not to consent to engage in sexual activity.

RESOURCES AND REPORTING

Immediate/Emergency Assistance Resources:

The University encourages those who have experienced sexual or physical violence to utilize emergency assistance.

Law Enforcement:

In the event of an emergency, please call 911, and then notify Public Safety on the emergency line: 215-717-6666.

You may also make a report directly to a University Public Safety Officer (PSO). Public Safety officers are stationed in University buildings. When a PSO receives a report of sexual misconduct, they will notify the Professional On-Duty (POD) staff member, who is trained to inform reporting parties of the options and resources available.

Medical:

Those who have experienced conduct prohibited by this Policy are strongly encouraged to seek medical treatment. A medical provider can provide emergency and/or follow-up medical services, and the opportunity to discuss any health care concerns in a confidential medical setting. A medical exam following a sexual assault has two goals: first, to diagnose and treat the full extent of any injury or physical effect (sexually transmitted infection or pregnancy) and second, to properly collect and preserve evidence. There is a limited window of time (typically 72 to 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence.

On-Campus:

Student Health Services can provide confidential medical services to University students, such as evaluation and treatment of minor injuries, pregnancy tests, and HIV and STI testing.

Location: Gershman Hall, Room 306

Hours: M-F, 9am-5pm

Phone: 215-717-6230

Website: www.uarts.edu/students/health-services

Off-Campus:

The Philadelphia Sexual Assault Response Center (PSARC) is designated to provide forensic rape examinations to victims of sexual assault. It is recommended that individuals who wish to pursue legal action receive this examination, which includes a collection of evidence. You do not need to file a police report to receive services at PSARC. PSARC is located within the same building as the Philadelphia Police Department Sexual Victims Unit. During this examination, you can receive treatment for injuries and sexually transmitted infections (STIs) as well as emergency contraception. You are not responsible for payment of the medications or medical forensic examination.

Location: 300 E. Hunting Park Avenue, Philadelphia, PA 19124

Phone: 215-800-1589

Transportation to PSARC can be provided by the Philadelphia Police Department.

Support Resources:

The following resources are available to assist members of the University's community to provide counseling and support, as well as with making a report, filing a complaint pursuant to this Policy, and/or participating in the University's investigative process as a reporting party, Complainant, Respondent, or witness.

Confidential Resources:

The following resources maintain confidentiality. Generally, any information disclosed to the resources listed below will be held in confidence unless the individual sharing the information gives their consent to the disclosure of that information.

Confidential resources are not obligated to share information with the University's Title IX Coordinator and disclosure to a confidential resource does not constitute a report to the University. However, this commitment to confidentiality does not preclude the sharing of information among University administrators, as appropriate, to ensure the safety of the members of the University community.

On-Campus:

Student Counseling Center - Services at the University Counseling Center are available to all University students, free of cost. Counseling provides a safe, confidential place to talk and discuss varying issues in a private and confidential setting. Therapists in the Counseling Center are trained to assist students impacted by sexual, physical, and emotional abuse, including those students who may have witnessed or have been accused of sexual misconduct.

Location: Gershman Hall, 307

Walk in Hours: M-F 11am-1pm

Phone: 215-717-6630

Website: www.uarts.edu/counseling

Student Health Services

Location: Gershman Hall, Room 306

Hours: M-F, 9am-5pm

Phone: 215-717-6230

Website: www.uarts.edu/students/health-services

Employee Assistance Program (for employees only):

All University employees are entitled to use the confidential Employee Assistance Program (EAP). Through EAP, employees can access counseling services via telephone and in-person. University employees can obtain more information about EAP through the Human Resources page on the University Portal.

Off-Campus:

Philadelphia Center Against Sexual Violence (formerly known as WOAR) – The Philadelphia Center Against Sexual Violence provides free and confidential individual and group counseling to children and adults who have experienced sexual violence: this includes sexual abuse, sexual assault, rape/date rape, and incest.

Website: www.woar.org

24-Hour Hotline: 215-985-3333

Women Against Abuse - Women Against Abuse provides a number of services to victims of abuse, including 24-hour emergency safe havens, legal advocacy and representation, long-term housing and supportive services, and more.

Location: 100 South Broad Street, Suite 1341, Philadelphia, PA 19110

Phone: 215-386-1280

Website: www.womenagainstabuse.org

The Philadelphia Domestic Violence Hotline

24-Hour Hotline: 1-866-723-3014

National Sexual Assault Hotline

24-Hour Hotline: 1-800-656-4673

National Domestic Violence Hotline

24-Hour Hotline: 1-800-799-7233

Law Enforcement:

Members of the University's community are encouraged, but not required, to report incidents of prohibited conduct under this policy to local law enforcement. At the Complainant's request, the University will assist the Complainant in contacting local law enforcement and will cooperate with law enforcement agencies if a Complainant decides to pursue the criminal process.

To file a criminal complaint directly with the Philadelphia Police Department: call 911 for an emergency, and 311 for a non-emergency.

Note: The filing of a criminal complaint does not reduce or eliminate the University's responsibility to address a report of misconduct under this Policy. Though the University may need to delay temporarily the fact-finding portion of an investigation while the police are gathering evidence, the University will not delay its investigation until the ultimate outcome of the criminal investigation or the filing of any charges, and may need to take interim measures to protect the Complainant and campus community.

Reporting Sexual Misconduct to the University

Individuals may report prohibited conduct to a Responsible Employee (as defined above), directly to the University and/or to outside law enforcement agencies. Disclosures to a confidential resource, such as individuals in the Student Counseling Center, will not be considered a report to the University. Please note that making a report of prohibited conduct is not the same as filing a formal Complaint.

To make a report to the University, contact:
The University of the Arts Title IX Coordinator
titleix@uarts.edu
215-717-6362
Using the link on www.uarts.edu/titleix

AMNESTY

The University encourages reporting and seeks to remove any barriers to reporting by making the procedures for reporting transparent and straightforward. The University recognizes that an individual who has been drinking or using drugs at the time of the incident may be hesitant to make a report or provide information in connection with an investigation under this Policy because of the perceived potential for disciplinary consequences for their own conduct. When information is uncovered through the Title IX investigative process that involves alcohol or drug usage in violation of the Student Handbook, this information **will not be used** to pursue any disciplinary action for alcohol or drug use, provided that any such violations did not and/or do not place the health or safety of any other person at risk. The University may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

Student health and safety are of primary concern of the University. As such, in cases of significant intoxication as a result of alcohol or other substance abuse, we encourage individuals to seek medical assistance for themselves or others. Please see the Medical Amnesty Policy in the Student Handbook for more information.

REPORTS INVOLVING MINORS

For purposes of this Policy and relevant law, a child is defined as an individual under the age of 18. Any University employee who has reasonable cause to suspect abuse of a child that the employee has come into contact with during the course of employment must make a report to the Title IX Coordinator, who will facilitate a report to local law enforcement and the Pennsylvania Department of Public Welfare division of Child Welfare Services. This requirement applies to an employee's suspicion of past or present abuse of a person who is a child at the time of the report. All other members of the University community (students, visitors, guests, etc.) are strongly encouraged to report whenever child abuse is suspected.

In the interest of protecting the safety and welfare of a child, any uncertainty about whether reporting is required or whether abuse has actually occurred should always be resolved in favor of making a report. Do not investigate, attempt to obtain proof, or try to solicit information from the child. This responsibility lies with the Pennsylvania Department of Human Services. If the child is in immediate danger, please call 911 immediately.

Employees may submit a report of suspected child abuse directly to the Pennsylvania Department of Human Services by submitting an online report (preferred method) to the Pennsylvania Department of Human Services at www.compass.state.pa.us/cwis or calling Pennsylvania's Child Line at 800-932-0313 (alternative method). Please Note: If you call Childline, you must also submit a written report within 48 hours. Once an employee submits a report to the Pennsylvania Department of Human Services, they must then notify the University's Title IX Coordinator by calling (215) 717-6362 or emailing titleix@uarts.edu.

INITIAL REVIEW OF A REPORT

Upon receipt of a report of prohibited conduct under this Policy, the Title IX Coordinator and/or other appropriate University administrators will make an initial review of the known information and respond to any immediate health or safety concerns raised by the report, including but not limited to the possible use of interim measures described below. An initial review may lead the Title IX Coordinator to determine that it is necessary for the University to proceed with a formal investigation regardless of whether there is a formal complaint, also described in further detail below.

An individual making a report of sexual misconduct under this Policy can expect information regarding:

- The right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
- The right to contact law enforcement or to decline to contact law enforcement;
- The right to seek a protective order;
- The available University and community resources;
- The right to request reasonable academic, housing, employment, and other accommodations;
- The right to seek informal resolution or formal resolution under this Policy;

- The University's prohibition against retaliation; and
- Any other relevant information that may address the particular individual's safety or procedural questions and concerns.

INTERIM MEASURES

The University may provide reasonable interim support and protective measures to prevent further acts of misconduct under this Policy and to provide a safe educational and work environment. Although individuals may find interim measures most useful during the time period in which the University investigates a complaint arising under this Policy, interim measures may be implemented at any time and may include:

- Academic accommodations;
- University employment accommodations;
- Medical and mental health services, including counseling;
- Change in campus housing;
- Assistance in finding alternative housing;
- Assistance in arranging for alternative University employment arrangements and/or changing work schedules;
- A No Contact Directive that serves as a notice to both parties that they must not have verbal, electronic, written, or third party communication with one another;
- Providing a Public Safety escort to ensure that the individual can move safely between school programs and activities;
- Transportation accommodations;
- Interim separation from University employment or University-related activities, including housing; or
- Assistance in identifying additional resources including off-campus and community advocacy, support, and services.

The University may provide interim measures regardless of whether a Complainant seeks to pursue the University's formal resolution process. Interim measures may be requested by both Complainants and Respondents. The University determines which measures are appropriate on a case-by-case basis.

Student Respondents wishing to contest an interim separation action may do so by notifying the AVP for Student Affairs. Employee Respondents wishing to contest an interim separation action may do so by notifying Human Resources. The Respondent's appeal must be in writing and include the following information:

- Name
- Rationale for the request
- Any documentation that supports that the Respondent would not pose an immediate threat to others or would not pose an imminent threat of disruption to normal campus operations

The Respondent will be notified of the decision within five (5) business days of receipt of the request. The interim separation will remain in effect while any review is pending. There will be no further appeals to this decision. If the interim separation is lifted, other interim restrictions (e.g., removal from university housing, limited access to

campus, cessation of any organizational activities, or changes to work duties) may be assigned until the outcome of any related case.

The interim separation does not replace the regular conduct or discipline processes, which shall proceed as normal.

RIGHT TO AN ADVISOR

All parties to a report under this Policy have the option to choose an advisor to participate in any meeting regarding alleged incidents of sexual misconduct. An approved advisor is required to meet with the Title IX Coordinator or their designee prior to participating to receive information about University Policy and procedures.

The advisor is present to provide support; they do not actively participate in the process, nor may they ask questions or speak on behalf of a party. An advisor may be cautioned or asked to leave if their conduct serves to delay, disrupt or otherwise interfere with the integrity of a meeting or adjudication. The University has the right at all times to determine what constitutes appropriate behavior on the part of the advisor and whether an advisor may remain at a meeting or adjudication proceeding.

NOTE ON PRE-COLLEGE SUMMER INSTITUTE STUDENTS

Complaints of misconduct filed under this Policy against students taking part in the Pre-College Summer Institute will be addressed administratively by the Title IX Coordinator and AVP for Student Affairs, in partnership with the College of Critical and Professional Studies. The adjudication process outlined in this Policy may not apply to allegations made against students taking part in the Pre-College Summer Institute.

INFORMAL RESOLUTION PROCESS

Informal resolutions are alternative means of resolving reports under this Policy that do not involve the formal resolution/complaint and adjudication process. Informal resolutions generally are pursued when the Complainant, having been fully informed of all available options, has explicitly made that choice. An informal resolution process must be voluntary for both parties, and either party can ask to end the informal resolution process at any time before its completion.

A Complainant who pursues a formal resolution under this Policy may request an informal resolution at any point up to and including the charging meeting with the Associate Vice President for Student Affairs.

Once a complaint has been resolved through an informal resolution process, the matter will be considered closed, and a future complaint cannot be filed based on the same allegations.

For some limited types of alleged violations of this Policy, an informal resolution may include mediation. Mediation may not be appropriate for complaints of sexual violence, intimate partner or dating violence, and/or other types of misconduct depending on the particular circumstances surrounding each complaint. Even if both parties otherwise

agree to engage in an informal resolution process, the University retains ultimate discretion as to whether such a process would be appropriate in any individual case.

FORMAL RESOLUTION PROCESS FOR FACULTY AND STAFF RESPONDENTS

In the Absence of a Formal Complaint:

In order to protect the safety of the campus community, the Title IX Coordinator may determine that it is necessary to investigate allegations of violations of this Policy even absent the filing of a formal complaint or report or if a formal complaint has been withdrawn.

In some cases, the Title IX Coordinator may need to proceed with an investigation even if a Complainant specifically requests that the matter not be pursued. In those circumstances, the Title IX Coordinator will take into account the Complainant's articulated concerns, the best interests of the University community, fair treatment of all individuals involved, and the University's obligations under Title IX/VAWA. A formal resolution that occurs as a result of this analysis will follow the procedures described below.

Formal Complaints:

When a Complainant, having been made fully aware of all informal and formal resolution options under this Policy, chooses to pursue a formal complaint against the Respondent(s), the below procedures will follow.

Investigation:

If the University receives a formal complaint under this Policy, or the University deems it necessary to proceed with a formal investigation absent a formal complaint, a formal investigation will commence promptly. The investigation will be conducted by a qualified individual who receives annual training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking, as well as training on how to conduct an investigation that is fair, impartial, and thorough.

The Respondent will receive written notice of any allegations against them prior to their interview. The investigator will interview the parties separately and will make reasonable attempts to gather any available relevant physical or medical evidence, including documents, communications between parties, and other electronic records as appropriate. Parties are permitted to submit written statements in addition to, or in lieu of, participating in an interview. The investigator will determine the relevancy of any proffered information. The investigator may not consider statements of personal opinion and statements as to any party's general reputation for any character trait.

At the conclusion of the fact-gathering stage of the investigation, the investigator will prepare an investigative report which will be made available to both parties for review. Each party will have an opportunity to provide additional written information to the investigator, to request the collection of additional information, and to identify individuals who may possess relevant information and request that such individuals be interviewed. If any additional information is gathered, a summary of that information will be shared with both parties and each will have the opportunity for further response. The investigator will designate reasonably prompt deadlines to ensure a timely completion of the process while also providing an adequate opportunity for both parties to provide thorough information in the investigation.

Investigations and resolutions of formal complaints under this Policy will be reasonably prompt. Factors that may contribute to the timeframe of an investigation and resolution include, but are not limited to: a need to comply with a request by external law enforcement for temporary delay to gather evidence for a criminal investigation, a request to accommodate the availability of witnesses, a need to account for University breaks or vacations, or a need to account for the complexities of a particular case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons. The University will communicate with the parties any expected delays in the investigation or resolution of a complaint and the reasons for any delay.

Adjudication:

At the discretion of the Title IX Coordinator, in consultation with other relevant University constituents such as the Provost or Human Resources, the University may utilize either an external adjudicator or a single investigator model to adjudicate formal complaints filed under this policy against faculty or staff Respondents. In making the determination to select an appropriate adjudicative process, the Title IX Coordinator may consider, among other factors: the nature of the report; the complexity of the facts involved; whether the report implicates any issues of actual or apparent conflicts of interest; the availability of trained University adjudicators; the University's academic or administrative calendars (including whether the University is in session or on break); or any other relevant factors.

Regardless of the use of a single investigator or external adjudicator, determinations regarding responsibility will be made by considering whether, based on the information set forth in the investigative report, there is sufficient information to determine that the Respondent violated University Policy by a preponderance of evidence.

Sanction:

In determining an appropriate sanction for a violation of this Policy, the University may consider a range of factors, including but not limited to: the nature of the conduct; the degree of violence, if any, involved; the impact of the conduct on the Complainant or other parties; the impact or implications of the conduct on the community or the University; prior misconduct by the Respondent; maintenance of a safe and respectful educational and employment environment; and any other mitigating, aggravating, or compelling circumstances in order to reach a just and appropriate resolution in each case.

For faculty Respondents: If a determination has been made that the actions of a faculty Respondent violated this Policy, the dean of the college or division and/or other appropriate administrators, in consultation with Human Resources and the Title IX Coordinator, will determine the appropriate disciplinary action to be taken against the faculty member to address the violation, to prevent its reoccurrence, and to address its effects.

For staff Respondents: If a determination has been made that the actions of a staff Respondent violated this Policy, the Respondent's immediate supervisor and/or other appropriate administrators, in consultation with Human Resources and the Title IX Coordinator, will determine the appropriate disciplinary action to be taken against the staff member to address the violation, to prevent its reoccurrence, and to address its effects.

The University will provide written notice of the outcome of any formal resolution proceedings, including the determination of a Policy violation and the imposition of any sanction(s) to both parties.

Sanctions that may be imposed under this Policy include, but are not limited to:

- **Verbal Warning:** An in-person meeting with the Title IX Coordinator, the Respondent's supervisor or other appropriate administrator, to discuss behavioral expectations and standards for University community members.
- **Written Warning:** Notice, in writing, that continuation or repetition of prohibited conduct may be cause for additional disciplinary action.
- **Educational Requirements:** Completion of training, projects, programs, or requirements designed to help the employee manage behavior and understand why it was inappropriate. Includes appropriate and relevant community service opportunities.
- **Suspension:** Exclusion from University premises, attending classes, and other privileges or activities for a specified period of time, as set forth in the suspension notice. Notice of this action will remain in the employee's file. Conditions for return to work may be specified in the suspension notice.
- **Termination:** Permanent termination of employment status and exclusion from University premises, privileges, and activities. This action will be permanently recorded in the employee's file.
- **Other discipline** may be imposed instead of, or in addition to, those specified above. More than one of the disciplinary outcomes listed above may be imposed for any single violation.

Appeal:

Either party may appeal the outcome or the sanction of a matter resolved under this Policy (including a finding that there was insufficient evidence to determine a policy violation occurred) within ten (10) calendar days of receiving written notice of the outcome and sanction. The appeal shall consist of a concise and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal.

Appeals are limited to the grounds of:

- new evidence that could affect the finding of the responsibility/non-responsibility and that was not reasonably available at the time of the investigation;
- procedural error(s) that had a material impact on the fairness of the adjudication; and
- the imposed sanctions were grossly disproportionate to the violation committed.

Faculty appeals should be submitted to the Provost; Staff appeals should be submitted to the Vice President of Finance and Administration. Appeals are not intended to be a full rehearing of the allegations. This is not an opportunity for the Appellate Authority to substitute their judgment for that of the original adjudicator, but rather to make a determination regarding the specific grounds on which the appeal was made. The Appellate Authority shall make a determination of the appeal within ten (10) calendar days of receipt of the appeal. The decision of the Appellate Authority is final.

FORMAL RESOLUTION PROCESS FOR STUDENT RESPONDENTS

In the Absence of a Formal Complaint:

In order to protect the safety of the campus community, the Title IX Coordinator may determine that it is necessary to investigate allegations of violations of this Policy even absent the filing of a formal complaint or report or if a formal complaint has been withdrawn.

In some cases, the Title IX Coordinator may need to proceed with an investigation even if a Complainant specifically requests that the matter not be pursued. In those circumstances, the Title IX Coordinator will take into account the Complainant's articulated concerns, the best interests of the University community, fair treatment of all individuals involved, and the University's obligations under Title IX. A formal resolution that occurs as a result of this analysis will follow the procedures described below.

Formal Complaints:

When a Complainant, having been made fully aware of all informal and formal resolution options under this Policy, chooses to pursue a formal complaint against the Respondent(s), the below procedures will follow.

Investigation:

If the University receives a formal complaint under this Policy, or the University deems it necessary to proceed with a formal investigation absent a formal complaint, a formal investigation will commence promptly. The investigation will be conducted by a qualified individual who receives annual training on issues related to sexual and gender-based harassment, sexual assault, dating violence, domestic violence, and stalking, as well as training on how to conduct an investigation that is fair, impartial, and thorough.

The Respondent will receive written notice of any allegations against them prior to their interview. The investigator will interview the parties separately and will make reasonable attempts to gather any available relevant physical or medical evidence, including documents, communications between parties, and other electronic records as appropriate. Parties are permitted to submit written statements in addition to, or in lieu of, participating in an interview. The investigator will determine the relevancy of any proffered information. The investigator may not consider statements of personal opinion and statements as to any party's general reputation for any character trait.

At the conclusion of the fact-gathering stage of the investigation, the investigator will prepare an investigative report which will be made available to both parties for review. Each party will have an opportunity to provide additional written information to the investigator, to request the collection of additional information, and to identify individuals who may possess relevant information and request that such individuals be interviewed. If any additional information is gathered, a summary of that information will be shared with both parties and each will have the opportunity for further response. The investigator will designate reasonably prompt deadlines to ensure a timely completion of the process while also providing an adequate opportunity for both parties to provide thorough information in the investigation.

Investigations and resolutions of formal complaints under this Policy will be reasonably prompt. Factors that may contribute to the timeframe of an investigation and resolution include, but are not limited to: a need comply with a

request by external law enforcement for temporary delay to gather evidence for a criminal investigation, a request to accommodate the availability of witnesses, a need to account for University breaks or vacations, or a need to account for the complexities of a particular case, including the number of witnesses and volume of information provided by the parties, or for other legitimate reasons. The University will communicate with the parties any expected delays in the investigation or resolution of a complaint and the reasons for any delay.

Threshold Determination:

Upon completion of the investigative report, the investigator will make a threshold determination regarding the allegation(s). The determination will consider whether the investigative report contains sufficient information for an adjudicator to make a determination as to whether or not there was a violation of this Policy based on the preponderance of the evidence. If a determination is made that this threshold has not been reached, the investigator will notify the parties in writing of this determination. If a determination is made that the threshold has been reached, the investigator will notify the parties of this determination and submit the investigative report to the AVP for Student Services.

Adjudication

Role of AVP for Student Affairs in Adjudication:

The AVP for Student Affairs is responsible for ensuring that the adjudication procedures are followed as outlined in this Policy. The AVP for Student Affairs will be reasonably available to the parties and advisors to answer questions throughout the hearing process, and may interject as needed during the hearing.

Selection of an Adjudicative Body:

The Title IX Coordinator and AVP for Student Affairs, in consultation with other relevant University constituents, will select an adjudicative body to conduct a hearing.

The University may, at its sole discretion, select from the following options:

- A single external adjudicator;
- A Campus Standards Board panel comprised of four (4) University faculty and staff members (three voting panel members and one individual serving as a non-voting Chair);
- A hybrid Campus Standards Board panel comprised of three (3) faculty and staff members (serving in a voting capacity) and one (1) external participant to serve as a non-voting Chair; or
- A Student Conduct Administrator (see Section 5 of the Student Handbook).

In making the determination to select an appropriate adjudicative body, the University may consider, among other factors: the nature of the report; the complexity of the facts involved; whether the report implicates any issues of actual or apparent conflicts of interest; the availability of trained panel members for a hearing; the University's academic or administrative calendars (including whether the University is in session or on break); or any other relevant factors.

Either the Complainant or Respondent may submit a written request to the AVP for Student Services to contest the individual(s) participating in adjudication if there are reasonable articulated grounds to suspect bias, conflict of interest, or an inability to be fair and impartial. This challenge must be raised within four (4) business days of receipt of notification of the selected adjudicative body.

Anyone who participates in adjudication under this Policy receives specific training regarding sex discrimination, sexual misconduct, intimate partner and dating violence, stalking, and retaliation. Students are not permitted to serve on an adjudicative body.

Notice of Charges and Meeting with the AVP for Student Affairs:

The AVP for Student Affairs will notify the parties, in writing, of the formal charges under this Policy. The parties will have the opportunity to meet with the AVP for Student Affairs to review the charges, options under the Policy, and hearing process.

As noted above, the Complainant has the opportunity to request an Informal Resolution at any point up to and during this meeting with the AVP for Student Affairs.

Acceptance of Responsibility by the Respondent:

After receiving the formal charge(s) from the AVP for Student Affairs, the Respondent may choose not to contest the charge(s) and give up the right to a hearing by accepting responsibility for all charges. If a Respondent accepts responsibility, the Complainant will be notified in writing and both parties will have the opportunity to submit written information for consideration in sanctioning; a Complainant may submit an impact statement, and a Respondent may submit a mitigation statement.

The AVP for Student Affairs will impose the appropriate sanction(s) (see below for guidelines and range of permissible sanctions). The Complainant and Respondent will be simultaneously notified of the sanction(s) and rationale for the sanction in writing, and this sanction decision may only be appealed by both parties based on the grounds of “the imposed sanction(s) were grossly disproportionate to the violation committed.” If there is no appeal by either party, the sanction imposed will be final.

Scheduling the Hearing:

The hearing will be scheduled with reasonable consideration of the schedules of the parties, advisors, and the University’s calendar. The parties will be given notice of the date of the hearing at least ten (10) business days prior to the hearing.

Either party may request to have an adjudication rescheduled. Absent extenuating circumstances, requests to reschedule must be submitted to the AVP for Student Affairs at least three (3) business days prior to the adjudication. A request to reschedule adjudication must be supported by a compelling reason for the delay. A determination as to whether compelling reason(s) exist to justify reschedule a hearing will be made by the AVP for Student Affairs and will not be subject to appeal. The University may also reschedule the adjudication, without a request by the parties, when there is reasonable cause to do so. The parties will be notified promptly of any changes to the scheduled adjudication.

Failure to attend one's own hearing does not preclude the case from being heard and a decision from being rendered.

Parties' Access to Information Prior to the Hearing:

The parties will be given access to the investigative report and any supporting evidence ten (10) business days leading up to the hearing.

Requesting the Presence of Witnesses at the Hearing:

Witnesses may be present only at the request of the parties. Requests for witnesses must be made, in writing, to the AVP for Student Affairs at least five (5) calendar days prior to the date of the hearing. Witnesses are limited to those individuals who were formally interviewed by the investigator. Similarly, parties may not refer to evidence during the hearing that was not considered by the investigator during the investigation.

Options for Alternative Presence:

For reasons of privacy or safety, either party may request the presence of a partition or to attend the hearing via videoconference (or other means that do not entail physical presence). All such requests will be considered and decided at the discretion of the AVP for Student Affairs.

Restriction on Direct Communication Between the Parties:

Parties are entitled to ask questions of one another, of witnesses, and of the panel during the hearing; however they may not address each other directly. Parties may submit any questions to be asked at the hearing in advance of or during the hearing to the AVP for Student Affairs, who will then ask the questions. The AVP for Student Affairs will use reasonable discretion to determine appropriateness and relevance of each question posed and may rephrase or decline to ask any particular question.

Recording of the Hearing:

There shall be a single recording of all hearings under this Policy (not including deliberations). The recordings shall be property of the University and will be maintained in accordance with FERPA. In case of an appeal, an audio file of the transcript is available to either the Complainant or Respondent for review in a space approved by the AVP for Student Affairs and in the presence of a University administrator. The recordings will typically be destroyed at the conclusion of the adjudicative process, including any internal appeals.

Hearing Procedures:

- A hearing will be called to order by the Chair. The AVP for Student Affairs will then explain the adjudication process and make introductions of those present at the hearing.
- The Chair will read the charges and the responding party will provide a preliminary indication of whether they are responsible or not responsible for those charges.
- If appropriate, the investigator will provide a summary of the investigation. The adjudicative body members, the Complainant, and the Respondent, may ask questions of the investigator.

- The Complainant may present an opening statement. The adjudicative body members and the Respondent may pose questions to the Complainant.
- The Respondent may present an opening statement. The adjudicative body members and the Complainant may pose questions to the Respondent.
- The AVP for Student Affairs will identify and call relevant witnesses. The adjudicative body members and the parties may pose questions to the witnesses.
- The AVP for Student Affairs may call back any participant for additional questions or clarifications.
- The Complainant may present a closing statement.
- The Respondent may present a closing statement.
- At the conclusion of the hearing, all parties except the adjudicative body members and the AVP for Student Affairs shall be excused from the hearing room.

Deliberation:

The adjudicative body will determine a Respondent's responsibility by a preponderance of the evidence. This means that the adjudicative body will decide whether it is "more likely than not," based upon the information provided at the adjudication, that the Respondent is responsible for the alleged violation(s) of this Policy. A majority vote is required to establish a finding.

The AVP for Student Affairs will remain for deliberation but does not vote. The adjudicative body members will first try to reach a determination by consensus; but a simple majority vote as to responsibility will suffice.

The findings of the adjudicative body will be reduced to writing by the Chair of the adjudicative body. The findings will detail the findings of fact and determination of responsibility, making reference to the evidence that led to the finding and will serve as the record of the proceeding. The vote of individual adjudicative body members shall not be shared with any parties.

Sanctions:

The AVP for Student Affairs is responsible for determining appropriate sanctions for findings of responsibility under this Policy. In doing so, they may consult with the Title IX Coordinator.

Factors considered in determining appropriate sanctions may include:

- The Respondent's prior discipline history, if any;
- How the University has sanctioned similar incidents in the past;
- The nature and severity of the conduct at issue;
- The impact of the conduct on the Complainant, and their desired sanctions, if known;
- The impact of the conduct on the University community, its members, or its property;
- Whether the Respondent appears to understand the severity of their actions; and
- Any other mitigating or aggravating circumstances, including the University's values.

Any Respondent who is determined to have engaged in any form of prohibited conduct may receive a sanction ranging from a warning to expulsion and appropriate educational requirement. The University may broaden or

lessen any sanctions based on significant mitigating circumstances or egregiously offensive behavior. The University may issue a single sanction or a combination of sanctions. Sanctions may include, but are not limited to, the following:

- **Warning:** A written notification that a violation of the Student Code of Conduct occurred and that any further responsible finding of misconduct may result in more severe disciplinary action. Warnings are typically recorded for internal purposes only and are not considered part of a student's permanent student conduct record. Though disclosed with a student's signed consent, a student who receives a warning is still considered in good standing.
- **Probation:** A written notification that indicates a serious and active response to a violation of the Student Code of Conduct. Probation is for a designated period of time and includes the probability of more severe sanctions, if found responsible for additional violations of the Student Code of Conduct, including suspension or expulsion from the University. Notification of probation is considered a change in good standing status.
- **Loss of privileges:** Denial of the use of certain University facilities or the right to participate in certain activities, events, programs, or to exercise certain privileges for a designated period of time.
- **Restitution:** A student may be required to make payment to an individual or to the University related to the misconduct for damage, destruction, defacement, theft, or unauthorized use of property.
- **Fines:** The University of the Arts reserves the right to impose fines, as appropriate, in addition to requiring payment for costs resulting from or associated with the offenses.
- **Relocation or removal from (University-operated) housing:** Relocation is the reassignment of a student from one living space to another. Removal from housing is the removal of a student from all University-operated housing. Relocation and removal from housing are typically accompanied by the loss of privileges regarding the visitation to specific residential areas for a specified period of time. The University may take such action for remedial, rather than disciplinary purposes.
- **Revocation of Affiliation:** Revocation of affiliation is the permanent removal of a student as a member of a specific organization and/or the permanent removal of an organization's recognized affiliation with the University.
- **No Contact Directives:** No Contact Directives are directives to students that restrict the contact and/or communication between or among designated parties. No Contact Directives may be the result of a student conduct process or put in place temporarily. No Contact Directives are not legal protective orders as those are issued by a court of law.
- **Persona Non Grata:** Persona Non Grata prohibits an individual from a specific or all campus property. Violation of a persona non grata may subject the violator to arrest for trespass.
- **Educational/Assessment/Referrals:** The University reserves the right to impose counseling or substance assessments or other required educational sanctions.

- **Suspension:** The separation of a student from the University for a specified period of time, after which the student is eligible to return. Conditions for re-enrollment may be required and will be included in the notification of suspension. During the period of suspension, the student may not participate in University academic or extracurricular activities and may be barred from all property owned or operated by the University. Suspension from the University will result in automatic “W” grades in all classes for the semester in which suspension was sanctioned. Students who are suspended may not be on campus without specific, written permission of the Associate Vice President for Student Affairs or designee. Suspension is for a designated period of time and includes the probability of more severe sanctions, including expulsion, if found responsible for violations of the Student Code of Conduct. Notification of suspension will normally be sent to parents, as it results in a change in good standing status.
- **Expulsion:** Expulsion is the permanent separation of the student from the University. Expulsion from the University will result in automatic “W” grades in all classes for the semester in which expulsion was sanctioned. Students who are expelled may not be on campus without specific, written permission of the Associate Vice President for Student Affairs or designee. Notification of expulsion will normally be sent to parents, as it results in a change in good standing status.

The following sanctions, among others, may be imposed upon student groups or organizations:

- **Deactivation:** Loss of privileges, including University recognition, for a specified period of time.

More than one of the above sanctions listed may be imposed for any single violation. Other than University expulsion, disciplinary sanctions shall not be made part of the student’s academic transcript but shall become part of the student’s permanent record. A student’s permanent record is, subject to review only by those authorized to request it, such as transfer higher-education institutions and future employers and in other cases when the student initiates the disclosure.

Notice of Outcome and Sanction, if any:

The AVP for Student Affairs will notify both the Respondent and the Complainant, in writing, of the outcome, rationale, and any sanctions, if applicable, within five (5) business days. The notice will include notification of appeal options. Typically, the imposition of sanctions will take effect immediately and will not be stayed pending the resolution of the appeal.

Appeal:

Either party may appeal the determination of responsibility or sanction(s). The Vice President for Enrollment Management and Student Affairs hears appeals of non-academic decisions, except in cases where the Vice President is the reporting party or a witness in the matter. (In such instances, appeals will go to the Vice President for Academic Affairs).

Appeals must be filed within ten (10) business days of receiving the written notice of outcome.

Dissatisfaction with the outcome of the hearing is not grounds for appeal.

The limited grounds for appeal of an outcome are as follows:

- New evidence that could affect the finding of responsibility and that was unavailable at the time of the investigation; and/or
- Procedural error(s) that had a material impact on the fairness of the adjudication.

The limited grounds for appeal of a sanction(s) are as follows:

- The imposed sanction(s) were inappropriate under University sanctioning guidelines.

If the respondent accepts responsibility, and no hearing is convened, the limited grounds for appeal are as follows:

- The imposed sanctions were inappropriate under University sanctioning guidelines.

The appeal shall consist of a concise and complete written statement outlining the grounds for the appeal. Upon receipt of an appeal, the Associate Vice President for Student Affairs (or their designee) will notify both parties. Each party has an opportunity to respond in writing to the appeal. Any response to the appeal must be submitted to the appropriate appeal review party (see above) within two (2) business days of notice of the appeal.

The appeal consideration will be conducted in an impartial manner by the appeal review party. In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately. The appeal is not a new review of the underlying matter.

The appeal review party shall consider the merits of an appeal only on the basis of the three (3) grounds for appeal and supporting information provided in the written request for appeal and the record of the original hearing. The appeal review party can affirm the original findings, alter the findings, and/or alter the sanctions, depending on the basis of the requested appeal.

If the appeal is granted based on procedural error(s) that materially affected the outcome of the matter, the appeal review party will order that a new hearing be conducted by a new adjudicative body.

In the case of new and relevant information, the appeal review party can recommend that the case be returned to the original adjudicative body to assess the weight and effect of the new information and render a determination after considering the new facts.

Typically, the appeal review party will communicate the result of the appeal to the parties within ten (10) business days from the date of the submission of all appeal documents by both parties, but the time may be longer or shorter depending on the nature of the case. Appeal decisions are final.

OBLIGATION TO PROVIDE TRUTHFUL INFORMATION

All University community members are expected to provide truthful information in any report or proceeding under this Policy. Knowingly submitting or providing false or misleading information in bad faith or with a view to personal gain, to cause intentional harm to another, or to obstruct or delay the University's process in connection with an alleged Policy violation is prohibited and subject to disciplinary sanctions. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are not ultimately substantiated.

STATEMENT OF ACADEMIC FREEDOM

The free expression and study of ideas are essential to the pursuit of a higher education. At times, it will be necessary to consider ideas that some community members may find unpleasant or offensive, for the simple reason that offensive ideas are part of our history and culture. All University community members must be empowered to discuss any topic or idea that is germane to the subject at hand, while at the same time acting as good citizens and participants in a shared endeavor with people of all political and social worldviews and with varied backgrounds. This calls for honest discussion, the asking of questions to clear up misconceptions, and a search for the universal growing from careful examination of the specific contexts of studied works. It calls for treating other community members as human beings with individual sets of experiences and opinions, treating them with dignity, but also extending to them the respect not only of their experiences and opinions, but also of their intellectual curiosity and resilience.

Additionally, this Policy adopts the Statement of Academic Freedom found in the University's Faculty Handbook.

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, contains the Sexual and Gender-Based Violence, Discrimination, Exploitation, Stalking and Harassment Policy. The Title IX Resource Page contains emergency resources for victims of sexual misconduct, confidential reporting options, information about on and off-campus support services, contact information for the Title IX Coordinator, 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 regarding the adjudication of misconduct under the University's Sexual Misconduct Policy.

NEW STUDENT TRAINING

In order to educate the community about sexual assault prevention, and to ensure compliance with the Violence Against Women Act (VAWA) and the Campus Sexual Violence Elimination Act (SaVE), all students are required to complete an online course through outside provider EverFi called "*Sexual Assault Prevention*." *Sexual Assault Prevention* provides students with a comprehensive foundation in four areas: sex in college, partying smart, sexual violence, and healthy relationships the *Sexual Assault Prevention* program includes mandatory modules on preventing and identifying sexual assault and date rape. The completion rate was above 97%.

STUDENT LEADER TRAINING

The Title IX Coordinator provides training to all Student Leaders: Resident Assistants, First Year Guides, 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 participates in the UArts annual Student Activities Fair.

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

DOMESTIC VIOLENCE / DATING VIOLENCE

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 to: 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.

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/

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 Office 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:

Associate VP for Student Affairs 215-717-6627

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 Office 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 Office 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 Office 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 Office of Public Safety and/or law enforcement. If reported to the Office of Public Safety, the Office 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."

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, tablets, 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 resolving 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 Office 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 Office 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) require 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:

CAMPUS CRIME REPORT – University of the Arts (Federal Reporting)												
	On Campus Including Residential Halls			Residential Halls			Non Campus			Public Property		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
CLERY CRIMES												
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
Sex Offense: Rape	5	2	0	5	2	0	0	0	0	0	0	0
Sex Offense: Fondling	2	1	1	1	1	0	1	0	1	1	0	0
Sex Offense: Incest	0	0	0	0	0	0	0	0	0	0	0	0
Sex Offense: Statutory Rape	0	0	0	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	2	0	0	0	0	0	0	0	0	2	1
Burglary	0	9	2	0	2	2	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		
	2019	2018	2017	2019	2018	2017	2019	2018	2017	2019	2018	2017
VAWA OFFENSES												
Dating Violence	1	1	0	1	1	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0	0	0	0
Stalking	2	1	0	1	1	0	0	0	0	0	0	0
ALCOHOL, DRUGS, WEAPONS												
Weapons Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Weapons Disciplinary Referrals	0	2	0	0	1	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	22	24	37	18	24	37	0	0	0	0	0	0
Liquor Law Arrests	0	0	0	0	0	0	0	0	0	0	0	0
Liquor Law Disciplinary Referrals	19	8	10	19	8	10	0	0	0	0	0	0

Hate Crimes	
2019	None
2018	One public property hate crime incident of racial slurs characterized by ethnicity origin was reported.
2017	None

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 2411 for 2019, 2,448 for 2018 and 2,401 for 2017. 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)

Pennsylvania Uniform Crime Reporting Statistics						
PART I Offenses	2019	Index per 100,000	2018	Index per 100,000	2017	Index per 100,000
Criminal Homicide	0	0	0	0	0	0
Forcible Rape	5	207.3	2	81.6	0	0
Robbery	0	0	0	0	1	42.6
Aggravated Assault	0	0	2	81.6	1	41.6
Simple Assault	5	207.3	7	285.9	3	124.9
Burglary	0	0	9	367.6	2	82.2
Larceny (Theft)	33	1368.7	34	1388.8	16	666.3
Motor Vehicle Theft	0	0	0	0	0	0
Arson	0	0	0	0	0	0
Total Part I Crimes	43	1783.4	54	2205.8	22	916.2
PART II Offenses						
Forgery & Counterfeiting	0	0	0	0	0	0
Fraud	0	0	1	40.8	0	0
Embezzlement	0	0	0	0	0	0

Stolen Property – buying, receiving, possessing	0	0	0	0	0	0
Vandalism	25	1036.9	14	571.8	6	249.8
Weapons - carrying, possessing etc.	0	0	2	81.6	0	0
Commercialized Vice / Prostitution	0	0	0	0	0	0
Non-forcible sex offenses	0	0	0	0	1	41.6
Drug abuse violations	22	912.4	24	980.3	37	1541.0
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	19	788.0	6	245.0	10	416.4
Drunkenness	0	0	2	81.6	0	0
Disorderly Conduct	1	41.4	2	81.6	0	0
Vagrancy	0	0	0	0	0	0
Other Offenses *	15	622.1	11	449.3	7	291.5
Total Part II Offenses	82	3401.0	62	2532.6	61	2540.6
GRAND TOTAL	125	5184.5	116	4738.5	83	3456.8

*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 Office 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 with an oven and range available for student use in the lounge.

Students are not permitted to bring their own appliances: a full list of prohibited kitchen items can be found online in the Student Handbook.

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 Resident Assistant Manual 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 2019 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
*	*	*	*	*	*
Furness Hall (1499 Pine Street)	1	Sage sticks	0	0	0
Pine Hall (1500 Pine Street)	0	N/A	N/A	N/A	N/A
Juniper Hall (311 S Juniper Street)	2	Exhaust Fan/Cooking	0	0	\$250.00

Spruce Hall (1228 Spruce Street)	0	N/A	N/A	N/A	N/A
Total Fires	3		0	0	\$250.00

REPORTED FIRES FOR 2018 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
*	*	*	*	*	*
Furness Hall (1499 Pine Street)	0	N/A	N/A	N/A	N/A
Pine Hall (1500 Pine Street)	0	N/A	N/A	N/A	N/A
Juniper Hall (311 S Juniper Street)	3	Cooking	0	0	\$4550.00
Spruce Hall (1228 Spruce Street)	0	N/A	N/A	N/A	N/A
Total Fires	3		0	0	\$4550.00

REPORTED FIRES FOR 2017 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
Chestnut St (1204 Chestnut)*	0	N/A	N/A	N/A	N/A
Furness Hall (1499 Pine Street)	0	N/A	N/A	N/A	N/A
Pine Hall (1500 Pine Street)	0	N/A	N/A	N/A	N/A
Juniper Hall (311 S Juniper Street)	0	N/A	N/A	N/A	N/A
Spruce Hall (1228 Spruce Street)	1	Cooking	0	0	\$260.00
Total Fires	1		0	0	\$260.00

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

2019 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
Furness Hall (1499 Pine Street)	Yes	Yes	Yes	Yes	4
Pine Hall (1500 Pine Street)	Yes	Yes	Yes	Yes	4
Juniper Hall (311 S Juniper Street)	Yes	Yes	Yes	Yes	4

Spruce Hall (1228 Spruce Street)	Yes	Yes	Yes	Yes	4
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2018 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
*	*	*	*	*	*
Furness Hall (1499 Pine Street)	Yes	Yes	Yes	Yes	4
Pine Hall (1500 Pine Street)	Yes	Yes	Yes	Yes	4
Juniper Hall (311 S Juniper Street)	Yes	Yes	Yes	Yes	4
Spruce Hall (1228 Spruce Street)	Yes	Yes	Yes	Yes	4

2017 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
Chestnut St (1204 Chestnut)*	Yes	Yes	Yes	Yes	N/A
Furness Hall (1499 Pine Street)	Yes	Yes	Yes	Yes	4
Pine Hall (1500 Pine Street)	Yes	Yes	Yes	Yes	4
Juniper Hall (311 S Juniper Street)	Yes	Yes	Yes	Yes	4
Spruce Hall (1228 Spruce Street)	Yes	Yes	Yes	Yes	4

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



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